



Development Services Committee Public Meeting Agenda

Meeting No. 1 | December 6, 2022 | 7:00 PM | Live streamed

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***Note: As per Section 7.1(h) of the Council Procedural By-Law,
Council will take a ten minute recess after two hours have passed since the last break.***



Development Services Public Meeting Agenda

Meeting Number: 1

December 6, 2022, 7:00 PM - 9:00 PM

Live streamed

Pages

1. CALL TO ORDER
2. DISCLOSURE OF PECUNIARY INTEREST
3. DEPUTATIONS
4. REPORTS
 - 4.1 CITY OF MARKHAM'S RESPONSE TO BILL 109 - MORE HOMES FOR EVERYONE ACT, 2022 (10.0) 2

B. Roberts, ext. 2800 and G. Day, ext. 3071
 - 4.2 2023 DEVELOPMENT FEE AND BUILDING BY-LAWS (10.0) 39

J. Yeh, ext. 7922
5. ADJOURNMENT



Report to: Development Services Committee

Report Date: November 29, 2022

SUBJECT: City of Markham's Response to Bill 109 - [*More Homes for Everyone Act, 2022*](#)

File No: PR 22 260697

WARD: ALL

PREPARED BY: Geoff Day, MCIP, RPP, Senior Planner II, Development Facilitation Office
Brad Roberts, Manager, Development Facilitation Office

REVIEWED BY: Stephen Lue, MCIP, RPP, Senior Development Manager

RECOMMENDATION:

- 1) That the November 29, 2022, report titled, "City of Markham's Response to Bill 109 - [*More Homes for Everyone Act, 2022*](#), File: PR 22 260697", be received;
- 2) That Staff advise the Development Services Committee of the scheduling of a statutory Public Meeting as required under the [*Planning Act*](#), to be held on December 6, 2022, to receive public input;
- 3) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

In response to the Province of Ontario's changes to the *Planning Act* under Bill 109, Staff propose amendments to the City's Official Plan and the creation of new Site Plan Delegation and Pre-Consultation By-laws.

The proposed Official Plan Amendment includes a number of changes related to the deeming complete of Official Plan, Zoning By-law, and Site Plan applications.

The proposed Site Plan Delegation By-law authorizes the Director of Planning and Design, or their designate, as its delegated officer, employee or agent of the municipality to approve site plans. The proposed Pre-Application Consultation By-law implements the policy changes in the draft Official Plan Amendment and includes the "Clarification and Understanding", "Pre Application Consultation", and "Complete Application" processes, by By-law.

Correspondence from York Region was received on November 7, 2022 delegating approval authority for the Official Plan Amendment to the City of Markham.

PURPOSE:

This report provides an overview of the City's current development approval process and recommends changes and improvements to reflect the Province of Ontario's *Bill 109, More Homes for Everyone Act, 2022* (Bill 109), *Planning Act* amendments that received Royal Assent on April 14, 2022.

BACKGROUND:

Bill 109 intends to build homes faster by streamlining development approvals, facilitating faster decisions, increasing certainty of parkland requirements for Transit Oriented Communities, and ensuring certainty of development costs. Through amendments to the *Planning Act*, Bill 109 places the onus on municipalities to address the matters noted above. Markham Staff provided an [information report \(item 8.1\)](#) to the Development Services Committee ("DSC") on July 11, 2022, which provided a summary of the key changes to the *Planning Act* and a complete analysis of the planned and existing programs that Markham currently has in place to streamline planning and development processes. Staff recommendations are outlined later in this report.

Bill 109 also requires the delegated approval of site plan applications received after July 1, 2022, to an officer, employee, or agent of the municipality. The City's current Site Plan Delegation By-law only delegates certain site plan application types to Staff at the discretion of Council, which now conflict with the *Planning Act* amendments.

Current Process:

Official Plan and Zoning By-law Amendment applications were subject to pre-consultation with the submission of a preliminary development proposal and, at the request of the Staff, a pre-consultation meeting

Presently, the City and external agencies provide an applicant with a submission checklist for all required documentation for Staff to deem an application complete. Through the same process, only after an application is deemed complete would Staff conduct the technical review of the submitted documentation to determine whether the quality and content met the standards of the City and external agencies. This typically results in several resubmissions and consequently creates delays in the processing of an application.

Site Plan applications were subject to pre-consultation, but not subject to the requirements of a complete application

Similar to the Official Plan and Zoning By-law Amendments process, only after the submission of a Site Plan application would Staff undertake the technical review to determine whether the quality and content of the submitted documentation met the standards of the City and external agencies. Similarly to the above, this can result in a long review and commenting period depending on the quality and content of the documentation provided.

Staff note that unlike Official Plan and Zoning By-law Amendment applications, the *Planning Act* does not require statutory Public Meetings for site plans and appeal rights remain with only the applicant and not the public.

OPTIONS/ DISCUSSION:

As identified in the [June 11, 2022 Staff report](#), Bill 109 requires municipalities to partially or entirely refund fees for applications for stand-alone Zoning By-law Amendment, combined Official Plan Amendment and Zoning By-law Amendment, and Site Plan applications if a decision by the municipality is not made within the prescribed *Planning Act* timelines. The application types, timelines, and associated refunds of fees are shown in Appendix 'D'. These changes take effect on January 1, 2023.

Staff have sought ways to address the changes to the Planning Act to ensure a clearer, more transparent, and efficient development process in Markham

To mitigate any potential for the City to partially, or entirely, refund fees, Staff have explored several avenues to investigate efficiencies in Markham's development processes, including the following:

- Undertaking a "LEAN" review process, to identify ways to address the Bill 109 timeline requirements amongst other efficiencies
- The establishment of a working group with Regional partners to develop a strategy to address Bill 109
- An open dialogue through consultation with the development industry (Markham City Builders Forum)
- The development of Terms of References for key studies required for certain development applications in order to provide clear direction on submission expectations
- The establishment of minimum submission standards to reduce the number of department and external agency circulations
- The establishment of a new Pre Application Consultation process in the Official Plan for all Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision, Plan of Condominium, and Site Plan Control applications
- A Clarification and Understanding process to allow the applicant to engage City and Agency Staff on submission expectations, scope, and requirements
- A Quality Control review process to ensure that the required documentation meets the submission standards established in the Development Application Checklist by application type and Terms of References
- The establishment of a two-stream review process by using a "chess clock" review method for technical reviews
- The establishment of a new Pre-Application Consultation By-law that clearly outlines the City's expectations for the preparation, review and processing of development applications

Staff propose a new Pre-Application Consultation and Complete Application processes in the Official Plan

Pre-Application Consultation Process

The Pre-Application Consultation process outlined in the draft Official Plan Amendment (Appendix 'A') establishes specific submission requirements for a development application to ensure the timely and efficient technical review by the City and external agencies, where applicable, in order to deem an application "complete". The details involved in this process are outlined in the new Pre-Application Consultation By-law (Appendix 'C') and explained later in this report.

Application Submission and Complete Application

The *Planning Act* authorizes municipalities to include policies in their Official Plan to require additional information or materials to be provided in support of development applications, including:

- an official plan amendment
- a zoning by-law amendment
- a plan of subdivision
- site plan control (Bill 109 enables complete application process)
- consent (severance)

The Pre-Application Consultation process identifies major issues and subsequently would resolve the technical studies, plans and items received, that will constitute the requirements for a complete application. Once required fees are paid and the Pre-Application Consultation process is finalized, the applicant will formally submit their complete application to the City for approval.

a) Official Plan and Zoning Amendment Applications

Upon receipt of a formal application for an Official Plan or Zoning By-law Amendment, Staff would reconcile the submitted plans with the previously accepted Pre-Application Consultation documents to determine if the application is complete and collect any required outstanding fees in accordance with the City's Fee By-law, which will trigger the timelines identified in Appendix 'D'. Staff would schedule the statutory Public Meeting and include a recommendation report onto a future DSC agenda.

If any issues are identified by Staff between deeming the application complete to Council's decision, the applicant would be offered an agreement through a memorandum of understanding ("MOU") where they can withdraw the application, and re-apply with no additional application cost. This would allow the applicant and City more time to resolve the issues, and avoid fee refunds, denial/refusal recommendations, and appeals to the Ontario Land Tribunal ("OLT").

b) Site Plan Applications

In accordance with Bill 109 and following the Pre-Application Consultation stage,

once a Site Plan application has been accepted, the City must provide approval within 60 days. The draft Pre-Application Consultation By-law would ensure a detailed review of all technical requirements and the execution of an agreement, where applicable, prior to an application being deemed complete.

c) *Council and Community Engagement*

Staff propose to expand the use of the City's current development application dashboard to include Pre-Application Consultation files as circulation memos to Members of Council to ensure awareness of development proposals early in the process. Once the City deems an application complete, there is limited time to reach a decision without providing fee refunds. To address the time constraints, Staff would schedule statutory Public Meetings, where applicable, and items to the DSC upon acceptance of a complete application. This process would maximize the amount of notice provided to members of the public and meet, or exceed, the 20-day notice period of the *Planning Act*.

d) *Expiration of Pre-Consultation Applications*

In order to help advance development applications, Staff propose to implement an expiration date to Pre-Application Consultations, in light of policy changes that can impact submission requirements and ultimately the timing of approvals. Any previously conducted pre-consultation processes will be required to submit their site plans prior to December 31, 2022, or the applicant will be required to apply for a Pre-Application Consultation. Future Pre-Application Consultation applications will also be required to expire after a prescribed period. The individual requirements of the application may impact this prescribed period.

Staff propose a new Pre-Application Consultation By-law for all Zoning By-law Amendments, combined Official Plan and Zoning By-law Amendments, and Site Plan applications

Pre-Application Consultation By-law

The Pre-Application Consultation By-law (Appendix 'C') sets out the required processes that an applicant must follow for a complete application. The By-law outlines the following five stages of Pre-Application Consultation:

a) *Clarification and Understanding Stage*

An applicant would begin their engagement with the City through the Clarification and Understanding stage, which sets out clear expectations of the City and external agencies for what constitutes a complete application. This not only includes what documents, plans, and studies are required for submission, but the scope, quality, and details required to complete any necessary review.

To assist in clarifying the City and external agency requirements and in working with our York Region partners, Staff developed a series of Terms of References for common studies. Staff will ensure applicants familiarize themselves with the City's submission requirements for documents in ePLAN, the City's electronic development application system. The requirement for a meeting at this stage will

be at the discretion of the City as complex development applications may require a more detailed review.

Establishing and clarifying the submission requirements and expectations along with their content quality at the Clarification and Understanding stage will support a more efficient review process, shorten the technical review period, and may save applicant costs with amending plans, documents, and studies.

b) *Quality Control Review*

Once an applicant develops the required documentation, they would submit the package to the City. Prior to a full circulation of the required documents, Planning Staff would circulate to any necessary department or agency to conduct a quality control review to ensure the documents meet the submission requirements, and that the submitted studies conform with scope and the Terms of References identified during the Clarification and Understanding stage. If necessary, Staff would meet with the applicant to ensure all expectations are clarified.

Circulation of the initial submission will include Members of Council to afford them the opportunity to request a Community Information Meeting for Official Plan and Zoning By-law Amendment applications. The necessity of holding a Community Information Meeting would be at the discretion of the Local Councillor, and would offer an opportunity for public input into the development process at an early stage.

c) *Technical Review*

Following the Quality Control review and any Community Information Meeting, if applicable, Staff would circulate the application for technical review. To enable predictability in the review timeline, Staff propose a two-stream review where the application is reviewed by the City and reviewing agencies, and the applicant in equally prescribed intervals being:

- i) The initial review of an application completed by Staff, departments, and agencies within a prescribed timeframe, with responses provided to the applicant. The Applicant must then provide responses with a complete comment matrix within a prescribed time frame. The second review will then be completed by Staff, departments, and agencies, and responses provided to the applicant within a prescribed time frame, or the applicant will be authorized to proceed to the agreement stage (for site plans) or formal submission stage (for Official Plan and Zoning).
- ii) Should the applicant not respond within the prescribed timeframes, not provide a comment matrix, or should the application proceed to a third technical review, the application would be subject to an alternate review timeline. This would allow Staff to prioritize applications that are meeting the prescribed and agreed to timeframes.

d) *Drafting of the Agreement (Site Plans Only)*

Following completion of an agency or department's technical review of a Site Plan application, any required conditions will be provided to be incorporated into the draft agreement. Providing conditions at this stage will minimize the number of circulations to departments or agencies.

e) *Execution and Registration of Agreement (Site Plans Only)*

Prior to an application for Site Plan Control being deemed complete, the applicant will be required to execute or amend an existing site plan agreement, registered on title, where applicable. The execution and registration of an agreement at this stage will ensure that the development is built in accordance with accepted Pre-Application Consultation plans. The City shall register the agreement or amendment on title, as applicable.

NEXT STEPS:

The components of Bill 109 that affect the development approval process will be implemented through the enactment, adoption, and modification of the following:

a) *The draft Official Plan Amendment (Appendix 'A')*

- i) Technical Amendments to various Section 9 policies presently identify the [1987 Official Plan](#) as the operative policy document until such time as new general official plan amendments are adopted for a specific area, new secondary plans are adopted for a specific area, or updates to existing secondary plans are adopted for a specific area. The technical amendments to Section 9 would require conformity to the new policies of Section 10 of the [2014 Official Plan](#), notwithstanding that the 1987 Official Plan applies to the specific lands.
- ii) For clarity, the proposed modifications to Section 10.4 of the draft Official Plan Amendment responds to subsection (4.0.1) of Bill 109 by delegating Site Plan Approval to the Director of Planning and Design, or their designate, as its delegated officer, employee or agent of the municipality.
- iii) Amending Section 10.6 of the 2014 Official Plan by removing the existing Pre-Consultation and Complete Application policies and creating a new Pre-Application Consultation process, and Complete Application process.

b) *The draft Site Plan Delegation By-law (Appendix 'B')*

While Staff recommend policy changes to Section 10.4 of the Official Plan identified above, Markham's existing Site Plan Delegation By-law 2002-202, must be amended. Staff recommend that the existing Site Plan Delegation By-law be repealed and replaced to identify the Director of Planning and Design, or their designate, as its delegated officer, employee or agent of the municipality to approve site plans.

c) *The draft Pre-Consultation By-law (Appendix 'C')*

The City's existing Pre-consultation By-law 2008-148 must be repealed and replaced to implement the new policy changes in the draft Official Plan Amendment related to the Pre-Application Consultation and Complete Application processes.

d) *Updates to ePLAN*

In addition, Staff will be undertaking an update to ePLAN to include a Site Plan deeming process for a complete application as well as other administrative improvements to implement the proposed changes to the development application submission process.

Statutory Public Meeting

Staff advise that the statutory Public Meeting for the proposed Official Plan Amendment will be held on December 6, 2022, to obtain public input as required under the *Planning Act*.

Exemption from Regional Approval

Correspondence from York Region was received on November 7, 2022 delegating approval authority for the OPA to the City of Markham.

FINANCIAL CONSIDERATIONS:

Staff are currently conducting a detailed review of the implications of Bill 109 from a financial perspective. Upon a high level review, Staff note that based on the current processes and timelines, a significant majority of the development application fees collected, would be subject to fee refunds without significant process improvements that reduce timelines. To implement the proposed changes will require updates to the ePLAN system. Staff are evaluating the financial costs of these changes.

The adoption of the Official Plan Amendment (Appendix 'A') would reduce the instances of fee refunds by ensuring that development applications have gone through a rigorous and collaborative review process by Staff, the applicant, and external agencies, where applicable, prior to being deemed "complete".

HUMAN RESOURCES CONSIDERATIONS:

In order to meet the new accelerated timelines, additional staffing resources may be required for those City departments involved in the development review process.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This report addresses Growth Management and Municipal Services priorities with an emphasis on the goals "Exceptional Services by Exceptional People" and "Safe, Sustainable and Complete Community" of the Building Markham's Future Together Strategic Plan.

BUSINESS UNITS CONSULTED AND AFFECTED:

These City-wide applications affect numerous City Departments. All impacted City departments and external agencies have been consulted throughout this project, as appropriate.

Darryl Lyons, MCIP, RPP

Acting Director, Planning and Urban Design

Arvin Prasad, MCIP, RPP

Commissioner Development Services

ATTACHMENTS:

Appendix 'A': Draft Official Plan Amendment

Appendix 'B': Draft Site Plan Delegation By-law

Appendix 'C': Draft Pre-Application Consultation By-law

Appendix 'D': Bill 109 Fee Refunds

Appendix 'A'
Draft Official Plan Amendment

CITY OF MARKHAM

OFFICIAL PLAN AMENDMENT NO. XXX

To amend the City of Markham Official Plan 2014, as amended.

Entire Municipality

December 2022

CITY OF MARKHAM

OFFICIAL PLAN AMENDMENT NO. XXX

To amend the City of Markham Official Plan 2014, as amended.

This Official Plan Amendment was adopted by the Corporation of the City of Markham, By-law No. 20xx-xxx in accordance with the *Planning Act*, R.S.O., 1990 c.P.13, as amended, on the XX day of December 2022.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

By-law 20xx-XXX

Being a by-law to adopt Amendment No. XXX
to the City of Markham Official Plan 2014, as amended

THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM, IN
ACCORDANCE WITH THE PROVISIONS OF THE PLANNING ACT, R.S.O.,
1990, HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. XXX to the City of Markham Official Plan 2014, as amended, attached hereto, is hereby adopted.
2. THAT this by-law shall come into force and take effect on the date of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS XX DAY OF
DECEMBER, 2022.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

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PART I - INTRODUCTION

(This is not an operative part of Official Plan Amendment No. XXX)

PART I - INTRODUCTION**1.0 GENERAL**

1.1 PART I - INTRODUCTION, is included for information purposes and is not an operative part of this Official Plan Amendment.

1.2 PART II - THE OFFICIAL PLAN AMENDMENT constitutes Official Plan Amendment No. XXX to the City of Markham Official Plan 2014, as amended. Part II is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Amendment applies to all of the lands within the geographic boundary of the City of Markham.

3.0 PURPOSE

The purpose of this Official Plan Amendment is to amend certain existing policies and add additional policies due to changes that have been made to the *Planning Act* resulting from the *More Homes for Everyone Act, 2022*.

The amendment modifies Section 10 “Implementation” of the 2014 Official Plan in order to implement the City’s new pre-application and complete application requirements.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

Ontario's *More Homes for Everyone Act, 2022* received Royal Assent on April 14, 2022. Some provisions were immediately in force, while others were proclaimed on July 1, 2022, or will come into force as of January 1, 2023. This Official Plan Amendment addresses those changes that came into effect on July 1, 2022 and those that will come into effect January 1, 2023.

Ontario's *More Homes for Everyone Act, 2022* made changes to the *Planning Act* regarding Site Plan Control, Zoning By- Law Amendments, and Combined Zoning By-Law and Official Plan Amendment applications. The changes include new direction relating to pre-consultation with municipalities before Site Plan applications are submitted to the Approval Authority, particularly as it applies to determining completeness of the application and potential application fee refunds if a decision is not made by the Approval Authority within the specified timeframes for Site Plan Control, Zoning By- Law Amendments, and Combined Zoning By-Law and Official Plan Amendment applications .

This Official Plan Amendment responds to these changes by updating the City’s policies regarding pre-application and complete application submission requirements. The objective of these new and amended policies is to create a clearer, more transparent and more efficient development application process. This approach will assist in ensuring applications are processed within the regulated timeframes and reduce delays once an application has been deemed complete.

The Official Plan Amendment also responds to subsection (4.0.1) of the *More Homes for Everyone Act, 2022*, that requires the delegation of Site Plan Approval to an authorized person of the municipality.

The Official Plan Amendment also includes technical Amendments to various Section 9 policies, which presently identify the 1987 Official Plan as in-force policy document until such time as new general official plan amendments are adopted for a specific area, new secondary plans are adopted for a specific area or, updates to existing secondary plans are adopted for a specific area. The technical amendments to Section 9 will require conformity to the new policies of Section 10 of this Plan, notwithstanding that the 1987 Official Plan applies to these specific lands.

PART II - THE OFFICIAL PLAN AMENDMENT
(This is an operative part of Official Plan Amendment No. XXX)

PART II - THE OFFICIAL PLAN AMENDMENT

1.0 THE OFFICIAL PLAN AMENDMENT

1.1 Section 9 of the Official Plan 2014, as amended, is hereby further amended by:

- a) Re-numbering Section 9.3.7.3 to 9.3.7.3 a)
- b) Adding a new Section 9.3.7.3 b) as follows:
 - “b) Notwithstanding Section 9.3.7.3 a) above, Sections 10.4 and 10.6 of this Plan shall apply.”
- c) Re-numbering Section 9.6.5 to 9.6.5 a)
- d) Adding a new Section 9.6.5 b) as follows:
 - “b) Notwithstanding Section 9.6.5 a) above, Sections 10.4 and 10.6 of this Plan shall apply.”
- e) Re-numbering Section 9.7.8.3 to 9.7.8.3 a)
- f) Adding a new Section 9.7.8.3 b) as follows:
 - “b) Notwithstanding Section 9.7.8.3 a) above, Sections 10.4 and 10.6 of this Plan shall apply.”
- g) Re-numbering Section 9.10.4 to 9.10.4 a)
- h) Adding a new Section 9.10.4 b) as follows:
 - “b) Notwithstanding Section 9.10.4 a) above, Sections 10.4 and 10.6 of this Plan shall apply.”
- i) Re-numbering Section 9.11.4 to 9.11.4 a)
- j) Adding a new Section 9.11.4 b) as follows:
 - “b) Notwithstanding Section 9.11.4 a) above, Sections 10.4 and 10.6 of this Plan shall apply.”
- k) Re-numbering Section 9.12.4 to 9.12.4 a)
- l) Adding a new Section 9.12.4 b) as follows:
 - “b) Notwithstanding Section 9.12.4 a) above, Sections 10.4 and 10.6 of this Plan shall apply.”
- m) Re-numbering Section 9.14.4.3 to 9.14.4.3 a)
- n) Adding a new Section 9.14.4.3 b) as follows:
 - “b) Notwithstanding Section 9.14.4.3 a) above, Sections 10.4 and 10.6 of this Plan shall apply.”
- o) Re-numbering Section 9.15.3.3 to 9.15.3.3 a)
- p) Adding a new Section 9.15.3.3 b) as follows:
 - “b) Notwithstanding Section 9.15.3.3 a) above, Sections 10.4 and 10.6 of this Plan shall apply.”

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- q) Re-numbering Section 9.18.8.3 to 9.18.8.3 a)
 - r) Adding a new Section 9.18.8.3 b) as follows:
 - “b) Notwithstanding Section 9.18.8.3 a) above, Sections 10.4 and 10.6 of this Plan shall apply.”
- 1.2 Section 10.4 of the Official Plan 2014, as amended, is hereby further amended by:
- a) Amending Section 10.4.4 by deleting the first paragraph and replacing it with the following:

“That prior to development being undertaken in the Site Plan Control Area, the Director of Planning and Urban Design, or delegate, shall approve one or both of the following:”
 - b) Amending Section 10.4.5 by deleting the first paragraph and replacing with the following:

“That notwithstanding 10.4.4 above, the Director of Planning and Urban Design, or their delegate, may require drawings identified under Section 41(4) 2 of the *Planning Act* to be submitted for a building to be used for residential purposes containing less than 25 dwelling units anywhere in the Site Plan Control Area.”
- 1.3 Section 10.6 of the Official Plan 2014, as amended, is hereby amended by:
- a) Deleting Section 10.6.1 in its entirety and replacing it with the following:

“10.6.1 Pre-Application Consultation

“Prior to the submission of certain development applications, the development proponent is required to meet with Markham staff and external agencies, including senior levels of government if required, and participate in a pre-application consultation process that is intended to streamline the development process through early scoping of issues, and submission and evaluation of required supporting information and materials prior to submission of the development application.”

It is the policy of Council:

10.6.1.1 **To require** the development proponent meet with City Staff, and external agencies including senior levels of government, where applicable, to determine the submission requirements associated with an application for an Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision, Plan of Condominium or Site Plan Control.
 - b) Deleting Section 10.6.2 in its entirety and replacing with the following:

“10.6.2 Complete Application

The *Planning Act* authorizes municipalities to include policies in their Official Plan to require additional information or materials to be provided in support of development applications, including:

- an official plan amendment;
- a zoning by-law amendment;
- a plan of subdivision;
- site plan control; and,
- consent (severance).

The Pre-Application Consultation process outlined in Section 10.6.1.1 will be used to identify major issues and determine supporting information and materials submission requirements and subsequently, finalize the content of the technical studies, plans and items received, that will constitute the requirements for a “complete application.”

It is the policy of Council:

10.6.2.1 **That** where a development proponent does not follow the Pre-Application Consultation process, and does not submit all of the required supporting information and materials, without specific approval from the Commissioner of Development Services or their delegate, an application for Official Plan Amendment, Zoning By-law Amendment or Site Plan Control may be deemed incomplete, and may be refused.

10.6.2.2 **To require** all development proponents to submit the following to the satisfaction of the Commissioner of Development Services or their delegate and external agencies, where applicable:

1. The minimum submission requirements in accordance with the *Planning Act* incorporated into a standardized application form, established by the City;
2. All information and materials, studies and plans, required by the City, prepared in compliance with any applicable Terms of Reference, Standards, and Guidelines prepared and/or approved by the City, as amended from time to time, to the satisfaction of the City and external agencies, where applicable; and,
3. The information and materials, plans and studies required by and in accordance with the checklist below, all prepared by qualified, registered and/or, licensed professionals, as applicable, and carried out at the expense of the proponent, to the satisfaction of the City

unless specifically acknowledged to be unnecessary or not required by the Commissioner of Development Services or their delegate.

Development Application Checklist by Application Type

Required Documentation	Official Plan Amendment	Zoning By-law Amendment	Plan of Subdivision	Plan of Condominium	Site Plan Control
Development Planning					
Planning Justification Report or Brief	√	√	√	√	√
Precinct Plan	√				
Concept Plans and Drawings	√	√	√	√	
Comprehensive Block Plan	√		√		
Housing Impact Statement	√		√	√	
Retail and Service Needs Study	√	√			
Draft Official Plan Amendment	√				
Draft Zoning By-law Amendment		√			
Draft Plan of Subdivision			√		
Draft Plan of Condominium				√	
Draft Site Plan					√
3D Coloured Elevation Drawings					√
Heritage Planning					
Archaeological Assessment	√	√	√		√
Heritage Impact Assessment	√	√	√		√
Heritage Conservation Plan			√		√
Streetscape Drawing(s) (New Infill - Heritage Conservation Districts)					√
Pre-Construction Condition Survey of Cultural Heritage Resource(s)					√
Structural Condition Review Plan			√		√
Environmental Planning					
Environmental Impact Study	√	√	√		√

Required Documentation	Official Plan Amendment	Zoning By- law Amendment	Plan of Subdivision	Plan of Condominium	Site Plan Control
Delineation of the Rouge Watershed Protection Area	√	√	√		√
Master Environmental Servicing Plan	√				
Natural Heritage Constraints Map	√	√	√		√
Natural Heritage Compensation Plan	√	√	√		√
Agricultural Impact Assessment	√	√			
Headwater Drainage Feature Assessment	√	√	√		√
Geotechnical Study	√	√	√		√
Meanderbelt Analysis	√	√	√		√
Floodplain Analysis	√	√	√		√
Buffer/Restoration Plan			√		√
Contaminant Management Plan					√
Sustainable Development Assessment Checklist		√	√		√
Water Balance Assessment			√		√
Woodland & Open Space Management Plan			√		√

Urban Design

Urban Design Brief	√	√	√		√
Conceptual Site Plan	√	√			
Conceptual Elevations/Floor Plans	√	√			
Computer 3D Massing Models	√	√			
Angular Plane Study	√	√			√
Wind Study	√	√			√
Sun Shadow Study	√	√			√
Public Realm Plan	√	√	√		
Community Facilities Study	√	√	√		
Tree Inventory and Preservation Plan			√		√
Arborist Report			√		√
Lotting Distribution Plan			√		
Lot Siting Plan			√		
Demonstration of Soil Volume for trees			√		

Required Documentation	Official Plan Amendment	Zoning By- law Amendment	Plan of Subdivision	Plan of Condominium	Site Plan Control
Public Realm Plans			√		
Right Of Way Cross Sections			√		
Stormwater Management Functional Plans			√		
Active Transportation Plan			√		
Woodland Management Plan			√		
Restoration Buffer Plan			√		√
Building Elevations					√
Floor Plans					√
Building Cross Section Drawings					√
Public Realm Plan					√
Landscape/ Streetscape Plans and Details					√
Landscape Cost Estimate					√
3D Coloured Renderings					√
Digital Material/Colour Palette					√
Sign Uniformity Plan					√
Bird Friendly Specifications Checklist					√
Photometric Study					√
Land Appraisal Report					√
Topographic Survey / Grading Plan Overlay					√

Development Engineering

Transportation Impact Assessment Study	√	√	√		√
Functional Traffic Design Study			√		
Parking Justification Study		√			√
Transportation Demand Management Study	√	√	√		√
Functional Servicing Report	√	√	√		√
Site Servicing Plan					√
Site Grading Plan					√
Erosion and Sediment Control Plan					√

Required Documentation	Official Plan Amendment	Zoning By-law Amendment	Plan of Subdivision	Plan of Condominium	Site Plan Control
Detailed Stormwater Management Report			√		√
Street Lighting / Photometric Assessment					√
Noise Impact Study, if required	√		√		√
Environmental Site Assessment Phase I (and Phase II, if required)			√		√
Record of Site Condition, if required			√		√

The Development Application Checklist by Application Type above, may be amended from time to time by the Commissioner of Development Services or their delegate, without amendment to this Plan.

4. Payment of the application fees established by Council, from time to time.
5. Clearances, approvals or permits from external agencies on matters within their jurisdiction, where applicable.
6. Where an application for Zoning By-law Amendment is submitted concurrently with an Official Plan Amendment, the City shall require confirmation from the Regional Municipality of York that final approval of the Official Plan Amendment has been delegated to the City of Markham or, that the Regional Municipality of York has approved the required Official Plan Amendment, prior to the Zoning By-law Amendment being deemed complete.
7. Where an application for Site Plan Control is requested, confirmation from the City that the proposal complies with the applicable Zoning By-law.
8. Any other technical documentation required by this Plan or specified in an applicable secondary plan.

10.6.2.3

To require the execution and registration of an agreement or an amendment to an existing agreement, prior to applications for plan of subdivision, plan of condominium, and, site plan control, where applicable, to the satisfaction of the City Solicitor or their delegate.

-
- 10.6.2.4 **To have regard for** previous technical studies, plans and other materials submitted in support of and accepted for, prior phases of the same development, as subsequent phases are developed. The technical studies, plans and other items submitted in support of a phased development may be required to be updated in subsequent phases.
- 10.6.2.5 **To require** the development proponent to submit any required studies identified in the York Region Official Plan, to the satisfaction of the Regional Municipality of York.
- 10.6.2.6 **To require** the following information and materials as part of any application for consent (severance):
1. The minimum submission requirements as set out in the City's Application of Consent to Sever Property form, or its successor;
 2. Confirmation from the City that an application for consent to sever complies with the applicable Zoning By-law; and,
 3. Confirmation from the City that the application for consent is consistent with Section 10.3.2 of this Plan.
- 10.6.2.7 **That** prior to the submission of a complete *Planning Act* application, where complete application requirements have been determined through a formal pre-consultation application process prior to January 1, 2023, the City shall require:
- a) An amendment to the formal pre-consultation requirements; or,
 - b) A new pre-application consultation application.
- 10.6.2.8 **To encourage** the development proponent to hold a minimum of one community information meeting for applications for Official Plan Amendment or Zoning By-law Amendment as identified in Section 10.7 of this Plan.
- 10.6.2.9 **That** additional information or materials not listed in this Plan or Markham's Development Application Checklist by Application Type may be required, despite the fact that an application has been deemed "complete" in accordance with the *Planning Act* and the regulations thereto, prior to a decision by Council or the approval authority on a development application. These additional requirements will not affect the original date of the complete application.
- 10.6.2.10 **That** the date the application is deemed complete is the date on which the timeline for processing the application begins, as identified in the *Planning Act*."

2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the Official Plan, as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

This Amendment to the City of Markham's Official Plan 2014, as amended, is exempt from approval by the Regional Municipality of York. Following adoption of the Amendment, notice of Council's decision will be given in accordance with the *Planning Act*, and the decision of Council is final, if a notice of appeal is not received on or before the last day for filing an appeal.

Prior to Council's decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and associated figure(s) and schedule(s). Technical amendments are those minor changes that do not affect the policy or intent of the Amendment. The notice provisions of Section 10.7.5 of the 2014 Markham Official Plan, as amended, shall apply.

Appendix 'B'
Draft Site Plan Delegation By-law

BY-LAW 2022-_____

A Delegation By-law Being a By-law to provide for the Delegation of Site Plan Approval Authority

WHEREAS subsection 41(13) and 51.2(4) of the *Planning Act*, R.S.O. 1990, c. P.13 and subsection 9(2) of the *Condominium Act*, 1998, S.O. 1998, c. 19, authorize the council of a municipality to delegate to either committee of council or to an appointed officer of the municipality any of the council's powers or authority, except the authority to define classes of developments;

NOW THEREFORE; the Council of the Corporation of the City of Markham hereby enacts as follows:

1. Director of Planning and Urban Design:
 - a) The Director of Planning and Urban Design, or delegate, is hereby delegated the authority to approve plans and drawings in respect of any development pursuant to section 41 of the *Planning Act* received on or after July 1, 2022.
 - b) Approve plans and drawings in respect of the following, pursuant to subsection 51.2(4) of the *Planning Act*.
 - i) Extensions to draft approved plans;
 - ii) Minor revisions to draft approved plans;
 - iii) Minor revisions to conditions of draft approval; and,
 - iv) Additional phases of draft plans, where council has approved a first phase and where a public meeting, under subsection 51(20) of the *Planning Act*.
 - c) Approved descriptions of the plans of condominium pursuant to subsection 9(2) of the *Condominium Act*.
2. By-law 2002-202 is hereby repealed.

Read a first, second and third time and passed on the XXth day of December, 2022.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

Appendix 'C'
Draft Pre-Application Consultation By-law

BY-LAW 2022-_____

**A BY-LAW TO REQUIRE PRE-APPLICATION CONSULTATION BY
DEVELOPMENT PROPONENTS PRIOR TO SUBMISSION OF
APPLICATIONS FOR AN OFFICIAL PLAN AMENDMENT, A ZONING BY-
LAW AMENDMENT, A PLAN OF SUBDIVISION APPLICATION OR A SITE
PLAN CONTROL APPLICATION WITHIN THE CITY OF MARKHAM**

WHEREAS the Council of The Corporation of the City of Markham is authorized by subsections 22(3.1), 34(10.0.1), 41(3.1) and 51(16.1) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to pass a by-law to require that property owners or their agents proposing official plan amendments, zoning by-law amendments, approval of plans of subdivision or site plans, consult with the municipality before submitting an application for such an amendment or approval;

AND WHEREAS the City of Markham requires a development proponent to meet with the City, and external agencies, where applicable, to discuss the merits of a development proposal before any such application is submitted, to ensure that all information and material that may be required to accompany a development application is identified and, to confirm the City's and external agencies', where applicable, technical submission requirements for a complete application;

NOW THEREFORE THE COUNCIL OF THE CITY OF MARKHAM ENACTS AS FOLLOWS:

1. DEFINITIONS

In this by-law:

- (1) "**Act**" means the *Planning Act*, R.S.O. 1990, c. P.13, as amended or any successors thereto;
- (2) "**Development Approval**" includes:
 - (a) an official plan amendment;
 - (b) a zoning by-law amendment;
 - (c) a plan of subdivision approval, including a plan of condominium; and, or,
 - (d) a site plan approval, including an application to amend an existing site

plan approval.

- (3) **"Development Proponent"** means a person or public body, including a landowner or authorized agent, seeking a Development Approval.
- (4) **"Supporting Documents"** includes plans, studies and other documents drafted to conform with the City's terms of reference, submission requirements, scope of work, and any other standards and guidelines, provided by the Development Proponent to the City of Markham and external agencies.

2. **PRE-APPLICATION CONSULTATION**

Prior to a Development Proponent submitting an application for an Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision, Plan of Condominium or Site Plan Control, the Development Proponent shall engage in pre-application consultation with the City of Markham as follows:

Clarification and Understanding stage:

- (1) The Development Proponent shall apply for pre-application consultation to the Development Services Commission. The request for pre-application consultation shall include, but is not limited to:
 - (a) a description of the property;
 - (b) the location of the property;
 - (c) preliminary plans; and,
 - (d) the nature of the proposal.
- (2) Development proposals and applications will not be accepted for processing for pre-application consultation by the City of Markham prior to:
 - (a) the submission of a pre-application consultation request form; and,
 - (b) a pre-application consultation meeting, identified in subsection (3), unless the proposal has been exempted Director of Planning and Urban Development, or delegate from a consultation meeting;
- (3) The Development Proponent shall attend a pre-application consultation meeting with the City of Markham Staff ("Staff") and external agencies, where applicable, including the appropriate Staff member(s) responsible for the development area in which the development proposal is located, unless the Director of Planning and Urban Development determines that such a

meeting is not required due to the scope, scale, location or phase of the development proposal;

- (4) Upon receipt of a request for a pre-application consultation meeting, Staff member(s) shall schedule a pre-application consultation meeting within twenty (20) business days;
- (5) All pre-application consultation meetings shall be arranged on a date and time satisfactory to the appropriate Staff member(s). Staff shall advise the Development Proponent of the meeting details;
- (6) Staff shall notify the Development Proponent prior to a pre-application consultation meeting, which external agencies or senior levels of government have been invited to attend the meeting; and,
- (7) Within fifteen (15) business days following the later of a pre-application consultation request, or a pre-application consultation meeting, Staff shall provide the Development Proponent with the Development Application Checklist by Application Type.

Quality Control stage:

- (1) Following a pre-application consultation meeting, the Development Proponent shall provide all Supporting Documents identified in the Development Application Checklist, prepared by or at the request of the Development Proponent, to the satisfaction of Staff and external agencies, where applicable.
- (2) Prior to full circulation of the development submission, Staff shall conduct a scoped circulation of the Supporting Documents for quality control review. The Quality Control Review will be conducted by Staff and relevant agencies to ensure the scope, terms of reference and standards of the Supporting Documents meet the identified requirements. If required, Staff shall meet with the Development Proponent to ensure all expectations for the submissions are clarified.

Technical Review stage:

- (1) Upon completion of the Quality Control Review and any additional meetings, Staff and external agencies shall undertake a technical review of the documentation provided.
- (2) The Development Proponent shall make any revisions to the Supporting Documents submission as required by Staff and external agencies to conform with any applicable policies, laws or guidelines, as necessary.

Agreement stage:

- (1) Where an application for plan of subdivision, plan of condominium, or site plan control is submitted, the Development Proponent shall submit an application for an agreement or an application to amend an existing agreement to the satisfaction of the City Solicitor or their delegate.
- (2) Following completion of Staff and agencies' technical review of a plan of subdivision, plan of condominium or site plan control application, any required conditions will be incorporated into an agreement to be executed by the Development Proponent and the City.
- (3) Prior to an application for site plan control being deemed complete, the development proponent will be required to execute a site plan agreement or amendment to a site plan agreement. The City shall register the agreement or amendment on title, as applicable.

3. DATE BY-LAW EFFECTIVE

This By-law shall come into force and effect on January 1, 2023.

4. SHORT TITLE

This By-law may be cited as the "City of Markham Pre-Application Consultation By-law".

1. REPEAL OF FORMER BY-LAW

By-law 2008-148 is hereby repealed upon the enactment of this By-law.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS XX DAY OF DECEMBER, 2022.

KIMBERLEY KITTINGHAM
CITY CLERK

FRANK SCARPITTI
MAYOR

Appendix 'D'
Bill 109 Fee Refunds

Application type	No Refund	50% Refund	75% Refund	100% Refund
Zoning By-Law	Decision within 90 days	Decision between 90 and 150 days	Decision between 150 and 210 days	Decision after 210 days
OPA/Zoning	Decision within 120 days	Decision between 120 and 180 days	Decision between 180 and 240 days	Decision after 250 days
Site Plan	Approval within 60 days	Approval between 60 and 90 days	Approval between 90 and 120 days	Approval after 120 days

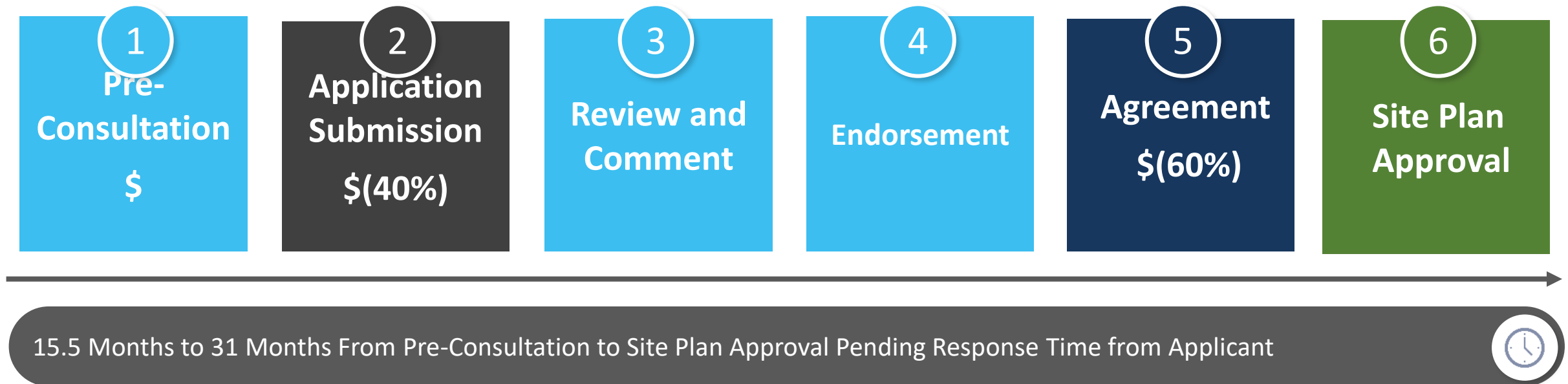


City's Response to Bill 109

November 29, 2022



Planning Process: **Site Plan (Current)**



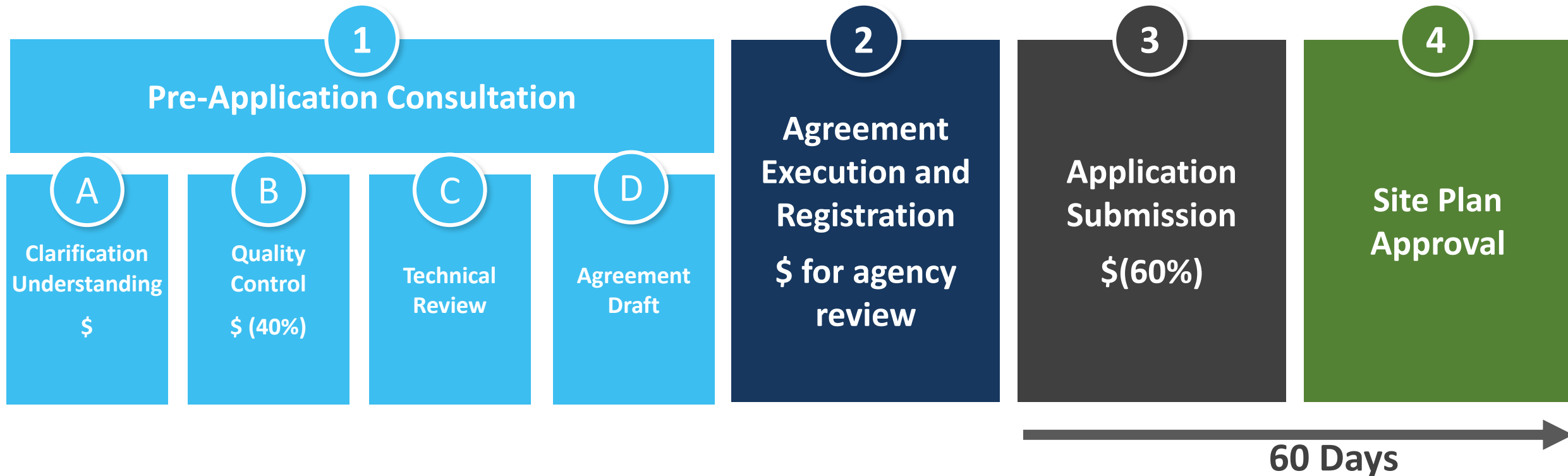


Fee Reimbursement under Bill 109

Refund	Application Type(s)		
	OP ZB Decision	ZB Decision	Site Plan Approval
None	Within 120 days	Within 90 days	Within 60 days
50%	Within 121 and 179 days	Within 91 days and 149 days	Within 61 and 89 days
75%	Within 180 and 239 days	Within 150 and 209 days	Within 90 and 119 days
100%	240 days and later	210 days and later	120 days and later



Planning Process: **Site Plan (Proposed)**

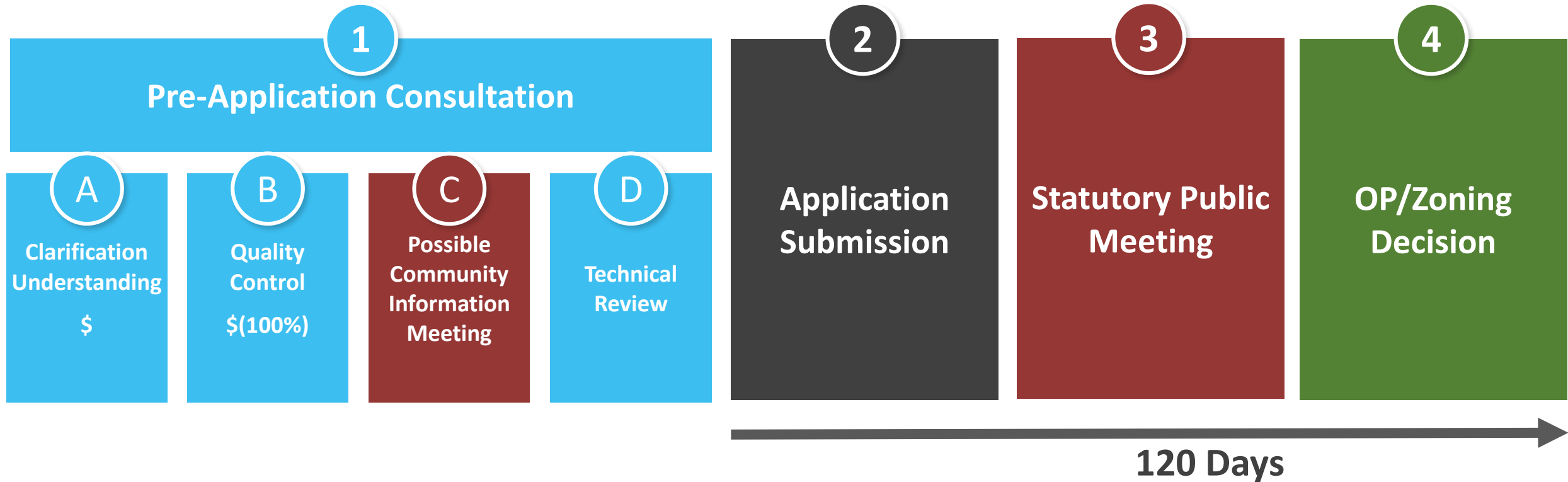


60 Days from Application Submission to Site Plan Approval - Front ends and stream lines review at PAC





Planning Process: Official Plan and Zoning (Proposed)



120 Days from Application Submission to Council Decision - Front ends and stream lines review at PAC





Report to: Development Services Committee

Meeting Date: November 29, 2022

SUBJECT: 2023 Development Fee and Building By-laws

PREPARED BY: John Yeh, MCIP, RPP, Manager, Strategy and Innovation,
Ext.7922

RECOMMENDATION:

1. That the Report titled “2023 Development Fee, Building, and City-Wide Fee By-laws” dated November 29, 2022 be received;
2. That the proposed amendments to the Development Fee and Building By-laws be referred to the Development Services Committee Public Meeting to be held on December 6, 2022; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

It is staff’s recommendation that the Development Fee By-law and the Building By-law fees be increased by 2% each. The City of Markham will be entering into uncertain and unfamiliar territory with respect to the associate approval process in 2023 from Bill 109 More Homes for Everyone Act, 2002. Additional resources will may be required to deal with the anticipated and required changes of the planning process. Taking into consideration the above changes with the anticipated recession in 2023 and the rising inflation, interest rates and Cost-of-Living Adjustment the 2% increase is appropriately justified.

PURPOSE:

The purpose of this report is to provide the appropriate background for the recommended increases to the 2023 development and building fees and to seek authorization to refer the proposed amendments to a Development Services Committee Public Meeting to be held on December 6, 2022.

BACKGROUND:

The Development Fee By-law and the Building By-law are reviewed and adjusted annually to recover the anticipated reasonable costs associated with the administration of *Planning Act* applications, the associated technical review and on-site inspection, and building permits and building code inspection and enforcement under the *Building Code Act*. The annual adjustments fall into one or more of the following categories:

-
- overall adjustments driven by indirect and direct costs
 - adjustments to provide opportunities to balance reserve accounts;
 - refinements to existing fees to better reflect actual and anticipated costs of providing the related services; and
 - new fees to capture new or previously underfunded services.

A fee model was established in 2005 in order to calculate the annual adjustments necessary to ensure the City's Building, Engineering and Planning and Urban Design Departments remain adequately funded by building permit fees and development fees. The model is designed to cover direct and indirect costs. In addition, transfers to a reserve for Building and a combined reserve for Planning and Urban Design and Engineering (Development Reserve) are included, as well as annual capital costs. Input to the revenue component of the fee model from the development activity-forecasting model continues since it was introduced two years ago. External factors have adjusted the forecasting model to account for a potential economic downturn in 2023 and the potential for development fee refunds resulting from Bill 109 – More Home for Everyone Act, 2002. Bill 109 requires development fees to be returned to applicants if there is no decision for zoning by-law amendment and combined zoning by-law amendment/official plan amendment applications and no approval for site plan applications within a prescribed time period.

Building on the development activity-forecasting model to track development applications and estimate development fees, continuous improvements in the development review process are an ongoing priority to achieve improved timelines, improved customer experiences, and efficiencies. The City is participating in the Provincial Streamline Development Approval Fund, which is intended to modernize, streamline and accelerate processes for managing and approving development applications. The City is also participating in the Provincial Audit and Accountability Fund Intake 3 to find service delivery efficiencies related to the development review process. A status update on both Provincial Funds is provided under a separate report on this Development Services Committee meeting agenda and includes the following projects:

Streamline Development Approval Fund:

- Lean review of the development application review process
- Upgrade ePLAN development review and commenting software to version 9.2 with improved and updated functions
- ePLAN web portal update for easier navigation and improved customer experience
- Preparation of a 3D model of Markham Centre and Markham Rd/Mt Joy Secondary Plan Areas to supplement staff analysis and development recommendations
- Build a GIS interface for open data of development applications to provide up to date information for the public

Audit and Accountability Fund (Development related):

- Explore the benefits and develop a business case for a Community Planning Permit System to streamline planning approvals
- Create a strategy and implementation plan aimed at improving the state of residential infill development

OPTIONS/ DISCUSSION:**Proposed fee increases**

The 2022 Development fees increase for Planning & Urban Design and Engineering was limited to inflation of 3.3% (Consumer Price Index August 2021 Toronto All-items) and for 2021 there was a 5% increase. The Building fees increase was 5% in each of 2021 and 2022.

It is recognized that the reserves are in a healthy position and historical fee increases do not need to be reflected for 2023, however an economic downturn leading to a recession is likely to occur in 2023 and Cost-of-Living Adjustment (COLA) should be considered. The potential need for additional resources to accommodate Bill 109 will be continual challenges for the administration of the Development Fee By-law. Staff recommends the following 2023 fee increases:

- 2% for Planning & Urban Design and Engineering fees
- 2% for Building Permit fees

The following two tables have been updated based on the projected unit counts and outline the 2022 year-end projection and 2023 projection for the following:

- Expected revenues based on projected residential development applications and agreements executed in 2023 which have been reduced to account for a likely recession
- Expenses
- Projected year-end reserve balance

1. Development Fees (Planning & Urban Design and Engineering)**Development Reserve Forecast (\$ Millions)**

Planning & Urban Design	2022 YE Projection	2023
Revenues	14.00	11.18
Less: Expenditures	<u>10.69</u>	<u>11.08</u>
Transfer to Reserve (A)	3.31	0.10
2023 Proposed Planning & Urban Design Fee Increase		2.00%

Engineering

Revenues	23.00	9.78
Less: Expenditures	9.24	9.73
Transfer to Reserve (B)	13.76	0.05

2023 Proposed Engineering Fee Increase**2.00%****Development Fee Reserve**

Development Reserve Beginning Balance	27.96	44.93
Planning & Urban Design Transfer (A)	3.31	0.10
Engineering Transfer (B)	13.76	0.05
Capital Investment and Interest	<u>-0.92</u>	<u>0.43</u>
Development Reserve Ending Balance	44.93	45.51

The reserve beginning balance in 2022 was \$27.96M. Based on the 2022 Budget, it was anticipated that there would be a transfer to reserves of \$1.33M in Planning & Urban Design and \$0.96M in Engineering. The current year-end 2022 forecast is on track to surpass the targeted transfer to reserves for both departments, resulting in a further surplus to the reserves at the end of 2022 of \$44.93M.

The 2023 Budget, which includes projected development activity and a proposed fee increase of 2%, includes a transfer to the reserve of \$0.10M for Planning & Urban Design and \$0.045M for Engineering resulting in an increase in the reserve surplus from \$44.93M to \$45.51M.

Proposed Development Fee By-law Changes

Highlights of the proposed Development Fee By-law amendments:

- To implement the new site plan, zoning by-law amendment, and official plan amendment processes resulting from Bill 109 – More Homes for Everyone Act and associated legislative requirement to return of fees at various timelines if there is no decision (zoning by-law amendment, combined official plan amendment/zoning by-law amendment) or no approval (site plan) by the City, a new Schedule A for applications submitted on or after January 1, 2023 is added
- Development applications submitted prior to January 1, 2023 that still require fees to be paid will follow Schedule B
- The fees listed in Schedule A (Appendix ‘A’) and Schedule B (Appendix ‘A’) have been increased by 2%
- Minor changes to provide a clearer understanding of the provisions

2. Building Permit Fees

Building Reserve Forecast (\$ Millions)

Building	2022 YE Projection	2023
Revenues	9.63	10.55
Less: Expenditures	<u>9.57</u>	<u>9.73</u>
Transfer to Reserve (C)	0.07	0.82
2023 Proposed Building Fee Increase		2.00%
Building Reserve		
Building Reserve Beginning Balance	13.91	14.09
Transfer to/(draw from) Reserve (C)	0.07	0.82
Capital Investment and Interest	<u>0.12</u>	<u>-0.26</u>
Development Reserve Ending Balance	14.09	14.68

The reserve beginning balance in 2022 was \$13.91M. Based on the 2022 Budget, it was anticipated there would be a draw from reserves of (\$0.25M). The current year-end forecasts a transfer to reserves of \$0.07M. This will result in a reserve balance of \$14.09M at the end of 2022.

The 2023 Budget, which includes a projected permit activity and a proposed fee increase of 2%, includes a transfer to the reserve of \$0.82M resulting in an increase in the reserve surplus from \$14.09M to \$14.68M.

Proposed Building By-law Changes

Highlights of proposed Building By-law amendments:

- Fees listed in Table 1 of Schedule A from Appendix 'B' have been increased by 2%
- Administrative fees associated with the issuance of Order to Comply and Stop Work Orders increased
- Fee structure of Administrative fees associated with the issuance of Order to Comply modified to include the cost of the initial investigation
- Fee to register and discharge Orders from title
- New partial occupancy fee for Super Tall Buildings (2022 building code change)
- New permit fee for Tiny Houses (2022 building code change)
- New permit fee for maintenance of a class 5 sewage system (building code requirement)
- Updated Schedule B to reflect changes to the requirements for submission content for permit applications and to reflect 2022 building code changes

-
- Flat hourly fee where applicable adjusted
 - Specific permit fee for residential infill construction to reflect staff hours
 - Revised fee structure related to the Certified Model program to capture the review of multiple design options
 - Definitions updated and added new
 - Flat zoning fees in addition to fees listed in Table 1 of Schedule A to reflect staff hours required to process zoning applicable law approvals
 - Where third party reports are required, added language to back charge the cost to the applicant

Consultation with the Development Community

The *Building Code Act* requires the City to hold at least one public meeting with respect to changes in Building permit fees. Notice must be given to the general public and interested parties 21 days prior to the meeting. Staff are recommending that the changes to the Development Fee By-law and Building By-law be referred to a Development Services Public Meeting to be held on December 6, 2022. To meet the timeline requirement, the required notice has been placed on the City's website, in the Markham Economist and Sun and the Thornhill Liberal along with email notice to the development community.

Staff met with representatives of the development industry on November 21, 2022 to discuss fee increases. Staff had committed to reviewing the Development Fee By-law in 2022. However, due to Bill 109 new processes are being developed which will cause a fundamental shift in the way site plans, official plan amendments, and zoning by-law amendment applications are processed. This will include front-ending the review prior to application submission while creating more efficiencies in the review process. The report titled "City of Markham's Response to Bill 109 – More Homes for Everyone Act, 2022" from this Development Services Committee agenda provides a detailed overview of the process changes to mitigate the potential for development fee refunds. In addition, the Lean review of the development application process from the Streamline Development Approval Fund will result in updated processes to further streamline the City's other development application types. The updated processes amongst other factors will be an important component to provide input to reviewing and updating the Development Fee By-law in 2023.

A working group with the Building Industry and Land Development Association will be established and will meet in early January 2023 to determine the scope and process for a detailed review of the Development Fee By-law. The development industry has raised their concerns respecting the need to accomplish this task in 2023 and to address the structure and components of the By-law such as alternatives to the uncapped per housing unit fees when there is a significant number of units.

FINANCIAL CONSIDERATIONS

Staff have worked to ensure proper direct and indirect cost recovery and to incorporate the results into the upcoming 2023 operating budget. The fee adjustments recommended in this report for 2022 are 2% for Planning & Urban Design, 2% for Engineering, and 2%

for Building Standards, which will assist in offsetting the projected direct and indirect costs, including positive contributions to the Building and Development reserves. Finance and Development Services staff will monitor financial performance against budget and report back to Council throughout the year as part of the Year-to-Date Results of Operations reports.

Summary of Reserve Balances

Markham has experienced stronger development and building activity since 2016 when the Development reserve balance started to move out of deficit and increase with a surplus in 2018 and 2020 and a forecasted surplus by the end of 2021. The reserve balance for Building in the past several years has been relatively healthy. The Building Standards, Planning & Urban Design, and Engineering Departments has utilized the reserve to invest in new processes, update technologies, and updates such as ePLAN and address the increase in workload resulting from increased development activity, and to withstand cyclical downturns without abrupt changes to capacity and service levels. The following table provides a recent history of the balances in the Development (Planning & Urban Design and Engineering combined) and Building reserves:

Reserve Balances Surplus/ Deficit (\$ millions)		
Year End	Development	Building
2015	(10.67)	9.63
2016	(10.74)	10.22
2017	(7.77)	9.36
2018	0.277	12.94
2019	(0.52)	10.36
2020	9.12	6.38
2021	27.96	13.91
2022 Forecast	44.93	14.09
2023 Forecast	45.51	14.68

HUMAN RESOURCES CONSIDERATIONS

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

Growth Management and Municipal Services delivery

BUSINESS UNITS CONSULTED AND AFFECTED:

Planning & Urban Design, Engineering, Building Standards, Financial Services, Legal Services

RECOMMENDED BY:

Stephanie Di Perna
Director of Building Standards

Darryl Lyons, MCIP, RPP
Acting Director of Planning & Urban
Design

Frank Clarizio
Director of Engineering

Arvin Prasad, MCIP, RPP
Commissioner of Development Services

Mark Visser
Acting City Treasurer

ATTACHMENTS:

Appendix 'A' - Draft of amendment to delete Schedule 'A' and substituting 'Schedule A – Application Submissions On or After January 1, 2023' from By-law 2021-113 and adding Schedule 'B – Application Submissions Prior to January 1, 2023' to amend Development Fee By-law 211-83

Appendix 'B' - Draft of amendment to repeal and replace Building By-law 2021-114



BY-LAW 2022-

**A by-law to amend By-law 211-83, as amended
(A by-law to prescribe a Tariff of Fees
for the Processing of Planning Applications)**

**THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM HEREBY ENACTS
AS FOLLOWS:**

- 1. By-law 211-83, as amended, be and the same is hereby further amended as follows:**
 - 1.1 By deleting Schedule ‘A’ to By-law 211-83, as amended, and substituting Schedule ‘A – Application Submissions On or After January 1, 2023’ attached hereto; and**
 - 1.2 By adding Schedule ‘B – Application Submissions Prior to January 1, 2023’, attached hereto.**
- 2. All other provisions of By-law 211-83, as amended, not inconsistent with the provisions of this by-law shall continue to apply.**
- 3. This By-law comes into force and takes effect on January 1, 2023.**

**READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
DAY OF DECEMBER, 2022.**

CITY CLERK

MAYOR

SCHEDULE ‘A - APPLICATION SUBMISSIONS ON OR AFTER JANUARY 1, 2023’ TO BY-LAW 2022-XXXX

TARIFF OF FEES FOR PROCESSING OF PLANNING APPLICATIONS
GENERAL TERMS

1.0. Acceptance

- 1.1. Fees shall only be accepted in conjunction with the filing of an application containing all submission requirements as determined by the Director of Planning and Urban Design or designate and/or Director of Engineering or designate.
- 1.2. Applicants shall not be permitted to “pre-pay” application fees upon submission of an incomplete application in order to lock in fees and avoid future fee increases.

2.0. Calculation

- 2.1. For each development application type, fee shall be calculated, and may include Development Application Fees, Supplementary Fees, and Miscellaneous Fees as listed in this by-law. Unless otherwise stated, fee subsections ending in roman numerals (ie. i), ii), iii), etc) form part of the overall subsection fee, and shall be applied cumulatively with the other fees ending in roman numerals within that subsection.
- 2.2. Fees shall be calculated at the rate in effect on the date paid. Applications for which fees have been paid in part, prior to the effective date of this by-law, shall be required to pay any additional fees established by this by-law.

3.0. Payment

3.1. Fee Payable in Stages

- 3.1.1. Unless otherwise noted, fees are payable at time of application.
- 3.1.2. Subject to 3.2.1., where the application fee is payable in stages, the fee owing at each stage shall be the fee, for such stage, in effect on the date the payment is made.
- 3.1.3. Where payment in full of all fees applicable to an application has been made, no additional fee, where established by this by-law, shall be payable.
- 3.1.4. Other City of Markham fees may be applicable.

3.2. Adjustment

- 3.2.1. Fee adjustments are made to reflect increases including, but not limited to, the following:
 - total number of Units/Lots/Parcels
 - total GFA/Land Area
 - Scope of Construction Works.
- 3.2.2. Adjustments to the total fee payable will be required at each payment stage based on the rate in effect at the time of payment stage.

4.0 Reimbursement

4.1 Fees shall be reimbursed upon applicant withdrawing the application, as determined by the Director of Planning and Urban Design or designate and/or Director of Engineering or designate:

- 4.1.1 Refund percentage is based on all fees received.
- 4.1.2 HST refund is calculated based on percentage of fee to be refunded.
- 4.1.3 Refund percentage (%) is based on the application stage as follows:
 - 4.1.3.1 Prior to circulation of pre-application consultation submission 75%
 - 4.1.3.2 From circulation of pre-application consultation submission to application submission 25%
 - 4.1.3.3 After application submission No refund

DEVELOPMENT APPLICATION FEES

Table 1: Application for Clarification and Understanding		Rate	
1.1	Clarification and Understanding ⁽¹⁾	\$791	Per Application

1. Fees do not apply for single detached, semi-detached, or townhouse dwellings that are located within a Heritage District, or otherwise require Heritage approval, to the satisfaction of the Director of Planning and Urban Design, or their Delegate..

Table 2: Pre-Application Consultation for Official Plan/Secondary Plan Amendment		Rate	
2.1	Minor Amendment ^{(1) (2)}	\$31,192	Per Application
2.2	Major Amendment ⁽³⁾	\$82,797	Per Application

1. Unless authorized by the Director of Planning or their Designate, an Official Plan or Secondary Plan Amendment application shall be deemed to be Major
2. Minor Official Plan Amendment means an amendment that:
- a. Proposes a small-scale exception to a specific Official Plan Standard (e.g. Minor changes to the number of permitted units; building height; gross floor area; or to add a site-specific use limited in scale);
 - b. Proposes a minor change to a specific policy that is limited in scope and typically to one property;
 - c. Maintains the intent and purpose of the Official Plan;
 - d. Shall have limited impact or policy implications beyond the subject lands; and
 - e. Is authorized by the Director of Planning and Urban Design, or their Designate.
3. Major Official Plan Amendment means an amendment that:
- a. Any proposed re-designation or change in land use for a property(ies)
 - b. Requires many changes to the policies and schedules of the Official Plan
 - c. Is more significant in scale and scope than a minor Official Plan amendment, and which may have a greater impact or policy implications beyond the subject lands. Applications related to more than one property would normally be in the category;
 - d. A site-specific application representing a large-scale development/redevelopment or a change in use. An application involving significant changes to the text or policies of the Official Plan would also fall in this category.

Table 3: Pre-Application Consultation for Zoning By-Law Amendment		Rate	
3.1	Minor Amendment ^{(1) (2)}	\$28,196	Per Application
3.2	Major Amendment ⁽³⁾	\$58,167	Per Application
3.3	Removal of "H" (Holding) Provision	\$9,773	Per Application

1. Unless authorized by the Director of Planning or their Designate, a Zoning By-law Amendment application shall be deemed to be Major.
2. An application for minor and small scale zoning amendment having no significant impact on adjoining lands as determined by the Director of Planning and Urban Design. Minor applications must be site specific and include:
- a. Request for additional permitted use within an existing building, or a request to expand an existing building with no significant impact on existing development standards;
 - b. Changes in development standards to accommodate a residential severance to create one single detached lot within an existing subdivision;
 - c. An application for a temporary use
3. An application that is not deemed to be minor by the Director of Planning or their Designate, a Zoning By-law Amendment application shall be deemed to be Major. Major applications include applications more significant in scale and scope than a minor zoning amendment, and which may have greater impact beyond the subject lands. Major applications include:
- a. Applications relating to more than one property;
 - b. A site specific application if considered to be redevelop a site;
 - c. A change in use within a new development and/or a change in the zone category;
 - d. Any application involving significant changes to the development standards or general provisions of the by-law.

Table 4: Plan of Subdivision (applicable for submissions on or after January 1, 2023)			Rate	
Planning	4.1.1	Base fee	\$44,578	Per Application
	4.1.2	Unit Fee ⁽¹⁾	\$2,316	Per Unit/Lot
	4.1.3	Land Area ⁽²⁾⁽³⁾	\$22,959	Per Hectare
Urban Design	Community Planning Review			
	4.2.1	Base Fee	\$10,108	Per Application
	4.2.2	Unit Fee ⁽¹⁾	\$442	Per Unit/Lot
	4.2.3	Land Area ⁽²⁾⁽³⁾	\$22,959	Per Hectare
	Landscape Review			
	4.3.1	Calculated Fee (the greater of) ⁽¹⁰⁾	\$764	Per Unit/Lot ^{(4) (5)}
			15.7%	Construction Cost ^{(6) (11)}
Engineering	4.4.1	Calculated Fee (the greater of) ⁽⁷⁾	\$2,276	Per Unit/Lot/Block
			13.1%	Construction Cost ^{(9) (11)}
Miscellaneous	4.5.1	Extension of Draft Plan Approval	\$9,7731	Per Application
	Revision of Draft Approved Plan and/or Draft Plan Conditions ⁽⁸⁾			
	4.6.1	Minor (does not require report to Committee)	\$6,050	Per Application
	4.6.2	Major (requires report to Committee)	\$19,143	Per Application
	Request for Subdivision Agreement			
	4.7.1	First Phase of subdivision	\$64,122	Per Agreement
	4.7.2	Subsequent Phases	\$45,047	Per Agreement

- Unit fee applicable to Single Detached, Semi Detached and/or Freehold Townhouse units. To be collected as follows:
 - 40% collected at pre-application consultation submission
 - 60% collected at execution of agreement
- Applicable to blocks created for Residential, Mixed-Use, Institutional (including school blocks), Commercial or Industrial uses. (Excludes park blocks, valley lands, hazard lands, environmental buffer blocks, stormwater management blocks, open space areas and public roads to be conveyed into public ownership, or residential blocks subject to site plan control and/or plan of condominium)
- To be collected as follows:
 - 40% collected at pre-application consultation submission
 - 60% collected at execution of agreement
- Payable at the execution of agreement
- Up to 100 units/lots on a plan of subdivision
- Estimated cost of construction of landscape works
- To be collected as follows:
 - 60% collected at submission of engineering drawings
 - 40% collected at execution of a pre-servicing agreement (if applicable) or a subdivision agreement
- At the request of the owner
- Estimated cost of internal and external works associated with the Plan of Subdivision, as prepared by the Consulting Engineer. Includes erosion and sediment controls, underground and above-ground works, streetlights, etc. plus a 10% contingency added to the estimate
- Payable at first submission of Landscape drawings for each phase of the draft plan of subdivision. 40% collected at submission of Landscape Drawings 60% collected at execution of agreement
- Where a construction agreement is required as a result of this application type, fees for the construction agreement will be calculated in accordance with this section

Table 5: Plan of Condominium		Rate	
5.1	Condominium Fee ⁽¹⁾	\$48,795	Per Application
5.2	All other Condominium Types other than those above	\$41,834	Per Application
5.3	Extension of Condominium Draft Approval	\$9,773	Per Application
5.4	Revision of Condominium Draft Approved Plan ⁽²⁾	\$13,187	Per Application

- 1 Includes standard, common element (POTL), and vacant land condominium application types
- 2 Includes Draft Plan Conditions and amalgamation of multiple condominiums where requested by the owner

Table 6.1: Site Plan Applications (Residential/Mixed Use) (applicable for submissions on or after January 1, 2023)			Rate	
Residential Small Developments ⁽¹⁾				
6.1.1.1	Planning Review fee		\$2,959	Per Unit
6.1.1.2	Urban Design Review		\$1,004	Per Unit
6.1.1.3	Engineering Review Fee		\$1,004	Per Unit
Residential Large Developments ^{(16) (3)}				
Planning	6.1.2.1	Base Fee	\$13,588	Per Application
	6.1.2.2	Unit Fee ^{(4) (5) (10)}	\$2,316	Per Unit
	6.1.2.3	Calculated GFA Fee ^{(6) (10)}	\$6.32	Per m ²
Urban Design	6.1.2.4	Base Fee	\$5,556	Per Application
	6.1.2.5	Percentage fee ^{(2) (7)}	15.7%	Percent
	6.1.2.6	GFA Fee ^{(2) (11) (12)}	\$6.32	Per m ²
Engineer- ing ⁽⁸⁾	6.1.2.7	Base Fee	\$9,906	Per Application
	6.1.2.8	Percentage fee ^{(2) (9)}	14.4%	Percent
	6.1.2.9	GFA Fee ^{(2) (11) (12)}	\$6.32	Per m ²
Addition and Alterations	Small Developments (1)			
	6.1.3.1	Less than 50 m ² of GFA	\$201	Per Unit
	6.1.3.2	50 to 100 m ² of GFA	\$1,004	Per Unit
	Developments Greater than 100 m ² of GFA			
	6.1.4.1	Planning Review fee	\$1,004	Per Unit
	6.1.4.2	Urban Design Review	\$898	Per Unit
	6.1.4.3	Engineering Review	\$898	Per Unit
	6.1.4.4	Residential Driveways or parking area	\$201	Per Application

Table 6.2: Site Plan Applications (ICI) (applicable for submissions on or after January 1, 2023)			Rate	
ICI (without units accommodating overnight stay)				
Plan-ning	6.2.1.1	Base Fee	\$13,588	Per Application
	6.2.1.2	Calculated GFA Fee ⁽¹⁰⁾	\$6.32	Per m ²
Urban Design	6.2.1.3	Base Fee	\$5,556	Per Application
	6.2.1.4	Percentage Fee ^{(2) (7)}	15.7%	Percent
	6.2.1.5	GFA Fee ^{(2) (11) (15)}	\$6.32	Per m ²
Engineer-ing ⁽⁸⁾	6.2.1.6	Base Fee	\$9,906	Per Application
	6.2.1.7	Percentage Fee ⁽²⁾⁽⁹⁾	14.4%	Percent
	6.2.1.8	GFA Fee ^{(2) (11) (15)}	\$6.32	Per m ²

ICI (with units accommodating overnight or longer stay) ⁽¹³⁾				
Planning	6.2.2.1	Base Fee	\$13,588	Per Application
	6.2.2.2	Unit Fee ⁽¹⁰⁾	\$2,316	Per Unit
	6.2.2.3	Calculated GFA Fee ⁽¹⁰⁾	\$6.32	Per m ²
Urban Design	6.2.2.4	Base Fee	\$5,556	Per Application
	6.2.2.5	Percentage Fee ⁽⁷⁾	15.7%	Percent ⁽⁸⁾
	6.2.2.6	Calculated GFA Fee ^{(2) (11) (15)}	\$6.32	Per m ²
Engineer- ing ⁽⁸⁾	6.2.2.7	Base Fee	\$9,906	Per Application
	6.2.2.8	Percentage Fee ^{(2) (9)}	14.4%	Percent ⁽⁸⁾
	6.2.2.9	Calculated GFA Fee ^{(2) (11) (15)}	\$6.32	Per m ²
NEW Parking Lot or Outdoor Patio				
6.2.3.1	Planning Review Fee		\$4,940	Per Application
6.2.3.2	Urban Design Review		\$1,004	Per Application
6.2.3.3	Engineering Review		\$1,004	Per Application
EXPANSION/ALTERATION of Existing Parking Lot or Outdoor				
6.2.4.1	Planning Review Fee		\$2,462	Per Application
6.2.4.2	Urban Design Review		\$1,004	Per Application
6.2.4.3	Engineering Review		\$1,004	Per Application

Table 6.3: Extensions or Minor Applications			Rate	
6.3.1.1	Extension of Site Plan Approval/Agreement		\$2,345	Per Application
Minor Applications ⁽²⁰⁾				
6.3.2.1	Planning Review Fee ⁽¹⁷⁾		\$4,277	Per Application
6.3.2.2	Urban Design Review		\$957	Per Application

Table 6.4: Heritage Site Plan			Rate	
6.4.1.1	Residential		Section 1	
ICI - Institutional, Commercial, or Industrial				
6.4.2.1	Less than 50 m ²		\$1,407	Per Application
6.4.2.2	50 m ² or greater		Section 2	
6.4.2.3	Façade changes ^{(18) (19)}		\$1,004	Per Application

- 1 Single Detached, Semi-Detached, Townhouse, and/or Apartment development with under 10 lots, blocks, or units total
- 2 To be collected as follows:

• 40% collected at pre-application consultation submission

• 60% collected at application submission
- 3 Mixed Development or Single Detached, Semi-Detached, Townhouse, and or Apartment development with more than 10 lots, blocks, or units total
- 4 Unit fee applicable to Single Detached, Semi Detached, Townhouse and Apartment units
- 5 Applicable to buildings with common area(s)
- 6 Calculated GFA shall mean the total GFA of building(s) minus GFA of Apartment units and overnight or longer stay unit(s)
- 7 Estimated cost of construction of landscape work
- 8 Where a construction agreement is required as a result of this application type, fees for the construction agreement will be calculated in accordance with this section
- 9 Estimated cost of internal and external works associated with the Site Plan, as prepared by the Consulting Engineer. Includes erosion and sediment controls, underground and above ground works, streetlights, etc. plus a 10% contingency added to the estimate
- 10 To be collected as follows:

• 40% collected at pre-application consultation submission

• 60% collected at application submission
- 11 Exempt for site plans that neither have underground parking and/or associated parking structure/s
- 12 Total GFA of the development

- 13 Including but not limited to Hotels, Senior Homes, etc.
- 14 Applies to the GFA of the building, exclusive of the area of units identified in Table 6, section 6.2.2.5
- 15 Notwithstanding the definition of GFA, the subject fee shall include the total GFA and the GFA of underground parking and/or associated parking structure
- 16 Includes additions or alterations to developments of 11 units or greater
- 17 Includes Façade changes
- 18 When changes are funded in part or wholly by a grant from Council
- 19 All other application types, including changes to approved drawings that are not subject to special provision 18, are subject to Table 6, Section 6.4.1.1
- 20 Engineering review of site plan requires Major Application submission

Table 7: Committee of Adjustment			Rate	
Minor Variance	7.1.1	Development Standards ⁽¹⁾	\$6,653	Per Application
	7.1.2	Residential Small Scale ⁽²⁾	\$2,824	Per Application
	7.1.3	Variance with respect to use ⁽³⁾	\$15,329	Per Application
	7.1.4	Technical Variance ⁽⁴⁾	\$2,316	Per Application
	7.2.1	Multiple Variances ⁽⁵⁾ - Base Fee	\$11,203	Per Application
	7.2.2	Multiple Variances ⁽⁵⁾ - Unit Fee ⁽⁶⁾	\$2,316	Per Unit
	7.2.3	Multiple Variances ⁽⁵⁾ - Notwithstanding 7.2.1 above, the total fee for a variance shall not exceed	\$58,167	Per Application
	7.2.4	Heritage variance ⁽⁷⁾		Per Application
Land Division	Consent for creation of one or more lots			
	7.2.1	Base fee	\$15,329	Per Application
	7.2.2	Unit Fee ⁽⁸⁾ ⁽¹⁰⁾	\$2,316	Per Unit
	7.2.3	Land Area Fee ⁽⁹⁾ ⁽¹⁰⁾	\$22,959	Per Hectare
	7.2.4	Notwithstanding 7.2.1 to 7.2.3 above, the total fee for a Land Division shall not exceed	\$44,578	Per Application
	7.2.5	Other Consent ⁽¹¹⁾	\$8,033	Per Application
	7.2.6	Change of Condition prior to final consent	\$2,021	Per Application
	7.2.7	Re-Application of Provisionally approved Consent without completion of conditions within one year timeframe ⁽¹²⁾ ⁽¹³⁾	\$6,425	Per Application
7.3.1	Sign Fee ⁽¹⁴⁾		\$40	Per Sign
Development Agreement	7.4.1	Planning	\$2,021	Per Agreement
	7.4.2	Urban Design	\$2,021	Per Agreement
	7.4.3	Engineering	\$2,021	Per Agreement

- 1 Additions, alterations, or new dwellings 50 m² or greater, or apartment, condominium, mixed use buildings or ICI
- 2 Additions, Alterations, or new single, semi-detached, or townhouse dwellings, or to accessory buildings, structures or decks less than 50 m²
- 3 Includes residential, ICI, and where use and development standard variances are requested
- 4 To rectify an existing site condition, at the discretion of the Director of Planning and Urban Design or their designate
- 5 Multiple lots on a Draft Plan of Subdivision, registered M-Plan, or multiple single, semi-detached, or townhouse dwellings on a site plan
- 6 Number of actual units or lots (any decimal number rounded off to the next greater number)
- 7 Applies to heritage buildings, or Heritage Properties where Heritage Staff or Heritage Markham has requested the implementation of a historic condition or feature, at the discretion of the Director of Planning or their Designate
- 8 Applies only to consents creating new residential lots, excluding apartments, condominiums, and mixed use buildings
- 9 Applies to all consents except those identified in Table 6, Section 6.2.1.2
- 10 Payable prior to finalization of consent
- 11 Includes consent for partial discharge of mortgage, easement, lease of 21 years or more, validation of title, and the re-establishment of a previously existing lot line, as determined by the Director of Planning and Urban Design
- 12 Application must be received within 6 months of the lapse of the original consent application

- 13
- Proposed lot configuration and development must be identical to the lapsed application receiving provisional consent
- 14
- One sign required on each public or private street upon which the subject site has frontage, as determined by the Secretary Treasurer of the Committee of Adjustment

Table 8: Supplementary Fee		Rate	
8.1	Electronic submission fee ⁽¹⁾	\$100	Per Application
8.2	Additional Public Meeting Fee ^{(2) (3)}	\$9,372	Per Meeting
8.3	Additional Report to Committee or Council ^{(2) (3)}	\$9,372	Per Report
Re-Circulation of Drawings ⁽³⁾			
8.4.1	Minor Circulation ⁽⁵⁾	\$603	Per Circulation
8.4.2	Major Circulation ^{(2) (6) (7)}	\$7,431	Per Circulation
Studies ⁽⁴⁾			
8.5.1	Planning and Urban Design Study (Large Scale Major Studies) ⁽⁹⁾	\$75,702	Per Study
8.5.2	Planning and Urban Design Study (Update or Amendment to existing Study) ⁽¹⁰⁾	\$30,322	Per Study
8.6.1	Engineering Study (New Study) ⁽¹¹⁾	\$39,559	Per Study
8.6.2	Engineering Study (Update or Amendment to existing Study)	\$13,253	Per Study
8.7.1	Hire/Retain a Consultant/Vendor ⁽¹²⁾	(13)	
8.8.1	Third Party Appeal ^{(14) (16)}	(15)	
8.9.1	More than two inspections ^{(3) (8)}	\$1,915	Per Inspection

- 1
- Required for all applications submitted electronically, excluding Heritage applications exempted under Table 7, Section 7.2.4, and Applications under Table 1.
- 2
- Due to revisions by owner/applicant, or owner/applicant's failure to revise drawings/plans/reports as requested by the City
- 3
- Payable prior to meeting, inspection, or circulations
- 4
- Payable at submission of study
- 5
- Includes Consent to Sever and Minor Variance Applications due to revisions or request for deferral by owner, and/or after 1 year from the original date of application submission due to inactivity
- 6
- Payable at submission
- 7
- Includes 4 or more submissions and re-circulations
- 8
- Due to unaddressed deficiencies identified during earlier inspections
- 9
- Includes review and approval of large scale major studies including but not limited to: Community Design Plans or Precinct Plans associated with a new secondary plan, major official plan amendment/Secondary Plan Amendment, Major Zoning or major site plan application on a large scale complex site
- 10
- Includes review and approval of small scale studies at the discretion of the Director of Planning and Urban Design or their designates
- 11
- Includes review and approval of large scale major studies including but not limited to: Master Transportation Study, Master Environmental Servicing Plan, Noise Study, Geotechnical Study, etc. associated with a new Secondary Planed, major Official Plan Amendment/Secondary Plan Amendment, major Zoning or major Site Plan application on a large scale complex site
- 12
- Fees for the City to retain a consultant/Vendor for the review, implementation or monitoring related to an application, as determined by the Director of Planning and Urban Design and/or the director of Engineering, or their designate
- 13
- Actual cost of Consultant/vendor plus an administrative fee in the amount of 31.7% of the actual cost of the consultant/vendor
- 14
- City's cost to retain outside Legal Counsel, and other outside experts including but not limited to Planning, Urban Design, or Engineering consultants or experts as determined necessary by the City Solicitor and Commissioner of Development Services, where an approved development application is appealed to the Local Planning Appeal Tribunal
- 15
- Actual cost of legal counsel and consultants, plus an administrative fee in the amount of 33% of the actual cost of the consultant/vendor
- 16
- Fees shall be payable in accordance with a Cost Acknowledgement Agreement between the City and the Applicant
- 17
- Digital uploads that are not submitted as applications within 30 days of initial upload will be cancelled and no refund will be provided.

Table 9: Miscellaneous Fees			Rate	
9.1	Review and Comment on Minister's Zoning Order			
9.1.1	New Application		\$9,036	Per Application
9.1.2	Comment on extension of a temporary use		\$2,956	Per Application
9.2	Deeming By-law		\$9,773	Per Application
9.3	Exemption from Part Lot Control ⁽¹⁾		\$9,773	Per m-Plan
9.4	Telecommunication Tower		\$23,561	Per Application
9.5	Model Home/Sales trailer agreement ⁽²⁾		\$6,102	Per Agreement
9.6	Heritage Permit ⁽³⁾		\$643	Per Application
9.7	Townhouse Siting		\$709	Per Unit
Site Alteration Permit	Urban Design			
	9.8.1	Base Fee	\$6,546	Per Application
	9.8.2	Area Fee	\$1,352	Per Hectare
	Engineering			
	9.8.3	Base Fee	\$6,546	Per Application
	9.8.4	Area Fee	\$1,352	Per Hectare
9.9	Construction Management Plan and/or Traffic Management Plan Review and/or public Communication Plan/Report ⁽⁴⁾⁽⁵⁾		\$5,676	Per Application
9.10	Shoring and Hoarding Encroachment Plan ⁽²⁾		\$5,930	Per Application
Miscellaneous Submission ⁽⁶⁾				
9.11.1	Percentage Fee ⁽⁷⁾		15.7%	Percent
9.11.2	Hourly Rate for Estimate Hours		\$308	Per Hour
9.11.3	GIS Hourly Rate		\$134	Per Hour

1 Applicable to units that have not been captured through Draft Plan of Subdivision Application Fee

2 Payable at the execution of an agreement

3 For unauthorized work

4 Percent of the total cost of the engineering work required within the municipal road allowance

5 Payable at the submission of Plans

6 Not identified under a fee category as determined by the director of Planning and Urban Design or Director of Engineering or their designates

7 Estimated based on the cost of works

DEFINITIONS

COMMITTEE OF ADJUSTMENT

Development Standards: Any requirement of a zoning by-law other than permitted use (i.e. yard setbacks, building height, lot coverage).

Technical Variance: A minor variance related to an existing building or structure, but requires variance approval due to one or more minor siting errors. Determination of whether or not a variance is a Technical Variance is at the discretion of the Director of Planning and Urban Design, or designate.

Use: Any requirement of a zoning by-law related to the types of uses permitted on a property.

CONDOMINIUM, PLAN OF

Amalgamated Condominium: A plan of condominium where two or more condominium corporations merge into one corporation.

Common Element Condominium: A plan of condominium that consist only of common elements (e.g. a laneway or a golf course), with no individually owned units. The owners of the common elements are owners of freehold parcels of tied land (POTLs) which are not part of the condominium property.

Leasehold Condominium: A plan of condominium where individually owned units and common elements are leased by the landowner to purchasers who will never own the land. The purchasers buy a leasehold interest in the units and common elements for a fixed number of years.

Phased Condominium: A form of Standard Condominium (*see above*) that permits individually owned units and common elements to be added to a condominium corporation in phases, over a maximum of ten (10) years.

Standard Condominium: A plan of condominium that consists of both individually owned units and common elements. Note that all condominiums that existed at the time that the *Condominium Act*, 1998 came into effect are deemed Standard Condominiums.

Vacant Land Condominium: A plan of condominium where individually owned units are effectively vacant lots upon which buildings will be located after the condominium is registered.

ENGINEERING

Construction Management Plan: Technical plan that shows how construction works for a proposed development will be managed. The plan shows surface encroachment (e.g. vehicular lane, sidewalk, signage, utilities, trees and municipal easements), storage/loading areas, dewatering equipment, aerial/crane encroachment, vehicular and material access points, hoarding, traffic management, and possible impacts on properties (noise/vibration mitigation and construction condition surveys).

Engineering Plans: Technical plans that show sanitary, water and stormwater servicing schemes, grading, utilities location, erosion and sediment controls, shoring and construction details of the proposed development.

External Works: Means works that include but are not limited to sanitary and storm sewer connections, manholes, water service, driveways, sidewalks, boulevard treatment and other road works (Pavement, curbs, catch basins and their leads, hydrants, streetlighting, hydro poles, traffic controls).

Internal Works: Means works that include but are not limited to curbs, pavement, retaining walls, grading, water mains, sanitary sewers, storm sewers, manholes, catch basins and their leads, erosion and sediment controls and on site storm water management facilities (e.g., Oil Grit Separators (OGS), storage facilities, chambers, infiltration trenches/chambers, soakaway pits and bioretention systems).

Public Communication Plan/ Report: Outlines the planned public communication process and actions to inform the travelling public, project stakeholders, emergency response agencies, and directly impacted businesses and local residents about the planned construction activities and changes to traffic operations due to proposed temporary road closure and alterations and disruptions to traffic necessary to safely complete construction of proposed development, municipal services and roads. The Plan/Report may consist of any of the following elements: notices to the impacted residents, businesses and travelling public placed in print media, project road signs including detour routes, changeable message signage, notices to

the public placed on Internet web pages, brochures, direct mail outs to impacted businesses and local residents, and public meetings. The Plan is modified throughout the project life cycle to address issues as they arise.

Residential Service Connection: A watermain, sanitary sewer or storm sewer that connects from a residential house/unit to a municipal watermain, sanitary sewer or storm sewer.

Site Alteration: Includes but not limited to, the removal of topsoil from land, placement or dumping of fill on land, the alteration of the grade of land or excavation by any means including the removal of vegetative cover, the compaction of soil or the creation of impervious surfaces, or any combination of these activities that would change the landform and natural vegetative characteristics of the land.

Shoring Encroachment and Hoarding Plan: Technical plan that shows the design and installation of a shoring system consisting of piles and tie-back system, location of the utilities/services and hoarding, and any significant features pertinent to the municipal right-of-way encroachment, to facilitate the construction of underground and aboveground structures that are close to or within the municipal right-of-way. This plan helps ensure construction works do not impede pedestrian and vehicular traffic in any significant manner and do not impact any underground and aboveground utilities or infrastructures.

Traffic Management Plan: Shows how the alterations and disruptions to traffic caused by the construction activities of the proposed development, servicing infrastructure, or road shall be mitigated and managed.

Water Supply Analysis Report: Provides detailed design for a water supply distribution system including mitigation measures to ensure adequate water supply flow and pressure for the proposed development.

GENERAL

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ICI: Institutional, Commercial, Industrial

Townhouse Siting: Review of the design aspects of townhouse blocks and ensures appropriate building placement and elevation treatments for specific townhouse blocks.

Gross Floor Area (GFA) of Building(s): Defined as the total floor area (inside the building envelope, including the external walls, and excluding the roof) above and below grade less area dedicated to underground parking or associated parking structure.

Underground Parking and/or Associated Parking Structure: A building, or part thereof used for the parking or storage of motor vehicles

SCHEDULE ‘B – APPLICATION SUBMISSIONS PRIOR TO JANUARY 1, 2023’ TO BY-LAW 2022-XXXX

TARIFF OF FEES FOR PROCESSING OF PLANNING APPLICATIONS
GENERAL TERMS

1.0. Acceptance

- 1.1. Fees shall only be accepted in conjunction with the filing of an application containing all submission requirements as determined by the Director of Planning and Urban Design or designate and/or Director of Engineering or designate.
- 1.2. Applicants shall not be permitted to “pre-pay” application fees upon submission of an incomplete application in order to lock in fees and avoid future fee increases.

2.0. Calculation

- 2.1. For each development application type, fee shall be calculated, and may include Development Application Fees, Supplementary Fees, and Miscellaneous Fees as listed in this by-law. Unless otherwise stated, fee subsections ending in roman numerals (ie. i), ii), iii), etc) form part of the overall subsection fee, and shall be applied cumulatively with the other fees ending in roman numerals within that subsection.
- 2.2. Fees shall be calculated at the rate in effect on the date paid. Applications for which fees have been paid in part, prior to the effective date of this by-law, shall be required to pay any additional fees established by this by-law.

3.0. Payment

3.1. Fee Payable in Stages

- 3.1.1. Unless otherwise noted, fees are payable at time of application.
- 3.1.2. Subject to 3.2.1., where the application fee is payable in stages, the fee owing at each stage shall be the fee, for such stage, in effect on the date the payment is made.
- 3.1.3. Where payment in full of all fees applicable to an application has been made, no additional fee, where established by this by-law, shall be payable.
- 3.1.4. Other City of Markham fees may be applicable.

3.2. Adjustment

- 3.2.1. Fee adjustments are made to reflect increases including, but not limited to, the following:
 - total number of Units/Lots/Parcels
 - total GFA/Land Area
 - Scope of Construction Works.
- 3.2.2. Adjustments to the total fee payable will be required at each payment stage based on the rate in effect at the time of payment stage.

4.0 Reimbursement

4.1 Fees shall be reimbursed upon applicant withdrawing the application, as determined by the Director of Planning and Urban Design or designate and/or Director of Engineering or designate:

- 4.1.1 Refund percentage is based on all fees received.
- 4.1.2 HST refund is calculated based on percentage of fee to be refunded.
- 4.1.3 Refund percentage (%) is based on the application stage as follows:

4.1.3.1	Prior to circulation of application	75%
4.1.3.2	From circulation to completion of preliminary report and/or holding of a public meeting, if required	50%
4.1.3.3	Prior to Committee receiving recommendation report and/or prior to Site Plan Endorsement (N/A for Committee of Adjustment Applications)	25%
4.1.3.4	After Site Plan Endorsement and/or after Recommendation Report/Memorandum received by Committee	No refund

Notes:
a) For all application fees calculated, add HST as applicable

b) All cheques shall be payable to “City of Markham”
c) For assistance contact the Development Services Commission, 101 Town Centre
Boulevard, ON L3R 9W3 | Phone: (905) 475-4861 | E-mail: dsc@markham.ca

DEVELOPMENT APPLICATION FEES

Table 1: Plan of Subdivision (applicable for submissions prior to January 1, 2023)			Rate	
Planning	1.1.1	Base fee	\$44,578	Per Application
	1.1.2	Unit Fee ⁽¹⁾	\$2,316	Per Unit/Lot
	1.1.3	Land Area ⁽²⁾⁽³⁾	\$22,959	Per Hectare
Urban Design	Community Planning Review			
	1.2.1	Base Fee	\$10,108	Per Application
	1.2.2	Unit Fee ⁽¹⁾	\$442	Per Unit/Lot
	1.2.3	Land Area ⁽²⁾⁽³⁾	\$22,959	Per Hectare
	Landscape Review			
	1.3.1	Calculated Fee (the greater of) ⁽¹⁰⁾	\$764	Per Unit/Lot ^{(4) (5)}
15.7%			Construction Cost ⁽⁶⁾ ₍₁₁₎	
Engineering	1.4.1	Calculated Fee (the greater of) ⁽⁷⁾	\$2,276	Per Unit/Lot/Block
			13.1%	Construction Cost ⁽⁹⁾ ₍₁₁₎
Miscellaneous	1.5.1	Extension of Draft Plan Approval	\$9,7731	Per Application
	Revision of Draft Approved Plan and/or Draft Plan Conditions ⁽⁸⁾			
	1.6.1	Minor (does not require report to Committee)	\$6,050	Per Application
	1.6.2	Major (requires report to Committee)	\$19,143	Per Application
	Request for Subdivision Agreement			
	1.7.1	First Phase of subdivision	\$64,122	Per Agreement
	1.7.2	Subsequent Phases	\$45,047	Per Agreement

- 1 Unit fee applicable to Single Detached, Semi Detached and/or Freehold Townhouse units. To be collected as follows:
 - 40% collected at submission of application
 - 60% collected at execution of agreement
- 2 Applicable to blocks created for Residential, Mixed-Use, Institutional (including school blocks), Commercial or Industrial uses. (Excludes park blocks, valley lands, hazard lands, environmental buffer blocks, stormwater management blocks, open space areas and public roads to be conveyed into public ownership, or residential blocks subject to site plan control and/or plan of condominium.
- 3 To be collected as follows:
 - 40% collected at submission of application 60% collected at execution of agreement
- 4 Payable at the execution of agreement
- 5 Up to 100 units/lots on a plan of subdivision
- 6 Estimated cost of construction of landscape works
- 7 To be collected as follows:
 - 60% collected at submission of engineering drawings
 - 40% collected at execution of a pre-servicing agreement (if applicable) or a subdivision agreement
- 8 At the request of the owner
- 9 Estimated cost of internal and external works associated with the Plan of Subdivision, as prepared by the Consulting Engineer. Includes erosion and sediment controls, underground and above-ground works, streetlights, etc. plus a 10% contingency added to the estimate
- 10 Payable at first submission of Landscape drawings for each phase of the draft plan of subdivision. 40% collected at submission of Landscape Drawings 60% collected at execution of agreement
- 11 Where a construction agreement is required as a result of this application type, fees for the construction agreement will be calculated in accordance with this section

Table 2.1: Site Plan Applications (Residential/Mixed Use) (applicable for submissions prior to January 1, 2023)				Rate	
Residential Small Developments ⁽¹⁾					
2.1.1.1	Planning Review fee			\$2,959	Per Unit
2.1.1.2	Urban Design Review			\$1,004	Per Unit
2.1.1.3	Engineering Review Fee			\$1,004	Per Unit
Residential Large Developments ^{(16) (3)}					
Planning	2.1.2.1	Base Fee		\$13,588	Per Application
	2.1.2.2	Unit Fee ^{(4) (5) (10)}		\$2,316	Per Unit
	2.1.2.3	Calculated GFA Fee ^{(6) (10)(14)}		\$6.32	Per m ²
Urban Design	2.1.2.4	Base Fee		\$5,556	Per Application
	2.1.2.5	Percentage fee ^{(2) (7)}		15.7%	Percent
	2.1.2.6	GFA Fee ^{(2) (11) (12)}		\$6.32	Per m ²
Engineer- ing ⁽⁸⁾	2.1.2.7	Base Fee		\$9,906	Per Application
	2.1.2.8	Percentage fee ^{(2) (9)}		14.4%	Percent
	2.1.2.9	GFA Fee ^{(2) (11) (12)}		\$6.32	Per m ²
Addition and Alterations	Small Developments (1)				
	2.1.3.1	Less than 50 m ² of GFA		\$201	Per Unit
	2.1.3.2	50 to 100 m ² of GFA		\$1,004	Per Unit
	Developments Greater than 100 m ² of GFA				
	2.1.4.1	Planning Review fee		\$1,004	Per Unit
	2.1.4.2	Urban Design Review		\$898	Per Unit
	2.1.4.3	Engineering Review		\$898	Per Unit
	2.1.4.4	Residential Driveways or parking area		\$201	Per Application

Table 2.2: Site Plan Applications (ICI) (applicable for submissions prior to January 1, 2023)				Rate	
ICI (without units accommodating overnight stay)					
Plan- ning	2.2.1.1	Base Fee		\$13,588	Per Application
	2.2.1.2	Calculated GFA Fee ^{(10) (6)}		\$6.32	Per m ²
Urban Design	2.2.1.3	Base Fee		\$5,556	Per Application
	2.2.1.4	Percentage Fee ^{(2) (7)}		15.7%	Percent
	2.2.1.5	GFA Fee ^{(2) (11) (15)}		\$6.32	Per m ²
Engineer- ing ⁽⁸⁾	2.2.1.6	Base Fee		\$9,906	Per Application
	2.2.1.7	Percentage Fee ⁽²⁾⁽⁹⁾		14.4%	Percent
	2.2.1.8	GFA Fee ^{(2) (11) (15)}		\$6.32	Per m ²
ICI (with units accommodating overnight or longer stay) ⁽¹³⁾					
Planning	2.2.2.1	Base Fee		\$13,588	Per Application
	2.2.2.2	Unit Fee ⁽¹⁰⁾		\$2,316	Per Unit
	2.2.2.3	Calculated GFA Fee ^{(10) (14)}		\$6.32	Per m ²
Urban Design	2.2.2.4	Base Fee		\$5,556	Per Application
	2.2.2.5	Percentage Fee ⁽⁷⁾		15.7%	Percent ⁽⁸⁾

	2.2.2.6	Calculated GFA Fee ^{(2) (11) (15)}	\$6.32	Per m ² Page 61 of 86
Engineer- ing ⁽⁸⁾	2.2.2.7	Base Fee	\$9,906	Per Application
	2.2.2.8	Percentage Fee ^{(2) (9)}	14.4%	Percent ⁽⁸⁾
	2.2.2.9	Calculated GFA Fee ^{(2) (11) (15)}	\$6.32	Per m ²
NEW Parking Lot or Outdoor Patio				
2.2.3.1	Planning Review Fee		\$4,940	Per Application
2.2.3.2	Urban Design Review		\$1,004	Per Application
2.2.3.3	Engineering Review		\$1,004	Per Application
EXPANSION/ALTERATION of Existing Parking Lot or Outdoor				
2.2.4.1	Planning Review Fee		\$2,462	Per Application
2.2.4.2	Urban Design Review		\$1,004	Per Application
2.2.4.3	Engineering Review		\$1,004	Per Application

Table 2.3: Extensions or Minor Applications			Rate	
2.3.1.1	Extension of Site Plan Approval/Agreement		\$2,345	Per Application
Minor Applications ⁽²⁰⁾				
2.3.2.1	Planning Review Fee ⁽¹⁷⁾		\$4,277	Per Application
2.3.2.2	Urban Design Review		\$957	Per Application

Table 2.4: Heritage Site Plan			Rate	
2.4.1.1	Residential		Section 1	
ICI - Institutional, Commercial, or Industrial				
2.4.2.1	Less than 50 m ²		\$1,407	Per Application
2.4.2.2	50 m ² or greater		Section 2	
2.4.2.3	Façade changes ^{(18) (19)}		\$1,004	Per Application

- 1 Single Detached, Semi-Detached, Townhouse, and/or Apartment development with under 10 lots, blocks, or units total
- 2 To be collected as follows:
 - 40% collected at submission of application
 - 60% collected at the earlier of the execution of agreement or issuance of a building permit, or conditional building permit
- 3 Mixed Development or Single Detached, Semi-Detached, Townhouse, and or Apartment development with more than 10 lots, blocks, or units total
- 4 Unit fee applicable to Single Detached, Semi Detached, Townhouse and Apartment units
- 5 Applicable to buildings with common area(s)
- 6 Calculated GFA shall mean the total GFA of building(s) minus GFA of Apartment units and overnight or longer stay unit(s)
- 7 Estimated cost of construction of landscape work
- 8 Where a construction agreement is required as a result of this application type, fees for the construction agreement will be calculated in accordance with this section
- 9 Estimated cost of internal and external works associated with the Site Plan, as prepared by the Consulting Engineer. Includes erosion and sediment controls, underground and above ground works, streetlights, etc. plus a 10% contingency added to the estimate
- 10 To be collected as follows:
 - 40% collected at submission of application
 - 60% collected at execution of agreement
- 11 Exempt for site plans that neither have underground parking and/or associated parking structure/s
- 12 Total GFA of the development
- 13 Including but not limited to Hotels, Senior Homes, etc.
- 14 Applies to the GFA of the building, exclusive of the area of units identified in Table 6, section 2.2.2.5
- 15 Notwithstanding the definition of GFA, the subject fee shall include the total GFA and the GFA of underground parking and/or associated parking structure
- 16 Includes additions or alterations to developments of 11 units or greater
- 17 Includes Façade changes
- 18 When changes are funded in part or wholly by a grant from Council
- 19 All other application types, including changes to approved drawings that are not subject to special provision 18, are subject to Table 6, Section 2.4.1.1
- 20 Engineering review of site plan requires Major Application submission

Table 3: Supplementary Fee		Rate	
3.1	Electronic submission fee ⁽¹⁾⁽¹⁹⁾	\$100	Per Application
3.2	Additional Public Meeting Fee ^{(2) (3)}	\$9,372	Per Meeting
3.3	Additional Report to Committee or Council ^{(2) (3)}	\$9,372	Per Report
Re-Circulation of Drawings ⁽³⁾			
3.4.1	Minor Circulation ⁽⁵⁾	\$603	Per Circulation
3.4.2	Major Circulation ^{(2) (6) (7)}	\$7,431	Per Circulation
Studies ⁽⁴⁾			
3.5.1	Planning and Urban Design Study (Large Scale Major Studies) ⁽⁹⁾	\$75,702	Per Study
3.5.2	Planning and Urban Design Study (Update or Amendment to existing Study) ⁽¹⁰⁾	\$30,322	Per Study
3.6.1	Engineering Study (New Study) ⁽¹¹⁾	\$39,559	Per Study
3.6.2	Engineering Study (Update or Amendment to existing Study)	\$13,253	Per Study
3.7.1	Hire/Retain a Consultant/Vendor ⁽¹²⁾	(13)	
3.8.1	Third Party Appeal ^{(14) (16)}	(15)	
3.9.1	More than two inspections ^{(3) (8)}	\$1,915	Per Inspection

- 1 Required for all applications submitted electronically
- 2 Due to revisions by owner/applicant, or owner/applicant's failure to revise drawings/plans/reports as requested by the City
- 2 Payable prior to meeting, inspection, or circulations
- 3 Payable at submission of study
- 4 Includes Consent to Sever and Minor Variance Applications due to revisions or request for deferral by owner, and/or after 1 year from the original date of application submission due to inactivity
- 5 Payable at submission
- 6 Includes 4 or more submissions and re-circulations
- 7 Due to unaddressed deficiencies identified during earlier inspections
- 8 Includes review and approval of large scale major studies including but not limited to: Community Design Plans or Precinct Plans associated with a new secondary plan, major official plan amendment/Secondary Plan Amendment, Major Zoning or major site plan application on a large scale complex site
- 9 Includes review and approval of small scale studies at the discretion of the Director of Planning and Urban Design or their designates
- 10 Includes review and approval of large scale major studies including but not limited to: Master Transportation Study, Master Environmental Servicing Plan, Noise Study, Geotechnical Study, etc. associated with a new Secondary Planed, major Official Plan Amendment/Secondary Plan Amendment, major Zoning or major Site Plan application on a large scale complex site
- 11 Fees for the City to retain a consultant/Vendor for the review, implementation or monitoring related to an application, as determined by the Director of Planning and Urban Design and/or the director of Engineering, or their designate
- 12 Actual cost of Consultant/vendor plus an administrative fee in the amount of 31.7% of the actual cost of the consultant/vendor
- 13 City's cost to retain outside Legal Counsel, and other outside experts including but not limited to Planning, Urban Design, or Engineering consultants or experts as determined necessary by the City Solicitor and Commissioner of Development Services, where an approved development application is appealed to the Local Planning Appeal Tribunal
- 14 Actual cost of legal counsel and consultants, plus an administrative fee in the amount of 33% of the actual cost of the consultant/vendor
- 15 Fees shall be payable in accordance with a Cost Acknowledgement Agreement between the City and the Applicant
- 16 Digital uploads that are not submitted as applications within 30 days of initial upload will be cancelled and no refund will be provided.

Table 4: Miscellaneous Fees			Rate	
4	Review and Comment on Minister's Zoning Order			
4.1.1	New Application		\$9,036	Per Application
4.1.2	Comment on extension of a temporary use		\$2,956	Per Application
4.2	Deeming By-law		\$9,773	Per Application
4.3	Exemption from Part Lot Control ⁽¹⁾		\$9,773	Per m-Plan
4.4	Telecommunication Tower		\$23,561	Per Application
4.5	Model Home/Sales trailer agreement ⁽²⁾		\$6,102	Per Agreement
4.6	Heritage Permit ⁽³⁾		\$643	Per Application
4.7	Townhouse Siting		\$709	Per Unit
Site Alteration Permit	Urban Design			
	4.8.1	Base Fee	\$6,546	Per Application
	4.8.2	Area Fee	\$1,352	Per Hectare
	Engineering			
	4.8.3	Base Fee	\$6,546	Per Application
	4.8.4	Area Fee	\$1,352	Per Hectare
4.9	Construction Management Plan and/or Traffic Management Plan Review and/or public Communication Plan/Report ⁽⁴⁾⁽⁵⁾		\$5,676	Per Application
4.10	Shoring and Hoarding Encroachment Plan ⁽²⁾		\$5,930	Per Application
Miscellaneous Submission ⁽⁶⁾				
4.11.1	Percentage Fee ⁽⁷⁾		15.7%	Percent
4.11.2	Hourly Rate for Estimate Hours		\$308	Per Hour
4.11.3	GIS Hourly Rate		\$134	Per Hour

- 1
- Applicable to units that have not been captured through Draft Plan of Subdivision Application Fee
- 2
- Payable at the execution of an agreement
- 3
- For unauthorized work
- 4
- Percent of the total cost of the engineering work required within the municipal road allowance
- 5
- Payable at the submission of Plans
- 6
- Not identified under a fee category as determined by the director of Planning and Urban Design or Director of Engineering or their designates
- 7
- Estimated based on the cost of works

DEFINITIONS

COMMITTEE OF ADJUSTMENT

Development Standards: Any requirement of a zoning by-law other than permitted use (i.e. yard setbacks, building height, lot coverage).

Technical Variance: A minor variance related to an existing building or structure, but requires variance approval due to one or more minor siting errors. Determination of whether or not a variance is a Technical Variance is at the discretion of the Director of Planning and Urban Design, or designate.

Use: Any requirement of a zoning by-law related to the types of uses permitted on a property.

CONDOMINIUM, PLAN OF

Amalgamated Condominium: A plan of condominium where two or more condominium corporations merge into one corporation.

Common Element Condominium: A plan of condominium that consist only of common elements (e.g. a laneway or a golf course), with no individually owned units. The owners of the common elements are owners of freehold parcels of tied land (POTLs) which are not part of the condominium property.

Leasehold Condominium: A plan of condominium where individually owned units and common elements are leased by the landowner to purchasers who will never own the land. The purchasers buy a leasehold interest in the units and common elements for a fixed number of years.

Phased Condominium: A form of Standard Condominium (*see above*) that permits individually owned units and common elements to be added to a condominium corporation in phases, over a maximum of ten (10) years.

Standard Condominium: A plan of condominium that consists of both individually owned units and common elements. Note that all condominiums that existed at the time that the *Condominium Act*, 1998 came into effect are deemed Standard Condominiums.

Vacant Land Condominium: A plan of condominium where individually owned units are effectively vacant lots upon which buildings will be located after the condominium is registered.

ENGINEERING

Construction Management Plan: Technical plan that shows how construction works for a proposed development will be managed. The plan shows surface encroachment (e.g. vehicular lane, sidewalk, signage, utilities, trees and municipal easements), storage/loading areas, dewatering equipment, aerial/crane encroachment, vehicular and material access points, hoarding, traffic management, and possible impacts on properties (noise/vibration mitigation and construction condition surveys).

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on Internet web pages, brochures, direct mail outs to impacted businesses and local residents, and public meetings. The Plan is modified throughout the project life cycle to address issues as they arise.

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Site Alteration: Includes but not limited to, the removal of topsoil from land, placement or dumping of fill on land, the alteration of the grade of land or excavation by any means including the removal of vegetative cover, the compaction of soil or the creation of impervious surfaces, or any combination of these activities that would change the landform and natural vegetative characteristics of the land.

Shoring Encroachment and Hoarding Plan: Technical plan that shows the design and installation of a shoring system consisting of piles and tie-back system, location of the utilities/services and hoarding, and any significant features pertinent to the municipal right-of-way encroachment, to facilitate the construction of underground and aboveground structures that are close to or within the municipal right-of-way. This plan helps ensure construction works do not impede pedestrian and vehicular traffic in any significant manner and do not impact any underground and aboveground utilities or infrastructures.

Traffic Management Plan: Shows how the alterations and disruptions to traffic caused by the construction activities of the proposed development, servicing infrastructure, or road shall be mitigated and managed.

Water Supply Analysis Report: Provides detailed design for a water supply distribution system including mitigation measures to ensure adequate water supply flow and pressure for the proposed development.

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Gross Floor Area (GFA) of Building(s): Defined as the total floor area (inside the building envelope, including the external walls, and excluding the roof) above and below grade less area dedicated to underground parking or associated parking structure.

Underground Parking and/or Associated Parking Structure: A building, or part thereof used for the parking or storage of motor vehicles



BY-LAW 2022-XXX

Being a By-law respecting Construction, Demolition,
Change of Use Permits and Inspections

WHEREAS Section 7 of the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended, authorizes municipal council to pass by-laws respecting construction, demolition and change of use permits, inspections and related matters;

AND WHEREAS the Council of The Corporation of the City of Markham desires to repeal By-law 2021-114 and to enact a new building by-law for the issuance of permits and related matters, including the establishment of a fee schedule;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM ENACTS AS FOLLOWS:

1. SHORT TITLE

1.1. This By-law may be cited as the “Building By-law”.

2. DEFINITIONS

2.1. In this By-law:

“*Act*” means the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended;

“*applicant*” means the *owner* of a building or property who applies for a *permit* or any person authorized to apply for a *permit* on the *owner’s* behalf, or any person or corporation empowered by statute to cause the construction or demolition of a building or buildings and anyone acting under the authority of such person or corporation. For the purposes of this bylaw the *applicant* is the registered user of the *electronic submission*;

“*Building Code*” means the regulation made under Section 34 of the *Act*;

“*certified model*” means a unique building design for a detached or semi-detached unit that has been reviewed by the *chief building official* for compliance with the *Building Code* and is intended for construction pursuant to a *permit* issued under the *Act*. A *certified model* approval is not itself a *permit*;

“*City*” means The Corporation of the City of Markham.

“*chief building official*” means the *chief building official* appointed by by-law by Council for the purposes of enforcement of the *Act*, the *Building Code* and this By-law;

“*complete application*” means an application that meets the requirements set out in the building code for applications where the *chief building official* is required to make a decision within a prescribed time period, and further that meets the requirements set out in Section 4 and Schedule B of this By-law;

“*conditional permit*” means a *permit* issued under Subsection 8(3) of the *Act*;

“*construct*” means construct as defined in Subsection 1(1) of the *Act*;

“*demolish*” means demolish as defined in Subsection 1(1) of the *Act*;

“*electronic submission*” means the filing of a *pre-application review* or an application for a building *permit*, *certified model* or alternative solution,

including all required forms, documents and drawings, submitted through an online application procedure approved by the *chief building official*.

“*Infill Residential*” is defined as; a building containing not more than 2 dwelling units and where new construction replaces more than 50% of the existing building by demolition or by an addition that increases the gross floor area by more than 25% of new construction to an existing house;

“*owner*” means, in respect of the property on which the construction is to take place, the registered owner of the land and, except for *conditional permits*, may include a lessee, mortgagee in possession and the person acting as the owner’s authorized agent;

“*partial occupancy permit*” means; an occupancy permit for the partial occupancy of a building prior to its completion as set out in the Ontario Building Code Division C, Part 1, Subsection 1.3.3.

“*partial permit*” means a *permit* issued by the *chief building official* to construct part of a building;

“*permit*” means permission or authorization given in writing by the *chief building official* to perform work, to change the use of a building or part thereof, or to occupy a building or part thereof, as regulated by the *Act* and *Building Code*;

“*permit holder*” means the *owner* to whom the *permit* has been issued or where a *permit* has been transferred, the new *owner* to whom the permit has been transferred;

“*pre-application review*” means the review of forms, documents and drawings which precedes the acceptance of a permit application to determine if it qualifies for an *electronic submission* for a permit;

“*pre permit consultation*” means the high level review of proposed plans to identify any applicable *Building Code* concerns in advance of a building *permit* application. Pre Permit Consultation does not confirm *Building Code* compliance.

“*Registered Code Agency*” means a registered code agency as defined in Subsection 1(1) of the *Act*;

“*revised submission*” means additional information filed with the *chief building official* which depicts one or more changes to the proposed or as-constructed design of a building or part of a building for which a permit has already been issued and for which approval by the *chief building official* is required;

“*sewage system*” means a sewage system as defined in Subsection 1.4.1. of Division A of the *Building Code*;

“*supplementary submission*” means a resubmission of information in relation to building permit documents previously reviewed or issued, that requires additional review to determine *Building Code* compliance;

“*zoning preliminary review*” means a review of plans and other documents to determine whether proposed designs comply with applicable zoning by-laws;

“*zoning review*” means a review of plans and other documents to determine whether a building *permit* application complies with the applicable zoning by-laws;

2.2. Terms not defined in this By-law shall have the meaning ascribed to them in the *Act* or the *Building Code*.

3. CLASSES OF *PERMITS*

- 3.1. Classes of *permits* required for the construction, demolition or change of use of a building shall be set out in Schedule A to this By-law.

4. REQUIREMENTS FOR *PERMIT APPLICATIONS***General Requirements**

- 4.1. Every *permit* application, *certified model* application and application for an alternative solution must meet the requirements of this Section and Section 6 and shall:
- 4.1.1. be made by an *applicant*;
 - 4.1.2. be submitted to the *chief building official* on forms prescribed by the Province of Ontario or when no form is prescribed, on a form prescribed by the *chief building official*;
 - 4.1.3. be accompanied by the required fees calculated in accordance with Schedule A;
 - 4.1.4. unless otherwise determined by the *chief building official*, be in the form of an *electronic submission* filed by the *applicant*;
 - 4.1.5. unless otherwise determined by the *chief building official*, shall not be accepted until a *pre-application review* has been completed to the satisfaction of the *chief building official*; and
- 4.2. To be considered a *complete application*, every *permit* application shall be accompanied by the approval documents issued by the agencies responsible for the applicable laws listed in the building code, where those agencies issue approval documents and the law applies to the construction or demolition being proposed.
- 4.3. An application for a *permit* may be refused by the *chief building official* where it is not a *complete application*.
- 4.4. The *chief building official* may, as the chief building official deems appropriate, provide prescribed forms in an electronic format and may allow for the electronic submission of completed *permit* application forms.
- 4.5. Notwithstanding Subsection 4.4, completed forms generated electronically shall be accepted subject to the endorsement by the *applicant*.
- 4.6. When filing an application, the *owner* and the *applicant* shall provide an electronic address(s) for the purpose of receiving communications from the *chief building official* regarding the construction, demolition or change of use associated with a permit application or issued *permit*. The owner or authorized agent of the owner shall inform the *chief building official* immediately in writing when the electronic address(s) provided change or become not functional.

Applications for *Permits* to Construct

- 4.7. Every application for a *permit* to *construct* a building shall:
- 4.7.1. identify and describe in detail the work to be done and the existing and proposed use and occupancy of the building, or part thereof, for which the building *permit* application is made;
 - 4.7.2. be accompanied by the plans, specifications, documents, forms and other information prescribed in Section 5 and Schedule B of this by-law; and
 - 4.7.3. be accompanied by acceptable proof of corporate identity and property ownership, unless such proof is determined by the *chief building official* to be unnecessary.

Applications for *Permits to Demolish*

- 4.8. Every application for a *permit to demolish* a building shall:
- 4.8.1. identify and describe in detail the work to be done and the existing use and occupancy of the building, or part thereof, for which the application for a *permit to demolish* is made, and the proposed use and occupancy of that part of the building, if any, that will remain upon completion of the demolition;
 - 4.8.2. be accompanied by the plans, specifications, documents, forms and other information prescribed in Section 5 and Schedule B of this By-law; and
 - 4.8.3. be accompanied by proof satisfactory to the *chief building official* that arrangements have been made with the proper authorities for the termination and capping of all the water, sewer, gas, electric, telephone or other utilities and services.

Applications for *Permits to Construct Part of a Building*

- 4.9. In addition to the requirements of Subsection 4.7 , every application for a *partial permit* shall:
- 4.9.1. require a *permit* application for the entire project; and
 - 4.9.2. be accompanied by plans, specifications, documents, forms and other information covering that part of the work for which application for a *partial permit* is made, together with such information pertaining to the remainder of the work as may be required by the *chief building official*.
- 4.10. The *chief building official* may issue a *partial permit* when the *chief building official* determines it is appropriate to expedite substantial construction before a *permit* for the entire building is available and where the relevant provisions of this By-law and the *Act* are met.
- 4.10.1. When determining whether to issue a *partial permit*, the *chief building official* shall have regard for the likelihood of subsequent approvals being available in a timely fashion such that a project is not interrupted and exposed to potential damage from the elements while awaiting subsequent approvals.
- 4.11. The *chief building official* shall not, by reason of the issuance of a *partial permit* pursuant to this By-law, be under any obligation to grant any additional *permits*.

Applications for *Conditional Permits*

- 4.12. An application for a *conditional permit* cannot be filed until plans review of the scope of work is complete.
- 4.13. In addition to the requirements of Subsection 4.7, where a *conditional permit* is requested, the *applicant* shall:
- 4.13.1. complete an application on a form prescribed by the *chief building official*; and
 - 4.13.2. submit documents and drawings prescribed in Schedule B of this By-law.
- 4.14. The *chief building official* may, at his or her discretion, issue a *conditional permit* where unreasonable delays are anticipated in obtaining all necessary approvals and where the relevant provisions of this By-law and the *Act* are met.

Applications for *Permits for Change of Use*

- 4.15. Every application for a *permit* for a change of use shall;

- 4.15.1. be accompanied by the plans, specifications, documents, forms and other information prescribed in Section 5 and Schedule B of this By-law;

Application for a *Certified Model*

- 4.16. An *applicant* may file an application for a *certified model*.
- 4.17. Every application for a *certified model* shall;
 - 4.17.1. be made on an application form prescribed by the *chief building official*; and
 - 4.17.2. be accompanied by the plans, specifications, documents, forms and other information prescribed in Section 5 of this By-law.
- 4.18. Plans and specifications forming part of each *certified model* application shall be deemed to form part of the *permit* documents of each *permit* subsequently issued under the *Act*.

Abandoned *Electronic Submissions* and *Permit Applications*

- 4.19. Where an electronic submission has not been completed within 20 business days of creation, the electronic submission may be deemed by the *chief building official* to have been abandoned.
- 4.20. Where an application for a *permit* was accepted and the estimated permit fees are unpaid for three months after the *applicant* was advised in writing of the estimated permit fees, the application may be deemed by the *chief building official* to have been abandoned and written notice of the cancellation thereof shall be given to the *applicant*.
- 4.21. Where an application for a *permit* remains incomplete and inactive for six months after the *applicant* has been advised in writing of all the reasons for refusal, the application may be deemed by the *chief building official* to have been abandoned and written notice of the cancellation thereof shall be given to the *applicant*.

Revisions to *Permits*

- 4.22. After the issuance of a *permit* under the *Act*, the *applicant* shall give notice to the *chief building official* in writing of any material change to a plan, specification, document or other information upon which a *permit* was issued, together with the details of such change, which change shall not be made without the prior written authorization of the *chief building official*.
- 4.23. Application for authorization of any substantial change shall constitute a *revised submission* or a *supplementary submission*.

5. PLANS AND SPECIFICATIONS

- 5.1. As part of the application for a *permit* and in addition to the requirements of Section 4 of this by-law, every *applicant* shall submit to the *chief building official* the following:
 - 5.1.1. sufficient plans, specifications, documents, forms and such other information as may be deemed necessary by the *chief building official* to determine whether the proposed construction, demolition, or change of use conforms to the *Act*, the *Building Code*, and any other applicable law;
 - 5.1.2. Where a site plan is required to satisfy Section 5.1.1, the site plan shall reference a current plan of survey certified by a registered Ontario Land Surveyor and shall include:
 - 5.1.2.1. lot size and dimensions of the property;
 - 5.1.2.2. setbacks from existing and proposed buildings to property boundaries and to each other;

- 5.1.2.3. existing and finished ground levels or grades; and
 - 5.1.2.4. existing rights of way, easements and municipal services; and
 - 5.1.2.5. a copy of a current plan of survey, unless the *chief building official* waives this requirement.
- 5.2. As part of an application for a *certified model*, every applicant shall submit to the *chief building official* sufficient plans, specifications, documents, forms and such other information as may be deemed necessary by the *chief building official* to determine whether the proposed construction conforms to the *Building Code*.
- 5.3. Plans, specifications and other documents submitted by an *applicant* shall:
- 5.3.1. be fully coordinated among design disciplines and intended for construction, demolition or change of use;
 - 5.3.2. be fully dimensioned and drawn to a suitable scale that clearly depicts the proposed construction, demolition or change of use;
 - 5.3.3. be in the form of an *electronic submission*; and
 - 5.3.4. contain information and text that is clear and legible.
- 5.4. Unless otherwise deemed necessary by the *chief building official*, every application shall be accompanied by plans, specifications, forms, documents and other information required to facilitate the administration and enforcement of the *Building Code*.
- 5.5. Upon issuance of the building permit, the *owner* or authorized agent of the *owner* shall ensure that that a hard copy of the permit card and approved permit plans are available on site at all times. Hard copies of the approved plans are required to be legible and printed on a minimum sheet size of A3 (27.9 cm by 43.2 cm).
- 5.6. On completion of the construction of a building, the *chief building official* may require the *applicant* to submit a set of as constructed plans, including a plan of survey showing the location of the building.
- 5.7. Plans and specifications submitted in accordance with this By-law or otherwise required by the *Act* become the property of the *City* and will be disposed of or retained in accordance with relevant legislation or by-law.

6. AUTHORIZATION OF ALTERNATIVE SOLUTIONS

- 6.1. Where approval for an alternative solution under the *Building Code* is being sought, the *applicant* shall submit:
- 6.1.1. an application on a form prescribed by the *chief building official*;
 - 6.1.2. supporting documentation demonstrating that the proposed alternative solution will provide the level of performance required by the *Building Code*; and
 - 6.1.3. payment of the required fee prescribed by Schedule A.

7. FEES AND REFUNDS

- 7.1. The *chief building official* shall determine the required application fees in accordance with Schedule A to this By-law.
- 7.2. The *chief building official* shall not issue a *permit* until fees required by this By-law have been paid in full by the *applicant*.
- 7.3. In addition to the fees paid at the time of building *permit* application, when an *applicant* makes *supplementary submissions* and *revised submissions*, the *applicant* shall pay the prescribed fee which shall be calculated in accordance with Schedule A.

- 7.4. In the case of withdrawal or abandonment of an application, or refusal or revocation of a *permit*, and upon written request by the *applicant*, the *chief building official* may refund any unearned fees which shall be calculated in accordance with Section 4 of Schedule A.

8. TRANSFER OF *PERMITS*

- 8.1. Upon change of ownership, *permit* applications and *permits* must be transferred to the new *owner* with the approval of the *chief building official*.
- 8.2. To transfer a *permit* application or *permit*, the new *owner* shall complete and submit an application form in accordance with the requirements of Section 4 of this by-law and pay the required fee as prescribed by Schedule A.
- 8.3. Upon the transfer of the *permit* by the *chief building official*, the new *owner* shall be the *permit holder* for the purpose of this By-law, the *Act* and the *Building Code*.

9. NOTICES FOR INSPECTIONS

- 9.1. Inspection notices required by the building code and this By-law shall be made using the City's online permit inspection request system.
- 9.2. Inspection notices are required a minimum of two business days prior to the stages of construction specified therein and shall be given in accordance with the requirements of Subsection 1.3.5 of Division C of the *Building Code*.
- 9.3. The person to whom the *permit* has been issued shall notify the *chief building official* or a *Registered Code Agency* where one is appointed, of each stage of construction for which a notice is prescribed by the *Building Code*.
- 9.4. Notwithstanding Section 10 of this By-law, the person to whom the *permit* has been issued shall notify the *chief building official* of the date of completion of the building or demolition work no more than two days after that date.
- 9.5. In addition to the notices prescribed in Article 1.3.5.1 of Division C of the *Building Code*, the person to whom a *permit* has been issued shall give the *chief building official* notice of the readiness for inspection for the following stages of construction, where applicable:
 - 9.5.1. commencement of construction of the building
 - 9.5.2. commencement of construction of:
 - 9.5.2.1. masonry fireplaces and masonry chimneys,
 - 9.5.2.2. factory-built fireplaces and allied chimneys,
 - 9.5.2.3. stoves, ranges, space heaters and add-on furnaces using solid fuels and allied chimneys
 - 9.5.3. substantial completion of interior finishes

10. REGISTERED CODE AGENCIES

- 10.1. The *chief building official* is authorized to enter into and sign contracts for service agreements with *Registered Code Agencies* and appoint them to perform specified functions from time to time in order to maintain the time periods for *permits* prescribed in Article 1.3.1.3. of Division C of the *Building Code*.
- 10.2. A *Registered Code Agency* may be appointed to perform one or more of the specified functions described in Section 15.15 of the *Act*.

11. FENCING CONSTRUCTION SITES

- 11.1. Where, in the opinion of the *chief building official*, a construction or demolition site presents a hazard to the public, the *chief building official* may require the *permit holder* to erect such fencing to the standards and specifications that the *chief building official* deems to be appropriate in the circumstances.
- 11.2. When determining if a construction or demolition site presents a hazard to the public and requires the erection of fencing and the type of fencing required, the *chief building official* shall have regard to:
 - 11.2.1. the proximity of the construction site to occupied dwellings;
 - 11.2.2. the proximity of the construction site to lands accessible to the public, including but not limited to streets, parks, and commercial and institutional activities;
 - 11.2.3. the hazards presented by the construction activities and materials;
 - 11.2.4. the feasibility and effectiveness of site fencing; and
 - 11.2.5. the duration of the hazard.
- 11.3. When the *chief building official* is of the opinion that fencing is required, the *permit holder* shall, prior to the issuance of any construction or demolition permit, erect or cause to be erected fencing to the following minimum standards:
 - 11.3.1. Minimum of 1800 mm in height
 - 11.3.2. Maximum of 2300 mm in height
 - 11.3.3. Full height screening with a minimum opaqueness of 90%, and
 - 11.3.4. Fencing must be located entirely within the subject property lines unless otherwise authorized.
- 11.4. For the purposes of this Section, construction or demolition site shall include the area of the proposed construction or demolition and any area where materials or equipment are stored or operated.

12. OFFENCES AND PENALTIES

- 12.1. Any person who contravenes any provision of this by-law is guilty of an offence and is liable upon conviction to a fine as provided for in the *Act*.

13. SEVERABILITY

- 13.1. Should any section, subsection, clause or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the part so declared to be invalid.

14. MISCELLANEOUS

- 14.1. All Schedules shall be and form part of this By-law.
- 14.2. A reference to the singular or to the masculine shall be deemed to refer to the plural or feminine as the context may require.

15. REPEAL AND TRANSITION

- 15.1. By-law Number 2021-114 is hereby repealed upon the date that this by-law comes into force.
- 15.2. Notwithstanding Sections 15.1 and 16.1 of this by-law, for any *complete application* received prior to the effective date of this by-law, the provisions of By-law Number 2021-114 shall remain in force and effect for the purpose of that application.

15.3. Applications that are not *complete applications* as defined in this by-law, shall be subject to the within by-law irrespective of the date the initial application was made.

16. EFFECTIVE DATE

16.1. This by-law shall come into force on the 1st day of January 2023.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
XXth DAY OF MONTH, 2022.

KIMBERLEY KITTERINGHAM
CITY CLERK

FRANK SCARPITTI
MAYOR

SCHEDULE A

CLASSES OF *PERMITS*, FEES AND REFUNDS

1. FEES

- 1.1 All fees shall be paid in full at the time of acceptance of the permit application.
- 1.2 The fee for the *pre-application review* of applications shall be \$100. This fee is non-refundable and a credit for this fee will be applied to the total building *permit* fee.

2. CALCULATION OF *PERMIT* FEES

- 2.1 *Permit* fees shall be calculated on the basis of:
 - 2.1.1 the flat rate where indicated in Column 5 of Table 1 of this Schedule;
 - 2.1.2 the product of the applicable fee multiplier in Column 4 of Table 1 of this Schedule and the related floor area or other measure specified in Column 3; or
 - 2.1.3 where a fee is not listed in Table 1, \$40 for each \$1,000 or part thereof of the construction value prescribed by the chief building official.
- 2.2 Except for classes of *permits* subject to flat rates, fees shall be based on the appropriate measure of the floor area of the project.
- 2.3 Except where otherwise exempt, in addition to the fees calculated according to Subsections 2.1 and 2.2 fees shall also be assessed according to the number of plumbing fixtures and the size of supply piping and drainage piping as applicable.
- 2.4 Section B of Table 1 of this Schedule applies where the scope of work does not affect any exterior wall or exterior roof assembly in existing construction.
- 2.5 The base fee charged for the review of a *certified model* with one elevation shall be calculated using a fee multiplier equivalent to that applicable to Single or Semi Detached Dwellings determined in accordance with Subsections 2.12 to 2.15 of this Schedule. Where a certified model includes an accessory apartment, the fee listed in Table 1, Section A, line A8 shall apply to the gross floor area of the dwelling unit and the accessory apartment. Optional items will incur supplemental review fees as follows:
 - 2.5.1 \$125 for each elevation
 - 2.5.2 \$125 for corner upgrade / rear upgrade
 - 2.5.3 \$125 for each alternate floor layout
 - 2.5.4 \$125 for walk-out condition
 - 2.5.5 \$125 for look-out condition
- 2.6 Where a revision to a repeat permit includes a change of house model, an additional fee of \$300 plus the fee in Table 1 corresponding to new home construction for any resulting increase in floor area shall be payable. Where the floor area is reduced, no refund applies.
- 2.7 Where an application for a new dwelling unit listed under Table 1, Section A, line A6, A7 and A8 contains an accessory apartment, the fee listed in Table 1, Section A, line A8 shall apply to the gross floor area of dwelling unit and the accessory apartment.
- 2.8 In addition to the fees calculated in accordance with Table 1 paid at the time of building *permit* application, fees for *supplementary submissions* and

revised submissions shall be calculated at \$125/hour spent determining compliance with the Building Code, applicable law and submission standards. *Supplementary submission* fees are nonrefundable.

- 2.9 Where *supplementary submissions* or *revised submissions* include certification of applicable law compliance, and in which compliance or applicability was incorrectly declared at the time of *permit* application, a fee of \$300 for each applicable law certification shall apply.
- 2.10 Where an application form other than an applicable law checklist is required to be revised to reflect incorrectly declared information, a fee of \$250 applies.
- 2.11 In addition to the fees calculated in accordance with Table 1, each application for consideration of an alternative solution shall be accompanied by a non-refundable fee of \$3,000 for multiple-unit residential projects and non-residential projects (per building) and \$800.00 for low rise residential (including singles, semis (per unit), townhouse (per unit), decks, porches, and sheds). Where a *supplementary submission* is made for an alternative solution, a flat fee of \$250.00 will apply and is due at the time of resubmission.
- 2.12 When calculating fees based on floor areas, floor area is measured to the outer face of exterior walls and to the centreline of party walls or demising walls, except when calculating interior partition work. When measuring floor area for interior partitioning, corridors, lobbies, washrooms, lounges, and other similar facilities are to be included and classified according to the major occupancy classification for the floor area with which they are associated. Where these areas are constructed in a shell-only building, fees shall be calculated at the applicable partitioned rate in Table 1.
- 2.13 When measuring floor area, no deductions shall be allowed for floor openings required for such facilities as stairs, elevators, escalators, shafts and ducts. Interconnected floor spaces and atriums above their lowest level may be deducted from measured floor area.
- 2.14 Where incorporated with an application for a class of dwelling described in Rows A6, A7 or A8 of Table 1, no additional fee is required for decks, fireplaces, unfinished basements, heating or plumbing systems.
- 2.15 Where incorporated with an application for a class of permit described under Section A and B of Table 1, no additional fee shall be levied for the scope of work described in Sections D and G of Table 1 that form part of the work proposed under the application.
- 2.16 For any permit application for a class of permit described under Section B of Table 1, floor area used for the calculation of fees shall be the lesser of:
 - 2.16.1 the area contained within a single rectangle encompassing all of the proposed work, or
 - 2.16.2 the actual area of the tenant space;
- 2.17 The occupancy classifications used in this By-law are based on the *Building Code* occupancy classifications. For mixed occupancy classifications, the total payable fee shall be calculated by applying the fee multiplier for each occupancy prescribed in Table 1 to the floor area measured for each individual occupancy and taking the sum of the fees calculated for each occupancy.
- 2.18 For *permits* for change of use, the fee multiplier for the proposed occupancy will be applied to the entire floor area subject to the change of use.
- 2.19 Where a change of use *permit* is denied, the fees paid may be credited to a building *permit* which incorporates the construction required to accommodate the change of use.

- 2.20 Except for temporary buildings on construction sites for offices, fees for temporary buildings, including tents, stages and bleachers, apply to buildings erected for less than 12 weeks.
- 2.21 The permit fee for the remediation, restoration, or demolition of premises used for the production of illicit substances is \$5,000. Administrative fees in accordance with Section 5 of this Schedule are in addition to this fee.
- 2.22 For phased non-housing projects, in addition to the *permit* fee for the complete building, an additional fee of \$1000 shall be payable for each phase not applied for at the time of the initial *permit* application.
- 2.23 For *conditional permits*, the conditional permit fee shall be the total *permit* fee for the proposed construction plus a non-refundable additional 10% of that fee.
 - 2.23.1 A minimum additional fee of \$3,500 and a maximum additional fee of \$6,500 applies to *conditional permits*.
 - 2.23.2 Where the conditions of the *conditional permit* agreement have not been met and the *conditional permit* expiration date is required to be extended, a non-refundable fee equal to the original conditional permit fee shall apply to each extension.
 - 2.23.3 Where there is an outstanding Order to Comply at the time of conditional permit extension, the non-refundable renewal fee will be equal to the original *conditional permit* fee plus 50%.
 - 2.23.4 In addition to the non-refundable fee, a letter of credit is required for every *conditional permit* or phased *conditional permit*.
- 2.24 Pursuant to Section 10 of this by-law, where an application is made using a Registered Code Agency appointed under a service agreement with the Chief Building Official, and those services are fully paid for by the applicant, the applicable fee shall be reduced by 20% at the time a complete application is filed with a Plan Review Certificate as defined by the *Building Code Act*.
- 2.25 As deemed necessary by the *Chief Building Official* where an outside consultant is engaged to provide a third party review of a document or drawing submitted with a permit application, alternative solution proposal or partial occupancy permit, the consultant's fees are to be fully paid by the *applicant*.

3. MINIMUM FEE

- 3.1 Except where a flat fee applies, the minimum permit fee for any permit application for work proposed in Group C residential occupancies in Sections A, B, D, and E of Table 1 shall be \$125;
- 3.2 Except where a flat fee applies, the minimum permit fee for any permit application for work proposed in Group A, B, D, E and F occupancies in Sections A, B, D, and E of Table 1 shall be \$525.
- 3.3 A flat fee of \$2125 will be added to fees listed in Table 1, Section E for private servicing of multiple lots.
- 3.4 A flat fee of \$1000 will apply to the reinstallation of a previously approved air supported structure listed in Table 1, Section A, Line A31.
- 3.5 The flat fees in Section H of Table 1 are in addition to the minimum fees outlined in this Section.

4. CALCULATION OF REFUNDS

- 4.1 Pursuant to Section 7 of this By-law, refunds shall be calculated as follows:

Refund = [*Permit Fee Paid*] – [*Total Permit Fees Payable* x % *Permit Fee Earned*]

- 4.2 The proportion of the total *permit* fee payable is earned according to the following schedule:
 - 4.2.1 10% if administrative functions only have been performed
 - 4.2.2 50% if administrative functions, and/or all or part of zoning review, and/or all or part of the *Building Code* review have been performed; and
 - 4.2.3 65% if all administrative functions and reviews have been completed and the building permit has been issued or is available to be issued.
- 4.3 No refund is available for:
 - 4.3.1 Flat fees prescribed in Column 5 of Table 1;
 - 4.3.2 minimum fees prescribed in Section 3 of this Schedule;
 - 4.3.3 fees in the amount of \$525 or less;
 - 4.3.4 reduced area of work where the scope of work is reduced more than 2 business days after the application is filed;
 - 4.3.5 incorrect work area declaration at the time of application;
 - 4.3.6 where a permit is revoked, except where a permit is issued in error, or the applicant requests revocation no more than six months after the permit is issued;
 - 4.3.7 applications or permits where construction or demolition has commenced;
 - 4.3.8 applications cancelled more than 2 years after the *permit* application date; or
 - 4.3.9 administrative fees listed in Section 5 of this Schedule.
- 4.4 Pursuant to Section 10 of this by-law, 20% of the applicable permit fee paid shall be refunded where an application was made using a Registered Code Agency appointed under a service agreement with the Chief Building Official, those services are fully paid for by the applicant and have been completed in accordance with the building code, and the Final Certificate as defined by the *Building Code Act* has been submitted to the Chief Building Official.

5. ADMINISTRATIVE FEES

- 5.1 Once a permit application has been accepted, the non-refundable fee to transfer the application to a new permit applicant or *permit holder* or to change the project address is \$300.
- 5.2 To transfer a *permit* from one *permit holder* to another, a non-refundable fee of \$300 shall be payable.
- 5.3 To add additional contacts to the permit record for the receipt of Building Inspection correspondence, as requested by the *Applicant*, a non-refundable fee of \$125 shall be payable per permit record.
- 5.4 In addition to 5.5, 5.6, 5.7, 5.8, 5.9 and to offset additional administrative cost, where after being advised by a third party, a Building Code investigation is conducted resulting in the issuance of an Order pursuant to the Act, an additional non-refundable fee of \$100 shall in paid.
- 5.5 To offset additional investigative and administrative costs, a non-refundable fee of \$450 shall be paid where any Order to Comply is issued pursuant to Section 12 or Section 13 of the *Act*. Every subsequent visit or file review required to determine compliance with the Order will be charged at \$125 per hour. A minimum of 1 hour will be charged per visit during business hours. Payment of these fees does not relieve any person or corporation from complying with the Act, the Building Code or any applicable law.

- 5.6 To offset additional investigative and administrative costs, an additional non-refundable fee of \$1,500 shall be paid where any Stop Work Order is issued pursuant to Section 14 of the *Act*. Payment of these fees does not relieve any person or corporation from complying with the Act, the Building Code or any applicable law.
- 5.7 To offset additional costs associated with the investigation, inspection, administration and rectification of unsafe buildings pursuant to Section 15.9 of the Act, a non-refundable fee of \$600 shall be paid where any Unsafe Order is issued, and an additional non-refundable fee of \$1,200 shall be paid where any Order respecting Occupancy is issued. In addition, where the initial site visit related to the issuance of an Unsafe Order occurs outside of business hours the visit to the site will be charged at a rate of \$125 per hour with a minimum of 3 hours charged.
- 5.8 Where an Unsafe Order or an Order respecting Occupancy has been issued, every subsequent visit to the site required to determine compliance with the Order(s) will be charged at \$125 per hour. A minimum of 1 hour will be charged per visit during business hours and a minimum of 3 hours will be charged per visit occurring outside of business hours. Payment of these fees does not relieve any person or corporation from complying with the Act, the Building Code or any applicable law.
- 5.9 Where construction has started prior to the issuance of a building permit and where an Order to Comply (OTC) and/or a Stop Work Order (SWO) has been issued, an additional fee equal to 50% of the total permit fee due up to a maximum of \$5,000 will be paid prior to the issuance of the permit. Payment of these fees does not relieve any person or corporation from complying with the Act, the Building Code or any applicable law.
- 5.10 Where construction has started prior to the issuance of a building permit and where an Order to Comply (OTC) and/or a Stop Work Order (SWO) has been issued, the *Owner* shall, if ordered to do so by the *Chief Building Official*,
 - 5.10.1 provide proof that the construction complies with this By-Law, the *Building Code* and any applicable law;
 - 5.10.2 carry out test and investigations by independent agencies, at the cost of the *Owner*, to determine if the construction complies with the *Building Code*;
 - 5.10.3 carry out test and investigations by independent agencies, at the cost of the *Owner*, to determine appropriate remedial measures to ensure construction complies with the *Building Code*;
 - 5.10.4 provide to the *Chief Building Official*, at the cost of the *Owner*, the result of any test and investigation ordered by the *Chief Building Official*, and
 - 5.10.5 provide documentation to the satisfaction of the *Chief Building Official* to establish that all remedial measures to ensure the construction complies with *Building Code* have been completed.
- 5.11 Where an Order issued under Sections 12(2), 13(1), 13(6), 14(1), 15.9 (4), 15.10.1 (2) or 18(1) of the Building Code Act and has been deemed Inactive, a maintenance fee of \$1,000 shall be charged immediately and \$1,000 per year thereafter until the Order has been deemed complied with by the Building Standards Department.
- 5.12 Where a requested inspection reveals an infraction which was identified at a previous inspection and not remedied, an additional fee of \$200 shall be payable prior to subsequent inspections being scheduled.

- 5.13 Where an inspector determines that work for which an inspection has been requested is not sufficiently complete to allow proper inspection or drawings in accordance with Section 5.5 of this by-law have not been provided, an additional fee of \$200 shall be payable prior to subsequent inspections being scheduled.
- 5.14 Where a permit is issued and construction has not seriously commenced within 12 months, the non-refundable fee to extend the permit will be \$525 or the permit fee paid, whichever is less.
- 5.15 When a *permit* is suspended or is deemed incomplete and an inspection is subsequently requested, an additional fee shall be required to be paid to re-activate the permit prior to any such inspection. For housing permits the re-activation fee is \$200 and for non-housing permits the fee is \$525.
- 5.16 Where a building permit has been issued for an *infill residential* dwelling and where an occupancy permit has not been issued; a permit maintenance fee of \$2000 will be charged yearly commencing 24 months after the date of permit issuance.
- 5.17 Where a permit authorizes the installation of a Class 5 sewage system, a septic maintenance fee of \$300 will be charged monthly commencing 6 months after permit issuance.
- 5.18 Except as noted in Section 5.19 of Schedule A, *Partial Occupancy Permits* of unfinished buildings issued under Division C, Part 1, Section, 1.3.3 of the *building code* will be charged at \$150 per dwelling unit listed per certificate and \$1000 each for all other partial occupancy certificates.
 - 5.18.1 The *Chief Building Official* may impose conditions on partial occupancy permits;
 - 5.18.2 The *Chief Building Official* may revoke a *partial occupancy permit* if the *Permit Holder* fails to comply with the conditions imposed by the *Chief Building Official*;
 - 5.18.3 The *Chief Building Official* may revoke a *partial occupancy permit* if the *Owner* fails to comply with any permit relating to the building.
- 5.19 *Partial Occupancy Permits* of unfinished buildings issued under Division C, Part 1, Section, 1.3.3.7 of the *building code* will be charged at \$275 per dwelling unit listed per certificate and \$1500 each for all other partial occupancy certificates.
 - 5.19.1 The *Chief Building Official* may impose conditions on partial occupancy permits;
 - 5.19.2 The *Chief Building Official* may revoke a *partial occupancy permit* if the *Permit Holder* fails to comply with the conditions imposed by the *Chief Building Official*;
 - 5.19.3 The *Chief Building Official* may revoke a *partial occupancy permit* if the *Owner* fails to comply with any permit relating to the building.
- 5.20 Fees for *Pre Permit Consultation* shall be \$800 per discipline for the first review. Where a *supplementary submission* is made for a Pre Permit Consultation, a fee of \$300 per discipline will apply and is due at the time of resubmission.
- 5.21 For review and approval of spatial separation agreements required by Division B of the *Building Code* a fee of \$500 per lot applies.
- 5.22 For the reproduction of documents, the fee shall be \$60 plus 110% of the cost of reproduction, plus a fee for *City* staff preparation time at \$125/hour.

- 5.23 For the registration of an Order on title the fee shall be \$500.00. The discharge of an Order from title the fee shall be \$500.00

6. ZONING & COMPLIANCE FEES

- 6.1 Except as provided in Section 6.2, for written requests for information concerning a property’s compliance with the *Building Code* and applicable law, the non-refundable fee shall be \$200.
- 6.2 For written requests for information to support Provincial license applications unrelated to a current *permit* or *permit* application, the non-refundable fee shall be \$500. Where there is a current *permit* or *permit* application, the non-refundable fee shall be \$250.
- 6.3 The non-refundable fee shall be \$75 for written requests for information concerning a property’s zoning designation, permitted uses and development standards.
- 6.4 Fees for *Zoning Preliminary Reviews* will be as follows:
- 6.4.1 \$300 for low rise residential (including singles, semis (per unit), townhouse (per unit), decks, porches, sheds, and driveways);
- 6.4.2 \$750 for non-housing interior alterations (including parking calculation) (per unit);
- 6.4.3 \$1500 for multiple-unit residential projects and non-residential projects (per building); and
- 6.4.4 \$1000 per proposed lot where the review is in support of a land division application.
- 6.5 In addition to the *Zoning Preliminary Review* fees in Section 6.4 paid at the time of application, fees for *supplementary submissions* and *revised submissions* shall be calculated at \$125/hour spent determining compliance with the zoning by-laws. *Supplementary submission* fees are nonrefundable.
- 6.6 In addition to the fees listed Section A and B of Table 1 and where a *Zoning Preliminary Review* has not been completed, *Zoning Review* in support of building *permit* applications required to determine compliance with by-laws passed under the *Planning Act* and/or the *Municipal Act* shall be calculated as per Section H of Table 1.

TABLE 1 - Calculation of Permit Fees				
1	2	3	4	5
Class of Permit, Occupancy Classification and Work Description			\$/m²	Flat Fee
Section A: CONSTRUCTION of new buildings, additions to existing buildings, including Mezzanines or new intermediate floors				
A1	Group A Assembly	Transportation Terminals	\$21.62	
A2		Portable classrooms (each) (new or relocated)		\$661
A3		Outdoor Pool	\$15.10	
A4		All Other Assembly Occupancies	\$25.99	
A5	Group B: Institutional		\$28.13	
A6	Group C: Residential	Single Detached Dwelling (SDD)	\$19.65	
A7		Infill Residential Dwelling	\$22.02	
A8		Multiple Unit buildings less than 4 storeys high	\$24.40	
A9		Multiple Unit buildings greater than 3 storeys, less than 13 storeys	\$24.40	
A10		Multiple Unit buildings greater than 12 storeys high, less than 66 storeys or 250 m in height	\$18.13	
A11		Multiple Unit buildings greater than 65 storeys or 250 m in height	\$17.77	
A12		Repeat of Previously approved <i>Certified Model</i>	\$16.11	
A13		Hotel / Motel	\$25.99	
A14		Unfinished Basement / Foundations	\$6.70	
A15		Detached or semi-detached garage/carport		\$630
A16		Garage incorporating a dwelling unit (GDU)		\$1,836
A17		Repeat of previously approved GDU		\$1,140
A18		Accessory utility building (ie. Garden shed, Gazebo) less than 20 m ²		\$136
A19		Accessory utility building (ie. Garden shed, Gazebo) 20 m ² or greater		\$867
A20		Single Detached Dwelling Unit (SDD) less than 37 m ² in building area		\$867
A21		Deck / Balcony / Covered Porch (each)		\$136
A22	Group D: Business and Personal Services	Shell Only (including unfinished basement)	\$16.76	
A23		Partitioned / Finished / Mezzanine	\$21.62	
A24		Temporary Real Estate Sales Office		\$2,550
A25	Group E: Mercantile	Shell Only (including unfinished basement)	\$14.09	
A26		Partitioned / Finished / Mezzanine	\$18.44	
A27	Group F: Industrial	Shell Only (including unfinished basement)	\$10.89	
A28		Partitioned / Finished / Mezzanine	\$15.08	
A29		Gas Station / Canopy, Car Wash	\$13.92	
A30		Repair garage	\$15.08	
A31		Parking Garage (underground, open air)	\$10.89	
A32		Farm Building	\$5.96	
A33		Rack Storage Systems regulated by the Building Code	\$10.89	
A34	All Occupancies	Permanent Tent / Air supported structure	\$7.79	
A35		Repair / reclad wall or replace roof structure	\$2.01	
A36		Ceiling (new or replacement)	\$0.54	
A37		Mechanical Penthouse	\$10.89	
A38		Temporary Building (Tent, Stages)		\$280
A39		Shoring (/m of length)	\$16.76	
A40		Underpinning (/m of length)	\$16.76	
A41	Designated Structures	Communication Tower		\$400
A42		Crane Runway		\$596
A43		Exterior Storage Tank		\$400
A44		Pedestrian Bridge (/m of length)	\$46.44	
A45		Retaining Wall (/m of length)	\$23.25	
A46		Sign regulated by the Building Code		\$400
Section B: ALTERATION or repair to existing construction and CHANGE OF USE(as defined by the Ontario Building Code)				
B1	Group A: Assembly	Restaurant	\$10.85	
B2		All other assembly occupancies	\$7.50	
B3	Group B: Institutional		\$7.50	
B4	Group C: Residential	Accessory Apartment	\$19.65	
B5		All other Residential occupancies	\$7.50	
B6		Exterior door or door from garage into dwelling		\$443
B7		Below grade stair		\$443
B8		Elevator (Housing Permits only)		\$443
B9	Group D: Business and Personal Service		\$7.50	
B10	Group E: Mercantile	Restaurant	\$10.85	
B11		All other mercantile occupancies	\$7.50	
B12	Group F: Industrial		\$6.83	
B13	All Occupancies	Electromagnetic Locking Device (\$661 + \$134/additional device)	\$134	\$661
B14		Parking Structure Repair	\$2.01	
B15		Balcony Guard Replacement (/m of length)	\$2.43	
B16		Window Replacement or Enlargement (each)	\$8.37	
Section C: DEMOLITION				
C1	Group C: Residential Housing	Single / Semi-detached dwelling		\$675
C2	Group C: Residential Housing	Accessory building		\$225
C3	All Other Occupancies	Complete / Partial / Interior Demolition (\$1,092 minimum fee)	\$0.19	
Section D: MECHANICAL and FIRE PROTECTION WORK (Proposed as stand alone work)				
D1	All Occupancies	Heating, ventilation, air conditioning	\$1.31	
D2		Fire Alarm System (per storey)	\$436	
D3		Replacement Annunciator/Control Panel only (per storey served)	\$436	
D4		Sprinkler System	\$1.31	
D5		In-rack sprinkler System	\$1.31	
D6		Standpipe System (per riser)	\$171	
D7		Emergency Power		\$838
D8		Emergency Lighting (per storey)	\$224	
D9		Fireplace / Woodstove		\$136
D10		Heating plant replacement		\$219
D11		Special Ventilation Systems (each)		\$661
Section E: PLUMBING				
E1	Residential Service Connections	Service Connection (per lot)		\$204
E2	All Occupancies	Each fixture	\$19.89	
E3		Each Appliance	\$19.89	
E4		Each Rain Water Hopper	\$19.89	
E5		Conversion from Septic System to sewer		\$510
E6		Testable backflow preventer (\$306 +\$102/additional device)	\$102	\$306
E7		Water service (length in m)	\$19.89	
E8		Building sanitary/storm drain and sanitary/storm sewers (length in m)	\$19.89	
E9		Replacement or re-lining of water distribution piping (length in m)	\$19.89	
E10		Each Manhole	\$58.65	
E11		Each Catchbasin	\$58.65	
E12		Each Area Drain	\$58.65	
E13		Each Backwater Valve / Sump Pump / Sewage Ejector	\$136	
Section F: ON-SITE SEWAGE SYSTEMS (Proposed separately or in conjunction with other construction)				
F1		New System		\$1,989
F2		Replacement of Leaching Bed		\$1,065
F3		Replacement of Septic Tank or Minor Repair of Part of a System		\$661
F4		Evaluation of System (no alterations required)		\$266
F5		Review of Clearances Only		\$266
Section G: GREEN ENERGY SYSTEMS (Proposed as stand alone work)				
G1		Solar domestic hot water systems (serving individual dwellings)		\$136
G2		Solar domestic hot water systems (serving all other buildings)		\$726
G3		Solar photovoltaic systems (serving individual dwellings)		\$136
G4		Solar photovoltaic systems (serving all other buildings)		\$726
G5		Geothermal Systems		\$439
G6		Wind Turbines (per turbine)		\$291
G7		Drain water heat recovery unit (serving individual dwellings)		\$136
Section H: ZONING REVIEW				
H1		Infill Residential dwelling		\$300
H2		New single detached dwelling or new semi detached dwelling		\$75
H3		New Multiple unit residential buildings less than 4 storeys high (per building)		\$300
H4		All other new multiple unit residential buildings and new non-residential projects (per building)		\$750
H5		Non-housing interior alterations (per unit)		\$125

Schedule B

Documents & Drawings Required For A *Complete Application* (Paper or Digital Media). All digital media must comply with the Submission Standards approved by the Chief Building Official.

Row	Class of Permit	Documents and Drawings Required
1	All Permits	Documents <ul style="list-style-type: none">a. Building Permit Application Form * (not required for <i>electronic submissions</i>)b. Applicable Law Checklist *c. Permit Applicant Authorization Form *
2	Permit to Construct Housing Detached Houses, Semi-detached Houses, Duplex/Triplex/Fourplex, Accessory buildings <ul style="list-style-type: none">• New Buildings• Additions• Alterations• Accessory Buildings	Documents <ul style="list-style-type: none">a. Schedule 1 *b. Schedule 2 *c. Energy Efficiency Design Summary Form *d. Plumbing Data Housing Form *e. Approval documents required by an applicable lawf. Subsurface Investigation Reportg. Heat loss / heat gain / duct calculations (per dwelling unit)h. Residential Mechanical Ventilation Summary Drawings <ul style="list-style-type: none">i. Site Planj. Municipally Approved Site Grading Plank. Architectural Drawingsl. Structural Drawingsm. Roof truss / Pre-engineered floor system shop drawingsn. HVAC Drawingso. On-site <i>Sewage System</i> Drawings (including On-Site <i>Sewage System</i> Statement of Design)p. Temporary shoring design for <i>infill residential</i> projects where the foundation wall of the new dwelling / addition is 1.8 m or less from a property line, or the extent of excavation is within 1.2 m of the property line or where otherwise determined by the <i>chief building official</i>
3	Permit to Construct Multi-unit Residential less than 4 storeys <ul style="list-style-type: none">• New Buildings• Additions• Alterations	Documents <ul style="list-style-type: none">a. Schedule 1 *b. Schedule 2 *c. Energy Efficiency Design Summary Form *d. Plumbing Data Housing Form *e. Approval documents required by an applicable lawf. Subsurface Investigation Reportg. Heat loss / heat gain / duct calculations (per dwelling unit)h. Residential Mechanical Ventilation Summary Drawings <ul style="list-style-type: none">i. Site Planj. Municipally Approved Site Grading Plank. Architectural Drawings (including block floor plans for each floor, block roof plans and block elevations for townhouse blocks)l. Fire Separation / Fire-Resistance Rating Drawings (plan and section, for all multi-unit buildings)m. Structural Drawingsn. Roof truss / Pre-engineered floor system shop drawingso. HVAC Drawingsp. Plumbing Drawings for buildings with stacked dwelling unitsq. On-site <i>Sewage System</i> Drawings (including On-Site <i>Sewage System</i> Statement of Design)

Row	Class of Permit	Documents and Drawings Required
4	<p>Permit to Construct Non-Housing – New Construction Non-residential buildings, Residential Apartment Buildings, Mixed-Use Buildings</p> <ul style="list-style-type: none">• New Buildings• Additions• Change of Use	<p>Documents</p> <ol style="list-style-type: none">a. Building and Land Use Declaration Form *b. Schedule 1 *c. Schedule 2 *d. Commitment to General Review *e. Energy Efficiency Form *f. Plumbing Data Form *g. Approval documents required by an applicable lawh. Subsurface Investigation Reporti. Heat loss / heat gain / duct calculationsj. Mechanical equipment and design specificationsk. Construction Site Fire Safety Plan (for mid-rise wood construction projects)l. Partial Occupancy Request and Report for super tall buildingsm. Vibration Control Report and Zone of Influence Report where deep foundations are proposed <p>Drawings</p> <ol style="list-style-type: none">a. Site Planb. Municipally Approved Site Servicing Plan indicating all services (domestic water, fire protection, sanitary and storm sewers, laterals servicing buildings) and clearly indicating the area(s) that are municipally and privately owned.c. Architectural Drawings, including:<ol style="list-style-type: none">i. Building Code Compliance Matrixii. Fire Separation / Fire-Resistance Rating Drawings (plan and section, for all multi-unit buildings)d. Structural Drawingse. Electrical Drawingsf. Roof truss / Pre-engineered floor system shop drawingsg. Mechanical Drawings (HVAC, plumbing, fire protection systems)h. On-site Sewage System Drawings (including On-Site Sewage System Statement of Design)
5	<p>Permit to Construct Non-Housing – Alterations Non-residential buildings, Residential Apartment Buildings, Mixed-Use Buildings</p> <ul style="list-style-type: none">• Alterations• Tenant Improvements	<p>Documents</p> <ol style="list-style-type: none">a. Building and Land Use Declaration Form *b. Schedule 1 *c. Commitment to General Review *d. Energy Efficiency Form *e. Plumbing Data Form *f. Approval documents required by an applicable lawg. Heat loss / heat gain / duct calculationsh. Mechanical equipment and design specifications <p>Drawings</p> <ol style="list-style-type: none">i. Site Planj. Key Plank. Architectural Drawings, including:<ol style="list-style-type: none">i. Building Code Compliance Matrixii. Fire Separation / Fire-Resistance Rating Drawings (plan and section, for all multi-unit buildings)l. Structural Drawingsm. Electrical Drawingsn. Mechanical Drawings (HVAC, plumbing, fire protection)
6	<p>Permit to Construct Private servicing</p>	<p>Documents</p> <ol style="list-style-type: none">a. Building and Land Use Declaration Form *b. Commitment to General Review *c. Plumbing Data Form *d. Site Servicing Declaration for low rise residential developmentse. Approval documents required by an applicable law <p>Drawings</p> <ol style="list-style-type: none">f. Municipally Approved Civil Engineering package including Site Servicing Plan indicating all services (domestic water, fire protection, sanitary and storm sewers, laterals servicing buildings) and clearly indicating the area(s) that are municipally and privately owned.g. Site Plan including hydrant locations for low rise multi-unit residential developments

Row	Class of Permit	Documents and Drawings Required
7	Permit to Construct Temporary Event Structures Tents, stages, bleachers	Documents <ul style="list-style-type: none">a. Temporary Event Structure Authorization Form *b. Commitment to General Review *c. Approval documents required by an applicable lawd. Documentation confirming flame spread rating of tent material Drawings <ul style="list-style-type: none">e. Site Planf. Shop Drawings
8	Permit to Demolish	Documents <ul style="list-style-type: none">a. Commitment to General Review *b. Approval documents required by an applicable lawc. Environmental Building Auditd. Demolition Checklist for <i>infill residential</i> projects Drawings <ul style="list-style-type: none">e. Site Plan including existing building to be demolished, construction fencing and gate access locationsf. Demolition Plan prepared in accordance with O.Reg. 260/08g. Temporary shoring design for <i>infill residential</i> projects where the foundation wall of the new dwelling is 1.8 m or less from a property line, or the extent of excavation is within 1.2 m of the property line or where otherwise determined by the <i>chief building official</i>
9	Conditional Permit	Documents <ul style="list-style-type: none">a. Conditional Permit Addendum Form *b. Deedc. Construction Schedule

- Notes:**
1. In addition to the forms listed in this table, the application may be required to submit any other form deemed mandatory by the chief building official.
 2. Documents marked with an asterisk (*) are available from the chief building official.
 3. The chief building official may waive the requirement for any specified documents or drawings where the scope of work, applicable law or building code does not, in the opinion of the chief building official, necessitate its submission.