



Report to: Development Services Committee Report Date: November 12, 2024

SUBJECT: 2025 Building By- law Changes

PREPARED BY: Stephanie Di Perna, Chief Building Official, Director, Building Standards Ext. 3940

REVIEWED BY: Arvin Prasad, Commissioner of Development Services

RECOMMENDATIONS:

1. That the Report titled “2025 Building By-law Changes” dated November 12, 2024 be received;
2. That By-law 2023-177 as amended be repealed and the attached “By-law respecting Construction, Demolition, Change of Use Permits and Inspections,” attached as Appendix ‘A’, be enacted; and,
3. That the By-law come into force and take effect on January 1, 2025; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This report explains proposed changes to fees that offset the projected costs associated with staff review, inspections, and processing of Building Permit applications. These changes are required to address changes in building code regulation and the associated operating procedures.

BACKGROUND

The Building By-law is reviewed each year to recover the anticipated reasonable costs associated with administering *the Building Code Act* and *Building Code*. A fee model was established in 2005 to calculate the annual adjustments necessary to ensure the City's Building Department remains adequately funded by building permit fees, as required in the Building Code Act. The model was reviewed and updated for accuracy in 2024.

In 2023, Council approved a yearly increase of Building Permit fees noted in Table 1, Schedule A of the by-law equal to the Consumer Price Index (CPI) to a maximum increase of 5%. The published CPI value is 1.94%, and the values

within the by-law reflect the increase. No approval is required for this annual adjustment, which will be in effect on Jan 1, 2025.

DISCUSSION:

Proposed Building By-law Changes

Editorial Amendments:

1. To amend Section 2 Definitions by adding the defined term *Housing*.
2. To amend Section 4.19, clarifying the timeframe for abandoned electronic submissions.
3. To amend wording throughout the by-law replacing accessory dwelling unit with secondary suite.

To amend Schedule A in the following manner:

1. To amend Section 2.11 increasing the fee for alternative solutions related to multiple unit residential projects and non-residential projects from \$3000 to \$3500.
2. To amend Section 2.12 increasing the fee related to not being ready for a scheduled inspection or not providing a remedy of previously identified inspection infractions from \$200 to \$300.
3. To amend Section 2.23.1 increasing the maximum conditional permit fee from \$6500 to \$10,000.
4. To introduce a new Section 2.27 to set out fees related to inspection services outside the municipal boundary of the City of Markham. Where a building inspection is required outside of the boundaries of the City of Markham, the visit will be charged at a rate of \$250 per hour with a minimum of 3 hours charged. Travel and accommodation will be charged in addition to the hourly rate and applicable where the location is more than 1 hour driving distance from the City of Markham.
5. To amend Section 5.4 increasing the fee related to investigations from \$100 to \$150.
6. To amend Section 5.5 increasing the administrative fee of an Order to Comply from \$450 to \$500 and the re-inspection fee from \$125 per hour to \$190 per hour.
7. To amend Section 5.7 increasing the administrative fee of an Unsafe Order from \$600 to \$800, an Order Prohibiting Occupancy from \$1200 to \$1500 and re-inspection fee from \$125 per hour to \$190 per hour.
8. To amend Section 5.15 increasing the permit maintenance fee for incomplete permits from \$200 to \$400 for housing permits and from \$525 to \$825 for non-housing permits.
9. To introduce a new Section 5.16 to set out fees related to a maintenance fee for incomplete secondary suite permits.

10. To amend Section 6.3 increasing the fee for zoning request from \$75 to \$125.
11. To amend Section 6.4.3 increasing the zoning review related to multi-unit residential building and non-residential buildings from \$1500 to \$1800 and increase the zoning fee related to land division from \$1000 to \$1200.

To amend Table 1 of Schedule A in the following manner:

1. To amend item A20 to include the review of Tiny Homes. The Building Code regulates Tiny Homes as a building containing one dwelling unit, is 37m² or less in building area and may be constructed at a location outside the Municipality in which occupancy is sought.
2. To amend item A32 to address changes in regulations for Shelf and Rack Storage Systems
3. To add new Occupancy Type G: Agricultural and insert line items A33, A34, A35 and A 36 related to fees associated with the review/issuance and inspections of Type G buildings.
4. To add new item A44 to reflect fees associated with the review/issuance and inspection of Hazardous Areas.
5. To amend items H2, H3, H4 to reflect the anticipated cost of those reviews.

To amend Schedule B in the following manner:

1. To require a current land survey be submitted as part of a permit application for new housing.
2. To add new requirements for documents and/or drawings related to infill housing permit applications.
3. To add new requirements document/drawings related to Secondary Suite permit applications.
4. To require a High Building Checklist be submitted as part of a permit application for High Buildings as detailed in the Building Code.

FINANCIAL CONSIDERATIONS:

The Building Standards Department and Finance Department have been working closely to ensure proper direct and indirect cost recovery and to incorporate the results into any future operating budget. The fee adjustments recommended in this report will assist in maintaining the self-funded model. Recoveries of direct and indirect costs are consistent with Provincial legislation.

Summary of Reserve Balances

The building Standards Department has an appropriate current and forecasted reserve fund balance. This reserve has been utilized to invest in new processes and technologies, such as the E-plan project and the comprehensive zoning by-law project and to withstand cyclical downturns without abrupt changes to capacity and service levels. The changes proposed in this by-law are not expected to have a significant impact on the balance of the reserve fund.

HUMAN RESOURCES CONSIDERATIONS:

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Goal 1 - Exceptional Services by Exceptional People
Goal 3 – Safe, Sustainable and Complete Community.
Goal 4- Stewardship of Money and Resources

BUSINESS UNITS CONSULTED AND AFFECTED:

Finance Department consulted.

RECOMMENDED BY:

Stephanie Di Perna, MBA, PMP, M.A.A.T.O.,
Chief Building Official, Director, Building Standards

Arvin Prasad, R.P.P., M.C.I.P.
Commissioner of Development Services

ATTACHMENTS:

Attachment A: Draft of amendment to Building By-law 2024-xx