

BY-LAW 2013-226

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' 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, 2014.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS 10<sup>TH</sup> DAY OF DECEMBER, 2013.

KIMBERLEY KITTERINGHAM CITY CLERK

romits.

FRANK SCARPITTI MAYOR

## SCHEDULE 'A'

## TO BY-LAW 2013-226 TARIFF OF FEES FOR PROCESSING OF PLANNING APPLICATIONS

## **GENERAL TERMS**

## 1.0. Fee 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. Fee Calculation

- 2.1. For each development application type, fee shall be calculated as applicable, and may include Development Application Fees, Supplementary Fees, and Miscellaneous Fees as listed in this by-law.
- 2.2. All fees are HST applicable.
- 2.3. 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. Fee Payable in stages

- 3.1. Unless otherwise noted, fees are payable at time of application.
- 3.2. Where the fee payable in respect of an application 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. No additional fee or increase in fee is payable in respect of stages for which a fee has already been paid.
  - 3.2.1. 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.
  - 3.2.2. Other City of Markham fees may be applicable.

## 4.0. Fee Adjustments

- 4.1. Adjustments are made to fees to reflect changes in the total number of Units/Lots/ Parcels/ GFA/ Land Area/Estimated Cost of Works, Consultants Review Fees etc.,
- 4.2. Adjustments to the total fee payable will be required at each payment stage.

## 5.0. Reimbursement of fees:

- 5.1. Fees shall be reimbursed upon applicant withdrawing the application:
  - 5.1.1. Refund percentage is based on all fees received.
  - 5.1.2. HST refund is calculated based on percentage of fee to be refunded.
  - 5.1.3. Refund percentage (%) is based on the application stage as follows:

5.1.3.1.	Prior to circulation of application	75%
5.1.3.2.	From circulation to completion of preliminary report and/or holding of a public meeting, if required	50%
5.1.3.3.	Prior to Committee receiving recommendation report and/or prior to Site Plan Endorsement	25%
5.1.3.4.	After Site Plan Endorsement and/or after Recommendation Report received by Committee	No refund

## **DEVELOPMENT APPLICATION FEES**

1.0.	OFFICIAL PLAN/SECONDARY PLAN AMENDMENT					
	1.1.	Minor ame	endme	ent (see notes for definition)	\$13,450 per application	
	1.2.	Major ame	endme	ent (see notes for definition)	\$35,750 per application	
2.0.	ZON	NING BY-L	AW .	AMENDMENT		
	2.1.	Minor ame	endme	ent (see notes for definition)	\$12,500 per application	
	2.2.	Major ame	endme	ent (see notes for definition)	\$25,100 per application	
	2.3.	Removal c	of "H"	(Holding) provision	\$4,200 per application	
3.0.	PLA	N OF SUB	DIVI	SION		
	3.1.	Draft Plai	n of S	ubdivision		
	Fe	ee shall incl	ude P	lanning, Urban Design and Engineering Review Fee	es as listed	
		3.1.1. <b>P</b>	lanni	ng Review		
		(i)	Base	e Fee	\$19,250 per application	
		(ii)	Sing units 40%	Fee le Detached, Semi Detached and/or Townhouse s within a block of 10 units or less collected at submission of application and	\$1,000 per unit	
				collected at execution of agreement		
		(iii)	Area Com Resi each (Exc envi man road 40%	d Area Fee a will include blocks containing Institutional, imercial or Industrial (ICI) uses; Mixed-Use and dential Blocks containing more than 10 units in or any block. Eludes park blocks, valley lands, hazard lands, ronmental buffer blocks, storm water agement blocks, open space areas and public s to be conveyed into public ownership). <i>Collected at submission of application and</i> <i>Collected at execution of agreement</i>	\$9,900 per hectare	
		3.1.2. U	rban	Design Review		
		3.1.2	2.1.	Community Planning Review		
			(i)	Unit Fee Single Detached, Semi Detached and/or Townhouse Units within a block of 10 units or less 40% collected at submission of application and 60% collected at execution of agreement	\$190 per unit	
		3.1.2	(ii) 2.2.	Land Area Fee Area will include blocks containing Institutional, Commercial or Industrial (ICI) uses; Mixed-Use and Residential Blocks containing more than 10 units in each or any block. (Excludes park blocks, valley lands, hazard lands, environmental buffer blocks, storm water management blocks, open space areas and public roads to be conveyed into public ownership). 40% collected at submission of application and 60% collected at execution of agreement Landscape Review	\$9,900 per hectare	
		3.1.2	(i)	Base Fee	\$4,400	
			(1)	Payable at first submission of Landscape drawings for each phase of the draft plan of	ଡ଼᠇,ᠳᢗᢕ	

#### subdivision

		(ii)		culated Fee (whichever is higher) able at execution of agreement	
			a.	Percentage of estimated cost of construction of landscape works	6.6%
			b.	Unit/Lot Fee up to 100 units/lots on plan of subdivision	\$330 per unit or lot
	3.1.3.	Engine	ering	Review	
	(i	40 %	6 coll	d Fee (whichever is higher) ected at submission of engineering drawings collected at execution of an agreement	
		a.	of in Sub Eng Incl und stree	centage of estimated construction cost nternal and external works within the Plan of division, as prepared by the Consulting ineer. udes erosion and sediment controls, erground and above-ground works, etlights, etc. plus a 10% contingency added ne estimate	5.5%
		b.	Lot	or Unit Fee	\$800.00 per lot or unit
3.2.	Extens	ion of D	raft Pl	an Approval	\$4,200 per application
3.3.		n of Dra of owne		proved Plan and/or Draft Plan Conditions, at	
	3.3.1.	Minor	(does	not require report to Committee)	\$2,600 per application
	3.3.2.	Major (	requi	res report to Committee)	\$8,250 per application
3.4.	Reques	t for Sub	divis	ion Agreement	
	3.4.1.	First pł	nase o	f subdivision	\$27,700 per agreement
	3.4.2.	Subseq	uent p	bhases	\$19,450 per agreement
PLA	N OF C	ONDON	/INI	U <b>M</b>	
4.1.	Comm	on Elem	ent of	Vacant Land Condominium	\$21,050 per application
4.2.	All Cor Land	ndominiu	m Ty	pes other than Common Element or Vacant	\$18,050 per application

## 5.0. SITE PLAN CONTROL - NEW DEVELOPMENT/S

"New development" means the construction, erection or placing of one or more buildings or structures on land or associated parking area.

Fee shall be calculated as applicable, and shall include Planning, Urban Design and Engineering as listed: (including but not limited to new building/s in a Heritage Conservation District)

## 5.1. Residential

4.0.

## 5.1.1. Lots/ Blocks of 10 units or less

Single Detached, Semi-Detached, Townhouse and/or Apartment Unit/s

(i)	Planning Review Unit Fee	\$1,470 per unit
(ii)	Urban Design Review Unit Fee Payable at execution of agreement	\$500 per unit
(iii)	Engineering Review Unit Fee	\$300 per unit

# 5.1.2. Blocks of 11 units or more and/or Mixed Use development

# 5.1.2.1. **Planning** Review

(i) Base Fee..... \$5,850 per application

(ii)	Unit Fee Single Detached, Semi-Detached, Townhouse and/or Apartment Unit/s 40% collected at submission of application and 60% collected at execution of agreement	\$1,000 per unit
(iii)	Non-Residential GFA Fee Applicable to mixed use building/s (GFA of building minus GFA of Units) 40% collected at submission of application and 60% collected at execution of agreement	\$2.51 per m <sup>2</sup> of GFA
5.1.2.2.	Urban Design Review	
(i)	Base Fee	\$2,400 per application
(ii)	Percentage Fee	6.6%
(iii)	Calculated GFA Fee Exempt for buildings that neither have underground parking nor associated parking structure/s	\$1.10 per m <sup>2</sup> of GFA
	GFA of building/s plus GFA of parking structure/s (if any) (See notes for GFA definitions) Payable at execution of agreement	
5.1.2.3.	<b>Engineering</b> Review Includes Site Plan Works (see notes for definition)	
(i)	Base Fee	\$4,200 per application
(ii)	Percentage Fee	6.6%
(iii)	Calculated GFA Fee Exempt for buildings that neither have underground parking nor associated parking structure/s	\$1.10 per m <sup>2</sup> of GFA
	GFA of building/s plus GFA of parking	
	structure/s (if any) (See notes for GFA definitions) Payable at execution of agreement	
Institutional, C	ommercial or Industrial (ICI)	
5.2.1. Plannin	ng Review	
5.2.1.1.	ICI development without units accommodating of	overnight or longer stay
(i)	Base Fee	\$5,850 per application
(ii)	<ul> <li>GFA Fee</li> <li>(Total GFA of the development)</li> <li>40% collected at submission of application and</li> <li>60% collected at execution of agreement</li> </ul>	\$2.51 per m <sup>2</sup> of GFA
5.2.1.2.	ICI development <b>having units</b> accommodating ov (e.g. Hotels, Senior Homes, etc.)	ernight or longer stay
(i)	Base Fee	\$5,850 per application
(ii)	Unit Fee (accommodating overnight or longer stay)	\$1,000 per unit
(iii)	Calculated GFA Fee (GFA of building minus GFA of Units)	\$2.51 per m <sup>2</sup> of GFA
appl	(ii) & (iii), 40% collected at submission of ication and 60% collected at execution of ement	

5.2.

	5.2.2.	Urban	Design Review		
		(i)	Base Fee	\$2,400 per application	
		(ii)	Percentage Fee	6.6%	
			(Estimated cost of construction of landscape		
			works) Payable at execution of agreement		
		(iii)	Calculated GFA Fee.	\$1.10 per m <sup>2</sup> of GFA	
		(111)	Exempt for buildings that neither have underground parking nor associated parking structure/s		
			GFA of building/s plus GFA of parking structure/s (if any) (See notes for GFA definitions) Payable at execution of agreement		
	5.2.3.	0	ering Review		
			s Site Plan Works tes for definition)		
		(i)	Base Fee	\$4,200 per application	
		(ii)	Percentage Fee	6.6%	
			Payable at execution of agreement		
		(iii)	Calculated GFA Fee Exempt for buildings that neither have underground parking nor associated parking structure/s	\$1.10 per m <sup>2</sup> of GFA	
			GFA of building/s plus GFA of parking structure/s (if any) (See notes for GFA definitions) Payable at execution of agreement		
5.3.	Parking	g Lot or C	Outdoor Patio to existing ICI development		
	5.3.1.	Plannin	g Review	\$2,450 per application	
	5.3.2.	Urban I	Design Review	\$500 per application	
	5.3.3.	Enginee	ering Review	\$500 per application	
5.4.	Extensi	<b>ion</b> of Sit	e Plan Endorsement	\$1,220 per application	
5.5.	Heritage ICI – Less than 50m²\$700 per application				

For 50m<sup>2</sup> or larger (*item 5.2*) is applicable

## 6.0. SITE PLAN CONTROL – ADDITIONS OR ALTERATIONS

"Additions or Alterations" means the making of an addition or alteration to a building or structure or associated parking areas that has the effect of substantially increasing the size or usability thereof. Fee shall be calculated as applicable, and includes Planning and/or Urban Design and/or Engineering as listed: (including but not limited to additions/alterations to a building/s in a Heritage Conservation District)

## 6.1. Residential

6.1.1. Lots / Blocks of 10 units or less Single Detached, Semi-Detached, Townhouse and/or Apartment Unit/s				
6.1.1.1.	Less than 50m	1 <sup>2</sup>	\$100 per unit	
6.1.1.2.	50m <sup>2</sup> or larger	r	\$500 per unit	
6.1.1.3.	If over 100 m <sup>2</sup>	2		
	6.1.1.3.1.	Planning Review	\$500 per unit	
	6.1.1.3.2.	Urban Design Review	\$300 per unit	
	6.1.1.3.3.	Engineering Review	\$100 per unit	
6.1.2. Blocks of 11 units or more and/or Mixed Use development				
6.1.2.1.	Planning Revi	iew	Item 5.1.2.1. is applicable	

			(New Development/s Fees are applicable)	
	6	.1.2.2.	Urban Design Review	Item 5.1.2.2. is applicable
	6	.1.2.3.	Engineering Review	Item 5.1.2.3. is applicable
6.2	Institu	tional, C	commercial or Industrial (ICI)	
	6.2.1.		ng Review Development/s Fees are applicable)	Item 5.2.1. is applicable
	6.2.2.		Design Review Development/s Fees are applicable)	Item 5.2.2. is applicable
	6.2.3.	-	ering Review Development/s Fees are applicable)	Item 5.2.3. is applicable
6.3.	Herita	ge ICI		
	6.3.1.	For 50	an 50m <sup>2</sup> m <sup>2</sup> or larger New Development Site Plan Fee (item applicable	\$700 per application
6.4.	Plannin	ng & Urb	Iajor or Minor as determined by the Director of an Design or designate and/or Director of designate	
	6.4.1.	-	~ · · · · · · · · · · · · · · · · · · ·	\$500 per application
	6.4.2.	Major.		\$2,450 per application
6.5.	Reside	ntial dri	veway or parking area	\$100 per application
6.6.	ICI pa	rking ar	ea or outdoor patio	
	6.6.1.	Plannir	ng Review	\$1,220 per application
	6.6.2.	Urban	Design Review	\$500 per application
	6.6.3.	Engine	ering Review	\$500 per application
6.7.	of Plan	ning & U	<b>to approved plans</b> as determined by the Director Jrban Design or designate and/or Director of designate	
	6.7.1.	Plannir	ng Review	\$2,450 per application
	6.7.2.	Urban	Design Review	\$500 per application
	6.7.3.	Engine	ering Review	\$500 per application
			ADJUSTMENT	
7.1.		Varianc		
	7.1.1.		espect to <b>Development Standards</b>	
	7	.1.1.1.	<b>Residential</b> (Single Detached, Semi-Detached, and/or Townhouse excluding apartments, condominiums and mixed use buildings)	\$1,400 per application
	7	.1.1.2.	<b>Residential</b> (Apartment, Condominium and Mixed Use Building/s) & <b>ICI</b>	\$3,300 per application
	7.1.2.	With re	espect to Use	
	7	.1.2.1.	All types (Residential & ICI)	\$6,600 per application
	7.1.3.	requiri	ical Variances to rectify existing conditions ng minor review by staff, at the discretion of the or of Planning and Urban Design or designate	\$1,000 per application
	7.1.4.	Multip	le variances related to Draft Plan of Subdivision	
		(i)		\$4,800 per application

7.0.

## 7.2. Consent to Sever

7.2.1.	Consen	t for <b>creation of one</b> or <b>more lots</b>	
	(i)	Base Fee	\$6,600 per application
	(ii)	Unit/ Lot Fee Conveyance creating a new residential lot (excluding apartments, residential condominiums and mixed use buildings) <i>payable prior to finalization of conveyance</i>	\$1,000 per unit/lot
	(iii)	Land Area Fee All other conveyances creating a parcel, where the land area of the newly created parcel is considered <i>Payable prior to finalization of conveyance</i>	\$9,900 per hectare
7.2.2.		shment of an easement, ge, lease, validation of title, etc	\$3,450 per application
7.2.3.	Major o Plannin Engineo	t for <b>Development Agreement</b> , or Minor as determined by the Director of g & Urban Design or designate and/or Director of ering or designate <i>e at execution of agreement</i>	
7	.2.3.1.	Major	\$7,000 per agreement
7	.2.3.2.	Minor	\$1,000 per agreement
7.2.4.	Re-circ	ulation of drawings when initiated by the Owner	\$300 per circulation

# SUPPLEMENTARY FEES

The	follow	ving are sup	plementary fees associated with all development applicat	ions:
1.	Du	ditional Pu e to revision yable before	\$4,050 per meeting	
2.	Du	ditional Re e to revision yable before	\$4,050 per report	
3.	Du		n of Drawings ns by owner culation	\$2,600 per circulation
4.	Fo (Eg Du dra Pa	\$3,200 per submission		
5.	Du	e to unaddro	<b>o inspections are required</b> essed deficiencies identified during earlier inspections <i>e inspection</i>	\$820 per inspection
6.		<mark>idies</mark> vable at sub	mission of studies	
	6.1.	Review an (Example: with a new /Secondar	and Urban Design Studies d approval of large scale major studies Community Design Plan, Precinct Plan etc, associated Secondary Plan, major Official Plan Amendment y Plan Amendment, major Zoning or major Site Plan n on a large scale complex site)	
		6.1.1.	Update or Amendment to an existing Study	\$13,100 per study
	67	6.1.2.	New Study	\$32,700 per study
	6.2.	Review an (Example: Servicing with a new	ng Studies d approval of large scale major studies Master Transportation Study, Master Environmental Plan, Noise Study, Geotechnical Study, etc., associated Secondary Plan, major Official Plan Amendment y Plan Amendment, major Zoning or major Site Plan	

application on a large scale complex site)

- - 6.2.2. New Study.....

7. Third Party Appeal of an Approved Development Application to the Ontario Municipal Board: City's cost to retain outside Legal Counsel and Planning, Urban Design, Engineering, and other external consultants/experts determined to be necessary by the City Solicitor and Commissioner of Development Services. Fee shall be payable in accordance with a Cost Acknowledgement Agreement between the City and the Applicant. 18,150 per Study 15%

Actual cost of legal counsel and consultants, plus an administration fee in the amount of 15% of the actual cost of legal counsel and consultants

## **MISCELLANEOUS FEES**

The following fees are in addition to or independent of development application fees and supplementary fees:

1.	Review and comment on Minister's Zoning Orders	\$3,900 per application
2.	Deeming By-law	\$4,200 per application
3.	<b>Exemption from Part Lot Control</b> Where unit fees have not been received through a draft plan of subdivision application, they will apply through this application	\$4,200 per M-plan
4.	Telecommunication Tower	\$10,200 per application
5.	Model Home/Sales trailer agreement Payable at execution of agreement	\$2,700 per agreement
6.	Heritage Permit for unauthorized work	\$320 per application
7.	Townhouse Siting – Unit Fee	\$300 per unit
8.	Fence Variance	
	8.1. Residential	\$1,200 per application
	8.2. Industrial or Commercial	\$4,050 per application
9.	<b>Residential Service Connection</b> - Percentage fee (Total cost of engineering work required within the municipal road allowance)	16.0%
10.	Site Alteration Permit	
	10.1. Urban Design	
	(i) Base Fee	\$2,000 per application
	(ii) Area Fee	\$600 per hectare
	10.2. Engineering	
	(i) Base Fee	\$2,000 per application
	(ii) Area Fee	\$600 per hectare
	10.3. Site Inspections (Urban Design or Engineering)	\$150 per visit
11.	<b>Construction Management Plan</b> and/or <b>Traffic Management Plan</b> <b>Review</b> <i>Payable at submission of Plans</i>	\$2,500 per application
12.	<b>Shoring and Hoarding Encroachment Plan Review</b> Payable at execution of agreement	\$2,800 per application
13.	<b>Miscellaneous submissions</b> not identified under a fee category as determined by the Director of Planning & Urban Design or designate and/or Director of Engineering or designate	
	13.1. Percentage Fee (Estimate based on the cost of works)	6.6%
	13.2. Estimated Hourly Rate	\$130 per hour

## **NOTES/DEFINITIONS**

## OFFICIAL PLAN/SECONDARY PLAN AMENDMENT

- **Minor:** An application for a minor, site specific and small scale amendment or exception to Official Plan policies and designations, having limited impact or policy implications beyond the subject lands as determined by the Director of Planning and Urban Design.
- **Major:** An application to amend the Official Plan that is more significant in scale and scope than a minor official plan amendment, and which may have greater impact or policy implications beyond the subject lands as determined by the Director of Planning and Urban Design. Applications relating to more than one property would normally be in this category. A site specific application could also fall in this category, if considered to represent large scale redevelopment or significant change in use. An application involving significant changes to the text or policies of the Official Plan would also fall in this category.

#### ZONING BY-LAW AMENDMENT

- **Minor:** 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:
  - Request for additional permitted use, within an existing building with no significant impact on existing development standards;
  - Changes in development standards to accommodate a residential severance to create one single family lot within an existing subdivision
  - Application for Temporary Use
- **Major:** An application for a Zoning By-law Amendment that is more significant in scale and scope than a minor zoning amendment, and which may have greater impact beyond the subject lands as determined by the Director of Planning and Urban Design. Major applications include:
  - Applications relating to more than one property
  - A site specific application, if considered to represent large scale redevelopment
  - Any change in use and/or zone category
  - An application involving significant changes to the development standards or general provisions of the by-law

#### CITY

The Corporation of the City of Markham

#### **GROSS FLOOR AREA (GFA)**

Gross Floor Area (GFA) of building/s is 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.

Gross Floor Area (GFA) for parking structure/s defined as the total floor area (inside the building envelope, including the external walls, and excluding the roof) above and below grade.

#### PARKING STRUCTURE

A multi-storey car-park building designed for car parking where there are a number of floors or levels on which parking takes place. It is essentially a stacked car park.

#### COMMITTEE

Committee is a group of individuals appointed by Council, such as the Development Services Committee (DSC), Markham Heritage Committee, Committee of Adjustment or any other sub-committee; with a specific function to review, comment and/or approve the related development applications.

#### HERITAGE

Heritage designated building (Part IV designation) or any building located within the boundary of a Heritage Conservation District (Part V designation).

#### ICI

Institutional, Commercial, Industrial

## ENGINEERING

#### Definitions of internal and external works for site plan applications:

<u>Internal works</u> - 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).

<u>External works</u> - 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).

Doc Ref : Q:\Development\Administration\Fees\By-laws\2014\Fee By law