



BY-LAW 2012-244

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 therefore 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, 2013.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
20TH DAY OF NOVEMBER, 2012.

Handwritten signature of Martha Pettit in black ink.

MARTHA PETTIT
ACTING CITY CLERK

Handwritten signature of Frank Scarpitti in black ink.

FRANK SCARPITTI
MAYOR

SCHEDULE 'A' TO BY-LAW 2012-244

TARIFF OF FEES FOR PROCESSING DEVELOPMENT APPLICATIONS

GENERAL FEES

The following are general fees associated with all development applications

Note: All fees are HST applicable

1.0 GENERAL FEES

(a) Additional Public meeting due to revisions by owner/applicant (payable before meeting)		\$3,680 per meeting
(b) Additional report to Committee or Council due to revisions by owner/applicant (payable before Committee meeting)		\$3,680 per meeting
(c) Recirculation of drawings due to revisions by owner (payable at circulation)		\$2,380 per circulation
(d) Where an owner files more than three submissions of drawings/plans (e.g. landscape plans, engineering drawings, etc.), due to revisions by the owner or the owner's failure to revise drawings/plans as requested by the Town, an additional fee will be charged at submission stage		\$2,920 per submission
(e) Where a third (or more) inspection is required, due to unaddressed deficiencies identified during earlier inspections, an additional fee will be charged prior to inspection		\$750 per inspection
(f) Reimbursement of fees upon applicant withdrawing application (Note: Refund of HST is based on percentage of fee to be refunded)	i) Prior to circulation of application	Refund 75% of all fees received
	ii) From circulation to completion of staff review of application and holding of a public meeting, if required	Refund 50% of all fees received
	iii) Prior to Committee receiving recommendation report or prior to site plan endorsement	Refund 25% of all fees received
	iv) After Site Plan Endorsement or after Recommendation Report received by Committee	No refund

PLANNING AND URBAN DESIGN DEPARTMENT FEES

- Fees shall be calculated at the rate in effect on the date paid. This provision applies to all applications, including those filed before February 1, 2007. 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.
- 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.
- 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.
- Unless otherwise noted, Development application fees are payable at time of application including base fees.
- Fees shall only be accepted in conjunction with the filing of a complete application as determined by the Director of Planning and Urban Design.
- 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.
- For categories 2 to 6, cost of notifications for meetings and hearings will be charged back to applicant

2.0 OFFICIAL PLAN/SECONDARY PLAN AMENDMENT

(a) Minor amendment (see notes for definition)	\$12,230 per application
(b) Major amendment (see notes for definition)	\$32,500 per application

3.0 ZONING BY-LAW AMENDMENT

(a) Minor amendment (see notes for definition)	\$11,350 per application
(b) Major amendment (see notes for definition)	\$22,810 per application
(c) Removal of "H" (Holding) provision	\$ 3,820 per application
(d) Minister's Zoning Order	\$ 6,650 per application
(e) Deeming By-law	\$ 3,820 per application

4.0 MINISTER'S ZONING ORDER

(a) Review and comment on Minister's Zoning Orders	\$ 3,560 per application
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5.0 SITE PLAN CONTROL

Note: Adjustments to the total fee payable will be required at each payment stage, to reflect increases in the total number of units/ hectares and increases in fees, if any.

Residential

(a) New single detached, semi detached or ground oriented townhouse dwelling unit within block of 10 units or less governed by Site Plan Control By-law # 262-94 as amended or as a condition of consent where no fee has been paid for through processing a plan of subdivision in accordance with section 6 hereof.	\$ 1,470 per unit
(b) Additions, alterations or accessory building for single detached, semi detached or ground oriented townhouse dwelling unit governed by Site Plan Control By-law # 262-94 as amended or as a condition of consent	
(i) less than 50m ²	\$ 100 per unit
(ii) 50m ² or larger	\$ 500 per unit
(c) Ground oriented townhouse dwelling units within blocks of 10 units or less within a plan of subdivision where the applicable per unit planning processing fee has been paid through a plan of subdivision in accordance with section 6 hereof.	\$ 280 per unit
(d) Blocks or buildings of 11 units or more, where the applicable per unit planning processing fee has not been paid through a plan of subdivision in accordance with section 6 hereof or consent application.	
(i) Base Fee:	\$ 5,320 per application

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| (ii) Ground-Oriented Residential Uses (single detached, semi-detached, townhouses): 40 % collected at submission of application and 60% collected at execution of agreement | \$ 900 per unit |
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Industrial, Commercial, Institutional New or Addition

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| (e) Industrial, Commercial, Institutional new or additions with a change in gfa | |
| (i) Base Fee | \$ 5,320 per application |
| (ii) Gross Floor Area, 40 % collected at submission of application and 60% collected at execution of agreement or undertaking | \$ 2.28m ² of gfa |

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| (f) Less than 50m ² addition for Heritage Building or building in a Heritage District | \$ 1,100 per application |
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Multi-storey Building Accommodating Overnight Stay

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| (g) Multi-storey building with units accommodating overnight stay or longer (e.g. hotels, apartments, seniors residents, etc.) | |
| (i) Base Fee | \$ 5,320 per application |
| (ii) Units (e.g. residential apartment units, hotel rooms, senior's residential units, etc.). 40% collected at submission of application and 60% collected at execution of agreement | \$ 600 per unit |
| (iii) Remaining GFA (total gfa of building minus gfa of units). 40% collected at submission of application and 60% collected at execution of agreement | \$ 2.28m ² of gfa |

Other Types of Site Plan Applications

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| (h) Site Plan Control (not included under 5(a) to 5(g)) | |
| (i) Alteration to residential driveway/parking area or commercial façade for Heritage Building or building in a Heritage District | \$ 100 per application |
| (ii) Heritage Permit for unauthorized work | \$ 320 per application |
| (iii) Changes to existing commercial/industrial parking lots, outdoor patios and extension of Site Plan Endorsement. | \$ 1,100 per application |
| (iv) All other Site Plan applications, including but not limited to, new parking lot, façade changes, minor changes to approved plans, etc. | \$ 2,220 per application |
| (i) Model Home/Sales trailer agreement, payable at execution of agreement | \$ 2,460 per agreement |
| (j) Telecommunication Towers | \$ 9,260 per application |

6.0 DRAFT PLAN OF SUBDIVISION

Note: Adjustments to the total fee payable will be required at each payment stage, to reflect increases in the total number of unit/hectares and increases in fees, if any.

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| (a) Plan of Subdivision | |
| (i) Base Fee | \$17,500 per application |
| (ii) Blocks containing; commercial, institutional, industrial (ICI) uses; other non-residential uses; mixed-use (community amenity) and residential blocks containing more than 10 units in each or any block (excluding park blocks, valleylands, hazard lands, environmental buffer blocks, stormwater management blocks and open space areas to be conveyed into public ownership). 40% collected at submission of application and 60% collected at execution of agreement. | \$ 9,000 per hectare |
| (iii) Ground-Oriented Residential Uses (single detached, semi detached, townhouses within a block of 10 units or less). 40% collected at submission of application and 60% collected at execution of agreement | \$ 900 per unit |
| (b) Extension of Draft Plan Approval | \$ 3,820 per application |
| (c) Revision of draft approved plan and/or draft plan conditions, when requested by the owner | |
| (i) Minor (does not require report to Committee) | \$ 2,380 per application |
| (ii) Major (requires report to Committee) | \$ 7,480 per application |
| (d) Request for subdivision agreement | |
| (i) First phase of subdivision | \$25,160 per agreement |
| (ii) Subsequent phases | \$17,680 per agreement |
| (e) Model Home/Sales trailer agreement, payable at execution of agreement | \$ 2,460 per agreement |
| (f) Exemption from Part Lot Control | \$ 3,820 per M-plan |

7.0 DRAFT PLAN OF CONDOMINIUM

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| (a) All condominium types other than Common Element or Vacant Land Condo | \$16,400 per application |
| (b) Common Element or Vacant Land Condo | \$19,120 per application |
| (c) Extension of draft approval | \$ 3,820 per application |
| (d) Revision of draft approved plan and/or draft plan conditions and/or the amalgamation of multiple condominiums, when requested by owner | \$ 5,180 per application |

8.0 COMMITTEE OF ADJUSTMENT**Minor Variance**

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| (a) Residential (excluding apartments, condominiums and mixed use buildings) | |
| (i) Minor variance with respect to development standards | \$ 1,400 per application |
| (ii) Minor variance with respect to use | \$ 6,000 per application |
| (b) All other Categories | |
| (i) Minor variance with respect to development standards | \$ 3,300 per application |
| (ii) Minor variance with respect to use | \$ 6,000 per application |
| (c) Technical Amendments to rectify existing conditions requiring minor review by staff, at the discretion of the Director of Planning and Urban Design | \$ 950 per application |
| (d) Multiple variances related to Draft Plan of Subdivision | \$ 4,370 per application plus \$900 for the greater of; number of proposed lots and/or proposed units |
| (e) By-law variance, in Heritage District or a Heritage Property where Heritage Staff or Heritage Markham has requested the implementation of a historic condition or feature | \$ 0 per application |

Consent

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| (f) Consent for creation of one or more lots | |
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(i) Base fee	\$ 6,000 per application
(ii) conveyance creating a new residential lot, (excluding apartments, residential condominiums and mixed use buildings) payable prior to finalization of conveyance	\$ 900 per unit/lot
(iii) All other conveyances creating a lot, payable prior to finalization of conveyance	\$ 9,000 per hectare of the newly created lot
(g) Establishment of an easement, mortgage, lease, validation of title, etc.	\$ 3,140 per application

9.0 URBAN DESIGN FEES

Note: Unless otherwise noted, Urban Design fees are collected at execution of agreement.

Site Plans

(a) Minor applications with alterations/additions or new development that are over 100m ² of gfa requiring Short Form Agreements	\$ 300 per agreement
(b) All other Site Plans	
(i) Base Fee (payable at submission of site plan application)	\$2,190 per application
(ii) Urban Design and Landscape fee	6.0% of the estimated cost of construction of landscape works
(iii) Urban Design fee for applications with underground garages or with above ground parking structures (40% collected at submission of application and 60% collected at execution of agreement)	\$ 1.00 per m ² of gross floor area (gfa) of all buildings or gfa of an above ground parking garage if there is no building as part of application

Subdivision

(a) Urban Design Community Planning Review fee	
(i) Blocks containing; commercial, institutional, industrial (ICI) uses; other non-residential uses; mixed-use (community amenity) and residential blocks containing more than 10 units in each or any block (excluding park blocks, valleylands, hazard lands, environmental buffer blocks, stormwater management blocks and open space areas to be conveyed into public ownership). 40% collected at submission of application and 60% collected at execution of agreement.	\$9,000 per hectare
(ii) Ground-Oriented Residential Uses (single detached, semi detached, townhouses within a block of 10 units or less). 40% collected at submission of application and 60% collected at execution of agreement.	\$ 170 per unit
(b) Urban Design and Landscape Fee.	
(i) Base Fee collected at the time the first submission of the Landscape drawings have been submitted for each phase of the draft plan of subdivision	\$4,000
(ii) Urban Design and Landscape fee	6.0% of estimated cost of construction of landscaping works or \$300 per unit/lot up to 100 units/lots on the plan of subdivision whichever is higher.

Fence Variance

(i) Residential	\$ 1,100 per application
(ii) Industrial or commercial	\$ 3,680 per application

10.0 STUDIES

(a) Review and approval of large scale major studies (e.g. Community Design Plan, Precinct Plan, etc.) 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.	
(i) Update or Amendment to an existing Study	\$11,880 per study
(ii) New Study	\$29,700 per study
(b) Review of Studies using a Peer Review Consultant	Peer Review Consultant costs plus 15% of costs for administration

ENGINEERING DEPARTMENT FEES

- Fees shall be calculated at the rate in effect on the date paid. This provision applies to all applications, including those filed before February 1, 2007. 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.
- 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.
- 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.
- Fees shall only be accepted in conjunction with the filing of a complete application.
- 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.
- Unless otherwise noted, Engineering Department fees are collected at agreement stage.

11.0 SITE PLAN WORKS OR OTHER MUNICIPAL INFRASTRUCTURE

(a) Base Fee (payable at submission of site plan application)	\$3,800
(b) Review and approval of internal and external drawings, inspections and administration of agreement.	6.0% of cost of <u>internal works</u> , including but not limited to; curbs, pavement, retaining walls, grading, water mains, sanitary sewers, storm sewers, manholes, catch basins and their leads, erosion and sedimentation controls and on site storm water management facilities (e.g. Oil Grit Separators (OGS), storage facilities, chambers,

<p>(c) Engineering fee for applications with underground garages or with above ground parking structures (40% collected at submission of application and 60% collected at execution of agreement)</p>	<p>infiltration trenches/chambers, soakaway pits and bioretention systems); <u>external works</u>, including but not limited to; sanitary and storm sewer connections, water service, driveways, sidewalks, boulevard treatment, road works (including pavement, curbs, catch basins and their leads), hydrants, streetlighting, hydro poles, traffic controls, etc. \$ 1.00 per m² gross floor area (gfa) of all buildings or gfa of an above ground parking garage if there is no building as part of application</p>
<p>12.0 PLAN OF SUBDIVISION OR CONSENT FOR CREATION OF ONE OR MORE LOTS</p>	
<p>(a) Review and approval of engineering drawings, inspection and administration of agreement. (40 % payable at submission of engineering drawings and 60% payable at either execution of a pre-servicing agreement or execution of an agreement, whichever is earlier.</p>	<p>5.5% of the estimated construction cost of public works plus 10% contingencies, including but not limited to; erosion and sedimentation controls, underground and above ground works, streetlights, etc. within the plan of subdivision, (both internal and external works) as prepared by the consulting engineer or \$730.00 per lot or block, whichever is higher.</p>
<p>13.0 RESIDENTIAL SERVICE CONNECTION</p>	
<p>(a) Review, comment and administer residential service connection applications</p>	<p>16.0% of the total cost of engineering work required within the municipal road allowance</p>
<p>14.0 SITE ALTERATION</p>	
<p>(a) Application permit fee: (i) Residential (ii) All other types (iii) Site Inspections <i>(Minimum three (3) site visits shall be required, maximum number of visits will depend on the type of work to the satisfaction of the Director of Engineering)</i></p>	<p>\$ 1,860 per application plus \$560 per hectare \$ 2,470 per application plus \$620 per hectare \$ 130 per visit</p>
<p>15.0 STUDIES</p>	
<p>(a) Review and approval of large scale major studies (e.g. Master Transportation Study, Master Environmental Servicing Plan, Noise Study, Geotechnical Study, etc.) 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. (i) Update or Amendment to an existing Study (ii) New Study (b) Review of Studies using a Peer Review Consultant</p>	<p>\$ 5,540 per Study \$16,510 per Study Peer Review Consultant costs plus 15% of costs for administration</p>

NOTES:

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 and 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