



BY-LAW 2011-235

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 TOWN 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, 2012.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
13TH DAY OF DECEMBER, 2011.

KIMBERLEY KITTINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR

**SCHEDULE ‘A’
TO BY-LAW 211-83
TARIFF OF FEES FOR PROCESSING DEVELOPMENT APPLICATIONS**

GENERAL FEES	
The following are general fees associated with all development applications	
1.0 GENERAL FEES	
(a) Additional Public meeting due to revisions by owner/applicant (payable before meeting)	\$3,430 per meeting
(b) Additional report to Committee or Council due to revisions by owner/applicant (payable before Committee meeting)	\$3,430 per meeting
(c) Recirculation of drawings due to revisions by owner (payable at circulation)	\$2,220 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	\$2,720 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	\$690 per inspection
PLANNING AND URBAN DESIGN DEPARTMENT FEES	
<ul style="list-style-type: none">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.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)	\$11,400 per application
(b) Major amendment (see notes for definition)	\$30,290 per application
3.0 ZONING BY-LAW AMENDMENT	
(a) Minor amendment (see notes for definition)	\$10,580 per application
(b) Major amendment (see notes for definition)	\$21,260 per application
(c) Removal of “H” (Holding) provision	\$ 3,550 per application
(d) Minister’s Zoning Order	\$ 6,200 per application
(e) Deeming By-law	\$ 3,560 per application
4.0 SITE PLAN CONTROL	
<i>Note: Adjustments to the total fee payable will be required at each payment stage, to reflect increases in the total number of units/half hectares and increases in fees, if any.</i>	
Residential	
(a) New single detached, semi detached or ground oriented townhouse dwelling unit within block of 10 units or less where no fee has been paid for through processing a plan of subdivision in accordance with section 5 hereof, governed by Site Plan Control By-law # 262-94 as amended or as a condition of consent.	\$ 1,370 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 50m²	\$ 100 per unit
(ii) 50m² 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 5 hereof.	\$ 260 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 5 hereof or consent application.	
(i) Base Fee:	\$ 4,960 per application
(ii) Ground-Oriented Residential Uses (single detached, semi-detached, townhouses): 40 % collected at submission of application and 60% collected at execution of agreement	\$ 850 per unit
Industrial, Commercial, Institutional New or Addition	
(e) Industrial, Commercial, Institutional new or additions with a change in GFA	
(i) Base Fee	\$ 4,960 per application
(ii) Gross Floor Area, 40 % collected at time of application and 60% collected at execution of agreement or undertaking	\$ 2.13m² of gfa
(f) Less than 50m² addition for Heritage Building or building in a Heritage District	\$ 1,000 per application

PLANNING AND URBAN DESIGN DEPARTMENT FEES (continued)	
Multi-storey Building Accommodating Overnight Stay	
(g) Multi-storey building with units accommodating overnight stay or longer (e.g. hotels, apartments. seniors residents, etc.)	
(i) Base Fee	\$ 4,960 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	\$ 570 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	\$ 2.13m² of gfa
Other Types of Site Plan Applications	
(h) Site Plan Control (not included under 4(a) to 4(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	\$ 300 per application
(iii) Changes to existing commercial/industrial parking lots, outdoor patios and extension of Site Plan Endorsement.	\$ 1,030 per application
(iv) All other Site Plan applications, including but not limited to, new parking lot, façade changes, minor changes to approved plans, etc.	\$ 2,070 per application
(i) Model Home/Sales trailer agreement, payable at execution of agreement	\$ 2,300 per agreement
(j) Telecommunication Towers	\$ 8,630 per application
5.0 DRAFT PLAN OF SUBDIVISION	
<i>Note: Adjustments to the total fee payable will be required at each payment stage, to reflect increases in the total number of units/half hectares and increases in fees, if any.</i>	
(a) Plan of Subdivision	
(i) Base Fee	\$16,300 per application plus the fee payable according to 5.0 (a) (ii) or (iii)
(ii) Commercial, institutional, industrial (ICI), 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). 10% collected at time of application, 30% collected at draft plan approval and 60% collected at execution of agreement	\$ 4,220 per half hectare or part thereof
(iii) Ground-Oriented Residential Uses (single detached, semi detached, townhouses within a block of 10 units or less). 10% collected at time of application, 30% collected at draft plan approval and 60% collected at execution of agreement	\$ 850 per unit
(b) Extension of Draft Approval	\$ 3,560 per application
(c) Revision of draft approved plan and/or draft plan conditions, when requested by the owner	
(i) Minor (at discretion of Director of Planning and Urban Design)	\$ 2,220 per application
(ii) Major (at discretion of Director of Planning and Urban Design)	\$ 6,970 per application
(d) Request for subdivision agreement	
(i) First phase of subdivision	\$23,450 per agreement
(ii) Subsequent phases	\$16,480 per agreement
(e) Model Home/Sales trailer agreement, payable at execution of agreement	\$ 2,300 per agreement
(f) Exemption from Part Lot Control	\$ 3,560 per M-plan
6.0 DRAFT PLAN OF CONDOMINIUM	
(a) All condominium types other then Common Element or Vacant Land Condo	\$15,290 per application
(b) Common Element or Vacant Land Condo	\$17,820 per application
(c) Extension of draft approval	\$ 3,560 per application
(d) Revision of draft approved plan and/or draft plan conditions and/or the amalgamation of multiple condominiums, when requested by owner	\$ 4,820 per application
7.0 COMMITTEE OF ADJUSTMENT	
(a) By-law variance, change in legal non conformity, and zoning interpretation for residential property, excluding apartments and condominiums	\$ 1,400 per application
(b) By-Law variance, change in legal non conformity, and zoning interpretation for all other property types, including apartments and condominiums	\$ 3,300 per application
(c) Consent	
(i) conveyance creating a new residential lot, payable prior to finalization of conveyance	\$ 2,800 per application; plus the fee payable according to 7 (c) (i) or (ii) \$ 850 per unit
(ii) conveyance creating a new industrial, commercial, or institutional lot, payable prior to finalization of conveyance, minimum fee \$4,080.00	\$ 4,220 per half hectare or part thereof of the newly created lot,
(iii) establishment of an easement, mortgage, etc.	\$ 2,920 per application
(iv) preparation of development agreement, payable at execution of agreement	\$ 6,970 per agreement,
(d) Technical Amendments	
All applications for variances to rectify existing conditions requiring minor review by staff, at the discretion of the Director of Planning and Urban Design	\$ 880 per application
(e) By-law variance, change in legal non conformity, zoning interpretation for all property types on a Draft Plan of Subdivision	\$ 4,070 per application; plus \$880.00 for the greater of; number of proposed lots and/or proposed units
(f) 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

PLANNING AND URBAN DESIGN DEPARTMENT FEES (continued)		
8.0 URBAN DESIGN FEES		
<i>Note: Unless otherwise noted, Urban Design fees are collected at execution of agreement.</i>		
(a) Site Plans		
Urban Design and Landscape fee. 40% collected at submission of drawings and 60% collected at execution of agreement		5.5% of the estimated cost of construction of the landscape works or \$ 2,050 whichever is higher
(i) Minor Applications with alterations/additions or new development between 50m² and 100m² of GFA requiring Short Form Agreements		\$ 150 per agreement
(ii) Minor applications with alterations/additions or new development that are over 100m² of GFA requiring Short Form Agreements		\$ 300 per agreement
(b) Subdivision		
(i) Urban Design Community Planning Fee		5.5% of Town Wide Soft Development Charge based on number and type of units
(ii) Urban Design and Landscape Fee. 40% collected at submission of drawing and 60% collected at execution of agreement		5.5% of estimated cost of construction of the landscaping works or \$280 per unit/lot up to 100 units/lots on the plan of subdivision whichever is higher
(c) Fence variance		
(i) Residential		\$ 1,030 per application
(ii) Industrial or commercial		\$ 3,430 per application
9.0 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		\$11,070 per study
(ii) New Study		\$27,680 per study
(b) Review of Studies using a Peer Review Consultant		Peer Review Consultant costs plus 15% of costs for administration

ENGINEERING DEPARTMENT FEES		
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10.0 SITE PLAN WORKS OR OTHER MUNICIPAL INFRASTRUCTURE		
(a) Base Fee		5.5% or \$3,530 whichever is higher
Review and approval of internal and external drawings and inspections. Fee is based on percentage of cost of internal works, including but not limited to; curbs, pavement, parking lot structure, retaining walls, grading, on site storm sewers and stormwater management facilities, etc. and external works, including but not limited to; sanitary and storm sewer connections, water service, driveways, sidewalks, boulevard treatment, road works, traffic controls, etc. 40 % payable at submission of engineering drawings and 60% payable at either pre-servicing stage or agreement stage, whichever is earlier.		
(i) Plus fee for multi storey residential applications only		\$ 125 per residential unit to a maximum of 100 units
11.0 PLAN OF SUBDIVISION		
(a) Review and approval of engineering drawings, inspection and administration of agreement. Fee is based on percentage 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. 40 % payable at submission of engineering drawings and 60% payable at either pre-servicing stage or agreement stage, whichever is earlier.		5.5% or \$730.00 per lot or block, whichever is higher
12.0 RESIDENTIAL SERVICE CONNECTION		
(a) Fee is based on percentage of the total cost of engineering work required within the municipal road allowance		16.0%
13.0 SITE ALTERATION		
(a) Application permit fee:		
(i) Residential		\$ 1,740 per application plus \$520 per hectare
(ii) All other types		\$ 2,300 per application plus \$580 per hectare
(iii) Site Inspections		\$ 125 per visit
<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>		

ENGINEERING DEPARTMENT FEES (continued)		
14.0 STUDIES		
(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	\$ 5,540 per Study
(ii)	New Study	\$16,510 per Study
(b) Review of Studies using a Peer Review Consultant		Peer Review Consultant costs plus 15% of costs for administration

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