



Report to: Development Services

Date Report Being Received: November 6, 2012

SUBJECT: Development Fee and Building Fee By-laws Update (2013)
PREPARED BY: Tim Moore, Director of Building Standards, Ext. 4712
Jamie Bosomworth, Manager of Strategy and Innovation, Ext. 2180

RECOMMENDATION:

- 1) That the Report titled “Development Fee and Building Fee By-laws Update (2013)”, dated November 6, 2012 be received.
- 2) And that the amendment to the “Tariff of Fees for Processing Planning Applications,” By-law 211-83, substantially in the form attached as Attachment "A", be enacted
- 3) And that the By-law come into force and take effect on January 1, 2013;
- 4) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this report is to discuss the tariff of Fees to cover projected expenses in the Building, Engineering and Planning and Urban Design Departments in 2013. The result of this Fee by-law update is a proposed amendment to the Development Fee By-law 211-83 regarding development applications, with no proposed changes to By-law 2011-62 a “By-law respecting Construction, Demolition and Change of Use Permits and Inspections” applicable to the Building Department activities. These by-laws set fees to be paid by direct users of City development and building standard services, and are reviewed and updated on an annual basis. The recommended fee increases for 2013 are 0% for Building Fee By-law, 7.3% for Planning and Urban Design fees and 17.4% for Engineering. Certain structural adjustments to Planning and Engineering fees are also recommended. This report seeks approval of the proposed Development Fee By-law to be approved at the next Council meeting and to come into effect January 1, 2013.

BACKGROUND:

The Development Fee By-law and the Building By-law are reviewed each year to recover the reasonable costs associated with the administration of the *Planning Act* applications and building permit applications and building code enforcement under the *Building Code Act*. The annual adjustments fall into one or more of the following categories:

- overall adjustments driven by a moving average of indirect and direct costs (5-year volume of activity model);
- refinements of 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 properly funded by building permit fees and development fees. The model is designed to cover direct and indirect costs based on the past five year average level of activity. In addition, transfers to a reserve for Building and a combined reserve for Engineering and Planning and Urban Design are included, as well as yearly specific capital costs.

OPTIONS/ DISCUSSION:

Building Permit Fees

Building permit fees were increased in accordance with the fee model in 2010 and 2011. Permit revenues since then have been stronger, and the model has determined that permit fee rates are currently sufficient to meet anticipated operating costs in 2013. Accordingly, no fee changes are necessary or proposed.

As part of the annual building permit fee review, staff scrutinized indirect costs associated with enforcement of the *Building Code Act* to ensure that the fee model still accounted for all the City's current permit related costs.

Following this review, it was determined that an adjustment to the fee model to reflect engineering costs associated with site grading and site servicing plans review was necessary. The effect of this internal accounting adjustment is to redistribute approximately 1% of total permit fee revenue from Building Standards to Engineering. This redistribution does not result in any need for a building permit fee increase at this time or any changes to the Building Fee by-law.

Building Fee By-Law

No changes to building permit fees are proposed.

Development Fee Determination (Planning and Urban Design and Engineering)

In assessing the results of the fee model associated with Development fees, Planning and Engineering fee increases in 2013 are projected to be 7.3% and 19.1% respectively. The reserve account continues to be in a deficit, notwithstanding higher volume of activity in recent years (see chart on page 9). Staff are recommending a 7.3% increase to Planning and Urban Design fees for most applications based on fee model calculations. With the proposed adjustments to site plan fees (discussed further in this report), no change with subdivision fees and redistribution of fees from the Building Department for site servicing and grading review, Staff are recommending the Engineering portion of the by-law increase by 17.4%, a reduction from the fee model calculated amount of 19.1%.

Development Fee By-law

Within the Development Fee By-law, Staff are proposing to maintain fees at current levels for various types of applications. These include;

- Heritage Site Plan applications for additions, alterations and ground oriented dwellings;
- Site plan applications for alterations to residential driveways or parking areas or commercial façade's for Heritage buildings or building in a Heritage District;

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- By-law minor variance for development standards for residential properties and all other types of properties;
 - Fee for Urban Design for minor site plans requiring short form agreements;
 - Fee for Urban Design and Engineering for administration of peer review by consultants of various types of studies;
 - Review and approval of engineering drawings for subdivisions; and
 - Review, comment and administration of residential service connections in the Engineering Department.

All other fees within the development fee by-law are recommended to increase by 7.3% for Planning and Urban Design, and 17.4% for Engineering fees both rounded up to the closest \$10.

In addition to the flat rate increases, Staff have determined that site plan work for the Urban Design Division and Engineering Department are becoming more complicated requiring more effort, expertise and time to complete the work. This is due to the complexity of the applications, additional information/committee meetings, more studies to review and a general overall increase in the scope of applications. Fees for this category have not kept up to the increase in complexity and required effort to review the applications. It is felt that under assessment of fees for significant work on complex site plans is also contributing to the ongoing lack of a positive reserve balance in Planning and Engineering, notwithstanding stronger development volume in 2011 and 2012 above the 5-year average. Therefore, Staff are recommending new fees for the Urban Design Division and Engineering Department for Site Plan applications.

Staff are also recommending adjustments to specific categories within the by-law. In general this relates to administrative changes relating to refunding fees when applicants withdraw an application, minor changes with respect to when subdivisions fees are collected for Planning, minor adjustments to the minor variance and consent application fees within the Committee of Adjustment category, simplifying the Urban Design fee for subdivisions and establishing a new protocol between the Building Department and Engineering Department for covering Engineering costs for site grading and site servicing plans review for infill building permits.

Details of the proposed changes are discussed below:

Application Withdrawal

On occasion, applicants withdraw their applications and ask for reimbursement of a portion of their fees. In determining how much to refund the applicant, Staff have negotiated with applicants based on an estimate of how far the application had been advanced. Staff are recommending that this approach be formalized in the by-law, and the following refund policy be added to the General Fee category of the By-law:

Reimbursement of fees upon applicant withdrawing application	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

Subdivisions

In the previous by-laws, 10% of subdivision fees for Planning have been collected at submission of the application, 30% at draft plan approval stage and 60% at execution of the agreement. To simplify the administration of the by-law and ensure fees are collected at the proper stages, staff are recommending combining the fee at the draft plan approval stage with the fee at the submission of application stage similar to the site plan fees collected for Urban Design and Engineering. Accordingly, 40% of the subdivision fees would be collected at the submission of the application and 60% at the execution of the agreement.

In addition, Staff are proposing to simplify the calculation for the area multiplier by using a straight per hectare calculation rather than the original per half hectare or part thereof which was difficult to explain. As the multiplier has doubled from a half hectare to a whole hectare, the fee is recommended to be doubled as well to \$9,000/hectare.

Committee of Adjustment

Since increasing our rezoning fees when the fee model was introduced in 2005, and providing two categories for zoning applications, a major category at roughly \$22,000 and a minor category at roughly \$11,000, we have experienced an increase in minor variance applications to the Committee of Adjustment pertaining to changes to use. For example, for 2012 to date, the City has received 22 minor variance applications with respect to use and only 5 for a minor zoning. This is due to applicants using the minor variance process and its lower fees for applications that might otherwise be considered a minor zoning application.

For variances for development standards, Staff have no concerns with applicants using the minor variance process for both residential and all other categories. Staff do not recommend an increase to these fees. However, for applications with respect to changes to use, there is substantially more effort and time involved in reviewing and commenting on these types of applications. Staff are recommending a new category be established for minor variances pertaining to a change in use for residential and all other land use categories, and the fee be roughly half the minor zoning application fee.

Further, Staff have reviewed the base fee for consent (severances) applications and find it does not cover the costs associated with this type of application. Staff are recommending to increase this fee to half the fee of the base fee for a draft plan of subdivision.

In addition, fee categories are being realigned in order for clarification purposes. The following are the changes recommended within the Committee of Adjustment category:

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 \$900.00 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

- | | |
|--|---|
| (f) Consent for creation of one or more lot/s | |
| (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 |

Urban Design – Site Plan Fees

Urban Design collects site plan fees based on a percentage of cost of construction of landscape works with a minimum fee, with 40% collected at submission of drawing stage and 60% collected at execution of agreement. Over the years Staff have found this fee just covers the cost of Staff time for review of the landscape drawings and inspections. However, it has not covered the cost of Urban Design Staff reviewing the urban design and architectural aspects of the application at the planning stage. As stated earlier, site plans are becoming more complex and require much more Staff time. In addition it has been cumbersome to determine the fee based on future landscape works at submission stage as the landscape cost estimate was not always available at the time of submission and in some cases fees were not collected if there was no landscape works involved in the application.

To cover the annual Planning adjustment of 7.3%, Staff are recommending an increase to fees based on a percentage of cost of construction of landscape works from 5.5% to 6.0%, to be collected at the execution of the agreement. To ensure urban design component

fees are collected at the submission of the application, Staff are recommending a base fee for all site plan applications reviewed by the Urban Design Division.

Staff are proposing to create a new category to capture the work involved in the more complex site plan applications. Staff have determined the best and simplest criteria to determine a complex application are those applications that have underground parking garages or an above ground parking structure. To determine the method of calculating this new fee, Staff are recommending using gross floor area (gfa) as it is common data available for all applications and can apply to both a residential use or a mixed use building. For complex applications with underground garages, the fee calculator will be based on the total gfa of the building, were there is an application with an above ground parking structure and a building, the fee will be based on the gfa of the building and where there is an application with a standalone above ground garage and no building, the fee will be based on the gfa of the parking garage.

To determine an appropriate rate per gfa, Staff have reviewed varying types of complex applications with underground garages. An example of a typical complex application is the Phase 2 building on the Anagni Homes development on Highway 48. The gfa of this building is 19,931 m², it has 3 levels of parking, 215 residential units and is 20 storeys tall. Each of these dimensions adds an additional complexity to the application. Staff are recommending a \$1.00/m² of gfa for this type of application, which in this instance, would translate to \$19,931 of Urban Design fees. In general Staff feel these fees would cover the additional costs associated with the Urban Design review of complex applications. To ensure these fees are received when the work is being done, staff are recommending 40% of these fees be collected at the submission of the application and 60% at the execution of the agreement. As these are new fees; as a transition rule, Staff are recommending the 60% fee be collected at the execution of the agreement if the City has already received the application, and the 40% initial submission fee not be applied retroactively. The following are the actual changes in the bylaw:

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| (b) | All other Site Plans | |
| (i) | Base Fee (payable at submission of application) | \$2,190 per application |
| (ii) | Urban Design and Landscape fee (payable at execution of agreement) | 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 gross floor area (gfa) of all buildings or gfa of an above ground parking garage if there is no building as part of application |

Urban Design – Subdivision

In previous by-law's, calculation of Urban Design fees for subdivisions involved a fairly complicated formula to determine their fees for the review and approval of a draft plan of subdivision application entitled "Urban Design Community Planning Review Fee". The fee was calculated by multiplying a percentage times the total of the soft development charge of each type of unit by the number of units. This was a complicated formula, difficult for applicant's to understand, did not capture industrial subdivisions and the

determination of the number of apartment units for subdivisions with residential blocks was not always known at the time of the registration of the agreement.

To simplify this fee, Staff are proposing a unit fee for ground oriented units and an area fee for development blocks similar to the Planning fee for subdivisions. To determine the multiplier for the unit component, staff determined an average fee per unit of \$160.00 using the previous calculation and increased that by \$10.00 to cover the yearly increase. For the area fee, staff are suggesting the same fee per hectare that the planning fees use (i.e. \$6,000/ha.). Similar to the site plan fees; as a transition rule, Staff are recommending the 60% fee be collected at the execution of the agreement if the City has already received the application, and the 40% initial submission fee not be applied retroactively.

The other component of the Subdivision fee is the Urban Design and Landscape fee to cover the cost of reviewing the landscape drawings and inspections. Staff are recommending two changes to the structure the first being; rather than split the collection periods of 40% at application stage and 60% at agreement stage, Staff are recommending a base fee collected at the submission of the application and the remaining fee be collected at execution of the agreement. Secondly; to cover the overall planning increase of 7.3% the percentage of cost of works will increase from 5.5% to 6.0%. The following are the actual changes in the by-law for subdivisions applicable to the Urban Design Division:

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|---|--|
| (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 submission of Landscape drawing | \$4,000 per agreement |
| (ii) Urban Design and Landscape fee collected at agreement stage | 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. |

Engineering – Site Plan

Similar to the fees associated with site plans for Urban Design Division, the effort required for the review and commenting on site plan applications for the Engineering

Department has also increased due to the complexity of the applications, additional information/committee meetings, more studies to review and a general overall increase in the effort required for each application. Examples of this additional effort include, dewatering review and approvals, encroachment issues and subsequent agreements, slope stability studies, review of underground parking arrangements, etc. The original fee that is based on a percentage of cost of components of internal engineering works and public works is sufficient to cover the review of simple engineering drawings and inspections, but does not cover the effort of more complex applications, especially multi storey buildings with underground parking garages or applications with above ground structured parking garages.

For the fee for review of simpler applications, Staff are proposing a base fee for all applications collected at the application stage and an increase of the percentage of cost of public works from 5.5 % to 6.0 % to cover the annual increase of Engineering fees. In addition the Engineering staff have included additional infrastructure (e.g oil grit separators, soakaway pits, bioretention systems, etc.) to be included in the cost of the works.

To recoup the costs of more complex applications the Engineering Department is recommending a similar fee structure as Urban Design, using the gross floor area as a method of calculation and collecting it 40% at submission of the application and 60% at execution of the agreement. For complex applications with underground garages, the fee calculator will be based on the total gfa of the building, were there is an application with an above ground parking structure and a building, the fee will be based on the gfa of the building and where there is an application with a standalone above ground garage and no building, the fee will be based on the gfa of the parking garage. The following are the changes to the site plan fees for the Engineering Department:

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|---|---|
| (a) Base Fee (payable at submission of application) | \$3,800 |
| (b) Review and approval of internal and external drawings and inspections. | 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, 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. |
| (c) Engineering fee for applications with underground garages or with above ground parking structures (40% collected at submission of application and 60% collected at agreement stage) | \$ 1.00 per m ² gross floor area (gfa) of all buildings or gfa of an above ground parking garage if there is no building as part of application |

Engineering - Infill Lot Grading

Prior to a building permit being submitted, Engineering Staff are required to review and comment on lot grading plans for infill housing units that are not governed by the Site Plan Control by-law # 262-94. The Engineering Department have never received a fee for this effort. As the Building Department currently receives a fee for this category as part of their Fee bylaw, Staff are recommending an internal accounting redistribution of approximately 1% of total permit fee revenue from Building Standards to Engineering to cover the costs of this effort. The Fee by-law is not impacted by this proposed redistribution.

Consultation with the Development Community

As the Building fees are not increasing, an official public consultation is not required by legislation (the Planning Act does not require consultation or a public meeting when adjusting fees). Notwithstanding this, Staff will circulate this report and the attached Development Fee by-law to the Development community through the Developer Round Table list and specifically to BILD prior to the Development Services meeting on November 6. In addition, Staff are holding a Developer's Round Table meeting on November 22, and will outline the changes to the group at that time.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

The Finance Department has been working closely with Development Services Commission staff to ensure proper direct and indirect cost recovery and to incorporate the results into the proposed 2013 operating budget. The fee adjustments recommended in this Report (0% for Building, 7.3% for Planning and 17.4% for Engineering) will provide adequate funding for projected direct and indirect costs, including necessary contributions to Building, Planning and Engineering reserves.

Summary of Reserve Balances

For the past few years development activity in Markham has had an above average level of activity not only in the Building Department, but also Planning and Urban Design and Engineering. This level of activity has been truly noted within the Building Department with a positive reserve balance to date of over \$6.6 million and a yearend projection of over \$10 million. A positive reserve balance positions the Department to invest in new processes and technologies, such as digital submissions and plan review, and to withstand cyclical downturns without drastic changes to capacity and service levels. Unfortunately the combined reserve balance for Planning and Engineering does not reflect the level of activity and remains at a deficit of just under \$2.5 million with a yearend projection of a deficit of just over \$2.1 million. The following table provides a history of the reserve accounts of both Building and the combined Planning and Engineering accounts:

Year	Building Reserve (\$ in 000's)	Planning and Engineering Reserve (\$ in 000's)
2007	3,571	1,528
2008	2,412	-1,716
2009	540	-5,632

2010	-90	-1,476
2011	6,630	-2,455
2012 Projection	10,008	-2,162

Greenfield development has been historically the largest contributor to Planning and Engineering revenues, but subdivision activity has been declining in comparison to intensification and infill development in Markham. This trend is projected to continue, as intensification through site plan applications is increasing requiring more effort and additional fees to cover Staff costs than previously received. With the overall increase in fees and the additional changes to the structure of this by-law as proposed in this report, the Planning and Engineering Departments will be better positioned to achieve full cost recovery and to move towards a more positive reserve balance.

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

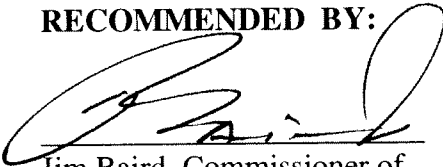
ALIGNMENT WITH STRATEGIC PRIORITIES:

Not Applicable

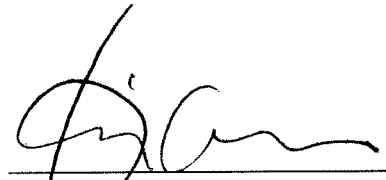
BUSINESS UNITS CONSULTED AND AFFECTED:

Development Services Commission Departments and Finance Department were consulted.

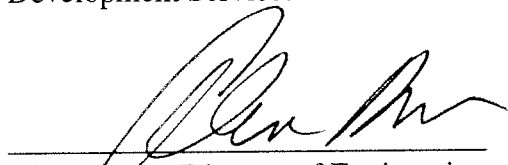
RECOMMENDED BY:



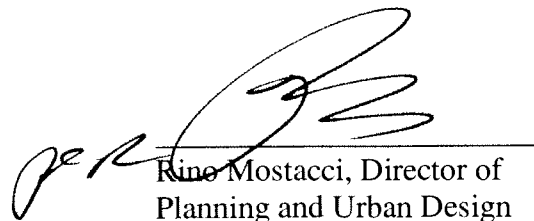
Jim Baird, Commissioner of
Development Services



Tim Moore, Director Building
Standards



Alan Brown, Director of Engineering



Rino Mostacci, Director of
Planning and Urban Design

ATTACHMENTS:

Attachment "A" Draft of amendment to Development Fee By-law 211-83



2012-

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
DAY OF NOVEMBER, 2012.

CITY CLERK

MAYOR

SCHEDULE 'A'

TO BY-LAW XXX-2012

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	\$3,680 per meeting
(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)	\$2,380 per circulation
(c) Recirculation of drawings due to revisions by owner (payable at circulation)	\$2,920 per submission
(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	\$750 per inspection
(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	
(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	
<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 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
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 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.	\$ 1,470 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 5 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 5 hereof or consent application.	
(i) Base Fee:	\$ 5,320 per application
(ii) Ground-Oriented Residential Uses (single detached, semi-detached,	\$ 900 per unit

townhouses): 40 % collected at submission of application and 60% collected at execution of agreement

Industrial, Commercial, Institutional New or Addition

- (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 \$ 2.28m² of gfa
- (f) Less than 50m² addition for Heritage Building or building in a Heritage District \$ 1,100 per application

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 \$ 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 \$ 2.28m² of gfa

Other Types of Site Plan Applications

- (h) Site Plan Control (not included under 5(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 \$ 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 units/hectares and increases in fees, if any.

- (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 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

- (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

- (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

- (f) Consent for creation of one or more lots
 - (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	
<i>Note: Unless otherwise noted, Urban Design fees are collected at execution of agreement.</i>	
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 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 submission of Landscape drawing	\$4,000 per agreement
(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

<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. • 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 stage)	\$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, infiltration trenches/chambers, soakaway pits and bioretention systems); <u>external works</u> , including but not limited to; sanitary and

(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)	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 m ² gross floor area (gfa) of all buildings or gfa of an above ground parking garage if there is no building as part of application
12.0 PLAN OF SUBDIVISION OR CONSENT FOR CREATION OF ONE OR MORE LOTS	
(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.	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.
13.0 RESIDENTIAL SERVICE CONNECTION	
(a) Review, comment and administer residential service connection applications	16.0% of the total cost of engineering work required within the municipal road allowance
14.0 SITE ALTERATION	
(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>	\$ 1,860 per application plus \$560 per hectare \$ 2,470 per application plus \$620 per hectare \$ 130 per visit
15.0 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 (ii) New Study (b) Review of Studies using a Peer Review Consultant	\$ 5,540 per Study \$16,510 per Study 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

