

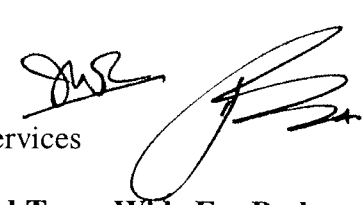
MEMORANDUM

TO: Mayor and Members of Council

FROM: John Wright, Director Building Standards
Jim Baird, Commissioner of Development Services

SUBJECT: **Amendments to Development, Building and Town Wide Fee By-laws
Development Services Commission**
(Arising from report to General Committee dated: December 11, 2006)

DATE: December 19, 2006



RECOMMENDATION

That the Staff Memorandum to Council dated December 19, 2006, dealing with proposed Amendments to Development, Building and Town Wide Fee By-laws, be received;

And that the proposed amendments be referred to a public meeting of Development Services Committee, to be held on January 16, 2007.

DISCUSSION

On December 11, 2006 Development Services Staff submitted to General Committee a report entitled "Amendments to Development, Building and Town Wide Fee By-laws, Development Services Commission". General Committee recommended the report, and the three (3) fee bylaws attached to the report, to Council for approval.

Subsequent to the December 11 report, Building Department staff (through further review of the applicable legislation) has learned that before enacting a change to building permit fees, a municipality must now hold a public meeting. This is a new requirement under the Ontario Building Code Act that was not in effect in 2005 when staff first brought forward the current Building Permit Fees By-law. Staff had believed that this new requirement did not come into effect until after January 1, 2007 when in fact it was required as of January 1, 2006. Therefore a public meeting must be held to consider the current proposed amendment to the Building Fees By-law. Notice must be given to the general public and interested parties, and it is recommended that notice be placed in the Markham Economist and Sun and the Thornhill Liberal, and be mailed to the Urban Development Institute, Toronto Home Builders Association, and development industry representatives on the Town's "Developers Round Table" distribution list. Staff is recommending that the public meeting be held on January 16, 2007, as part of the regular Development Services Committee Public Meeting scheduled for that date.

A statutory public meeting is not required by legislation for the other two proposed fee by-law amendments (i.e. Development Fee By-law applicable to Planning and Engineering applications and Town Wide Fee by-law applicable to sale of documents and Capital Administration Fee on capital projects). Consultation with the industry has occurred through the "Developers Round Table". However, in the spirit of further consultation with interested parties, staff proposes that notice of the upcoming public meeting also include reference to these two (2) proposed fee by-law amendments, and that all three (3) proposed by-laws be discussed at the public meeting. This will also provide an opportunity for staff to provide additional information related to comparisons with other municipalities and transition rules for applications received under previous by-laws, as discussed at General Committee.

Accordingly, staff recommends that the December 11 report to General Committee, and the three (3) fee by-laws attached to the report, be referred to a public meeting to be held on January 16, 2007.