



BY-LAW 2008-257

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, 2009.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
16TH DAY OF DECEMBER, 2008.

KIMBERLEY KITTINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR

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

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 1 to 3, cost of notifications for meetings and hearings will be charged back to applicant	
1. OFFICIAL PLAN/SECONDARY PLAN AMENDMENT	
(a) Minor amendment (see notes for definition)	\$ 9,130 per application
(b) Major amendment (see notes for definition)	\$24,270 per application
(c) Recirculation of drawings due to revisions by owner	\$ 1,340 per circulation
2. ZONING BY-LAW AMENDMENT	
(a) Minor amendment (see notes for definition)	\$ 8,470 per application
Major amendment (see notes for definition)	\$17,040 per application
(b) Removal of “H” (Holding) provision	\$ 3,130 per application
(c) Minister’s Zoning Order	\$ 5,460 per application
(d) Deeming By-law	\$ 3,130 per application
(e) Additional Public meeting due to revisions by owner/applicant (payable before meeting)	\$ 3,010 per meeting
(f) Additional report to Committee or Council due to revisions by owner/applicant (payable before Committee meeting)	\$ 3,010 per report
(g) Recirculation of drawings due to revisions by owner	\$ 1,340 per circulation
3. 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 and increases in fees, if any.</i>	
(a) Residential	
(i) New single detached or semi detached unit governed by Site Plan Control By-law # 262-94 as amended, (Heritage Districts and other specific areas) or as a condition of consent and ground oriented townhouse dwelling units within blocks of 10 units or less where no fee has been paid for the processing of the plan of subdivision in accordance with section 4 hereof.	\$1,240 per unit
(ii) 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 subdivision application	\$220 per unit
(iii) Blocks or buildings of 11 units or more, where the applicable per unit planning processing fee has not been paid through a subdivision or consent application	
• Base Fee:	\$4,070 per application
• Ground-Oriented Residential Uses (single detached, semi-detached, townhouses): 40 % collected at time of application and 60% collected at execution of agreement	\$740 per unit
• Apartments: 40 % collected at time of application and 60% collected at execution of agreement	\$500 per unit
(b) Residential Additions/ Alterations in Heritage Conservation Districts, Heritage Study Areas, Designated Buildings and in Heritage Estates	
• less than 50m ²	\$50 per unit
• 50m ² or larger	\$500 per unit
(c) Industrial, Commercial, Institutional (ICI) new or additions (increase in gfa)	
Base Fee	\$4,070 per application
Gross Floor Area, 40 % collected at time of application and 60% collected at execution of agreement or undertaking	\$1.83 m ² of gfa

(d) Minor Site Plan Control Applications	
Minor site plan applications including but not limited to; changes to parking lots, revisions to facades, outdoor patios, amendments to existing agreements, etc	\$4,240 per application
(e) Telecommunication Towers	\$7,580 per application
(f) Recirculation of site plan drawings due to revisions by owner (where owner has failed to revise drawings as requested by Town)	\$1,340 per recirculation
4. 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 and increases in fees, if any.</i>	
(a) Plan of Subdivision	
(i) Base Fee	\$13,380 per application plus the fee payable according to s. 4(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	\$3,690 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	\$740 per unit
(b) Extension of Draft Approval	\$3,130 per application
(c) Revision of draft approved plan and/or draft plan conditions, when requested by the owner	
Minor (no report required)	\$6,130 per application
Major (report required)	\$15,150 per application
(d) Request for subdivision agreement	
First phase of subdivision	\$20,630 per agreement
Subsequent phases	\$14,470 per agreement
(e) Model Home/Sales trailer agreement, payable at execution of agreement	\$2,020 per agreement
(f) Exemption from Part Lot Control	\$3,130 per M-plan
(g) Recirculation of draft plan not approved (when requested by owner)	\$1,340 per set of drawings
5. DRAFT PLAN OF CONDOMINIUM	
<i>Note: Adjustments to the total fee payable will be required at each payment stage, to reflect increases in the total number of units and increase in fees, if any</i>	
(a) All condominium types	\$12,250 per application
(b) Extension of draft approval	\$3,130 per application
(c) Revision of draft approved plan and/or draft plan conditions, when requested by owner	\$4,240 per application
6. COMMITTEE OF ADJUSTMENT	
(a) By-law variance, change in legal non conformity, and zoning interpretation for residential property, excluding apartments and condominiums	\$1,400.00 per application
(b) By-Law variance, change in legal non conformity, and zoning interpretation for all other property types, including apartments and condominiums	\$1,600.00 per application
(c) Consent	\$2,300 per application; plus the fee payable according to s. 6 (c) (i) or (ii)
(i) conveyance creating a new residential lot, payable prior to finalization of conveyance	\$740.00 per unit
(ii) conveyance creating a new industrial, commercial, or institutional lot, payable prior to finalization of conveyance, minimum fee \$3,300.00	\$3,690.00 per half hectare or part thereof of the newly created lot,
(iii) establishment of an easement, mortgage, etc.	\$2,570.00 per application
(iv) preparation of development agreement, payable at registration of agreement	\$6,130.00 per agreement,
(d) Technical Amendments	
Residential applications for variances to rectify existing conditions requiring minor review by staff, at the discretion of the Director of Planning	\$790.00 per application
(e) By-law variance, change in legal non conformity, zoning interpretation for all property types on a Draft Plan of Subdivision	\$3,570.00 per application; plus \$740.00 for the greater of; number of proposed lots and/or proposed units
7. URBAN DESIGN FEES	
• Unless otherwise noted, Urban Design fees are collected at execution of agreement.	

(a) Site plans	
Review and approval of landscape drawings and inspection of site. Minimum fee is \$1,740.00.	5.1% of the estimated cost of construction of the landscape works or \$1,790 whichever is higher
Minor Applications requiring Short Form Agreements	\$300.00 per agreement
(b) Subdivision	
Review and approval of landscape drawings and inspection of site.	5.10% of estimated cost of construction of the landscaping works or \$740 per unit/lot on the plan of subdivision whichever is higher
(c) Fence variance	
Residential	\$900 per application
Industrial or commercial	\$3,010.00 per application
(d) Fee for additional submission/review and inspections	
Where an owner files more than three submissions of landscape drawings, due to revisions by the owner or the owner's failure to revise drawings as requested by the Town, an additional fee will be charged.	\$1,300 per submission
Where a third (or more) inspection is required, due to unaddressed deficiencies identified during earlier inspections, an additional fee will be charged	\$610 per inspection

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 other wise noted, Engineering Division fees are collected at agreement stage.		
1. SITE PLAN WORKS		
BASE FEE: 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. Minimum fee of \$3,020.00. Payable either prior to conditional permit or execution of site plan agreement stage whichever is earlier.		5.1% or \$3,020 whichever is higher
PLUS: For multi storey residential applications only		\$110 per residential unit to a maximum of 100 units
2. PLAN OF SUBDIVISION		
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.		5.1% of the estimated construction cost of public works or \$660.00 per lot or block, whichever is higher
3. RESIDENTIAL SERVICE CONNECTION		
Fee is based on percentage of the total cost of engineering work required within the municipal road allowance		16.0%
4. SITE ALTERATION		
Application permit fee:	Residential	\$1,560/ application plus
	All other types	\$470/hectare
Site Inspections		\$2,080/application plus
(Minimum three (3) site visits shall be required, max: number of visits will depend on the type of work to the satisfaction of the Director)		\$520/hectare
		\$110 per visit

5. FEE FOR ADDITIONAL SUBMISSION/REVIEW AND INSPECTIONS

Where an owner files more than three submissions of engineering drawings, due to revisions by the owner or the owner's failure to revise drawings as requested by the Town, an additional fee will be charged.	\$2,390 per submission
Where a third (or more) inspection is required, due to unaddressed deficiencies identified during earlier inspections, an additional fee will be charged	\$600 per inspection

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 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