

Appendix E

Zoning and Development Fee By-law No. 5585

A by-law to impose fees with respect to applications for Development Permits and for amendments to the Zoning & Development By-law.

(Amended 1982 12 14 - No. 5613; 1983 02 15 - No. 5623; 1983 05 17 - No. 5663; 1983 12 13 - No. 5723; 1984 09 11 - No. 5821; 1985 05 07 - No. 5905; 1986 03 11 - No. 5969; 1986 10 21 - No. 6049; 1987 01 27 - No. 6096; 1987 06 23 - No. 6162; 1988 01 12 - No. 6285; 1988 11 29 - No. 6431; 1989 05 16 - No. 6488; 1989 09 12 - No. 6552; 1990 04 10 - No. 6651; 1991 07 30 - No. 6867; 1992 02 18 - No. 6941; 1993 07 20 - No. 7145; 1993 07 20 - No. 7151; 1994 05 03 - No. 7289; 1995 05 01 - No. 7413; 1995 06 20 - No. 7445; 1996 03 26 - No. 7541; 1996 08 01 - No. 7611; 1996 11 05 - No. 7659; 1996 11 26 - No. 7660; 1997 02 04 - No. 7699; 1997 07 29 - No. 7785; 1998 02 03 - No. 7845; 1998 04 21 - No. 7875; 1998 04 28 - No. 7883; 1999 04 09 - No. 7983; 1999 07 06 - No. 8040; 1999 10 05 - No. 8079; 2001 01 09 - No. 8275; 2001 01 30 - No. 8291; 2001 02 20 - No. 8301; 2001 12 04 - No. 8403; 2001 12 04 - No. 8404; 2002 01 15 - No. 8423; 2002 07 30 - No. 8528; 2003 02 25 - No. 8644; 2004 09 14 - No. 8915; 2005 02 15 - No. 8988; 2005 04 28 - No. 9040; 2005 07 19 - No. 9080; 2005 11 01 - No. 9145; 2006 03 21 - No. 9240; 2006 05 30 - No. 9300; 2006 10 31 - No. 9377; 2007 12 13 - No. 9579; 2008 12 16 - No. 9779; 2009 12 01 - No. 9956; 2010 07 22 - No. 10116; 2010 10 05 - No. 10147; 2010 10 19 - No. 10163; 2011 10 18 - No. 10379; 2012 10 30 - No. 10581; 2013 05 15 - No. 10700; 2013 07 09 - No. 10740; 2013 10 22 - No. 10810; 2014 09 16 - No. 11060; 2015 12 01 - No. 11389; 2016 03 08 - No. 11473; 2016 07 26 - No. 11594; 2016 11 29 - No. 11675; 2017 11 28 - 11966)

1. This by-law may be cited as the “Zoning & Development Fee By-law”.
2. Every person applying to the Director of Planning for a Development Permit shall pay to the City at the time the application is filed the appropriate fee as set forth in Schedule 1 hereof, and no application is valid without such payment.
3. Every person applying to the City Council for an amendment to the Zoning & Development By-law under sections 1, 2, 3(a), 3(b), 3(c), 4(a), 4(b), 4(c), 7, 8, or 9 of Schedule 2 hereof shall pay to the City at the time such application is filed with the Director of Planning the appropriate fee as set forth in Schedule 2 hereof, and no application is valid without such payment.
4. Every person applying to the City for an amendment to the Zoning and Development By-law under sections 3(d), 4(d), 5 or 6 of Schedule 2 hereof shall pay to the City, at the time such application is filed with the Director of Planning, 50% of the appropriate fee as set forth in Schedule 2 hereof, and no application is valid without such payment. If, following a public hearing, Council approves in principle the draft by-law as presented or after amendment, the balance shall be paid within 30 days of the Council approval or prior to enactment of the by-law, whichever comes first.
5. No fee paid to the City pursuant to Section 2 of this by-law shall be refunded after the application for the development permit has been approved or refused, provided that, where the application has been withdrawn, the Director of Finance may refund to the applicant such part of the fee as is recommended by the Director of Planning or the Director of Permits & Licenses or such other person as either of them may authorize.
6. No fee paid to the City pursuant to section 3 of this by-law and under sections 1, 2, 3(a), 3(b), 3(c), 4(a), 4(b), 4(c), 7, 8, or 9 of Schedule 2 hereof shall be refunded after the application for the amendment has been considered by the Director of Planning, but where the application has been withdrawn before being considered by the Director of Planning, the Director of Finance may refund to the applicant such part of the fee as is recommended by the Director of Planning.

7. No fee paid to the City, pursuant to section 4 of this by-law and under sections 3(d), 4(d), 5 or 6 of Schedule 2 hereof, at the time the application for the amendment is filed with the Director of Planning, but where the application has been withdrawn before being considered by the Director of Planning, the Director of Finance may refund to the applicant such part of the fee as is recommended by the Director of Planning.
8. No fees paid to the City pursuant to section 4 of this by-law and under sections 3(d), 4(d), 5 or 6 of Schedule 2 hereof shall be refunded after Council approval in principle of the draft by-law, as presented or as amended following a public hearing.
9. Where an application to amend the Zoning and Development By-law is made by the Director of Planning at the direction of City Council, no fee pursuant to this By-law shall be payable.
10. By-law No. 4188 is repealed.

Schedule 1

Development Permits

Current Fees

One-Family Dwelling, One-Family Dwelling with Secondary Suite, Two-Family Dwelling, Two-Family Dwelling with Secondary Suite and Laneway House

- 1. For a new one-family dwelling, one-family dwelling with secondary suite, two-family dwelling, or two-family dwelling with secondary suite, and its accessory building or accessory use to an existing one or two-family dwelling or one or two-family dwelling with secondary suite, where such an addition, alteration, change of use, accessory building or accessory use is equal to or greater than 60 m² in gross floor area:
 - (a) where the permit would be issued as an outright approval or as a conditional approval pursuant to Section 3.2.7 of the Zoning and Development By-law \$1,960.00
 - (b) where the permit would be issued as a conditional approval, except as provided for in Sections 1(a), 1(c) and 1C \$2,840.00
 - (c) where the permit would be issued as a conditional approval after proceeding to a review by a Council-appointed advisory design panel \$4,690.00

- 1A. Except as provided for in Section 1B, for an addition, alteration, relaxation, change of use, accessory building or accessory use to an existing one or two-family dwelling or one or two-family dwelling with secondary suite where such addition, alteration, change of use, accessory building or accessory use is less than 60 m² in gross floor area:
 - (a) where the permit would be issued as an outright approval, or where a relaxation of the required yards, building depth or maximum building height is required and where the relaxation of a required rear yard would be less than 60% of what is required by the applicable District Schedule, or where the permit would be issued as a conditional approval pursuant to Section 3.2.7 of the Zoning and Development By-law \$511.00
 - (b) in all other cases \$1,007.00

- 1B. For conversion of a one-family dwelling to a one-family dwelling with secondary suite \$700.00

- 1C. Notwithstanding Section 1, for a one-family dwelling in the RS-3, RS-3A, RS-5, RS-6 or RS-7 Districts which includes permission by the Director of Planning to increase the maximum Floor Space Ratio otherwise permitted by the District Schedule..... \$3,350.00

- 1D. Despite Section 1, for a two-family dwelling in the RS-7 District which includes permission by the Director of Planning to increase the maximum permitted Floor Space Ratio otherwise permitted by the District Schedule..... \$3,350.00

- 1E. For a permit for a laneway house:
 - (a) where the laneway house is one-storey and there is no relaxation of siting or maximum height required \$1,250.00
 - (b) in all other cases \$1,920.00

Multiple Dwellings and Freehold Rowhouses

- 2. For a multiple dwelling or freehold rowhouse, or for an addition to an existing multiple dwelling or freehold rowhouse:
 - (a) where the permit would be issued as an outright approval or as a conditional approval pursuant to Section 3.2.7 of the Zoning and Development By-law:
 - Each 100 m² of gross floor area or part up to 500 m² \$1,112.00
 - For each additional 100 m² of gross floor area or part..... \$556.00
 - Maximum fee \$45,100.00
 - (b) where the permit would be issued as a conditional approval, except as provided in Section 2 (a):
 - Each 100 m² of gross floor area or part up to 500 m² \$1,515.00
 - For each additional 100 m² of gross floor area or part..... \$1,013.00
 - Maximum fee \$200,000.00

Other Uses (Other Than One- or Two-family or Multiple Dwellings)

- 3. For a new principal building or use, or for an addition to an existing building or use, being in all cases other than a one- or two-family dwelling and a multiple dwelling:
 - (a) where the permit would be issued as an outright approval or as a conditional approval pursuant to Section 3.2.7 of the Zoning and Development By-law:
 - Each 100 m² of gross floor area or part up to 500 m² \$764.00
 - For each additional 100 m² of gross floor area or part..... \$367.00
 - Maximum fee \$37,500.00
 - (b) where the permit would be issued as a conditional approval except as provided in Section 3(a):
 - Each 100 m² of gross floor area or part up to 500 m² \$1,341.00
 - For each additional 100 m² of gross floor area or part..... \$834.00
 - Maximum fee \$200,000.00

Alterations, Changes of Use (Other Than One- or Two-family Dwellings)

- 4. For an accessory building or accessory use to a principal building or principal use already existing, or for an alteration, relaxation, or change of use to an existing building, being in all cases other than a one- or two-family dwelling:
 - (a) where the permit would be issued as an outright approval or as a conditional approval pursuant to Section 3.2.7 of the Zoning and Development By-law:
 - Each 100 m² of gross floor area or part thereof \$658.00
 - Maximum fee \$5,265.00
 - (b) where the permit would be issued as a conditional approval, except as provided in Section 4(a):
 - Each 100 m² of gross floor area or part thereof \$928.00
 - Maximum fee \$6,638.00
 - (c) where the change of use does not require a comprehensive development review or minor amendment \$334.00

Outdoor Uses

- 5. For a parking area, storage yard, nursery, or other development which, in the opinion of the Director of Planning, is similar:
 - (a) where the permit would be issued as an outright approval or as a conditional approval pursuant to Section 3.2.7 of the Zoning and Development By-law:
 - Each 200 m² of site area or part up to 1 000 m² \$511.00
 - Each additional 200 m² of site area or part \$174.00
 - (b) where the permit would be issued as a conditional approval, except as provided in Section 5(a):
 - Each 200 m² of site area or part up to 1 000 m² \$700.00
 - Each additional 200 m² of site area or part \$334.00
- 5A. For a Farmers' Market \$618.00

Developments Requiring Development Permit Board Approval

- 6. For an application which proceeds to the Development Permit Board:
 - (a) instead of the fees referred to in Sections 1 to 4:
 - Each 100 m² of gross floor area or part up to 10 000 m² \$1,190.00
 - Each additional 100 m² of gross floor area or part over 10 000 m² \$227.00

(b) instead of the fees referred to in Section 5:

Each 200 m ² of site area or part up to 1 000 m ²	\$771.00
Each additional 200 m ² of site or part.....	\$373.00

Child Day Care Facility, Cultural Facility or Social Service Centre

7. For a child daycare facility, cultural facility or social service centre, where the applicant is an incorporated non-profit society \$649.00

Demolitions

8. For the demolition of residential rental accommodation, a building listed on the Heritage Register or a residential building located in the RS-1, RS-3, RS-3A, RS-5 and RS-6 or FSD District \$356.00

Preliminary Applications

9. For an application in preliminary form only..... 25% of the fee that would, except for this provision, apply (with a minimum fee of \$742.00)

NOTE: This fee will be deducted from the fee for an application in complete form which follows approval of a preliminary application.

Revisions

10. For the second revision and every subsequent revision of drawings which are required because of non-compliance with the Zoning and Development By-law, or because there is insufficient information to satisfactorily process the permit, or because the applicant wishes to alter the use or form of development and where less than 15% of the gross floor area or building exterior is altered or less than 15% of the gross floor area is changed in use:

where the permit is to be issued under:

(a) sections 1 and 7 of this schedule	\$334.00
(b) all other sections of this schedule	10% of the fee that would, except for this provision, apply (with a minimum fee of \$612.00)

Minor Amendments

11. For each minor amendment to a permit where less than 15% of the gross floor area or building exterior is altered or less than 15% of the gross floor area is changed in use and:

(a) where the original permit was issued under Sections 1 and 7 of this schedule \$334.00

- (b) where the original permit was issued under any other section of this schedule or where the exterior alterations are to a commercial building which has no development permit authorizing its construction and where the alterations are to not more than one storey 25% of the fee that would, except for this provision, apply (with a minimum fee of \$334.00)

Extensions And Renewals

- 12. For an extension of the period of validity of a development permit application or a development permit, or for a renewal of a development permit which has become void..... \$700.00
- 13. For the renewal of a development permit issued with specified time limitations where the conditions of approval have not changed:
 - (a) for a community care facility or all uses where the applicant is a duly incorporated non-profit society..... \$311.00
 - (b) for all other uses \$656.00

NOTE: Where an application is made for the retention of identical uses on more than one site controlled by the same applicant, providing the renewals are required annually and are filed simultaneously, the applications may be combined and considered as one for the purpose of calculating the fee.

Board of Variance Appeals

- 14. For a permit which has been approved as the result of a successful appeal to the Board of Variance after refusal by the Director of Planning or the Development Permit Board..... No Charge

Application Following Refusal

- 15. Where an application has been refused and, within 30 days of such refusal, the applicant reapplies with an application which seeks to rectify the reasons for refusal and where the application is, in the opinion of the Director of Planning, not materially different from the original application in terms of layout and design..... 50% of original application fee

Changes to Form of Development in CD-1 District

- 16. For a development permit application in a CD-1 district where a change to the form of development requires Council approval and where such change is not accompanied by an amendment to, or adoption of, a CD-1 By-law..... \$5,177.00 plus the development application fees that would, except for this provision, apply

Maintenance of Heritage Buildings

- 17. For a permit for the maintenance or minor repair of a building, structure, use or site designated under the Heritage By-law or located in an HA District or in a heritage conservation area \$64.00

Awnings

- 18. For an awning where the permit will be issued combined with a building permit or a sign permit. \$222.00

Higher Building Application Fee

- 19. Despite any other provision in this schedule 1 to the contrary, for an application for a building that will exceed 137 m, unless fee was collected under Schedule 2 during Rezoning..... \$52,000.00

Schedule 2

Zoning By-law Amendments

Current Fees

Change Zoning District (Except to CD-1)

- 1. For an amendment to the Zoning District Plan to redesignate from one zoning district to any other zoning district except a new Comprehensive Development District:
 - Up to 4 000 m² site area..... \$14,000.00
 - For each additional 100 m² of site area or part thereof..... \$314.00
 - Maximum fee..... \$140,200.00

Text Amendments (Except CD-1)

- 2. For an amendment to the text of the Zoning and Development By-law..... \$28,100.00

New CD-1 or Amendment to Existing CD-1 (Not Contemplated in an ODP)

- 3. For an amendment to the Zoning District Plan to redesignate from a zoning district to a new Comprehensive Development District that is not contemplated in an Official Development Plan:
 - or-
 - for an amendment, in terms of permitted uses and regulations, to an existing Comprehensive Development District By-law that is not contemplated in an Official Development Plan
 - (a) Within the downtown area shown on Map 1, where the site area is smaller than 40 000 m²:
 - Up to 2 000 m² site area..... \$113,410.00
 - For each additional 100 m² of site area or part thereof \$805.00
 - (b) Outside the downtown area shown on Map 1, where the site area is smaller than 8 000 m²:
 - For the first 2 000 m² of site area..... \$47,300.00
 - For each additional 100 m² of site area or part thereof \$805.00
 - (c) Outside the downtown area shown on Map 1, where the site area is 8 000 m² or greater but smaller than 40 000 m²:
 - For the first 8 000 m² of site area..... \$103,100.00
 - For each additional 100 m² of site area or part thereof \$474.00

(d) where the site area is 40 000 m² or greater:

For the first 40 000 m ²	\$832,700.00
For each additional 100 m ² of site area or part thereof	\$1,716.00

New CD-1 or Amendment to Existing CD-1 (Contemplated in an ODP)

4. For an amendment to the Zoning District Plan to redesignate from a zoning district to a new Comprehensive Development District that is contemplated in an Official Development Plan:
 -or-
 for an amendment, in terms of permitted uses and regulations, to an existing Comprehensive Development District By-law that is contemplated in an Official Development Plan:

Up to 4 000 m ² site area.....	\$211,400.00
For each additional 100 m ² of site area or part thereof.....	\$1,700.00

5. Despite sections 3 and 4 of this Schedule 2, for a site area of 40 000 m² or more, if the complexity or scope of an amendment with regard to the second or subsequent phase of a development is, in the opinion of the Director of Planning, significantly less than that of the first phase by reason of the existence of a land use policy statement or official development plan approved by Council within 10 years preceding the date of the application for the amendment, then the fee for such second or subsequent phase is to be:

For the first 40 000 m ² of site area	\$825,100.00
For each additional 100 m ² of site area	\$221.00

Reduced Fees for Large Sites with Limited Changes

6. Notwithstanding sections 3(d) and 4 of this schedule:

For an amendment to the Zoning District Plan to redesignate from an industrial zoning district to a new Comprehensive Development District that relates to a site area of 40 000 m² or greater provided that:

- (a) the combined total floor area, of proposed new uses and expanded retail uses, is limited to 20% or less of the total floor area,
- (b) the use of at least 80% of the total floor area remains consistent with the existing zoning schedule and its restrictions on use and density, and
- (c) the maximum floor space ratio for all uses combined remains the same as that in the existing zoning schedule:

For the first 40 000 m ² of site area.....	\$195,900.00
For each additional 100 m ² of site area or part thereof	\$435.00

7. Notwithstanding sections 3(d), 4 and 6 of this schedule:

- (a) For an amendment to the Zoning District Plan to redesignate from a zoning district to a new Comprehensive Development District that is contemplated in an Official Development Plan or that is not contemplated in an Official Development Plan but relates to a site area of 40 000 m² or more; or
- (b) For an amendment, in terms of permitted uses and regulations, to an existing Comprehensive Development District that is contemplated in an Official Development Plan or that is not contemplated in an Official Development Plan but relates to a site area of 40 000 m² or greater; provided, that, in both cases,
 - (i) the approved or existing form of development is retained on at least 75% of the site area; or
 - (ii) the floor space ratio of buildings already existing on the site is not increased by more than 25% or 0.5, whichever is the greater, or
 - (iii) the Director of Planning determines that the application is similarly limited in scope having regard to use and form of development:

Up to 4 000 m ² site area	\$42,700.00
For each additional 100 m ² of site area or part thereof	\$435.00
Maximum fee	\$170,100.00

Amend CD-1 (One Section Only)

8. Notwithstanding sections 3, 4 and 6 of this schedule:

For an amendment to an existing CD-1 By-law where no more than one section required amendment \$18,750.00

Higher Building Application Fee

9. Despite any other provision in this schedule 2 to the contrary, the additional fee for an application for a rezoning for a building that will exceed 137 m..... \$52,000.00

Application for Rezoning Advice

- 10. (a) Fee for reviewing drawings and providing comments pursuant to application for rezoning advice where application for rezoning has not yet been made..... \$3,620.00
- (b) Fee for reviewing drawings and providing comments to an incorporated non-profit society pursuant to application for rezoning advice where application for rezoning has not yet been made..... \$362.00

