CITY OF MARKHAM

ONTARIO

BY-LAW 211-83

A BY-LAW TO PRESCRIBE A TARIFF OF FEES FOR THE PROCESSING OF PLANNING APPLICATIONS IN THE CITY OF MARKHAM

This By-law is printed under and by authority of the Council of the City of Markham

(Consolidated for convenience only to January 1, 2026**)**

(Schedule/Attachment Included)

AS AMENDED BY:

By-law No. 226-83 – September 13, 1983
By-law No. 100-84 – March 27, 1984
By-law No. 96-86 – March 11, 1986
By-law No. 82-88 – March 8, 1988
By-law No. 60-89 – March 14, 1989
By-law No. 39-90 – February 13, 1990
By-law No. 18-92 – February 11, 1992
By-law No. 177-92 – September 29, 1992
By-law No. 62-93 – April 13, 1993
By-law No. 263-94 – November 1, 1994
By-law No. 104-95 – June 27, 1995
By-law No. 221-95 – December 12, 1995
By-law No. 116-96 – May 28, 1996
By-law No. 31-97 – February 11, 1997
By-law No. 170-2000 – October 10, 2000
By-law No. 2001-249 – September 25, 2001
By-law No. 2005-189 – June 28 and 29, 2005
By-law No. 2005-357 – December 13, 2005
By-law No. 2007-15 – January 23, 2007
By-law No. 2007-267 – November 27, 2007
By-law No. 2008-99 – May 27, 2008
By-law No. 2008-257 – December 16, 2008
By-law No. 2009-159 – November 10, 2009
By-law No. 2011-61 – March 1, 2011
By-law No. 2011-235 – December 13, 2011
By-law No. 2012-244 – November 20, 2012
By-law No. 2013-226 – December 10, 2013
By-law No. 2015-3 – December 16, 2014
By-law No. 2015-165 – December 15, 2015
By-law No. 2016-149 – December 13, 2016
By-law 2017-152 – December 12, 2017
By-law 2018-103 – June 26, 2018
By-law 2019-21 – January 2019
By-law 2019-117 – November 13, 2019
By-law 2019-137 – December 10, 2019
By-law 2020-38 - April 28, 2020
By-law 2020-139 – December 9, 2020
By-Law 2021-113 – December 14, 2021
By-law 2023-17 – December 19, 2022
By-Law 2023-108 – June 28, 2023
By-Law 2023-182 – December 13, 2023
By-Law 2023-184 – December 13, 2023
By-law 2024-222 – December 18, 2024
By-law 2026-48 – March 24, 2026

BY-LAW 211-83

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. That pursuant to Section 69 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended from time to time, the Tariff of Fees for Processing Planning Applications, as shown in Schedule 'A' attached hereto, is hereby adopted. (Amended by By-law 2023-182)

2. The fees set out in Schedule 'A' hereto, for the applications and services described in Schedule 'A', shall be paid in accordance with the following:

   (a) Official Plan Amendment, Secondary Plan Amendment, Zoning By-law Amendment, Site Plan Control, Subdivision, Condominium and Committee of Adjustment Applications – Paid at the time of submission of the application.

   (b) Minister's Zoning Order Applications – Paid prior to a staff report being submitted to Development Services Committee or any successor committee.

   (c) Fees for all other applications shall be paid upon submission of the application unless otherwise noted in Schedule 'A'.

   (Amended by By-law 2023-182)

   (d) Annual Indexation of Fees

      i) The fees set out in Schedule 'A" to By-law 211-83, as amended, other than any fees based on percentage of costs, shall be increased by the Consumer Price Index, Ontario All Items, published each year in September, to a maximum of five (5) percent each year, effective on the first day of January of each year, commencing on January 1, 2025.
      ii) Flat rate fees shall be rounded up to the nearest dollar amount.
      iii) Fees based on GFA (Gross Floor Area of Building(s)) shall be rounded up to the nearest cent.

      (Amended by By-law 2023-184)

3. Notwithstanding the above provisions, Council may waive the requirement for the payment of a fee(s) or reduce the fee(s) in respect of an application(s) as Council deems reasonable.

4. <u>Validity</u>

   In the event any part of this by-law is held to be illegal or void, this shall not have the effect of making illegal or void any of the other parts or provisions thereof which may or shall be determined to be legal.

READ A FIRST AND SECOND TIME THIS 16TH DAY OF AUGUST, 1983.
READ A THIRD TIME AND PASSED THIS 16TH DAY OF AUGUST, 1983.

"Gary F. Roseblade"	"Anthony Roman"
GARY. F. ROSEBLADE	ANTHONY ROMAN
CLERK	MAYOR

SCHEDULE ‘A

TARIFF OF FEES FOR PROCESSING OF PLANNING APPLICATIONS
GENERAL TERMS

1.0. Acceptance

1.1. All applications shall be accompanied by the fee(s) calculated and payable in accordance with this by-law.

2.0. Calculation

2.1. For each development application type or service request, a fee shall be calculated, and may include Development Application Fees, Supplementary Fees and Miscellaneous Fees as listed in this by-law and HST where applicable. In addition, fees for other applications or services may be payable in accordance with City of Markham by-laws.

2.2. Fees shall be calculated at the rate in effect on the date paid.

2.3. Refunds for applications made prior to January 1, 2024 shall be available in accordance with the provisions of the by-law in effect on the date the application was made.

2.4. Applications for which fees have been paid in part, prior to the effective date of this by-law, shall be required to pay any outstanding amounts in accordance with this by-law. For clarity, where a percentage of a fee applicable to an application was paid prior to the effective date of this by-law, the balance of the percentage owing shall be calculated on the fees set out in this by-law.

2.5. Fees shall be payable by certified cheque payable to The Corporation of the City of Markham or Electronic Funds Transfer

3.0 Adjustment (amended by By-law 2024-222)

3.1. Fees payable shall be adjusted at each payment stage as set out in the Tables below, to reflect changes in the basis for the fee, including but not limited to changes in the number of Units, Lots and Parcels and changes to GFA, Land Area, Estimated Cost of Works, Consultant’s Review Fees, Construction Costs, etc and again:

3.1.1 Immediately prior to approval of the development application including but not limited to Site Plan Approval and Draft Plan of Subdivision Approval; and

3.1.2 At execution of any required agreement, including but not limited to Site Plan Agreements, Subdivision Agreements, Municipal Services Agreements, Development or Consent Agreements.

based on the fee rate in effect on the date the additional payment is required.

3.2 Fees not paid when required pursuant to the provisions of this by-law in effect at the time the payment was required, or where the amount paid was incorrect, shall be paid at the time set out in Clauses 3.1.1 or 3.1.2, whichever is earlier, at the rate in effect on the date that the payment should have been paid or was paid incorrectly.

4.0 Reimbursement

4.1 Fees shall be reimbursed upon where an applicant withdraws an application, with the amount of the refund calculated in accordance with the following:

4.1.1 Refund percentage is based on all fees received.
4.1.2 HST refund is calculated on the percentage of fee to be refunded.
4.1.3 Refund percentage (%) is based on the application stage as follows:

4.1.3.1	Prior to circulation of application or prior to application being deemed complete or incomplete, whichever is earlier	75%
4.1.3.2	Prior to holding of a public meeting or hearing, if required	50%
4.1.3.3	Prior to Committee receiving recommendation report or prior to Site Plan Approval (Not available for Committee of Adjustment Applications)	25%

5.0 Interpretation

5.1 For the purposes of this by-law, the capitalized terms have the meaning set out in the Definitions section of this Schedule 'A'.

5.2 Footnotes below the Tables provide additional information and direction on the calculation of the fees.

DEVELOPMENT APPLICATION FEES (amended by By-law 2024-222)

Table 1: Application for Pre Consultation		**Fee**	
1.1	Pre-Consultation [(1)]	$1,0 02	Per Application

1. Fees do not apply to single detached, semi-detached, or townhouse dwellings that are located within a Heritage District, or otherwise require Heritage approval

Table 2: Official Plan/Secondary Plan Amendment		**Fee**	
2.1	Minor Amendment [(1) (2)]	$32,679	Per Application
2.2	Major Amendment [(3)]	$86,862	Per Application

1. Unless authorized by the Director of Planning or their Designate, all Official Plan or Secondary Plan Amendment applications shall be deemed to be Major.

2. Subject to the approval of the Director of Planning and Urban Design, Minor Official Plan Amendment may include an amendment that:
   a. Proposes a small-scale exception to a specific Official Plan standard (e.g. Minor changes to the number of permitted units, building height, gross floor area or to add a site-specific use limited in scale); or
   b. Proposes a minor change to a specific policy that is limited in scope and typically applies to only one property; and
   c. Maintains the intent and purpose of the Official Plan; and
   d. Has limited impact or policy implications beyond the subject lands; and
   e. Is authorized by the Director of Planning and Urban Design.

3. Major Official Plan Amendment may include an amendment that:
   a. Proposes re-designation or change in land use for a property(ies);
   b. Requires several changes to the policies and schedules of the Official Plan;
   c. Is more significant in scale and scope than a minor Official Plan amendment, and which may have a greater impact or policy implications beyond the subject lands. Applications related to more than one property would normally be in the Major OPA category;
   d. Is a site-specific application for a large-scale development/redevelopment or a change in designation; or
   e. Proposes significant changes to the text or policies of the Official Plan would also fall in this category.

Table 3: Zoning By-Law Amendment		Fee	
3.1	Minor Amendment including applications for temporary uses[1] [2]	$31,606	Per Application
3.2	Major Amendment [3]	$58,756	Per Application
3.3	Removal of "H" (Holding) Provision	$10,369	Per Application

1. Unless authorized by the Director of Planning and Urban Design, a Zoning By-law Amendment application shall be deemed to be Major.
2. An application for Minor Amendment involves a small scale development site and has no significant impact on adjoining lands, as determined by the Director of Planning and Urban Design. Minor applications must be site specific and may include:
   a. A request for additional permitted uses within an existing building, or a request to expand an existing building with no significant impact on existing development standards; or
   b. Changes in development standards to accommodate a residential severance to create one additional single detached lot within an existing subdivision.

3. Major applications include applications more significant in scale and scope than a minor zoning amendment, and which may have greater impact beyond the subject lands. Major applications include:
   a. Applications relating to more than one property;
   b. A site specific application if considered to be redevelopment of a site;
   c. A change in use within a new development and/or a change in the zone category; or
   d. Any application involving significant changes to the development standards or general provisions of the by-law.

Table 4: Plan of Subdivision			Fee	
Planning & Urban Design	4.1.1	Base fee	$46,008	Per Application
	4.1.2	Plus Unit Fee [1]	$2,738 per unit for a maximum of 200 units	Per Unit
Engineering	4.2.1	Calculated Fee [2]	10%	First $1M of Construction Cost
	4.2.2		Plus 8%	Next $2M of Construction Cost
	4.2.3		Plus 6%	Next $2M of Construction
	4.2.4		Plus 4%	Construction Cost over $5M
Miscellaneous	4.3.1	Extension of Draft Plan Approval Request by Applicant	$9,605	Per Application
	4.3.2	Construction Agreement	As set out in Table 4.2.1 to 4.2.4 inclusive	Per Application
	Revision of Draft Approved Plan and/or Draft Plan Conditions Requested by Applicant			
	4.4.1	Minor (does not require report to Committee)	$7,318	Per Application
	4.4.2	Major (requires report to Committee)	$21,316	Per Application

1. Unit fee is for single detached, semi-detached and freehold townhouses only. Fees for all other unit types are collected at Site Plan.
2. Where a subdivision phasing plan has been submitted with the application for draft approval of a plan of subdivision, the Calculated Fee in Section 4.2.1 to 4.2.4, both inclusive, shall be calculated based on each phase separately, not cumulatively. Payment for each phase will be collected at the time of the first engineering technical file or drawing submission.

Table 5: Plan of Condominium		Fee	
5.1	Condominium Fee (all types)	$57,701	Per Application
5.2	Extension of Condominium Draft Approval	$9,280	Per Application
5.3	Revision of Condominium Draft Approved Plan or Conditions of Draft Approval and Amalgamations of Multiple Condominiums	$12,521	Per Application

Table 6: Site Plan Applications			Fee	
Table 6.1: Residential Developments (includes Mixed Use)				
Planning & Urban Design	6.1.1	Base Fee	$20,959	Per Application
	6.1.2	Plus Unit Fee (1)	$698 per unit to a maximum of 775 units	Per Unit
	6.1.3	Non-Residential GFA Fee	$1.91	Per m^2
Engineering (8)	6.1.4	Fee	$10,798	Per Application
Addition and Alterations	**Residential Developments(1)**			
	6.1.5	Fee	$3,084	Per Unit

Table 6.2: Institutional, Commercial, and Industrial (ICI)			Fee	
Planning & Urban Design	6.2.1	Base Fee	$20,959	Per Application
	6.2.2	GFA Fee	$1.91	Per m^2
Engineering	6.2.3	Fee	$10,798	Per Application
NEW Parking Lot or Outdoor Patio				
6.2.4	Fee		$10,626	Per Application
EXPANSION/ALTERATION of Existing Parking Lot or Outdoor Patio				
6.2.5	Fee		$4,729	Per Application

Table 6.3: Extensions or Minor Applications Not Requiring Engineering Review		Fee	
6.3.1	Extension of Site Plan Approval/Agreement	$2,251	Per Application
6.3.2	Planning and Urban Design Fee for Minor Applications Not Requiring Engineering Review, including facade changes other than in 6.4.4	$2,889	Per Application

Table 6.4: Heritage Site Plan		Fee	
6.4.1	Residential	Per 6.1.1, 6.1.2 and 6.1.3	Per Application and/or Per Unit as applicable
ICI - Institutional, Commercial, or Industrial			
6.4.2.	Less than 50 m^2	$2,889	Per Application
6.4.3	50 m^2 or greater	Per 6.2.1, 6.2.2 and 6.2.3	Per Application and per m^2
6.4.4	Façade changes when funded wholly or in part by the City of Markham	$2,889	Per Application

1 Unit fee applicable to Single Detached, Semi Detached, Townhouse and Apartment units

Table 7: Committee of Adjustment			Fee	
Minor Variance	7.1.1	Development Standards (1)	$6,931	Per Application
	7.1.2	Residential Small Scale Development Standards(2)	$2,942	Per Application
	7.1.3	Variance with respect to use and standards	$15,967	Per Application
	7.1.4	Technical Variance (3)	$2,412	Per Application
	7.1.5	Multiple Lot Variances - Base Fee	$11,669	Per Application
	7.1.6	Multiple Lot Variances - Plus Unit Fee(4)	$2,412	Per Unit
	7.1.7	Multiple Lot Variances - Notwithstanding 7.1.5 and 7.1.6 above, the total fee for a variance shall not exceed (Amended by By-Law 2026-48)	$31,606	Per Application
	7.1.8	Heritage variance (5)	$0	Per Application
Land Division	**Consent for creation of one or more lots**			
	7.2.1	Base fee	$14,711	Per Application
	7.2.2	Plus Additional Unit Fee (6) (7)	$2,223	Per Unit
	7.2.3	Land Area Fee (7)(11)	$22,032	Per Hectare
	7.2.4	Notwithstanding 7.2.1 to 7.2.3 above, the total fee for a Land Division shall not exceed	$42,779	Per Application
	7.2.5	Other Consent (8)	$7,709	Per Application
	7.2.6	Change of Condition prior to final consent	$1,941	Per Application
	7.2.7	Re-Application of Provisionally approved Consent without completion of conditions within statutory timeframe (9) (10)	$6,305	Per Application

1 Additions, alterations, or new dwellings that are 50 m^2 or greater, and apartment, condominium, mixed use buildings or ICI

2 Additions, alterations, or new single detached, semi-detached, or freehold or street townhouse dwellings, or accessory buildings, structures or decks, less than 50 m^2

3 To rectify an existing site condition

4 Number of actual units or lots (any decimal number rounded off to the next greater number)

5 Applies to heritage buildings, or Heritage Properties where Heritage Staff or Heritage Markham has requested the implementation of a historic condition or feature

6 Applies only to consents creating new residential lots for single detached, semi-detached and freehold townhouses

7 Payable prior to finalization of consent

8 Includes consent for partial discharge of mortgage, consent to mortgage, easement, lease of 21 years or more, validation of title, and the re-establishment of a

previously existing lot line

9 Application must be received within 6 months of the lapse of the original consent application

10 Proposed lot configuration and development must be identical to the lapsed application receiving provisional consent.

11 Notwithstanding footnote 6, this applies to all consents for the creation of lots and blocks, including, but not limited to residential blocks, ICI lots, blocks within a draft or registered plan of subdivision, or open space blocks.

Table 8: Supplementary Fee		Fee	
8.1	Additional Public Meeting Fee (1) (2)	$9,748	Per Meeting
8.2	Additional Report to Committee or Council (1) (2)	$9,748	Per Report
Studies			
8.3.1	Planning and Urban Design Study (Large Scale Major Studies) (3) (4)	$78,738	Per Study
8.3.2	Planning and Urban Design Study (Update or Amendment to existing Study) (3) (5)	$31,538	Per Study
8.4.1	Engineering Study (New Study) (3) (6)	$41,146	Per Study
8.4.2	Engineering Study (Update or Amendment to existing Study) (3)	$13,785	Per Study

Supplementary Fee not in any other category			
8.5	Hire/Retain a Consultant/Vendor (7)	Actual cost of Consultant/vendor plus an	Per Consultant/ Vendor
		administrative fee in the amount of 31.7% of the actual cost of the consultant/vendor	
8.6	Third Party Appeal (8) (9)	Actual cost of legal counsel and consultants, plus an administrative fee in the amount of 33% of the actual cost of the consultant/vendor	Per Appeal
8.7	More than two inspections due to unaddressed deficiencies during previous inspections(2)	$1,993	Per Inspection

1 Due to revisions by Applicant, or Applicant's failure to revise drawings/plans/reports as requested by the City

2 Payable prior to meeting, inspection, or circulations as applicable

3 Payable at submission of study

4 Includes review and approval of large scale major studies including but not limited to: Community Design Plans or Precinct Plans 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

5 Includes review and approval of small scale studies at the discretion of the Director of Planning and Urban Design

6 Includes review and approval of large scale major studies including but not limited to: Master Transportation Study, Master Environmental Servicing Plan, Noise Study, Geotechnical Study, etc. associated with a new Secondary Planed, major Official Plan Amendment/Secondary Plan Amendment, major Zoning or major Site Plan application on a large scale complex site

7 Fees for the City to retain a consultant/Vendor for the review, implementation or monitoring related to an application, as determined by the Director of Planning and Urban Design and/or the director of Engineering

8 City's cost to retain outside Legal Counsel, and other outside experts including but not limited to Planning, Urban Design, or Engineering consultants or

experts as determined necessary by the City Solicitor and Commissioner of Development Services, where an approved development application is appealed to the Local Planning Appeal Tribunal

9 Fees shall be payable in accordance with a Cost Acknowledgement Agreement between the City and the Applicant

Table 9: Miscellaneous Fees			**Fee**	
9.1	Minister's Zoning Orders			
9.1.1	New MZO Application		$15,074	Per Application
9.1.2	Minister's Zoning Order Framework (Amended by By-law 2026-48)		$145,618	Per Application
9.1.3	Comment on extension of a temporary use permitted by MZO		$4,967	Per Application
9.2	Deeming By-law		$4,067	Per Application
9.3	Exemption from Part Lot Control		$11,787	Per m-Plan
9.4	Model Home/Sales trailer agreement (2)		$2,965	Per Agreement
9.5	Repealed (Amended by By-law 2026-48)			
9.6 Site Alteration Permit	**Planning & Urban Design**			
	9.6.1	Base Fee	$7,847	Per Application
	9.6.2	Area Fee	$1,621	Per Hectare
	Engineering			
	9.6.3	Base Fee	$7,847	Per Application
	9.6.4	Area Fee	$1,621	Per Hectare
9.7	Construction Management Plan and/or Traffic Management Plan and/or Public Communication Plan/Report (1)		$1,876	Per Application
9.8	Shoring and Hoarding Encroachment Plan (2)		$11,110	Per Application
9.9 Miscellaneous fees not in any other category, to be determined by Director of Planning & Urban Design or Director of Engineering				
9.9.1	Percentage Fee		15.7%	Construction Cost
9.9.2	Hourly Rate		$320	Per Hour
9.9.3	GIS Hourly Rate		$140	Per Hour

1 Payable at the submission of Plans
2 Payable at execution of Agreement

DEFINITIONS

COMMITTEE OF ADJUSTMENT

Development Standards: Any requirement of a zoning by-law other than permitted use (i.e. yard setbacks, building height, lot coverage).

Technical Variance: A minor variance related to an existing building or structure, requiring variance approval due to one or more minor siting errors. Determination of whether or not a variance is a Technical Variance is at the discretion of the Director of Planning and Urban Design.

Use: Any requirement of a zoning by-law related to the types of uses permitted on a property.

CONDOMINIUM, PLAN OF

Amalgamated Condominium: A plan of condominium where two or more condominium corporations merge into one corporation.

Common Element Condominium: A plan of condominium that consist only of common elements (e.g. a laneway), with no individually owned units. The owners of the common elements are owners of freehold parcels of tied land (POTLs) which are not part of the condominium property.

Leasehold Condominium: A plan of condominium where individually owned units and common elements are leased by the landowner to purchasers who will never own the land. The purchasers buy a leasehold interest in the units and common elements for a fixed number of years.

Phased Condominium: A form of Standard Condominium (*see below*) that permits individually owned units and common elements to be added to a condominium corporation in phases, over a maximum of ten (10) years.

Standard Condominium: A plan of condominium that consists of both individually owned units and common elements. Note that all condominiums that existed at the time that the *Condominium Act*, 1998 came into effect are deemed Standard Condominiums.

Vacant Land Condominium: A plan of condominium where individually owned units are vacant lots upon which buildings will be located after the condominium is registered.

ENGINEERING (amended by By-law 2024-222)

Construction Cost: The estimated cost of all internal and external works associated with the Plan of Subdivision, plus a 10% contingency prepared by the applicant's Consulting Engineer and verified on or before execution of the Subdivision Agreement and again, on or before Acceptance for Maintenance.

Construction Management Plan: Technical plan that shows how construction works for a proposed development will be managed. The plan shows surface encroachments (e.g. vehicular lane, sidewalk, signage, utilities, trees and municipal easements), storage/loading areas, dewatering equipment, aerial/crane encroachment, vehicular and material access points, hoarding, traffic management, and possible impacts on properties (noise/vibration mitigation and construction condition surveys).

Engineering Plans: Technical plans that show sanitary, water and stormwater servicing schemes, grading, utilities location, erosion and sediment controls, shoring and construction details of the proposed development.

Public Communication Plan/Report: Outlines the planned public communication process and actions to inform the travelling public, project stakeholders, emergency response agencies, and directly impacted businesses and local residents about the planned construction activities and changes to traffic operations due to proposed temporary road closure and alterations and disruptions to traffic necessary to safely complete construction of proposed development, municipal services and roads. The Plan/Report may consist of any of the following elements: notices to the impacted residents, businesses and travelling public placed in print media, project road signs including detour routes, changeable message signage, notices to the public placed on Internet web pages, brochures, direct mail outs to impacted businesses and local residents, and public meetings. The Plan is modified throughout the project life cycle to address issues as they arise.

Residential Service Connection: A watermain, sanitary sewer or storm sewer that connects from a residential house/unit to a municipal watermain, sanitary sewer or storm sewer.

Site Alteration: Includes but not limited to, the removal of topsoil from land, placement or dumping of fill on land, the alteration of the grade of land or excavation by any means including the removal of vegetative cover, the compaction of soil or the creation of impervious surfaces, or any combination of these activities that would change the landform and natural vegetative characteristics of the land.

Traffic Management Plan: Shows how the alterations and disruptions to traffic caused by the construction activities of the proposed development, servicing infrastructure, or road shall be mitigated and managed.

GENERAL

City: The Corporation of the City of Markham

Committee: Committee is a group of individuals appointed by Council, such as the Development Services Committee (DSC), Markham Heritage Committee, Committee of Adjustment or any other sub-committee, with a specific mandate to review, comment and/or approve development applications.

Heritage: Heritage designated building (Part IV designation) or any building located within the boundary of a Heritage Conservation District (Part V designation).

ICI: Institutional, Commercial and Industrial

Townhouse Siting: Review of the design aspects of townhouse blocks and ensures appropriate building placement and elevation treatments for specific townhouse blocks.

GFA (Gross Floor Area of Building(s)): Defined as the total floor area, inside the building envelope, including the external walls, and excluding the roof, above and below grade less area dedicated to underground parking or associated parking structure.

Underground Parking and/or Associated Parking Structure: A building, or part thereof used for the parking or storage of motor vehicles.