REGIONAL MUNICIPALITY OF YORK

NOBLETON AREA-SPECIFIC DEVELOPMENT CHARGE BACKGROUND STUDY

FOR WASTEWATER TREATMENT SERVICES

MAY 23, 2006

PLANNING FOR GROWTH

C.N. WATSON
AND ASSOCIATES LTD.

ECONOMISTS

4304 Village Centre Court
Mississauga, Ontario, Canada
L4Z 1S2

Telephone: (905) 272-3600
Fax: (905) 272-3602
e-mail: info@cnwatson.on.ca

NOBLETON COMMUNITY DEVELOPMENT CHARGE BY-LAW AND BACKGROUND STUDY

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EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

1. This Background Study has been proposed pursuant to Section 10 of the Development Charges Act, 1997 (DCA) and, together with the proposed by-law (to be circulated under separate cover), is being made available to the public more than two weeks prior to the public meeting, which is to be held on June 8, 2006.

2. The purpose of this report is to undertake a development charge calculation to recover the growth-related costs for the portion of the sanitary sewage servicing which is under the Region's jurisdiction (Region provides for sewage treatment whereas the Township will provide for the collection system).

3. A secondary plan (Township OPA #57) was prepared for the community of Nobleton which would see the population grow to 6,500 persons plus a provision for employment growth. An assessment of the population and employment (based upon a population equivalent) was prepared by Totten Sims Hubicki Ltd. in developing the overall benefit of the Region's sewer works. A summary of this existing and future growth is provided below:

Population and Landuse

Item	Population Equivalent
Existing	
Residential Lots	1,001
Residential Population	3,085
Non-Residential Population Equivalent	311
Total Existing Population Equivalents	3,396
Future 2021 (not including existing)	
Residential Lots	1,200
Residential Population	3,445
Non-Residential Population Equivalent	1,127
Total Future Population Equivalents	4,572
Total	
Residential Lots	2,201
Residential Population	6,530
Non-Residential Population Equivalent	1,438
Total Population Equivalents	7,968

4. The Region's costs include a forcemain and trunk sewer, sewage pumping station, water pollution control plant and outfall and wet land. The amount of cost for each component is provided below:

Summary of Regional Costs

Component	Cost
Forcemain & Trunk Sewer	2,594,560
Sewage Pumping Station	2,200,000
Water Pollution Control Plant	13,354,000
Outfall & Wet Land	982,000
Total for Area Specific DC	***19,130,560***

5. Based on the land use information provided in item #3, the population equivalent for the residential/non-residential sectors and existing/future benefit, is as follows:

Equivalent Population

	Residential	Non-residential	Total
Existing	3,085	311	3,396
Future	3,445	1,127	4,572
Total	6,530	1,438	7,968

6. The population equivalent for each sector provides the following % benefit:

Population Equivalent Percentage Share

	Residential	Non-residential	Total
Existing	38.7%	3.9%	42.6%
Future	43.2%	14.1%	57.4%
Total	82.0%	18.0%	100.0%

7. Using the population equivalent percentage share, the Regional costs may be allocated as follows:

Cost Distribution

	Residential	Non-residential	Total
Existing	7,406,850	746,687	8,153,537
Future	8,271,182	2,705,841	10,977,023
Total	15,678,032	3,452,528	19,130,560

8. Based on the above, the growth-related capital costs to be recovered from the residential development totals $8,271,182. The growth-related non-residential cost share is

$2,705,841. Table 5-1 calculates the proposed uniform development charges to be imposed for the Nobleton urban area over the buildout forecast horizon. The calculation for residential development is generated on a per capita basis, and is based upon four forms of housing types (Single and Semi-detached, Apartments 2+ bedrooms, Apartments bachelor and 1 bedroom, and all Other Multiples). The non-residential development charge has been calculated on a per sq.ft. of gross floor area basis for all types of non-residential development (industrial, commercial and institutional). The following development charges are provided:

By Residential Unit Type	
Single and Semi-Detached	$7,085
Apartments 2 Bedroom +	$4,444
Apartments Bach. & 1 Bdrm	$3,060
Other Multiples	$6,351
Non-Residential ($/GFA)	$4.83

1. INTRODUCTION

1. INTRODUCTION

The Community of Nobleton is located in the Township of King at Highway 27 and King Sideroad. The present population of the community is approximately 3,100 persons. Sewage servicing within the community is currently provided by on-site sewage systems, generally septic tanks and tile fields.

A secondary plan (Township OPA #57) was prepared for the Community of Nobleton which would see the population grow to 6,500 persons. The secondary plan provides for full municipal servicing of both existing and future growth within Nobleton. In 2002, a Class Environmental Assessment was completed for sanitary sewage servicing of the existing and future residents. the selected sewage system from that process provides a wastewater treatment plant and a treated effluent outlet pipe discharging into the Humber River (Main Branch).

The purpose of this report is to undertake a development charge calculation to recover the growth-related costs for the portion of the sanitary sewage servicing which is under the Regional Municipality of York's (the Region) jurisdiction (Region provides for sewage treatment whereas the Township will provide for the collection system). The Region would wish to pass an area-specific by-law for the recovery of the Nobleton specific sanitary servicing costs. The calculations to support this area-specific charge are provided herein.

2. CURRENT REGION DEVELOPMENT CHARGE POLICIES

2. CURRENT REGION DEVELOPMENT CHARGE POLICIES

At present, the Region imposes development charges (DCs) upon residential and non-residential growth throughout the Region. On May 22, 2003, the Region passed DC By-law DC-0005-2003-050 which was subsequently amended by DC By-law DC-0005(a)-2005-060 on June 23, 2005. The by-law(s) provides for both urban services (which are imposed only within the water and sewer servicing areas) and for Region-wide servicing as follows:

<u>Urban Services</u>

- Water
- Sewer

<u>Region-wide Services</u>

- Roads
- Transit
- Police
- EMS
- Growth Studies
- Long Term Care
- Public Health
- Public Works
- GO Transit.

The existing DCs by service are provided in Schedule 2-1. As noted, the total charge for a fully-serviced single detached unit is $15,197. Of this total, $4,446 relates to the sanitary sewer service. Similarly there are charges for non-residential development ranging from $3.68-$7.39 per sq.ft. of building space. Of these amounts, $0.67-$1.57 relate to the sanitary sewer service.

SCHEDULE 2-1
REGIONAL MUNICIPALITY OF YORK
SCHEDULE OF RESIDENTIAL DEVELOPMENT CHARGE BY SERVICE CATEGORY
MAY 23, 2006 TO JUNE 22, 2006

	Single and Semi-detached	Multiple unit Dwelling	Apartments 2+ bedrooms	Apartments <2 bedrooms
Hard Services:				
Water	$4,531	$3,884	$2,848	$1,813
Sewer	$4,446	$3,811	$2,795	$1,778
Roads	$4,344	$3,725	$2,732	$1,735
Subtotal	$13,321	$11,420	$8,375	$5,326
Transit	$1,074	$883	$650	$414
General Services	$515	$418	$305	$195
GO Transit	$287	$226	$166	$105
Total	**$15,197**	**$12,947**	**$9,496**	**$6,040**

SCHEDULE 2-1
REGIONAL MUNICIPALITY OF YORK
SCHEDULE OF NON-RESIDENTIAL DEVELOPMENT CHARGE BY SERVICE CATEGORY
JUNE 23, 2005 TO JUNE 22, 2006

	Per Square Foot of Gross Floor Area		Per Square Metre of Gross Floor Area	
	Industrial/ Office/ Institutional	**Retail**	**Industrial/ Office/ Institutional**	**Retail**
Hard Services:				
Water	$0.70	$1.64	$7.54	$17.66
Sewer	$0.67	$1.57	$7.21	$16.90
Roads	$1.73	$3.30	$18.62	$35.52
Transit	$0.42	$0.67	$4.52	$7.21
General	$0.16	$0.21	$1.72	$2.26
Total	**$3.68**	**$7.39**	**$39.61**	**$79.55**

A summary of the Region's existing by-law policies are provided below:

1. Payment in any Particular Case

In accordance with the *Development Charges Act, 1997*, s.2(2), a DC is to be calculated, payable and collected where the development requires one or more of the following:

a) the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*;
b) the approval of a minor variance under Section 45 of the *Planning Act*;
c) a conveyance of land to which a by-law passed under section 50(7) of the *Planning Act* applies;
d) the approval of a plan of subdivision under Section 51 of the *Planning Act*;
e) a consent under Section 53 of the *Planning Act*;
f) the approval of a description under section 50 of the *Condominium Act*; or
g) the issuing of a building permit under the *Building Code Act* in relation to a building or structure.

2. Determination of the Amount of the Charge

Costs allocated to residential uses will be assigned to different types of residential units based on the average occupancy for each housing type constructed during the previous decade. Costs allocated to non-residential uses will be assigned based on the amount of Gross Floor Area (GFA) constructed for eligible uses (i.e. industrial, office, retail and institutional).

3. Application to Redevelopment of Land (Demolition and Conversion)

If a development involves the demolition of and replacement of a building or structure on the same site, or the conversion from one principal use to another, the developer shall be allowed a credit equivalent to:

1) the number of dwelling units demolished/converted multiplied by the applicable residential DC in place at the time the DC is payable, and/or

2) the GFA of the building demolished/converted multiplied by the current non-residential DC in place at the time the DC is payable or the calculated rate within the Development Charges Background Study, whichever is greater.

The demolition credit is allowed only if the land was improved by occupied structures, and if the demolition permit related to the site was issued, less than 48 months prior to the issuance of a building permit. The credit can, in no case, exceed the amount of DCs that would otherwise be payable.

4. Exemptions (full or partial)

a) Statutory exemptions

- industrial building additions of up to and including 50% of the existing GFA (defined in O.Reg. 82/98, s.1) of the building; for industrial building additions which exceed 50% of the existing GFA, only the portion of the addition in excess of 50% is subject to DCs (s.4(3));
- buildings or structures owned by and used for the purposes of any local municipality, local board, Region or Board of Education (s.3);
- residential development that results in only the enlargement of an existing dwelling unit, or that results only in the creation of up to two additional dwelling units (based on prescribed limits set out in s.2 of O.Reg. 82/98).

b) Non-statutory exemptions

- the relocation of a heritage house;
- a building or structure used for a community use owned by a non-profit corporation;
- land owned by and used for the purposes of a private school that is exempt from taxation under the *Assessment Act*;
- lands, buildings or structures used or to be used for the purposes of a cemetery or burial ground exempt from taxation under the *Assessment Act*;
- non-residential uses permitted pursuant to section 39 of the *Planning Act*;
- the issuance of a building permit not resulting in the creation of additional non-residential GFA;

- agricultural uses.

5. Timing of Collection

The DC for all services be collected at the time of issuance of the first building permit, subject to early or late payment agreements entered into by the Region and an owner under s.27 of the DCA, 1997. For residential development which proceeds under section 51 of the *Planning Act*, the water, sewer and roads component of the charge will be payable at the time of subdivision agreement signing.

6. Indexing

Indexing of the DCs shall be implemented on a mandatory basis annually on the anniversary date of by-law passage, in accordance with the Statistics Canada Quarterly, Construction Price Statistics for the most recent year over year period.

7. The Applicable Areas

The charges developed herein provide for varying charges within the Region, as follows:

- Water and wastewater charges will be imposed within the urban serviced areas of the Region.
- Remaining Services – the residential and non-residential charges will be imposed on all lands within the Region.

With the adoption of an area-specific charge for sanitary sewers for Nobleton, the present by-law will need to be amended to denote that the Region-wide charge will not be imposed for Nobleton for this service.

3. ANTICIPATED DEVELOPMENT

3. ANTICIPATED DEVELOPMENT

3.1 Description of the Area

Map 3-1 illustrates the location of urban service boundary within the Community of Nobleton, hereafter referred to as the Nobleton Urban Area. For the purposes of the DC, an assessment of the amount of existing residential and non-residential development within this area, as well as potential population and employment growth was considered.

3.2 Anticipated Development in Nobleton

Table 3-1 provides a summary of the anticipated residential and non-residential development for the Nobleton Urban Area. A more detailed description of the growth forecast and background assumptions used is set out in Sections 3.2.1 and 3.2.2.

3.2.1 Residential Development

Table 3-2 summarizes existing households and population as of early 2006 for the Nobleton Urban Area based on 2001 Census data, plus recent development activity during the 2001 to 2005 period. Total 2006 households are estimated at 1,001, which generates a population of 3,085.

Table 3-3 presents a summary of the residential housing supply for the Nobleton Urban Area, as obtained from the Township of King Planning Department, as of 2005. Based on this information the total residential housing supply for the area is approximately 1,158 residential units, consisting of 97% low density dwellings (i.e. single and semi-detached) and 3% medium-density units (i.e. Townhomes).

The specific phasing of residential growth is identified in Table 3-4. In accordance with available housing supply, plus a provision for minor infill opportunities within the Nobleton Urban Area, a total of 1,200 units are anticipated over the forecast period from early 2006 to 2021 (build out). With respect to forecast housing by unit type, it is anticipated that 90% of all residential growth will be in the form of low-density units, while the remaining 10% of development will be split evenly between medium and high-density units. The forecast housing mix, provided herein, is consistent with the goals of the 1997 Nobleton Community Plan.

Table 3-5 provides a detailed analysis of existing housing occupancy data developed for the Nobleton Urban Area using custom Statistics Canada housing occupancy data by dwelling age and structure type. This information was developed at Census Tract level, specific to the Nobleton Community. Identified rural households were removed from the Census Tract to calculate specific housing occupancies by dwelling structure type for the Nobleton Urban Area. Based on this analysis, persons per unit (PPU) were identified for housing units aged 1-20 years, as follows:

	PPU	Unit Mix	Weighted PPU
• Low-density:	3.38	90%	3.05
• Medium-density:	3.03	5%	0.15
• High-density:	1.90	5%	0.10
Total Weighted PPU			3.29

Tables 3-6 and 3-7 summarize the forecast housing and net population increase for the Nobleton Urban Area over the 2016 and 2021 (build out) forecast period. Applying a weighted housing occupancy assumption of 3.29 persons per dwelling unit, the anticipated net population growth (including existing population decline) for the area is approximately 3,445 persons by 2021. This provides a total 2021 population (build out) for the Nobleton Urban area of 6,530.

3.2.2 Non-Residential Development

Table 3-8 presents a summary of total non-residential land supply for the Nobleton Urban Area, as obtained from the Township of King Planning Department, as of early 2006. Based on this information the total employment supply (i.e. build out capacity) for the area is approximately 34 net acres of industrial land and 7 net acres of commercial lands. Based on an employment density of 11 employees/net acre for industrial lands and 38 employees/net acres for commercial lands, this yields a total of 368 industrial and 304 commercial employees. Growth in institutional employment was calculated at 175 employees, based on a constant institutional employment activity rate from 2006 to 2021.

Table 3-9 summarizes existing (2006) employment and forecast employment growth for the Nobleton Urban Area in accordance with the identified supply of non-residential lands. As of early 2006, existing employment within the Nobleton Area was estimated as follows:

Primary	0
Work at Home	175
Industrial	127
Commercial/Population-Related	283
Institutional	157
Total [1]	742

Over the early 2006 to 2021 (build out) forecast period employment within the Nobleton Urban area is forecast to increase by 1,063 employees. Based on an existing (early 2006) employment estimate of 742, this provides a total employment forecast of 1,804 at buildout. Total GFA requirements were generated based on the following sq.ft. per employee density assumptions:

- Industrial - 1,000 sq.ft./employee
- Commercial - 400 sq.ft./employee
- Institutional - 400 sq.ft./employee

Based on the above employment density assumptions total non-residential GFA is anticipated to increase for the Nobleton Urban Area by 559,950 sq.ft., of which 66% would be comprised of industrial development.

[1] As estimated by the Region of York Dept. of Planning and Development Services, 2006.

MAP 3-1
NOBLETON URBAN AREA

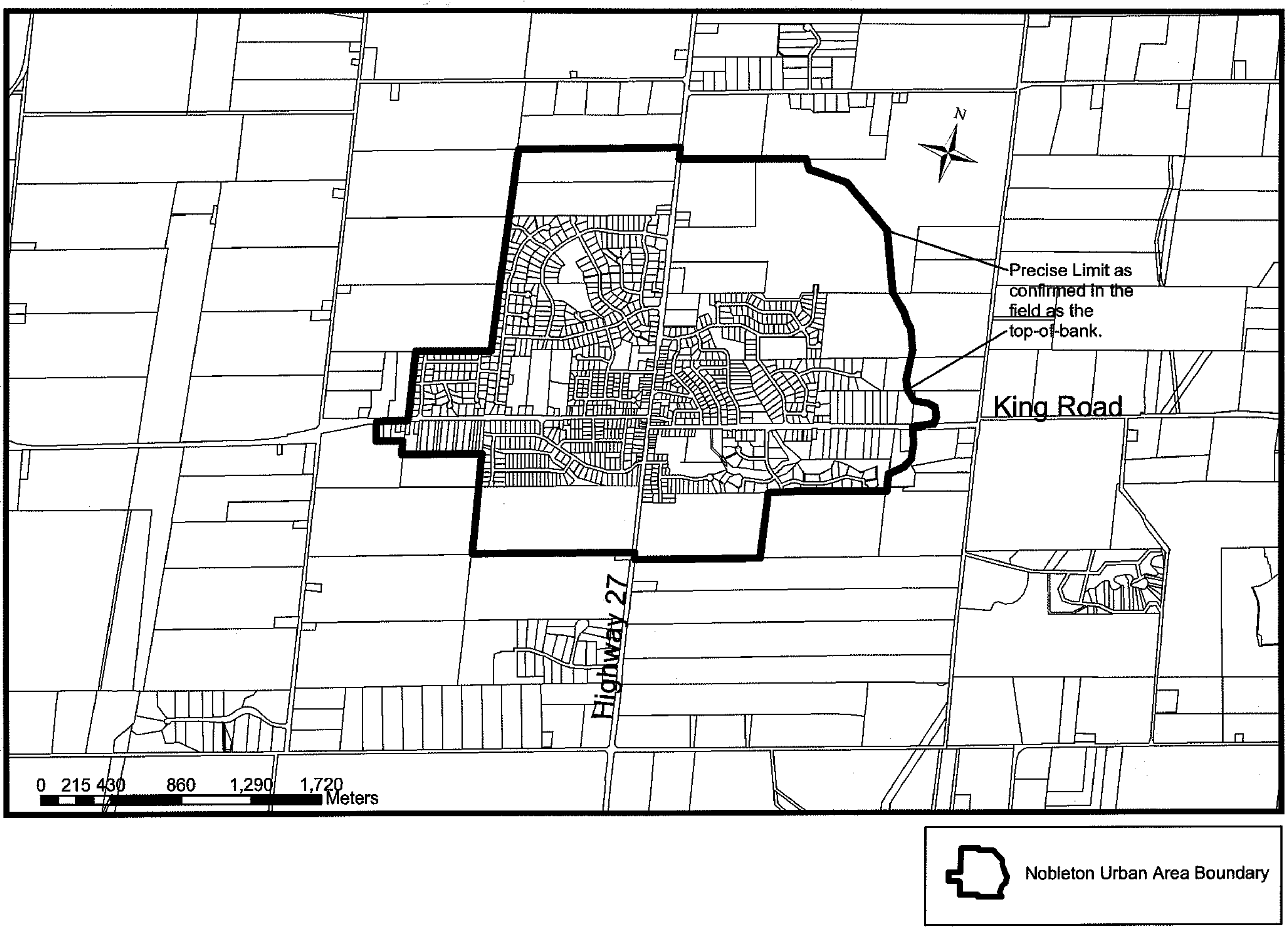

TABLE 3-1
NOBLETON URBAN AREA
POPULATION AND EMPLOYMENT SUMMARY

Year	Population	Employment	GFA (Sq.ft)
2001	3,060	590	
Early 2006	3,085	742	302,650
2021	6,530	1,804	862,600
Early 2006-2021	3,445	1,063	559,950

Sources:

2001 Population and Employment : Statistics Canada 2001 Census.

2006 Employment: Region of York Planning Dept., April, 2006.

2006 to 2021: C.N. Watson and Associates Ltd.

TABLE 3-2
NOBLETON URBAN AREA
2006 HOUSEHOLDS AND POPULATION SUMMARY

	Units	Population
2001 Total [1]	1,081	3,405
Less Existing Rural	112	345
2001 Urban Nobleton	969	3,060
Plus 2001-2005 New Development	32	105
Less Population Decline in Existing Units 2001- Early 2006	0	-80
Total Early 2006 Urban Nobleton	**1,001**	**3,085**

1. 2001 Census. Includes 26 Seniors Dwelling Units

TABLE 3-3
COMMUNITY OF NOBLETON HOUSING SUPPLY

Low-Density Housing Supply	
Development by Lot Type	Number of Units
Slokker	
78 ft.	18
63 ft.	92
56 ft.	218
50 ft.	274
21.8 ft. (Semi-Detached	24
Common Element Units (Single-Detache	34
Total	660
Percentage of Total Supply	59%
Baldessa	
Lot Type	
78 ft.	342
Percentage of Total Supply	31%
Stupp	
Lot Type	
78 ft.	116
Percentage of Total Supply	10%
Total Low-Density	1,118
Medium-Density Housing Supply	
Slokker	
Cluster Housing (Townshouse Units)	40
Total Housing Supply	1,158
Low Density	97%
Medium-Density	3%

Source: Township of King, Planning Dept. August, 2005.

TABLE 3-4
TOWN OF NOBLETON
DEVOPMENT PHASING

Year	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Total
Total Housing Units [1,2]				150	150	100	25	150	150	150	125	75	75	25	25			1,200

1. Note: 425 units from mid 2008 to mid 2011 have been allocated to Slokker
2. Housing unit mix assumed as follows:

Low-density	90%
Medium-density	5%
High-Density	5%

TABLE 3-5
NOBLETON URBAN AREA
URBAN RESIDENTIAL OCCUPANCY DATA BY DWELLING TYPE AND AGE (MID 2005)

Persons Per Unit

Age of	LOW DENSITY - Single and Semi-Detached					
Dwelling	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total
1-5				3.26		3.39
6-10				4.03		4.03
11-15				3.41		3.48
16-20				3.20		3.22
20-30				3.25		3.24
30+			2.41	2.83		2.87
Total			2.25	3.19	6.49	3.21

Age of	MEDIUM DENSITY - Rows and Apartment in Duplex					
Dwelling	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total
1-5	-	-	-	-	-	-
6-10	-	-	-	-	-	-
11-15	-	-	-	-	-	-
16-20	-	-	-	-	-	-
20-30	-	-	-	-	-	-
30+	-	-	-	-	-	-
Total	-	-	-	-	-	-

Age of	HIGH DENSITY - Apartments < > 5 Storeys					
Dwelling	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total
1-5	-	-	-	-	-	-
6-10	-	-	-	-	-	-
11-15	-	-	-	-	-	-
16-20	-	-	-	-	-	-
20-30	-	-	-	-	-	-
30+	-	-	-	-	-	-
Total	-	-	-	-	-	-

Age of	ALL DENSITY TYPES					
Dwelling	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total
1-5				3.26		3.39
6-10				4.03		4.03
11-15				3.41		3.48
16-20				3.20		2.61
20-30				3.25		2.93
30+				2.83		2.82
Total			2.13	3.19	6.49	3.08

Note: Does not include data classified as by Statistics Canada as 'Other'
PPU Not calculated for samples less than or equal to 50 dwelling units

TABLE 3-6
TOWNSHIP OF KING

POPULATION FORECAST FOR URBAN SERVICED OF NOBLETON
LONG TERM GROWTH FORECAST
EARLY 2006 TO MID 2016

			POPULATION
Mid 2001 Urban Population (1)			3,060
Urban Population To Early 2006 (2)			3,085
Occupants of New Urban Housing Units, Early 2006 to Mid 2016	*Units (3)*	1,000	
	multiplied by persons per unit (4)	3.29	
	gross population increase	3,289	3,289
Decline in Urban Housing Unit Occupancy, Early 2006 to Mid 2016	*Units (5)*	1,001	
	multiplied by ppu. decline rate (6)	-0.313	
	total decline in population	-313	-313
Urban Population Estimate to Mid 2016			6,061
Net Urban Population Increase, Early 2006 To Mid 2016			*2,976*

(1) Based on 2001 Census

(2) Early 2006 population based upon:
2001 Population (3,060) + 32 building permits from 2001 to 2004 x 3.28 = 105
(-0.083 ppu X 969 units) = 3,085

(3) Based upon forecast building permits, assuming a six month lag between construction and occupancy.
(4) Average number of persons per unit (ppu.) is assumed to be:

Structural Type	Persons Per Unit	% Distribution of Estimated Units	Weighted Persons Per Unit Average
Single family & semi-detached	3.38	90%	3.05
Multiples except apartments	3.03	5%	0.15
Apartments	1.90	5%	0.10
Total			3.29

Source: Unit mix based on combination of historical development activity and Community of Nobleton residential units in the development process, as of August, 2005.

(5) Early 2006 urban serviced households based upon: 969 units (2001 Census less rural housing units) + 32 building permits within urban boundary from start 2001 to end 2005.
(6) Decline occurs due to aging of the population and family life cycle changes, lower fertility rates and changing economic conditions.

TABLE 3-7
TOWNSHIP OF KING

POPULATION FORECAST FOR URBAN SERVICED OF NOBLETON
LONG TERM GROWTH FORECAST
EARLY 2006 TO MID 2021

			POPULATION
Mid 2001 Urban Population (1)			3,060
Urban Population To Early 2006 (2)			3,085
Occupants of New Urban Housing Units, Early 2006 to Mid 2021	*Units (3)*	1,200	
	multiplied by persons per unit (4)	3.29	
	gross population increase	3,946	3,946
Decline in Urban Housing Unit Occupancy, Early 2006 to Mid 2021	*Units (5)*	1,001	
	multiplied by ppu. decline rate (6)	-0.500	
	total decline in population	-501	-501
Urban Population Estimate to Mid 2021			6,530
Net Urban Population Increase, Early 2006 To Mid 2021			*3,445*

(1) Based on 2001 Census

(2) Early 2006 population based upon:
2001 Population (3,060) + 32 building permits from 2001 to 2004 x 3.28 = 105
(-0.083 ppu X 969 units) = 3,085

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(5) Early 2006 urban serviced households based upon: 969 units (2001 Census less rural housing units) + 32 building permits within urban boundary from start 2001 to end 2005.
(6) Decline occurs due to aging of the population and family life cycle changes, lower fertility rates and changing economic conditions.

TABLE 3-8

NOBLETON URBAN AREA INDUSTRIAL AND COMMERCIAL EMPLOYMENT LAND CAPACITY

Industrial Land Area Capacity	Gross Acres	Net Acres 75% of Gross	Land Vacancy (15%)	Net Acres Adjusted for Land Vacancy	Emp. Density (Emp/Net Acre)	Emp. Equivalent
Industrial	53.0	39.8	6.0	33.8	11	368
Annual Absorption (Net Acres)				2.3		

Commercial Land Area Capacity	Gross Acres	Net Acres 85% of Gross	Land Vacancy (5%)	Net Acres Adjusted for Land Vacancy	Emp. Density (Emp/Net Acre)	Emp. Equivalent
Village Core Commercial	8.5	7.2	0.4	6.9	38	262
Commercial Core and Highway Service Commercial Expansion 15% of Existing Comm. Employees (287 emp.)					38	42
Total Commercial						304

Source: Township of King Planning Dept.; C.N Watson and Associates Ltd. April, 2006.

TABLE 3-9
TOWNSHIP OF KING
EMPLOYMENT FORECAST FOR THE NOBLETON URBAN AREA
EARLY 2006 TO MID 2021

		Activity Rate						Employment						Square Feet (ESTIMATED) [1]			
Year/Forecast Period	Pop'n	Primary	Work at Home	Ind.	Comm./ Pop'n Related	Inst.	Total	Primary	Work at Home	Ind.	Comm./ Pop'n Related	Inst.	Total	Ind.	Comm.	Inst.	Total
Mid 2001	3,060	0.000	0.052	0.030	0.080	0.032	0.193	0	158	91	244	97	590				
Early 2006	3,085	0.000	0.057	0.041	0.092	0.051	0.240	0	175	127	283	157	742	126,744	113,095	62,808	302,647
Mid 2021 (Build out) [2]	6,530	0.000	0.060	0.076	0.090	0.051	0.276	0	390	495	587	332	1,804	495,000	234,800	132,800	862,600
Incremental Change																	
Mid 2001 - Early 2006	25	0.000	0.005	0.011	0.012	0.019	0.047	0	17	36	39	60					
Mid 2005-Mid 2021	3,445	0.000	0.003	0.035	-0.002	0.000	0.036	0	215	368	304	175	1,063	368,256	121,705	69,992	559,953
Annual Average																	
Mid 2001 - Early 2006	5	0.0000	0.0010	0.0023	0.0024	0.0038	0.0095	0.0000	3	7	8	12					
Mid 2005-Mid 2021	222	0.0000	0.0002	0.0022	-0.0001	0.0000	0.0023	0.0000	14	24	20	11	69	23,758	7,852	4,516	36,126

Source: C.N Watson and Associates Ltd. April, 2006

[1] Square Foot Per Employee Assumptions
Industrial 1000
Commercial / Pop'n Related 400
Institutional 400

2. Note: Timing of non-residential build out may extend beyond 2021.

Note:
Ind. = Industrial
Comm. = Commercial
Inst. = Institutional

4. NEW DEVELOPMENT-RELATED SERVICING REQUIREMENTS

4. NEW DEVELOPMENT-RELATED SERVICING REQUIREMENTS

As noted in Chapter 1, a Class Environmental Assessment was undertaken in 2002 by Totten Sims Hubicki on behalf of the Region for the Sanitary Sewage Servicing of the Nobleton Community. The recommendations arising from that process was for wastewater treatment facilities to be built with a treated effluent outlet pipe discharging into the Humber River (Main Branch).

As the jurisdiction for the provision of wastewater services is split between the Region and local municipalities, the treatment-related costs are considered herein. The Township's costs related to the collection system will be considered within a Township-lead process.

Table 4-1 provides for the costing associated with the treatment facility, the forcemain and pumping station, and costs for associated easements, road reinstatement works, etc. As provided within this table, there are some Township-related works being undertaken in concert with the Regional projects, in order to maximize the efficiency of constructing the works. The basis for cost sharing is also provided within the table.

A summary of the Region's related capital cost is provided below. In total, the cost estimate (as of early May, 2006) is $19.13 million.

Nobelton Sewage Works
Summary of Regional Costs

Component	Cost
Forcemain & Trunk Sewer	2,594,560
Sewage Pumping Station	2,200,000
Water Pollution Control Plant	13,354,000
Outfall & Wet Land	982,000
Total for Area Specific DC	***19,130,560***

Table 4-1
Nobelton Sewage Works
Project Cost Allocation

Item	Description	Construction Cost Estimate	Engineering (10%)	Total Cost: Project Cost	Total Cost: Sub-total	Project Cost Allocation: Regional Cost	Project Cost Allocation: Township Cost: Sewer	Project Cost Allocation: Township Cost: Watermain	Comments
1	Forcemain & Sewer King Road - From SPS Easement To End of Gravity Sewer								*Township watermain cost is only for works which are common to both sewer and watermain construction*
i	Road Widening King Rd (1600 m of 2.0 m tempoary sholder (3,200 m of 75 mm HL8 @ $233/m^3)	$ 56,000	$ 5,600	$ 61,600		$ 30,800	$ 30,800		Road widening for construction split equally between the forcemain and sewer
ii	Sewer and Forcemain (includes Granular B and Granular A Backfill SPS to Sta 4+300 (1355 m)	$ 1,300,000	$ 130,000	$ 1,430,000		$ 600,600	$ 829,400		Costs split based on depth comparison and overall capital cost comparison
iii	Sewer and Forcemain (includes Granular B and Granular A Backfill Sta 4+300 to Nobelview Dr (495 m)	$ 500,000	$ 50,000	$ 550,000		$ 550,000			The trunk sewer in this area orginalkly flowed towards the plant and would have been a trunk for the entire Community
iv	Road Restoration (1,850 linear meters at HL3 $209/m and HL8 $199/m - Total $408/m based on 9.5 m road width, 90 mm HL8 and 50 mm HL3 with HL 8 Costs of $223/m^3 and HL 3 costs of $441/m^3	$ 755,000	$ 75,500	$ 830,500		$ 207,625	$ 415,250	$ 207,625	Road re-construction split equally between the forcemain, sewer, watermain and service connection laterals (25% Regional, 75% Township)
v	Traffic Control		$ -	$ -					
a	Flag persons for 52 working days at 12 hr/day and $50/hr per. crew of two	$ 31,000	$ 3,100	$ 34,100		$ 8,525	$ 17,050	$ 8,525	
b	Sign truncks (2 trucks for 2 months at $5,000/month)	$ 20,000	$ 2,000	$ 22,000		$ 5,500	$ 11,000	$ 5,500	Traffic control costs split equally between the forcemain, sewer, watermain and service connection laterals (25% Regional, 75% Township)
c	Cones delineators, etc.	$ 5,000	$ 500	$ 5,500		$ 1,375	$ 2,750	$ 1,375	
d	Traffic Management Plan	$ 10,000	$ 1,000	$ 11,000		$ 2,750	$ 5,500	$ 2,750	
					$ 2,944,700	$ 1,407,000	$ 1,312,000	$ 226,000	
2	Forcemain - Nobelview Dr to WPCP								
i	3,300 m at $300/m	$ 990,000	$ 99,000	$ 1,089,000					
ii	Manholes	$ 35,000	$ 3,500	$ 38,500					
					$ 1,127,500	$ 1,127,500			
3	Easment From King Rd to SPS								
i	Forcemain (182 m at $300/m)	$ 54,600	$ 5,460	$ 60,060					
ii	Sewer (182 m at $500/m)	$ 91,000	$ 9,100	$ 100,100					
					$ 160,160	$ 60,060	$ 100,100		
4	Outfall								
i	Easement (835 m at $500/m)	$ 417,500	$ 41,750	$ 459,250					
ii	11th Concession and TRCA lands (700 m at $500/m)	$ 350,000	$ 35,000	$ 385,000					
					$ 844,250	$ 844,000			
5	Wetland								
i	Headwall	$ 15,000	$ 1,500	$ 16,500					
ii	Outfall spillway	$ 10,000	$ 1,000	$ 11,000					
iii	Wetland	$ 100,000	$ 10,000	$ 110,000					
					$ 137,500	$ 137,500			
6	Sewage Pumping Station	$ 2,000,000	$ 200,000	$ 2,200,000	$ 2,200,000	$ 2,200,000			
7	Water Pollution Control Plant								
i	Plant	$ 11,540,000	$ 1,154,000	$ 12,694,000					
ii	Land Cost	$ 100,000	$ 10,000	$ 110,000					
iii	Sewage Haulage	$ 250,000	$ 25,000	$ 275,000					
iv	Phosphours Offsets	$ 250,000	$ 25,000	$ 275,000					
					$ 13,354,000	$ 13,354,000			
	Total - Capital Items				**$ 20,768,110**	**$ 19,130,060**	**$ 1,412,100**	**$ 226,000**	

Note: the Region intends to construct a "Regional Hub Administrative Centre" in conjunction with the Treatment Facility. This cost has not been included in the above however it is anticipated that this facility will be included in the construction tender. This cost will not be recovered as part of the Area Specific DC.

5. THE CALCULATION OF THE DEVELOPMENT CHARGE

5. THE CALCULATION OF THE DEVELOPMENT CHARGE

As provided in the previous chapter, the total of the Region's costs related specifically to servicing Nobleton total $19,130,560. Construction of these services will benefit both the existing population and employment within the service area, as well as future growth in these sectors.

Totten, Sims, Hubicki, who undertook the EA study in 2002, have reviewed the growth forecast provided in Chapter 3 and have provided a basis for allocating costs between future residential/employment growth vs. existing population/employment. The basis for this allocation was to assess the non-residential employment capacity needs for the system and to provide these requirements on a population equivalent basis. The existing and future development represented on a population equivalent basis is presented below:

Item	Population Equivalent
Existing	
Residential Lots	1,001
Residential Population	3,085
Non-Residential Population Equivalent	311
Total Existing Population Equivalents	3,396
Future 2021 (not including existing)	
Residential Lots	1,200
Residential Population	3,445
Non-Residential Population Equivalent	1,127
Total Future Population Equivalents	4,572
Total	
Residential Lots	2,201
Residential Population	6,530
Non-Residential Population Equivalent	1,438
Total Population Equivalents	7,968

Using this information, the Region's capital costs may be allocated between the residential/non-residential sectors and existing/future benefit, as follows:

- The population equivalent for each benefiting sector is as follows:

Equivalent Population

	Residential	Non-residential	Total
Existing	3,085	311	3,396
Future	3,445	1,127	4,572
Total	6,530	1,438	7,968

- The population equivalent for each sector provides the following % benefit:

Population Equivalent Percentage Share

	Residential	Non-residential	Total
Existing	38.7%	3.9%	42.6%
Future	43.2%	14.1%	57.4%
Total	82.0%	18.0%	100.0%

- Using the population equivalent percentage share, the Regional costs may be allocated as follows:

Cost Distribution

	Residential	Non-residential	Total
Existing	7,406,850	746,687	8,153,537
Future	8,271,182	2,705,841	10,977,023
Total	15,678,032	3,452,528	19,130,560

Based on the above, the growth-related capital costs to be recovered from the residential development totals $8,271,182. The growth-related non-residential cost share is $2,705,841.

Table 5-1 calculates the proposed uniform DCs to be imposed for the Nobleton urban area over the buildout forecast horizon. The calculation for residential development is generated on a per capita basis, and is based upon four forms of housing types (Single and Semi-detached, Apartments 2+ bedrooms, Apartments bachelor and 1 bedroom, and all Other Multiples). The non-residential DC has been calculated on a per sq.ft. of GFA basis for all types of non-residential development (industrial, commercial and institutional).

The DC eligible costs for each service component were provided above. For the residential calculations, the total cost is divided by the "gross" (new resident) population to determine the per capita amount. The cost per capita is then multiplied by the average occupancy of the new units (Chapter 3; Table 3-7) to calculate the charge in Table 5-1.

TABLE 5-1
REGION OF YORK
DEVELOPMENT CHARGE CALCULATION
NOBLETON AREA SPECIFIC
(2006 - 2021)

SERVICE		Growth Related Costs Residential	Growth Related Costs Non-Residential
		$	$
1 Sanitary Sewer			
1.1 Treatment		8,271,182	2,705,841
		8,271,182	2,705,841
TOTAL		8,271,182	2,705,841
DC ELIGIBLE CAPITAL COST		8,271,182	2,705,841
2006 - 2021 Gross Population / GFA Growth (sq.ft.)		3,946	559,953
Cost Per Capita / Non-Residential GFA (sq.ft.)		$2,096.09	$4.83
By Residential Unit Type	p.p.u		
Single and Semi-Detached	3.38	$7,085	
Apartments 2 Bedroom +	2.12	$4,444	
Apartments Bach. & 1 Bdrm	1.46	$3,060	
Other Multiples	3.03	$6,351	

With respect to non-residential development, the total costs allocated to non-residential development have been divided by the anticipated development over the planning period to calculate a cost per sq.ft. of GFA.

6. BY-LAW POLICY CONSIDERATIONS

6. BY-LAW POLICY CONSIDERATIONS

It is proposed that the Nobleton area-specific by-law closely align itself with the DC policies provided within By-laws DC-0005-2003-050 and DC-0005(a)-2005-060. Generally, the policies are summarized as follows:

That the following Regional DC policies be continued:

- the residential DC is payable at the time of subdivision agreement signing or at the time of building permit issuance, whichever is earlier;
- non-residential development pay for the DC at the time of building permit issuance;
- DC credits are payable on space demolished and replaced within 48 months;
- the area-specific DC funds be maintained in a separate reserve fund;
- the by-law come into force upon passage;
- indexing of the charge is to occur annually, in accordance with the index permitted by Regulation;
- different charges are to apply to:
    - single and semi-detached units
    - apartments – 2 bedrooms and larger
    - apartments – 1 bedroom and smaller
    - other multiples
    - non-residential development per sq.ft. of GFA.

It is recognized that the construction of the Regional services will be funded via an up-front financing agreement. On that basis, the developer will expect a recovery from all development within the service area. The full rate is being recommended for implementation.

7. BY-LAW APPROVAL PROCESS

7. BY-LAW APPROVAL PROCESS

Figure 7-1 sets out the key anticipated dates in the proposed amendment process for the Region's Nobleton area-specific DC by-law.

FIGURE 7-1
SCHEDULE OF DATES FOR THE REGION AREA-SPECIFIC DC BY-LAW PROCESS

1.	Review of draft study with Council, Staff and Development Community	May, 2006
2.	Public Meeting Ad placed in newspaper(s)	May 17, 2006
3.	Background study and proposed by-law available to public	May 24, 2006
4.	Public meeting of Council	June 8, 2006
5.	Council considers adoption of background study and passage of by-law. (Council also considers public input and if by-law is to be changed, formally determines whether a further public meeting is necessary.)	June 22, 2006
6.	Newspaper notice given of by-law passage	By 20 days after passage
7.	Last day for by-law appeal	40 days after passage
8.	Region makes available pamphlet (where by-law not appealed)	by 60 days after inforce date

APPENDIX A
LONG TERM CAPITAL AND OPERATING COST EXAMINATION

REGION OF YORK
ANNUAL CAPITAL AND OPERATING COST IMPACT

As a requirement of the *Development Charges Act, 1997* under subsection 10(2)(c), an analysis must be undertaken to assess the long term capital and operating cost impacts for the capital infrastructure projects identified within the development charge. As part of this analysis, it was deemed necessary to isolate the incremental operating expenditures directly associated with these capital projects, factor in cost saving attributable to economies of scale or cost sharing where applicable, and prorate the cost on a per unit basis (i.e. square foot of building space, per vehicle, etc.). This was undertaken through a review of the Region's 2004 Operating Budget.

In addition to the operational impacts, over time the initial capital projects will require replacement. This replacement of capital is often referred to as life cycle cost. By definition, life cycle costs are all the costs which are incurred during the life of a physical asset, from the time its acquisition is first considered, to the time it is taken out of service for disposal or redeployment. The method selected for life cycle costing is the sinking fund method which provides that money will be contributed annually and invested, so that those funds will grow over time to equal the amount required for future replacement. The following factors were utilized to calculate the annual replacement cost of the capital projects (annual contribution = factor X capital asset cost) and are based on an annual growth rate of 2% (net of inflation) over the average useful life of the asset:

ASSET	LIFE CYCLE COST FACTORS	
	AVERAGE USEFUL LIFE (YEARS)	FACTOR
Wastewater	80	0.00516

Table A-1 depicts the annual operating impact resulting from the proposed growth-related capital projects at the time they are all in place. It is important to note that, while municipal program expenditures will increase with growth in population, the costs associated with the new infrastructure (i.e. facilities) would be delayed until the time these works are in place.

Table A-1
Region of York
OPERATING AND CAPITAL EXPENDITURE IMPACTS
FOR FUTURE CAPITAL EXPENDITURES

Service	TOTAL GROWTH RELATED CAPITAL EXPENDITURES	ANNUAL LIFECYCLE EXPENDITURES	ANNUAL OPERATING EXPENDITURES	TOTAL ANNUAL EXPENDITURES
1 Sanitary Sewer				
1.1 Treatment	10,977,023	56,600	206,408	263,008

APPENDIX A

BY-LAW FOR NOBLETON AREA-SPECIFIC DEVELOPMENT CHARGE

REGIONAL MUNICIPALITY OF YORK

BILL NO. •

BY-LAW NO. DC-•

A by-law for the imposition of development charges against land in the Nobleton Community of the Township of King

WHEREAS the *Development Charges Act* (the "Act") provides that the council of a municipality may by-law impose development charges against land to pay for growth-related capital costs required because of increased needs for services;

AND WHEREAS a development charge background study has been completed in support of the imposition of development charges;

AND WHEREAS the Council of The Regional Municipality of York has given notice and held a public meeting on the 8th day of June, 2006 in accordance with the Act;

AND WHEREAS the Council of The Regional Municipality of York has determined that a further public meeting is not necessary pursuant to Section 12(3) of the Act;

Now therefore, the Council of The Regional Municipality of York HEREBY ENACTS as follows:

1.0 **DEFINITIONS**

1.1 In this by-law,

"accessory use" means that the building or structure is naturally and normally incidental to or subordinate in purpose or both, and exclusively devoted to a principal use, building or structure;

"agricultural use" means lands, buildings or structures, excluding any portion thereof used as a dwelling unit, used or designed or intended for use for the purpose of a *bona fide* farming operation including, but not limited to, animal husbandry, dairying, livestock, fallow, field crops, removal of sod, forestry, fruit farming, horticulture, market gardening, pasturage, poultry keeping, equestrian facilities and any other activities customarily carried on in the field of agriculture;

"apartment" means a dwelling unit in an apartment building or a plex;

"apartment building" means a residential building or the residential portion of a mixed use building, other than a townhouse or a stacked townhouse, consisting of more than 3 dwelling units, which dwelling units have a common entrance to grade;

"area municipality" means a city, town or township in the Region;

"banquet hall" means a building or part of a building used primarily for the purpose of catering to banquets, weddings, receptions or similar social functions for which food and beverages are served;"

"bedroom" means any room used, or designed or intended for use, as sleeping quarters and includes a den, study or other similar area;

"community use" means a facility traditionally provided by a municipality which serves a municipal purpose and shall include a community centre, library/research facility and recreation facility;

"convention centre" means a building with a gross floor area greater than 40,000 square feet which is designed and used primarily to accommodate the following:

(i) the assembly of large gatherings of persons for trade, business or educational purposes, or any combination thereof;

(ii) the display of products or services;

(iii) accessory uses may include administrative offices, display areas, show-rooms, training facilities and banquet facilities, but does not include a banquet hall;"

"development" includes redevelopment;

"development charges" means charges in regard to sanitary sewer services imposed pursuant to this by-law and adjusted in accordance with section 5;

"duplex" means a building comprising, by horizontal division, two dwelling units, each of which has a separate entrance to grade;

"dwelling unit" means a room or suite of rooms used, or designed or intended for use by one person or persons living together, in which culinary and sanitary facilities are provided for the exclusive use of such person or persons;

"gross floor area" means, in the case of a non-residential building or structure or the non-residential portion of a mixed-use building or structure, the aggregate of the areas of each floor, whether above or below grade, measured between the exterior faces of the exterior walls of the building or structure or from the centre line of a common wall separating a non-residential and a residential use, excluding, in the case of a building or structure containing an atrium, the sum of the areas of the atrium at the level of each floor surrounding the atrium above the floor level of the atrium, and excluding, in the case of a building containing parking spaces, the sum of the areas of each floor used, or designed or intended for use for the parking of motor vehicles unless the parking of motor vehicles is the principal use of the building or structure, and, for the purposes of this definition, the non-residential portion of a mixed-use building is deemed to include one-half of any area common to the residential and non-residential portions of such mixed-use building or structure;

"group home" means a residential building or the residential portion of a mixed-use building containing a single housekeeping unit supervised on a 24 hour a day basis on site by agency staff on a shift rotation basis, funded wholly or in part by any government and licensed, approved or supervised by the Province of Ontario under any general or special act, for the accommodation of not less than 3 and not more than 8 residents, exclusive of staff;

"heritage property" means a building or structure which, in the opinion of the local architectural conservation advisory committee is of historic or architectural value or interest, or which has been so designated under the *Ontario Heritage Act*;

"industrial" means lands, buildings or structures used or designed or intended for use for manufacturing, processing, fabricating or assembly of raw goods, warehousing or bulk storage of goods, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use, but does not include the sale of commodities to the general public through a warehouse club;

"institutional" means lands, buildings or structures used or designed or intended for use by an organized body, society or religious group for promoting a public or non-profit purpose and shall include, but without limiting the generality of the foregoing, places of worship, medical clinics and special care facilities;

"industrial/office/institutional" means lands, buildings or structures used or designed or intended for use for any of an industrial use, office use or institutional use and shall include a convention centre and any other non-residential use which is not a retail use;"

"local board" means a local board as defined in the Act;

"multiple unit dwellings" includes townhouses, stacked townhouses, mobile homes, group homes and all other residential uses that are not included in the definition of "apartment building", "apartment", "single detached dwelling" or "semi-detached dwelling;

"mixed-use" means land, buildings or structures used, or designed or intended for use, for a combination of non-residential and residential uses;

"mobile home" means any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer;

"non-profit" means a corporation without share capital that has objects of a charitable nature;

“non-residential use” means lands, buildings or structures or portions thereof used, or designed or intended for use for other than residential use;

“office” means lands, buildings or structures used or designed or intended for use for the practice of a profession, the carrying on of a business or occupation or the conduct of a non-profit organization and shall include but not be limited to the office of a physician, lawyer, dentist, architect, engineer, accountant, real estate or insurance agency, veterinarian, surveyor, appraiser, financial institution, contractor, builder, land developer;

“place of worship” means a building or structure that is used primarily for worship;

“plex” means a duplex, a semi-detached duplex, a triplex or a semi-detached triplex;

“private school” means an educational institution operated on a non-profit basis, excluding any dormitory or residence accessory to such private school, that is used primarily for the instruction of students in courses of study approved or authorized by the Minister of Education and Training;

“Region” means The Regional Municipality of York;

“Regional Council” means the Council of The Regional Municipality of York;

“residential use” means lands, buildings or structures used, or designed or intended for use as a residence for one or more individuals, and shall include, but is not limited to, a single detached dwelling, a semi-detached dwelling, a townhouse, a stacked townhouse, a plex, an apartment building, a group home, a mobile home and a residential dwelling unit accessory to a non-residential use but shall not include a lodging house licensed by a municipality;

“retail” means lands, buildings or structures used or designed or intended for use for the sale or rental or offer for sale or rental of goods or services to the general public for consumption or use and shall include, but not be limited to, a banquet hall or a self storage building, but shall exclude offices;

“self storage building” means a building or part of a building consisting of individual storage units, which are accessible by the users, that are used to provide storage space to the public;

“semi-detached duplex” means one of a pair of attached duplexes, each duplex divided vertically from the other by a party wall;

“semi-detached dwelling” means a building divided vertically into and comprising 2 dwelling units;

“semi-detached triplex” means one of a pair of triplexes divided vertically one from the other by a party wall;

“serviced” for the purposes of section 3 means the particular service is connected to or available to be connected to the lands, buildings or structures, or, as a result of the development, will be connected to or will be available to be connected to the lands, buildings or structures;

"service" means the service designated in section 2.1 of this by-law;

"single detached dwelling" and "single detached" means a residential building consisting of one dwelling unit that is not attached to another structure above grade. For greater certainty, a residential building consisting of one dwelling unit that is attached to another structure by footings only shall be considered a single family dwelling for purposes of this by-law;

"special care facilities" means lands, buildings or structures used or designed or intended for use for the purpose of providing residential accommodation, supervision, nursing care or medical treatment, which do not comprise dwelling units, that are licensed, approved or supervised under any special or general Act.

"stacked townhouse" means a building, other than a plex, townhouse or apartment building, containing at least 3 dwelling units, each dwelling unit being separated from the other vertically and/or horizontally and each dwelling unit having an entrance to grade shared with no more than 3 other units;

"townhouse" means a building, other than a plex, stacked townhouse or apartment building, containing at least 3 dwelling units, each dwelling unit separated vertically from the other by a party wall and each dwelling unit having a separate entrance to grade;

"triplex" means a building comprising 3 dwelling units, each of which has a separate entrance to grade.

2.0 **DESIGNATION OF SERVICES**

2.1 The category of service for which development charges are imposed under this by-law is sanitary sewers.

2.2 The components of the service designated in subsection 2.1 are described on Schedule A.

3.0 **APPLICATION OF BY-LAW - RULES**

3.1 Development charges shall be payable in the amounts set out in subsections 3.6, 3.7 and 3.8 of this by-law where:

(a) the lands are located in the area described in subsection 3.2; and

(b) the development of the lands requires any of the approvals set out in subsection 3.4(a).

<u>Area to Which By-law Applies</u>

3.2 Subject to subsection 3.3, this by-law applies to all lands shown on Schedule B.

3.3 This by-law shall not apply to lands that are owned by and used for the purposes of:

(a) the Region or a local board thereof;

(b) a board as defined in section 1(1) of the *Education Act*;

(c) an area municipality or a local board thereof.

<u>Approvals for Development</u>

3.4 (a) Development charges shall be imposed on all lands, buildings or structures that are developed for residential or non-residential uses if the development requires,

(i) the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*;

(ii) the approval of a minor variance under section 45 of the *Planning Act*;

(iii) a conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act* applies;

(iv) the approval of a plan of subdivision under section 51 of the *Planning Act*;

(v) a consent under section 53 of the *Planning Act*;

(vi) the approval of a description under section 50 of the *Condominium Act*; or

(vii) the issuing of a permit under the *Building Code Act*, *1992* in relation to a building or structure.

(b) No more than one development charge for the service designated in subsection 2.1 shall be imposed upon any lands, buildings or structures to which this by-law applies even though two or more of the actions described in subsection 3.4(a) are required before the lands, buildings or structures can be developed.

(c) Despite subsection 3.4(b), if two or more of the actions described in subsection 3.4(a) occur at different times, additional development charges shall be imposed if the subsequent action has the effect of increasing the need for services.

<u>Exemptions</u>

3.5.1 Notwithstanding the provisions of this by-law, but subject to subsection 3.5.2, development charges shall not be imposed with respect to:

(a) the relocation of a heritage house;

(b) a building or structure used for a community use owned by a non-profit corporation;

(c) land owned by and used for the purposes of a private school that is exempt from taxation under the *Assessment Act*;

(d) lands, buildings or structures used or to be used for the purposes of a cemetery or burial ground exempt from taxation under the *Assessment Act*;

(e) non-residential uses permitted pursuant to section 39 of the *Planning Act*;

(f) the issuance of a building permit not resulting in the creation of additional non-residential gross floor area;

(g) agricultural uses;

(h) development creating or adding an accessory use or structure not exceeding 100 square metres of gross floor area;

(i) a public hospital receiving aid under the *Public Hospitals Act*.

3.5.2 The provisions of subsection 3.5.1 shall only apply to exempt a development described in paragraph (a), (b) or (c) thereof from the payment of development charges if the Township of King does not collect development charges with respect to that type of development.

Amount of Charge

Residential

3.6 The development charges described in Schedule C to this by-law shall be imposed on residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use and, in the case of a mixed use building or structure, on the residential uses in the mixed use building or structure, and calculated according to the type of residential unit, where the lands, buildings or structures are serviced by regional sanitary sewer services.

Non-Residential

Industrial/Office/Institutional Uses

3.7 The development charges described in Schedule D to this by-law shall be imposed on industrial/office/institutional uses of lands, buildings or structures, and, in the case of a mixed use building or structure, on the industrial/office/institutional uses in the mixed use building or structure, and calculated according to the gross floor area of the industrial/office/institutional use, where the lands, buildings or structures are serviced by regional sanitary sewer services.

Retail Uses

3.8 The development charges described in Schedules D to this by-law shall be imposed on retail uses of lands, buildings or structures, and, in the case of a mixed use building or structure, on the retail uses in the mixed use building or structure, and calculated according to the gross floor area of the retail use, where the lands, buildings or structures are serviced by regional sanitary sewer services.

Multiple Industrial/Office/Institutional and Retail Uses

3.9 In the case of lands, buildings or structures used or designed or intended for use for both industrial/office/institutional uses and retail uses, the development charges otherwise applicable to such development under both subsections 3.7 and 3.8 shall be determined on the following basis:

(a) as between the industrial/office/institutional uses and the retail uses, the principal use of the development shall be that use which has the greater gross floor area; and

(b) the development charges under either subsection 3.7 or 3.8 applicable to such principal use as determined under paragraph (a) shall be applied to the total non-residential gross floor area of the development.

Place of Worship

3.10 Despite subsection 3.7, development charges shall not be imposed in respect of the gross floor area of a place of worship to a maximum of 5,000 square feet (or 464.5 square metres) or in respect of that portion of the gross floor area of a place of worship which is used as an area for worship, whichever is greater.

Reduction of Development Charges Where Redevelopment

3.11 Despite any other provision of this by-law, where, as a result of the redevelopment of land, a building or structure existing on the land within 48 months prior to the date of payment of development charges in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

(a) in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge under subsection 3.6 of this by-law by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and

(b) in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charges under subsection 3.7, 3.8 or 3.9 of this by-law by the gross floor area that has been or will be demolished or converted to another principal use;

provided that such amounts shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment.

Reduction of Development Charges Where Gross Floor Area is Increased

3.12 Despite any other provisions of this by-law, if a development includes the enlargement of the gross floor area of an industrial, office or institutional building, the amount of the development charge that is payable in respect of the enlargement shall be calculated as follows:

(a) If the gross floor area is enlarged by fifty percent or less, the amount of the development charge in respect of the enlargement is zero;

(b) If the gross floor area is enlarged by more than fifty percent the amount of the development charge in respect of the enlargement is the amount of the development charge that would otherwise be payable multiplied by the fraction determined as follows:

(i) determine the amount by which the enlargement exceeds fifty percent of the gross floor area before the enlargement; and

(ii) divide the amount determined under paragraph 1 by the amount of the enlargement.

Time of Payment of Development Charges

3.13 Development charges imposed under this section are payable on the date on which a building permit is issued with respect to each dwelling unit, building or structure.

3.14 Despite subsection 3.13, development charges imposed under subsection 3.6 with respect to an approval of a residential plan of subdivision under section 51 of the *Planning Act*, are payable immediately upon the owner entering into the subdivision agreement respecting such plan of subdivision, on the basis of the following:

(a) the proposed number and type of dwelling units in the final plan of subdivision; and

(b) with respect to blocks in the plan of subdivision intended for future development, the maximum number and type of dwelling units permitted under the zoning in effect at the time of payment.

3.15 For the purposes of paragraph (b) of subsection 3.14, where the use or uses to which a block in a plan of subdivision may be put pursuant to a zoning by-law passed under section 34 of the *Planning Act*, are affected by the use of a holding symbol in the zoning by-law as authorized by section 36 of the *Planning Act*, the maximum number and type of dwelling units shall be determined by reference to the uses in the zoning by-law without regard to the holding symbol.

3.16 For the purposes of subsections 3.14 and 3.15, where a subdivision agreement identifies the number and type of dwelling units proposed for the residential plan of subdivision, the number and type of dwelling units so identified shall be used to calculate the development charges payable under subsection 3.14.

3.17 Despite subsections 3.13 and 3.14, Regional Council, from time to time, and at any time, may enter into agreements providing for all or any part of a development charge to be paid before or after it would otherwise be payable.

3.18 (a) If, at the time of issuance of a building permit or permits in regard to a lot or block on a plan of subdivision for which payments have been made pursuant to section 3.14, the type of dwelling unit for which building permits are being issued is different from that used for the calculation and payment under section 3.14, and there has been no change in the zoning affecting such lot or block, and the development charges for the type of dwelling unit for which building permits are being issued were greater at the time that payments were made pursuant to section 3.14 than for the type of dwelling unit used to calculate the payment under section 3.14, an additional payment to the Region is required, which payment, in regard to such different unit types, shall be the difference between the development charges in respect to the type of dwelling unit for which building permits are being issued, calculated as at the date of issuance of the building permit or permits, and the development charges previously collected in regard thereto, adjusted in accordance with section 5.1 of this by-law.

(b) If, at the time of issuance of a building permit or permits in regard to a lot or block on a plan of subdivision for which payments have been made pursuant to section 3.14, the total number of dwelling units of a particular type for which building permits have been or are being issued is greater, on a cumulative basis, than that used for the calculation and payment under section 3.14, and there has been no change in the zoning affecting such lot or block, an additional payment to the Region is required, which payment shall be calculated on the basis of the number of additional dwelling units at the rate prevailing as at the date of issuance of the building permit or permits for such dwelling units.

(c) If, at the time of issuance of a building permit or permits in regard to a lot or block on a plan of subdivision for which payments have been made pursuant to section

3.14, the type of dwelling unit for which building permits are being issued is different than that used for the calculation and payment under section 3.14, and there has been no change in the zoning affecting such lot or block, and the development charges for the type of dwelling unit for which building permits are being issued were less at the time that payments were made pursuant to section 3.14 than for the type of dwelling unit used to calculate the payment under section 3.14, a refund in regard to such different unit types shall be paid by the Region, which refund shall be the difference between the development charges previously collected, adjusted in accordance with section 5.1 of this by-law to the date of issuance of the building permit or permits, and the development charges in respect to the type of dwelling unit for which building permits are being issued, calculated as at the date of issuance of the building permit or permits.

(d) If, at the time of issuance of a building permit or permits in regard to a lot or block on a plan of subdivision for which payments have been made pursuant to section 3.14, the total number of dwelling units of a particular type for which building permits have been or are being issued is less, on a cumulative basis, than that used for the calculation and payment under section 3.14, and there has been no change in the zoning affecting such lot or block, a refund shall be paid by the Region, which refund shall be calculated on the basis of the number of fewer dwelling units at the rate prevailing as at the date of issuance of the building permit or permits.

3.19 Despite subsections 3.18(c) and (d), a refund shall not exceed the amount of the development charges paid under subsection 3.14. .

4.0 PAYMENT BY SERVICES

4.1 Despite the payments required under subsections 3.13 and 3.14, Regional Council may, by agreement, give a credit towards a development charge in exchange for work that relates to a service for which a development charge is imposed under this by-law.

5.0 INDEXING

5.1 Development charges imposed pursuant to this by-law shall be adjusted annually, without amendment to this by-law, commencing on the first anniversary date of this by-law and each anniversary date thereafter, in accordance with the Statistics Canada Quarterly Construction Price Statistics.

6.0 SCHEDULES

6.1 The following schedules to this by-law form an integral part thereof:

Schedule A - Components of Service Designated in Subsection 2.1

Schedule B - Lands Subject to this By-law

Schedule C	-	Residential Development Charges
Schedule D	-	Non-Residential Development Charges

7.0 **DATE BY-LAW IN FORCE**

7.1 This by-law shall come into force on the 22nd day of June, 2006.

8.0 **DATE BY-LAW EXPIRES**

8.1 This by-law will expire on the 21st day of June, 2011, unless it is repealed at an earlier date.

ENACTED AND PASSED this 22nd day of June, A.D. 2006.

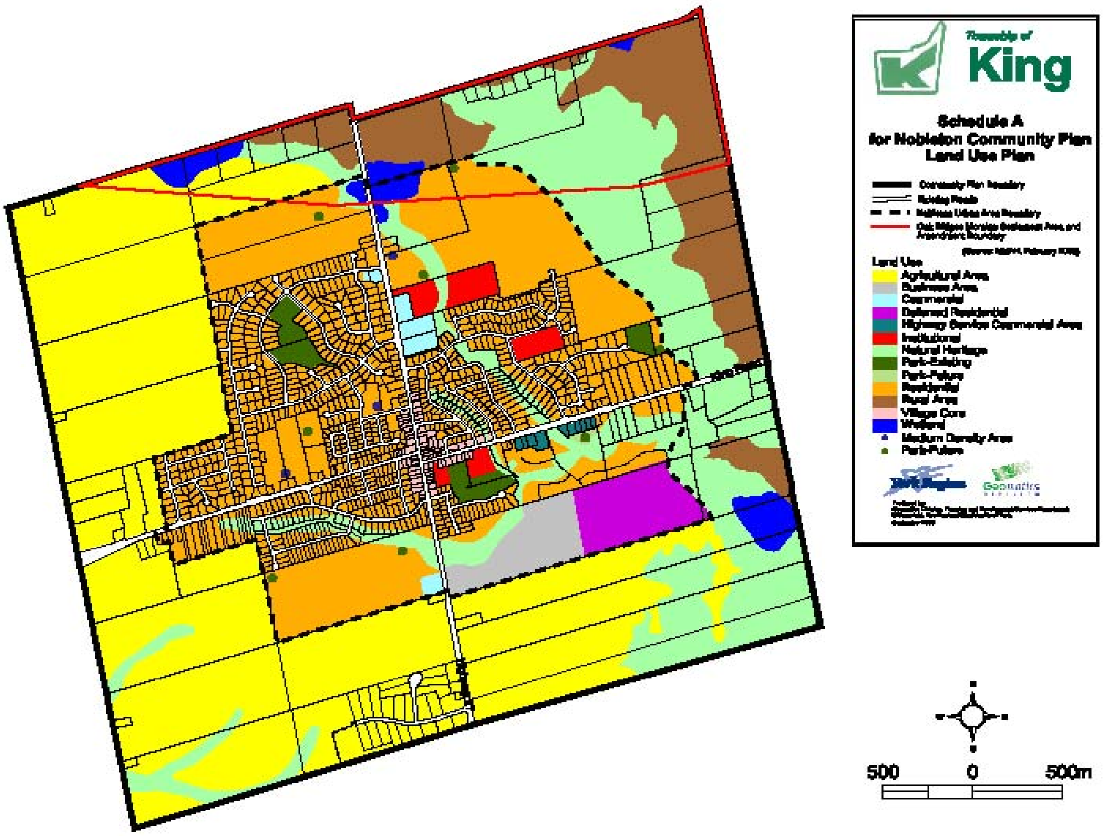
Denis Kelly
Regional Clerk

Bill Fisch
Regional Chair

SCHEDULE A
REGIONAL MUNICIPALITY OF YORK
COMPONENTS OF SERVICE DESIGNATED IN SUBSECTION 2.1

Services	Service Components
Sanitary Sewers	• Forcemain and Trunk sewers • Sewage Pumping Stations • Water Pollution Control Plant • Outfall and Wetland • Engineering

SCHEDULE B
REGIONAL MUNICIPALITY OF YORK
LANDS SUBJECT TO THIS BY-LAW



SCHEDULE C
REGIONAL MUNICIPALITY OF YORK
SCHEDULE OF RESIDENTIAL DEVELOPMENT CHARGES

	Single and Semi-Detached	Multiple Unit Dwelling	Apartments	
			2 or more Bedroom	Less than 2 Bedrooms
Sanitary Sewers	$7,085	$6,351	$4,444	$3,060

SCHEDULE D
REGIONAL MUNICIPALITY OF YORK
SCHEDULE OF NON-RESIDENTIAL DEVELOPMENT CHARGES

	Per Square Foot of Gross Floor Area	
	Industrial / Office Institutional	Retail
Sanitary Sewers	$4.83	$4.83

Per Square Metre of Gross Floor Area	
Industrial / Office Institutional	Retail
$51.94	$51.94

APPENDIX B

AMENDMENT FOR BY-LAW No. DC-0005-2003-050

THE REGIONAL MUNICIPALITY OF YORK

BILL NO. •

BY-LAW NO. •

a by-law to amend By-law No. DC 0005-2003-050

WHEREAS Section 19 of the *Development Charges Act*, 1997, S.O. 1997, c.27, (the "Act"), provides for amendments to development charge by-laws;

AND WHEREAS the Council of The Regional Municipality of York requires certain amendments to By-law No. DC 0005-2003-050;

AND WHEREAS in accordance with the Act, a development charge background study has been completed in support of the increased development charges and imposition thereof through amendments to the By-law;

AND WHEREAS the Council of The Regional Municipality of York has given notice and held a public meeting on the 8th day of June, 2006, in accordance with the Act;

AND WHEREAS the Council of The Regional Municipality of York has determined that a further public meeting is not necessary pursuant to Section 12(3) of the Act;

Now therefore, the Council of The Regional Municipality of York HEREBY ENACTS as follows:

1. Section 3.9 of By-law No. DC-0005-2003-050 is hereby repealed and replaced with the following:

   Despite subsection 3.6(b),

   ( ) a development charge with respect to regional water supply services shall not be imposed against the lands shown on Schedule D;

   ( ) a development charge with respect to regional sanitary sewer services shall not be imposed against the lands shown on Schedule E;

   ( ) a development charge with respect to regional sanitary sewer services shall not be imposed against the lands shown on Schedule J.

2. By-law No. DC-0005-2003-050 is hereby amended by adding the following section after Section 3.12:

   3.12.1 Despite subsection 3.12(b)(ii), a development charge with respect to regional sanitary sewer services shall not be imposed against the lands shown on Schedule J.

3. By-law No. DC-0005-2003-050 is hereby amended by adding the following section after Section 3.13:

   3.13.1 Despite subsection 3.13(b)(ii), a development charge with respect to regional sanitary sewer services shall not be imposed against the lands shown on Schedule J.

4. Section 6.1 of By-law No. DC-0005-2003-050 is hereby repealed and replaced with the following:

   The following schedules to this by-law form an integral part thereof:

Schedule A	-	Components of Services Designated in subsection 2.1
Schedule B	-	Residential Development Charges
Schedule C-1	-	Increases in Residential Development Charges in Regard to Transit Services
Schedule C-2	-	Transit Services Five Year Growth Related Expenditure Budget
Schedule D	-	Lands Exempt from Residential Development Charge in Regard to Regional Water Supply Services
Schedule E	-	Lands Exempt from Residential Development Charge in Regard to Regional Sanitary Sewer Services (Kleinburg Community)
Schedule F	-	Apartment Building Development Charge Rates to December 31, 2003
Schedule G	-	Contingent Residential Development Charges
Schedule H	-	Non-Residential Development Charges
Schedule I	-	Increases in Non-Residential Development Charges in Regard to Transit Services
Schedule J	-	Lands Exempt from Residential and Non-Residential Development Charges in Regard to Regional Sanitary Sewer Services (Nobleton Community)

5. Schedule J referred to in Sections 1, 2, 3 and 4 of this amending by-law is attached hereto.

6. Schedule G to By-law No. DC-0005-2003-050 is hereby repealed and replaced with Schedule G attached to this amending by-law.

7. For greater certainty, By-law No. DC-0005-2003-050 remains in full force and effect save and except for the amendments thereto described in this amending by-law.

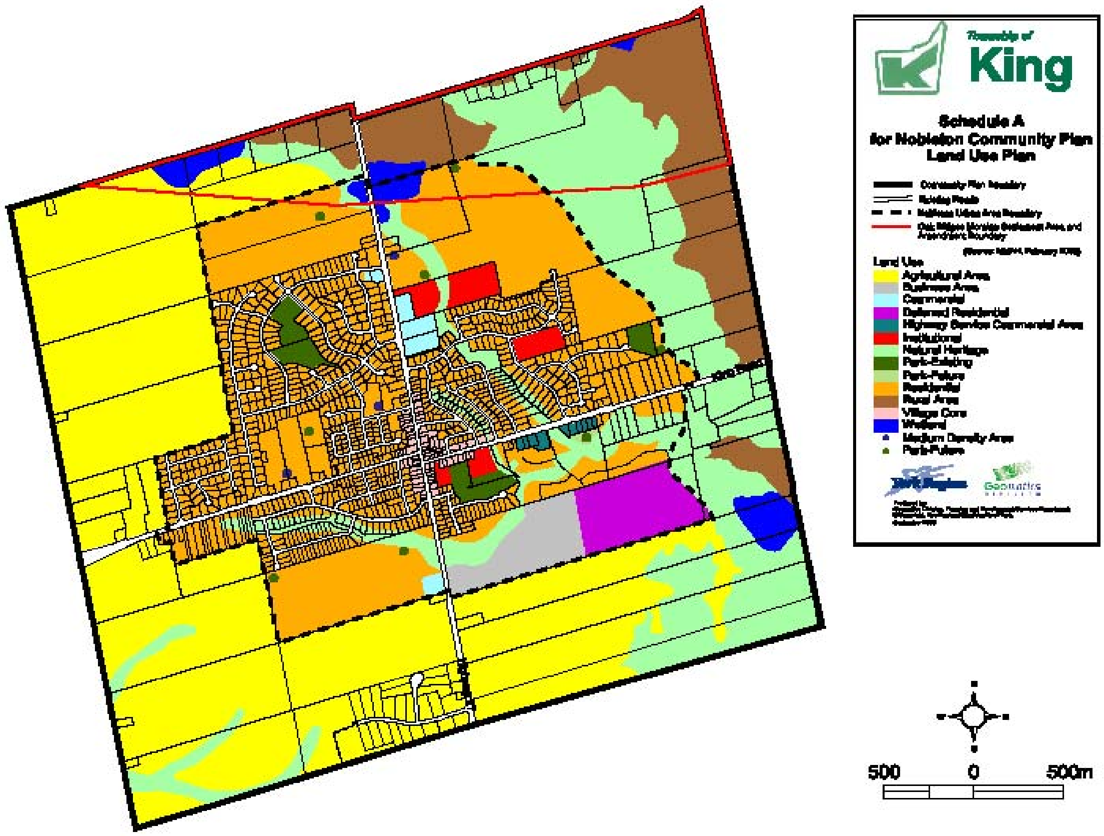
8. This By-law shall come into force on the 22nd day of June, 2006.

ENACTED AND PASSED this 22nd day of June, 2006

Denis Kelly Clerk	Bill Fisch Chair

SCHEDULE J

Lands Exempt from Residential and Non-Residential Development Charges in Regard to Regional Sanitary Sewer Services (Nobleton Community)



Schedule "G"
Contingent Residential Development Charges

Proposed Infrastructure		Scheduled Increase	Single and Semi-detached	Multiple Unit Dwelling	Apartments 2 or More Bedroom	Apartments Less than 2 Bedroom
Highway 400 Mid-Block Crossings						
Block 33	south of Teston Road	The area municipality where the infrastructure is located adopts an Official Plan Amendment to include the infrastructure, and includes the infrastructure in its development charge by-law	$9	$8	$6	$3
Block 32	south of Major Mackenzie Dr	The area municipality where the infrastructure is located adopts an Official Plan Amendment to include the infrastructure, and includes the infrastructure in its development charge by-law	$9	$8	$6	$3
Vaughan - Applewood Crossing		The area municipality where the infrastructure is located adopts an Official Plan Amendment to include the infrastructure, and includes the infrastructure in its development charge by-law	$12	$10	$7	$5
Highway 404 Mid-Block Crossings						
N. Leslie Secondary Plan	North of Elgin Mills	The area municipality where the infrastructure is located adopts an Official Plan Amendment to include the infrastructure, and includes the infrastructure in its development charge by-law	$9	$8	$6	$3
Bayview NE Business Park	North of Major Mackenzie	The area municipality where the infrastructure is located adopts an Official Plan Amendment to include the infrastructure, and includes the infrastructure in its development charge by-law	$9	$8	$6	$3
Mid Block	between 16th Ave and Major Mackenzie	The area municipality where the infrastructure is located adopts an Official Plan Amendment to include the infrastructure, and includes the infrastructure in its development charge by-law	$9	$8	$6	$3
Mid Block	between Hwy 7 and 16th Ave	The area municipality where the infrastructure is located adopts an Official Plan Amendment to include the infrastructure, and includes the infrastructure in its development charge by-law	$12	$10	$7	$4
Highway 407 Mid-Block Crossings						
Rodick Rd	between Woodbine Ave and Warden Ave	The area municipality where the infrastructure is located adopts an Official Plan Amendment to include the infrastructure, and includes the infrastructure in its development charge by-law	$9	$8	$6	$3
Birchmount Rd	between Warden Ave and Kennedy Rc	The area municipality where the infrastructure is located adopts an Official Plan Amendment to include the infrastructure, and includes the infrastructure in its development charge by-law	$9	$8	$6	$3
Steeles Avenue Improvements:						
Steeles Avenue	from Beare Road to Tapscott Road	The Region executes an Agreement with the City of Toronto to cost share road capital improvements along Steeles Avenue	$20	$17	$12	$8
Steeles Avenue	from Hilda Avenue to Bathurst Street	The Region executes an Agreement with the City of Toronto to cost share road capital improvements along Steeles Avenue	$4	$3	$2	$1
Steeles Avenue	East of Kennedy Road	The Region executes an Agreement with the City of Toronto to cost share road capital improvements along Steeles Avenue	$17	$14	$10	$6
Steeles Avenue	from Jane St to Weston Rd	The Region executes an Agreement with the City of Toronto to cost share road capital improvements along Steeles Avenue	$8	$7	$5	$3
Steeles Avenue	Traffic Signals and Illumination	The Region executes an Agreement with the City of Toronto to cost share road capital improvements along Steeles Avenue	$5	$4	$3	$2
Highway 7 Improvements						
Hwy 7	from Old Markham Bypass to York/Durham Line	The Province transfers responsibility of this section of Highway 7 to the Region, the Region adopts an Official Plan Amendment incorporating the infrastructure	$12	$10	$7	$5
Sewage Infrastructure						
Joe Dales Drive Forcemain		Regional Council adopts a by-law to assume the infrastructure works in the Town of Georgina	$28	$24	$18	$11