2
2012 DEVELOPMENT CHARGE BYLAW

The Finance and Administration Committee recommends:

1. **Receipt of the following communications:**
    a) **Ron Stein, Manager of Land Development, Great Lands Corporation, January 25, 2012**
    b) **Nick Pileggi, Partner, Malone, Given Parsons Ltd., April 30, 2012 on behalf of Times Group Corporation, and**
    c) **Jim Kirk, Partner, Malone, Given Parsons Ltd., May 2, 2012, on behalf of Jason Kaptyn Hospitality Inc.**

2. **Adoption of the recommendation contained in the following report dated May 1, 2012, from the Commissioner of Finance.**

1. RECOMMENDATION

It is recommended that this report be received for information.

2. PURPOSE

Regional staff are currently in the final stages of a comprehensive review of the Region-wide Development Charge ("DC") bylaw. The purpose of this report is to provide an update on the process for approval of revised development charge rates in order to pass a revised DC Bylaw prior to the expiry of the current bylaw on June 17, 2012.

3. BACKGROUND

2012 Development Charge Bylaw required to come into effect on or before June 18, 2012

The *Development Charges Act, 1997* (DC Act) requires that municipalities prepare and pass a new Development Charge Bylaw within five years of the passing of their current Bylaw. Council adopted the current DC Bylaw No. DC-0007-2007-040 on May 27, 2007, which came into effect on June 18, 2007. In accordance with the DC Act, Council must pass a new DC Bylaw to come into effect on or before June 18, 2012.

On June 24, 2010, the 2007 DC Bylaw was amended for water, wastewater and road services to capture capital costs associated with *Places to Grow* forecasts and updated Regional infrastructure master plans. Growth-related costs for all development charge eligible services have been updated as part of this 2012 Development Charge Bylaw process.

The 2012 DC Bylaw was considered by Finance and Administration Committee at the statutory public meeting held on March 1, 2012

A statutory public meeting as required under the DC Act was held on March 1, 2012. At its meeting of March 1st, Finance and Administration Committee received the DC Background Study, endorsed the proposed timetable that would result in Regional Council approval of the bylaw on May 17, 2012 and recommended that Council receive comments provided at the statutory public meeting and refer these comments to staff.

Furthermore, Committee directed that a report be brought forward to the May 3, 2012 Finance and Administration Committee recommending the 2012 Development Charge Bylaw rates and the proposed date of passing, taking into consideration the input received at the public meeting. Staff were also requested to have further discussions with Township of King staff regarding the inclusion of Nobleton sewage servicing costs in the Region-wide bylaw and report back to the Committee's meeting of May 3, 2012.

4. ANALYSIS AND OPTIONS

Development industry has been engaged in the 2012 Development Charge Bylaw process

Since the passing of the 2010 DC amendment, staff have been engaged in on-going dialogue with Building Industry and Land Development Association (BILD) representatives and industry stakeholders in preparation for the 2012 DC update. To date, staff have held 13 consultation meetings with BILD representatives and industry stakeholders to review current infrastructure programs, policies, assumptions and methodologies, and discuss proposed changes to be incorporated in the 2012 bylaw. The technical meetings conducted as part of this extensive process have helped to ensure that stakeholders understand the Region's infrastructure programs, methodologies, policies and assumptions used in calculating and attributing costs related to growth.

Senior staff reached an agreement with BILD, subject to Council approval

In addition to the technical consultation meetings that were held throughout the DC Bylaw update process, senior staff entered into discussions with BILD representatives in April in order to determine if resolution of industry concerns could be reached. An agreement with BILD has been reached, subject to approval by Regional Council.

This agreement is the subject of a private report to Finance and Administration Committee for consideration at its May 3, 2012 meeting. The private report includes the proposed development charge rates and policy changes.

Link to Key Council–approved Plans

This report is consistent with the 2011 to 2015 Strategic Plan Objectives to expand the Region's strategic financial management capability and practice sound fiscal management.

Development charge collections are an important component in determining York Region's Annual Repayment Limit.

5. FINANCIAL IMPLICATIONS

Development charges are the primary source of funding for growth-related capital costs

Development charges are collected to recover a significant portion of the growth-related capital costs associated with the residential and non-residential development that creates the need for the capital works. The proposed 2012 Development Charge Bylaw rates are based on population and employment forecasts and related capital infrastructure costs to 2031.

The Development Charge Bylaw is designed to ensure that growth-related capital costs are borne by the development creating the need for the infrastructure. If these costs were not recovered through development charges, tax levy/user rate increases would be needed or the capital program would need to be delayed.

As the majority of York Region's capital expenditures are growth-related, development charges are a major source of financing for York Region's capital plan. The 2012 Development Charge Bylaw will result in rates that will recover a major portion of the growth component of the Region's capital program from 2012 to 2031.

6. LOCAL MUNICIPAL IMPACT

Development charges provide a major source of financing for Regional capital works that will facilitate the coordinated build-out of proposed developments within York Region and local municipalities. The development charges for hard services for low-rise residential developments are collected when subdivision agreements are registered and the balance is collected by the local municipalities when building permits are issued. All non-residential development charges are collected by the local municipalities when building permits are issued. Local municipal staff continue to be York Region's agent in the day-to-day administration of the Development Charge Bylaw.

Regional staff are committed to continue working with local municipal staff to provide optimal service for all industry stakeholders in the development industry. With these same objectives in mind, Regional staff will notify local municipal staff of all changes related to the 2012 Development Charge Bylaw upon its approval and will provide support as required.

7. CONCLUSION

Regional Council must pass a new Development Charge Bylaw to come into effect on or before June 18, 2012. This report provides an update on the process for approval of revised development charge rates in order to pass a revised DC Bylaw prior to the expiry of the current bylaw on June 17, 2012.

It is anticipated that Regional Council will pass the new DC bylaw on May 17, 2012. As required under the *Development Charges Act, 1997,* the Region must give notice of the passage of a DC Bylaw no later than 20 days after bylaw passage, being no later than June 6, 2012.

For more information on this report, please contact Kelly Strueby, Director, Business Planning & Budgets at Ext. 1611.

GREAT LANDS
CORPORATION

January 25, 2012

York Region Administration Building
17250 Yonge Street, 4th Floor
Newmarket, ON
L3Y 6Z1

Attention: Bill Hughes, Commissioner of Finance

Dear Mr. Hughes:

Re: York Region 2012 Development Charge Review

Our company, Great Lands Corporation, is a condominium builder operating in the Greater Toronto Area. We currently have approval for a large apartment condominium development of over 900 units, near Yonge Street and Sixteenth Avenue in Richmond Hill, and intend to begin excavation of the site later this year. We also own other future condominium sites in York Region. We have recently become aware of the Development Charge review currently underway, and read a report dated January 12, 2012 by the Commissioner of Finance for the Finance and Administration Committee, as well as a background position paper prepared by Watson and Associates Economists Ltd., dated December 5, 2011.

We understand that the Region is seriously looking at restructuring the Development Charge categories from one bedroom and two bedroom apartment units, to a large unit/small unit system. While we have no concern with the large/small system, as in some ways it can simplify the process, we are very concerned with the recommendation of the Watson report that the cut off floor area between a large and small unit be set at 650 square feet. This is an unreasonably small size cut off point, and is very different than the current one bedroom/two bedroom system.

Based on our products, a 750 square foot cut off would be very consistent with the one bedroom/two bedroom split, and we recommend that the Region choose this number for the cut off point.

25 Torbarrie Road, Toronto, Ontario, M3L 1G5
~~202A Oakdale Road, Suite #6, Toronto, Ontario, M3N 2S5~~
Tel: 416-748-2600 • Fax: 416-748-3600
www.greatlandscorp.com

In order to illustrate the relationship between unit types and floor area, I have attached a table which lists unit sizes and type, organized from largest to smallest, for our condominium project currently being marketed in Richmond Hill. As you can see, with only a few exceptions, the two bedroom units start at 750 square feet, while almost all the one bedroom units and one bedroom plus den units are less than 750 square feet.

The one bedroom/two bedroom system was created to recognize the different service impact of differing unit sizes, and a large/small cut off of 750 sq ft would maintain this approach. Setting a low cutoff of 650 sq. ft. is not a realistic reflection of the service impact, would create an increase in Development Charges for smaller units, would detrimentally impact the financial feasibility of condominium projects, and be counterproductive to creating affordable housing for the residents of the Region.

In view of the above, we recommend that, should the Region adopt a large unit/small unit approach to Development Charges, the cut off point between the two sizes be set at 750 square feet. If you wish to discuss the matter further, please contact me by phone at extension 21, or by email at ronstein@greatlandscorp.com . Thank you.

Yours truly,
Per Great Lands Corporation

Ron Stein
Manager of Land Development

	SQ FTG	# OF BED	# OF BATH
1	1057	2 BED	2
2	1057	2 BED	2
3	1014	2 BED	2
4	1000	2+D	2
5	1000	2+D	2
6	1000	2+D	2
7	1000	2+D	2
8	1000	2+D	2
9	1000	2+D	2
10	994	2 BED	2
11	994	2 BED	2
12	967	2	2
13	957	2 BED	2
14	957	2 BED	2
15	957	2 BED	2
16	957	2 BED	2
17	952	2 BED	2
18	938	2	2
19	938	2	2
20	938	2	2
21	938	2	2
22	937	2	2
23	932	2 BED	2
24	932	2 BED	2
25	932	2 BED	2
26	932	2 BED	2
27	932	2 BED	2
28	927	2 BED	2
29	914	2	2
30	911	2	2
31	911	2	2
32	911	2	2
33	911	2	2
34	909	2	2
35	909	2	2
36	909	2	2
37	909	2	2
38	901	2	2
39	898	2 BED	2
40	891	2 BED	2
41	883	2 BED	2
42	882	2	2
43	882	2 BED	2
44	879	2 BED	2
45	879	2 BED	2
46	875	2 BED	2
47	874	2	2
48	874	2 BED	2
49	873	2	2
50	873	2	2
51	873	2	2
52	873	2	2
53	873	2	2
54	873	2 BED	2
55	873	2 BED	2
56	873	2 BED	2
57	873	2 BED	2
58	873	2 BED	2
59	869	2	2
60	866	2	2
61	866	2	2
62	866	2	2
63	865	2	2
64	865	2	2
65	865	2	2
66	865	2	2
67	865	2	2
68	863	2 BED	2
69	862	2	2
70	862	2	2
71	862	2	2
72	862	2	2
73	860	2	2
74	860	2	2
75	860	2	2
76	860	2	2
77	860	2	2
78	856	2	2
79	856	2	2
80	856	2	2
81	856	2	2
82	856	2 BED	2
83	856	2 BED	2
84	856	2 BED	2
85	856	2 BED	2
86	855	2	2
87	852	2	2
88	852	2	2
89	852	2	2
90	852	2	2
91	852	2	2
92	849	2	2
93	849	2	2
94	849	2	2
95	849	2 BED	2
96	849	2 BED	2
97	849	2 BED	2
98	848	2 BED	2
99	839	2	2
100	839	2	2
101	839	2	2
102	839	2	2
103	839	2	2
104	839	2	2
105	839	2	2
106	839	2	2
107	839	2	2
108	839	2	2
109	839	2	2
110	839	2	2
111	839	2	2
112	839	2	2
113	839	2	2
114	839	2	2
115	839	2	2
116	839	2 BED	2
117	839	2 BED	2
118	839	2 BED	2
119	839	2 BED	2
120	839	2 BED	2
121	839	2 BED	2
122	839	2 BED	2
123	839	2 BED	2
124	839	2 BED	2
125	839	2 BED	2
126	839	2 BED	2
127	839	2 BED	2
128	839	2 BED	2
129	839	2 BED	2
130	839	2 BED	2
131	839	2 BED	2
132	839	2 BED	2
133	835	2	2
134	834	2	2
135	834	2	2
136	831	2 BED	2
137	831	2 BED	2
138	831	2 BED	2
139	831	2 BED	2
140	826	2	2
141	826	2	2
142	826	2	2
143	826	2	2
144	826	2 BED	2
145	826	2 BED	2
146	826	2 BED	2
147	826	2 BED	2

	SQ FTG	# OF BED	# OF BATH
148	825	2	2
149	825	2	2
150	825	2	2
151	825	2	2
152	825	2	2
153	825	2	2
154	825	2 BED	2
155	825	2 BED	2
156	825	2 BED	2
157	825	2 BED	2
158	825	2 BED	2
159	825	2 BED	2
160	825	2 BED	2
161	825	2 BED	2
162	822	2	2
163	822	2	2
164	822	2	2
165	822	2	2
166	822	2	2
167	822	2	2
168	822	2	2
169	822	2	2
170	817	2	2
171	817	2	2
172	817	2	2
173	817	2 BED	2
174	817	2 BED	2
175	817	2 BED	2
176	809	2	2
177	809	2	2
178	804	2	2
179	804	2	2
180	804	2	2
181	804	2	2
182	804	2	2
183	804	2	2
184	804	2	2
185	804	2	2
186	794	2 BED	2
187	791	2	2
188	785	1+D	1
189	785	1+D	1
190	785	1+D	1
191	785	1+D	1
192	785	1+D	1
193	774	1B + DEN	1
194	772	2	2
195	772	2	2
196	772	2	2
197	772	2	2

	SQ FTG	# OF BED	# OF BATH
198	772	2 BED	2
199	772	2 BED	2
200	772	2 BED	2
201	772	2 BED	2
202	760	1+D	1
203	760	1+D	1
204	760	1+D	1
205	760	1+D	1
206	760	1+D	2
207	760	1B + DEN	2
208	757	1B + DEN	1
209	755	1+D	1
210	755	1+D	1
211	755	1+D	1
212	755	1+D	1
213	753	1+D	2
214	752	2	2
215	752	2 BED	2
216	750	2	2
217	750	2	2
218	750	2	2
219	750	2 BED	2
220	750	2 BED	2
221	750	2 BED	2
222	747	1+D	1
223	746	1B + DEN	1
224	744	1+D	1
225	744	1+D	2
226	744	1+D	2
227	744	1+D	2
228	744	1+D	2
229	744	1B + DEN	1
230	744	1B + DEN	2
231	744	1B + DEN	2
232	744	1B + DEN	2
233	744	1B + DEN	2
234	741	1B + DEN	1
235	741	1B + DEN	1
236	741	1B + DEN	1
237	741	1B + DEN	1
238	741	1B + DEN	1
239	739	2	1
240	738	1+D	1
241	738	1+D	1
242	738	1+D	1
243	738	1+D	1
244	738	1+D	1
245	736	1B + DEN	1
246	735	1B + DEN	1
247	735	1B + DEN	1

	SQ FTG	# OF BED	# OF BATH
248	735	1B + DEN	1
249	735	1B + DEN	1
250	735	1B + DEN	1
251	734	1+D	2
252	734	1+D	2
253	734	1+D	2
254	734	1+D	2
255	734	1+D	2
256	734	1B + DEN	2
257	734	1B + DEN	2
258	734	1B + DEN	2
259	734	1B + DEN	2
260	734	1B + DEN	2
261	732	1B + DEN	2
262	723	1B + DEN	1
263	716	1+D	1
264	716	1+D	1
265	716	1B + DEN	1
266	716	1B + DEN	1
267	709	1+D	1
268	708	1+D	1
269	708	1+D	1
270	705	1B+ DEN	1
271	701	1+D	1
272	701	1+D	1
273	701	1+D	1
274	701	1+D	1
275	701	1+D	1
276	701	1+D	1
277	701	1+D	1
278	701	1+D	1
279	701	1+D	1
280	699	1B + DEN	1
281	697	1+D	1
282	697	1+D	1
283	697	1+D	1
284	697	1+D	1
285	697	1+D	1
286	695	1B + DEN	1
287	695	1B + DEN	1
288	693	1+D	1
289	693	1+D	1
290	693	1+D	1
291	693	1+D	1
292	693	1+D	1
293	690	1B + DEN	1
294	690	1B + DEN	1
295	685	1+D	1
296	685	1+D	1
297	684	1B + DEN	1

	SQ FTG	# OF BED	# OF BATH
298	679	1B + DEN	1
299	678	1B + DEN	1
300	678	1B + DEN	1
301	677	2 BED	1
302	677	1B + DEN	1
303	677	1B + DEN	1
304	677	1B + DEN	1
305	677	1B + DEN	1
306	677	1B + DEN	1
307	672	1B + DEN	1
308	671	1B + DEN	1
309	671	1B + DEN	1
310	670	1+D	1
311	669	1+D	1
312	669	1+D	1
313	669	1+D	1
314	669	1+D	1
315	669	1+D	1
316	667	1B + DEN	2
317	667	1B + DEN	2
318	667	1B + DEN	2
319	667	1B + DEN	2
320	666	1B + DEN	2
321	664	1+D	1
322	664	1+D	1
323	664	1+D	1
324	664	1+D	1
325	662	1+D	1
326	662	1+D	1
327	662	1+D	1
328	662	1+D	1
329	662	1+D	1
330	662	1+D	1
331	662	1+D	1
332	662	1+D	1
333	662	1+D	1
334	662	1+D	1
335	662	1 BED	1
336	662	1B + DEN	1
337	662	1B + DEN	1
338	661	1B + DEN	1
339	660	1B + DEN	1
340	656	1+D	1
341	656	1B + DEN	1
342	656	1B + DEN	1
343	656	1B + DEN	1
344	656	1B + DEN	1
345	656	1B + DEN	1
346	656	1B + DEN	1
347	652	1+D	1

	SQ FTG	# OF BED	# OF BATH
348	646	1+D	1
349	646	1+D	1
350	645	1+D	1
351	645	1+D	1
352	645	1+D	1
353	645	1+D	1
354	645	1+D	1
355	645	1B + DEN	1
356	645	1B + DEN	1
357	645	1B + DEN	1
358	645	1B + DEN	1
359	645	1B + DEN	1
360	644	1+D	1
361	644	1+D	1
362	644	1+D	1
363	644	1+D	1
364	644	1+D	1
365	644	1+D	1
366	644	1+D	1
367	644	1+D	1
368	644	1B + DEN	1
369	644	1B + DEN	1
370	643	1B + DEN	1
371	643	1B + DEN	1
372	643	1B + DEN	1
373	643	1B + DEN	1
374	643	1B + DEN	1
375	643	1B + DEN	1
376	642	1+D	1
377	642	1+D	1
378	640	1+D	1
379	640	1B + DEN	1
380	640	1B + DEN	1
381	638	1+D	1
382	638	1+D	1
383	638	1+D	1
384	638	1+D	1
385	638	1+D	1
386	638	1+D	1
387	638	1+D	1
388	638	1+D	1
389	638	1+D	1
390	638	1+D	1
391	638	1+D	1
392	638	1+D	1
393	638	1+D	1
394	638	1+D	1
395	638	1+D	1
396	638	1+D	1
397	638	1+D	1

	SQ FTG	# OF BED	# OF BATH
398	638	1+D	1
399	638	1+D	1
400	638	1+D	1
401	638	1+D	1
402	638	1+D	1
403	634	1B + DEN	1
404	633	1B+ DEN	1
405	632	1	1
406	632	1	1
407	632	1	1
408	632	1	1
409	632	1	1
410	632	1+D	1
411	632	1B + DEN	1
412	632	1B + DEN	1
413	632	1B + DEN	1
414	631	1+D	1
415	631	1+D	1
416	631	1+D	1
417	631	1+D	1
418	631	1+D	1
419	631	1+D	1
420	631	1+D	1
421	631	1+D	1
422	631	1+D	1
423	631	1+D	1
424	631	1B + DEN	1
425	631	1B + DEN	1
426	631	1B + DEN	1
427	631	1B + DEN	1
428	631	1B + DEN	1
429	631	1B + DEN	1
430	631	1B + DEN	1
431	628	1B + DEN	1
432	628	1B + DEN	1
433	626	1+D	1
434	626	1+D	1
435	626	1+D	1
436	626	1+D	1
437	626	1+D	1
438	622	1+D	1
439	622	1+D	1
440	622	1+D	1
441	622	1+D	1
442	622	1+D	1
443	622	1+D	1
444	622	1+D	1
445	622	1+D	1
446	622	1+D	1
447	620	1+D	1

	SQ FTG	# OF BED	# OF BATH
448	620	1+D	1
449	620	1+D	1
450	620	1+D	1
451	620	1+D	1
452	620	1+D	1
453	620	1+D	1
454	620	1+D	1
455	620	1+D	1
456	620	1+D	1
457	620	1+D	1
458	620	1+D	1
459	620	1+D	1
460	620	1+D	1
461	620	1+D	1
462	620	1+D	1
463	620	1+D	1
464	620	1+D	1
465	620	1+D	1
466	620	1+D	1
467	620	1+D	1
468	620	1+D	1
469	620	1+D	1
470	620	1+D	1
471	620	1+D	1
472	620	1+D	1
473	620	1+D	1
474	620	1+D	1
475	620	1+D	1
476	620	1+D	1
477	620	1+D	1
478	620	1+D	1
479	620	1+D	1
480	620	1+D	1
481	620	1+D	1
482	620	1+D	1
483	620	1+D	1
484	620	1+D	1
485	620	1+D	1
486	620	1+D	1
487	620	1+D	1
488	620	1+D	1
489	620	1+D	1
490	620	1+D	1
491	620	1+D	1
492	620	1+D	1
493	620	1+D	1
494	620	1+D	1
495	620	1+D	1
496	620	1+D	1
497	620	1+D	1

	SQ FTG	# OF BED	# OF BATH
498	620	1+D	1
499	620	1+D	1
500	620	1+D	1
501	620	1+D	1
502	620	1+D	1
503	620	1+D	1
504	620	1+D	1
505	620	1B + DEN	1
506	620	1B + DEN	1
507	620	1B + DEN	1
508	620	1B + DEN	1
509	620	1B + DEN	1
510	620	1B + DEN	1
511	620	1B + DEN	1
512	620	1B + DEN	1
513	620	1B + DEN	1
514	620	1B + DEN	1
515	620	1B + DEN	1
516	620	1B + DEN	1
517	620	1B + DEN	1
518	620	1B + DEN	1
519	620	1B + DEN	1
520	620	1B + DEN	1
521	620	1B + DEN	1
522	620	1B + DEN	1
523	620	1B + DEN	1
524	620	1B + DEN	1
525	618	1B + DEN	1
526	618	1B + DEN	1
527	618	1B + DEN	1
528	618	1B + DEN	1
529	615	1+D	1
530	615	1+D	1
531	614	1+D	1
532	614	1+D	1
533	614	1+D	1
534	614	1+D	1
535	614	1+D	1
536	614	1+D	1
537	614	1+D	1
538	614	1+D	1
539	614	1+D	1
540	614	1+D	1
541	612	1B + DEN	1
542	612	1B + DEN	1
543	612	1B + DEN	1
544	612	1B + DEN	1
545	612	1B + DEN	1
546	609	1+D	1
547	608	1+D	1

	SQ FTG	# OF BED	# OF BATH
548	608	1+D	1
549	608	1+D	1
550	608	1+D	1
551	608	1+D	1
552	608	1+D	1
553	608	1+D	1
554	608	1+D	1
555	608	1+D	1
556	608	1B + DEN	1
557	608	1 BED	1
558	607	1+D	1
559	607	1+D	1
560	607	1+D	1
561	607	1+D	1
562	607	1+D	1
563	607	1+D	1
564	607	1B + DEN	1
565	607	1B + DEN	1
566	607	1B + DEN	1
567	607	1B + DEN	1
568	607	1B + DEN	1
569	607	1B + DEN	1
570	606	1	1
571	606	1	1
572	606	1	1
573	606	1	1
574	606	1	1
575	605	1B + DEN	1
576	602	1	1
577	602	1	1
578	601	1+ D	1
579	601	1+ D	1
580	601	1 + D	1
581	601	1 + D	1
582	601	1B + DEN	1
583	600	1B + DEN	1
584	599	1+D	1
585	599	1+D	1
586	599	1+D	1
587	599	1+D	1
588	599	1+D	1
589	599	1+D	1
590	599	1+D	1
591	599	1+D	1
592	599	1+D	1
593	599	1+D	1
594	599	1B + DEN	1
595	599	1B + DEN	1
596	599	1B + DEN	1
597	599	1B + DEN	1

	SQ FTG	# OF BED	# OF BATH
598	599	1B + DEN	1
599	598	1+D	1
600	598	1+D	1
601	598	1+D	1
602	598	1+D	1
603	598	1+D	1
604	598	1+D	1
605	598	1+D	1
606	598	1+D	1
607	598	1+D	1
608	598	1+D	1
609	598	1+D	1
610	598	1B + DEN	1
611	598	1B + DEN	1
612	598	1B + DEN	1
613	598	1B + DEN	1
614	598	1B + DEN	1
615	598	1B + DEN	1
616	597	1+D	1
617	597	1+D	1
618	597	1+D	1
619	597	1+D	1
620	597	1+D	1
621	597	1+D	1
622	597	1+D	1
623	597	1+D	1
624	597	1+D	1
625	597	1 BED	1
626	597	1 BED	1
627	597	1 BED	1
628	594	1 BED	1
629	594	1B + DEN	1
630	594	1B + DEN	1
631	594	1B + DEN	1
632	592	1	1
633	592	1	1
634	592	1	1
635	592	1	1
636	592	1	1
637	592	1	1
638	592	1	1
639	592	1	1
640	592	1	1
641	592	1	1
642	592	1	1
643	592	1	1
644	592	1B + DEN	1
645	592	1B + DEN	1
646	589	1B + DEN	1
647	589	1B + DEN	1

	SQ FTG	# OF BED	# OF BATH
648	589	1B + DEN	1
649	589	1B + DEN	1
650	589	1B + DEN	1
651	585	1 BED	1
652	585	1 BED	1
653	585	1 BED	1
654	584	1+D	1
655	584	1+D	1
656	584	1+D	1
657	584	1+D	1
658	583	1 BED	1
659	583	1 BED	1
660	583	1 BED	1
661	582	1	1
662	582	1	1
663	582	1	1
664	582	1	1
665	582	1	1
666	582	1 BED	1
667	582	1 BED	1
668	582	1B + DEN	1
669	580	1	1
670	579	1	1
671	579	1	1
672	579	1+D	1
673	579	1+D	1
674	579	1+D	1
675	579	1+D	1
676	579	1	1
677	579	1	1
678	579	1 BED	1
679	579	1 BED	1
680	579	1 BED	1
681	579	1 BED	1
682	574	1B + DEN	1
683	573	1 BED	1
684	569	1B + DEN	1
685	569	1B + DEN	1
686	569	1B + DEN	1
687	569	1B + DEN	1
688	569	1B + DEN	1
689	569	1B + DEN	1
690	567	1	1
691	567	1	1
692	567	1	1
693	567	1	1
694	567	1	1
695	567	1B + DEN	1
696	566	1 BED	1
697	562	1	1

	SQ FTG	# OF BED	# OF BATH
698	562	1+D	1
699	562	1+D	1
700	562	1	1
701	562	1	1
702	562	1+D	1
703	562	1+D	1
704	562	1+D	1
705	562	1+D	1
706	562	1+D	1
707	562	1+D	1
708	562	1	1
709	562	1	1
710	562	1+D	1
711	562	1+D	1
712	562	1+D	1
713	562	1+D	1
714	562	1+D	1
715	562	1+D	1
716	562	1+D	1
717	562	1+D	1
718	562	1+D	1
719	560	1 BED	1
720	559	1 BED	1
721	559	1 BED	1
722	559	1 BED	1
723	559	1 BED	1
724	558	1	1
725	558	1	1
726	558	1	1
727	558	1	1
728	558	1	1
729	554	1 BED	1
730	554	1 BED	1
731	554	1 BED	1
732	554	1 BED	1
733	554	1 BED	1
734	554	1 BED	1
735	554	1 BED	1
736	554	1 BED	1
737	554	1 BED	1
738	553	1 BED	1
739	553	1 BED	1
740	553	1 BED	1
741	552	1 BED	1
742	551	1	1
743	551	1	1
744	551	1	1
745	551	1	1
746	551	1	1
747	551	1 BED	1

	SQ FTG	# OF BED	# OF BATH
748	550	1 BED	1
749	549	1	1
750	549	1	1
751	549	1	1
752	549	1	1
753	549	1	1
754	549	1	1
755	549	1	1
756	549	1	1
757	549	1	1
758	549	1	1
759	549	1	1
760	549	1	1
761	549	1	1
762	549	1	1
763	549	1	1
764	549	1	1
765	549	1	1
766	549	1	1
767	549	1	1
768	549	1 BED	1
769	538	1	1
770	538	1	1
771	537	1	1
772	537	1	1
773	537	1	1
774	537	1	1
775	537	1	1
776	537	1	1
777	537	1	1
778	537	1	1
779	537	1	1
780	537	1	1
781	537	1	1
782	537	1	1
783	537	1	1
784	537	1	1
785	537	1	1
786	537	1	1
787	537	1	1
788	521	1	1
789	521	1	1
790	521	1	1
791	521	1	1
792	521	1	1
793	521	1	1
794	521	1 BED	1
795	521	1 BED	1
796	519	1	1
797	519	1	1

	SQ FTG	# OF BED	# OF BATH
798	519	1	1
799	519	1	1
800	519	1	1
801	519	1	1
802	519	1	1
803	519	1	1
804	519	1	1
805	519	1	1
806	519	1	1
807	519	1	1
808	519	1	1
809	519	1	1
810	519	1	1
811	519	1	1
812	519	1	1
813	519	1	1
814	519	1	1
815	519	1	1
816	519	1	1
817	519	1	1
818	519	1	1
819	519	1	1
820	519	1	1
821	519	1	1
822	515	1 BED	1
823	514	1	1
824	514	1	1
825	514	1	1
826	514	1	1
827	514	1	1
828	514	1	1
829	514	1	1
830	514	1	1
831	514	1	1
832	514	1	1
833	514	1	1
834	514	1	1
835	514	1	1
836	514	1	1
837	514	1	1
838	514	1	1
839	514	1	1
840	514	1	1
841	514	1	1
842	514	1	1
843	514	1	1
844	514	1	1
845	514	1	1
846	514	1 BED	1
847	513	1 BED	1

	SQ FTG	# OF BED	# OF BATH
848	513	1 BED	1
849	513	1 BED	1
850	513	1 BED	1
851	512	1	1
852	512	1 BED	1
853	512	1 BED	1
854	509	1	1
855	509	1	1
856	509	1	1
857	509	1	1
858	509	1	1
859	509	1	1
860	509	1	1
861	509	1	1
862	509	1	1
863	509	1	1
864	509	1	1
865	509	1	1
866	509	1	1
867	509	1	1
868	509	1	1
869	509	1	1
870	509	1	1
871	509	1	1
872	508	1 BED	1
873	506	1 BED	1
874	506	1 BED	1
875	506	1 BED	1
876	506	1 BED	1
877	503	1 BED	1
878	502	1	1
879	502	1	1
880	499	1 BED	1
881	497	1 BED	1
882	497	1 BED	1
883	489	1	1
884	489	1	1
885	489	1	1
886	489	1	1
887	489	1	1
888	489	1	1
889	489	1	1
890	489	1	1
891	489	1	1
892	489	1	1
893	489	1	1
894	489	1	1
895	489	1	1
896	489	1	1
897	489	1	1

	SQ FTG	# OF BED	# OF BATH
898	489	1	1
899	482	1 BED	1
900	476	STUDIO	1
901	476	STUDIO	1

MALONE GIVEN PARSONS LTD.
140 Renfrew Drive, Suite 201
Markham, Ontario L3R 6B3
Tel: 905-513-0170
Fax: 905-513-0177
www.mgp.ca

April 30, 2012

Mr. Bill Hughes
Comissioner of Finance and Treasurer
17250 Yonge Street
Newmarket, ON
L3Y 6Z1

MGP File: *08-1787*
Your File:

Dear Mr. Hughes:

RE: 2012 York Region Development Charge Draft By-law
May 3, 2012 Finance and Administration Committee

We are writing to you on behalf of our client Times Group Corporation ("Times") in regards to the Region of York's proposed Development Charge By-law.

The purpose of this letter is to express our concern with the proposed Development Charge By-law, specifically, the lack of consideration for a reduced "hard" service fee for LEED buildings, and the proposed amendment to unit size (rather than bedroom count) as the metric for apartment unit development charges.

Times is a major landowner and developer in York Region Centre and is proud to be a leading developer of LEED certified buildings. Times' projects reduce water and wastewater usage, provide affordable housing for existing and new residents, and provide transit supportive densities. Times' Uptown development in Markham Centre is planned to achieve LEED Silver or Gold certification. As well, Times' proposed high-density residential development in Markham's Leitchcroft community will also achieve LEED Gold certification. Times' LEED buildings have the effect of reducing water and wastewater requirements by 20 to 40%.

At the March 1, 2012 Finance Committee meeting, Mr. Ira T. Kagan (legal counsel to Times Group Corporation) addressed the committee. Mr. Kagan provided a copy of the Minutes of Settlement signed by the Region and Times in September 2010 which, among other things, required the Region to study a LEED reduction as part of the current DC By-law review. Mr. Kagan also provided the committee with a copy of an engineering report showing the measured reduction in water and wastewater usage from the Times' LEED buildings. The committee directed staff to consider all of this and report back. The Region has a real opportunity, as part of this DC By-law process, to use is taxing power to influence social change. It can encourage others to build LEED developments by recognizing the reduced cost, over the long term, of such development. We ask that the Region not squander this opportunity.

The Region's Green Building polices look to enhance the sustainability, energy and water efficiency of high density developments, which Times' developments achieve through LEED. There is no recognition however, of these efficiencies in the development charge “hard” service fee. We therefore request that staff examine opportunities to reduce the “hard’ service fee for buildings which reduce demand for hard service infrastructure.

Furthermore, Times’ is opposed to the proposed modifications for residential development charges related to apartment units. Under the Region’s current Development Charge By-law (DC-0007-20007-040) the required development charge rate per unit is based on bedroom count. The proposed development charge by-law removes all reference to bedroom and proposes to use unit size (square footage) to determine the appropriate rate.

Times’ typical one bedroom plus den product is generally within the range of 600-750 sq.ft. Under the current by-law, Times’ typical one bedroom plus den unit would comply with the development charge rate for a “less than 2 bedroom” apartment unit and incur the lower development charge rate.

The proposed changes to the by-law would result in a significant percentage of the same product being deemed a “Large Apartment” and would therefore result in a significant development charge fee increase. We believe that the effect of this change will make it increasingly difficult for the Region and lower municipalities to achieve intensification, affordable housing and sustainable development. We request that the use of bedroom count continue to be used for apartment rates or alternately that the threshold for small/large apartments be set at 750 sq.ft.

Please feel free to contact me at 905.513.0170 ext. 131 if you would like to discuss any aspect of this letter or if you have any further questions regarding my submission.

Yours very truly,
MALONE GIVEN PARSONS LTD.

Nick Pileggi, MCIP, RPP
Partner
npileggi@mgp.ca

cc: H. Ghadaki, Times Group Corporation
Dennis Kelly, Regional Clerk
I. Kagan, Kagan Shastri LLP

MALONE GIVEN PARSONS LTD.
140 Renfrew Drive, Suite 201, Markham
Ontario, Canada L3R 6B3
Tel: 1-905-513-0170 x113
Fax: 1-905-513-0177
www.mgp.ca
(jkirk@mgp.ca)

May 2, 2012

Corporation of the Region of York
17250 Yonge Street,
Newmarket, Ontario
L3Y 6Z1

Attention: Mr. Bill Hughes, Commissioner of Finance

Dear Sir:

Re: York Region 2012 Development Charge Review

We act on behalf of Jason Kaptyn Hospitality Inc., developers of hotels and mixed use projects in York Region. Our client is currently planning two major hotel-based mixed use projects in south York Region. It has come to our attention recently that the proposed new Development Charge Bylaw would not only increase substantially the charge for the residential portion of mixed use projects but also for hotel developments.

Jason Kaptyn Developments Inc is in the process of assessing the financial aspects of its projects and needs to fully understand the impact of development charges. The 2012 Background Study indicates the new method for calculating development charges for hotels will be 25% of the gross floor area assessed at the retail rate and the hotel rooms assessed at 100% of the small apartment rate. We have one question about this methodology: Does the 25% assessment exclude the space devoted to hotel rooms i.e will it be assessed against 25% of the remaining floor area in the hotel?

Paragraph 3.10 (c) of the draft bylaw states that the charge for a hotel will be "…25% of the prevailing retail rate for the total gross floor area of the hotel, and each suite used for the purposes of providing lodging shall be charged the prevailing small apartment rate."

This appears to be a double-counting of charges for the same floor space i.e. 25% of the space devoted to hotel rooms will be assessed at the retail rate and the rooms at the small apartment rate. We believe this matter should be reviewed and revised to ensure floor space is assessed only once.

Yours truly,
MALONE GIVEN PARSONS LTD.

Jim Kirk

Jim Kirk, M.C.I.P., R.P.P.
Partner

Attachment: extract of draft DC bylaw

APPENDIX D

PROPOSED YORK REGION DEVELOPMENT CHARGE BY-LAW (2012)

(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 imposed pursuant to this by-law 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;

"***funeral home***" means a building with facilities for the preparation of dead persons for burial or cremation, for the viewing of the body and for funeral services;

"***general services***" means services in regard to transit, Toronto-York subway extension, police, emergency medical services, public health, long term care, public works, growth studies and social housing;"

"***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 building or structure is a parking structure, and, for the purposes of this definition, notwithstanding any other section of this by-law, 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. Notwithstanding any other section of this by-law, gross floor area shall not include the surface area of swimming pools or the playing surfaces of indoor sport fields including hockey arenas, and basketball courts;

"***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;

(ii) a development charge with respect to road services according to the gross floor area of the industrial/office/institutional use;

(b) Uniform Charges

(i) where the lands, buildings or structures are serviced by regional water services, the development charge with respect to water services according to the gross floor area of the industrial/office/institutional use;

(ii) where the lands, buildings or structures are serviced by regional wastewater services, the development charge with respect to wastewater services according to the gross floor area of the industrial/office/institutional use.

Retail Uses

3.10 The development charges described in Schedule F-1 to F-4 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 as follows:

(a) Region-wide Charges

(i) a development charge with respect to each of the general services according to the gross floor area of the retail use;

(ii) a development charge with respect to road services according to the gross floor area of the retail use;

(b) Uniform Charges

(i) where the lands, buildings or structures are serviced by regional water services, the development charge with respect to water services according to the gross floor area of the retail use;

(ii) where the lands, buildings or structures are serviced by wastewater services, the development charge with respect to wastewaster services according to the gross floor area of the retail use.

(c) Hotels

Despite any other provisions of this by-law, a hotel shall be charged twenty five percent of the prevailing retail rate for the total gross floor area of the hotel, and each suite used for the purposes of providing lodging shall be charged the prevailing small apartment rate.