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**DEVELOPMENT CHARGE CREDIT REQUEST
1010047 ONTARIO LIMITED - TRESSTOWN SUBDIVISION PHASE 2 AND 3
YORK/DURHAM LINE AND MANTLE AVENUE
TOWN OF WHITCHURCH-STOUFFVILLE**

The Finance and Administration Committee recommends the adoption of the recommendations contained in the following report from the Commissioner of Finance.

1. RECOMMENDATIONS

It is recommended that:

1. Council authorize a development charge ("DC") credit in the amount of \$276,596 (88%) for the growth-related component (development charges) and a payment of \$37,718 (12%) for the non-growth component (tax levy) of the proposed intersection works undertaken by 1010047 Ontario Limited in the Town of Whitchurch-Stouffville, subject to completion of the works to the satisfaction of the Commissioner of Transportation Services, and
2. The Regional Solicitor be authorized to include the development charge credit provisions in the subdivision agreement regarding the above-noted subdivision with credits to be funded from future Regional road DC Credits otherwise payable at the time of subdivision registration.

2. PURPOSE

The purpose of this report is to authorize a development charge credit for road works performed by 1010047 Ontario Limited for the intersection improvements at York/Durham Line and Mantle Avenue in the Town of Whitchurch-Stouffville in advance of the construction timing projected in the Regional Roads Capital Program.

3. BACKGROUND

At its May 9th and May 23rd, 1996 meetings, Regional Council approved a detailed DC credit policy for capital works undertaken by the developer in advance of the planned reconstruction program (subsequently amended June 23, 2003 as part of the passing of Regional DC By-law No. DC-0005-2003-050).

1010047 Ontario Limited has forwarded a request to the Regional Transportation Services Department for the consideration of DC credits for the intersection

improvements at York/Durham Line and Mantle Avenue in the Town of Whitchurch-Stouffville (Attachment 1).

4. ANALYSIS AND OPTIONS

1010047 Ontario Limited DC Credit request

1010047 Ontario Limited has developed a residential subdivision 19T-98W04 in the Town of Whitchurch-Stouffville. In order to proceed with the development of the lands, the developer was required to undertake intersection improvements at York/Durham Line and Mantle Avenue in the Town of Whitchurch-Stouffville in accordance with the planned reconstruction program at an estimated cost of \$314,314. These works were carried out in advance of the Region's Transportation Master Plan, beyond the ten year roads program and were built to the ultimate location.

Discussions as to the development charge credit amount were carried out between the applicant and Regional staff. The applicant has agreed to the amount and now is in a position to proceed with the DC credit process.

5. FINANCIAL IMPLICATIONS

Subdivision lands benefiting from intersection improvements totals 634 residential units

The DC Credit process is based on York Region unit pricing for that particular year of construction. The unit pricing used to provide the DC credit eligibility is derived from an average of the three lowest tendered bids of the Regional roads projects from the previous year. A complete list of the approved unit prices are posted on York Region's website. Applicants are encouraged by Regional staff to use these published figures as benchmarks for construction items. Typically, Regional staff have received applications for DC Credits that are greater than what the Region would consider to be DC Credit eligible. However, for this DC Credit request, the applicant submitted unit prices that were lower than York Region's unit pricing, and as part of the DC Credit process, the applicant is entitled to a DC Credit based on York Region's unit prices.

The subject subdivision benefiting from the road works is comprised of a total of 634 residential units, of which 522 have been built. Buildout of this subdivision would result in regional development charges of approximately \$13.3 million, of which \$4.6 million pertains to the roads component of the charge.

The Regional Transportation Services Department has reviewed the request submitted by 1010047 Ontario Limited in accordance with the approved DC credit policy, and

Regional staff have determined that \$314,314 of the total value of the intersection improvements is eligible for consideration through the DC credit process (Attachment 2).

Regional road DC Credit of \$276,596 to be applied to future phases of development

Regional staff recommends that a Regional road DC Credit of \$276,596 be made available to 1010047 Ontario Limited for future phases of their development.

In accordance with the DC credit policy, in order to advance the road works from its planned construction timing, the developer will be responsible for a share of the non-growth component of the works. This provides for a discounting of the non-growth component of the works due to the construction of the works in advance of the timing proposed in the Region's 10 year capital program. As these works were constructed in 2007 when they were not included in the 10 Year Capital Plan and Region's Transportation Master Plan, and were built to the ultimate location, 1010047 Ontario Limited is entitled to recover \$37,718 of the non-growth component of the works.

It is proposed that a DC Credit be permitted for the growth-related component of the works in the amount of \$276,596 (88%) and a reimbursement of \$37,718 (12%) for the non-growth component. The developer has been contacted and is in agreement with the credit amount.

The growth-related component (development charges) of the DC credit is to be funded from future Regional roads DC credits otherwise payable at the time of subdivision registration, subject to completion of the intersection works to the satisfaction of the Commissioner of Transportation Services. It is recommended that the Regional Solicitor be authorized to include the DC Credit (growth component) in the subdivision agreements for the intersection improvements at York/Durham Line and Mantle Avenue in the Town of Whitchurch-Stouffville.

The non-growth component (tax levy) of the works is provided for in the 2009 Roads Capital Budget. The developer is entitled to recover the non-growth component of \$37,718 for the works. The combined year to date (for 2009) cumulative impact of the non-growth component of DC Credits proposed and/or approved by Finance and Administration Committee and Council is \$461,775.

6. LOCAL MUNICIPAL IMPACT

The proposed road intersection improvements will benefit the Town of Whitchurch-Stouffville in terms of improving traffic flow along the roadway of York/Durham Line and Mantle Avenue. These intersection improvements also facilitate the buildout of the subdivision in the Town of Whitchurch-Stouffville.

7. CONCLUSION

The DC credit request submitted by 1010047 Ontario Limited has been reviewed in accordance with the approved DC credit policy. It is proposed that subject to completion of the intersection works to the satisfaction of the Commissioner of Transportation Services, the developer be eligible for a roads DC credit of \$276,596 (88%) for the growth component and the non-growth cost recovery of \$37,718 (12%) from tax levy.

For more information on this report, please contact Kelly Strueby, Director of Business Planning and Budgets at ext. 1611 or Beth Kodama, Manager of Capital and Development Financing at ext. 1699.

The Senior Management Group has reviewed this report.

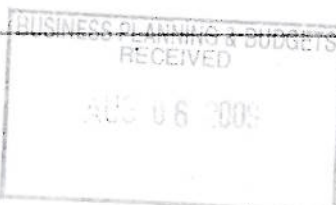
(Attachment 1 referred to in this clause was included in the agenda for the September 10, 2009 meeting.)

(Attachment 2 referred to in this clause is attached to this report.)



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November 16, 2006

FILE: 95:757:D#10014

Region of York
90 Bales Drive
Sharon, Ontario
L0G 1V0

Attention: Ms. T. Clayton

Dear Ms. Clayton:

**SUBJECT: APPLICATION FOR DEVELOPMENT CHARGE CREDIT
YORK/DURHAM LINE AND MANTLE AVENUE
TRESSTOWN SUBDIVISION – 19T(W) – 98.004
TOWN OF WHITCHURCH STOUFFVILLE**

06-005-W

In support of our design submission of September 25, 2006, on the above noted intersection, we are pleased to submit for your consideration, the following documentation for a development charge credit;

1. Earthworks and roadwork quantity calculations
2. Quantity and cost summary for the roadworks and illumination
3. Three (3) sets of illumination drawings 1, 2 and 3 by iTrans

We would request your consideration of the enclosed development charge credit in concert with review of our drawing submission of September 25, 2006 and the enclosed illumination drawings. If you should have any questions with respect to the enclosed information, please contact the undersigned or our Carrie Park at you convenience.

Yours truly,

SABOURIN KIMBLE & ASSOCIATES LTD.


A. B. Kimble, P. Eng.

ABK/ts

Encl.

c.c. Mr. M. McLean – 1010047 Ontario Limited

Sabourin Kimble & Associates LTD. Consulting Engineers
Intersection Improvements for York/Durham Line and Mantle Avenue
Town of Whitchurch-Stouffville

	Total Cost	Regional Cost (DC Credit)	Developer Cost
a) Total estimated cost of works	\$282,662		
b) Amount of works not in ultimate Regional location	\$31,652		(\$31,652)
c) Amount eligible for Development Charge Credit (per Development Charge Credit Policy)	\$314,314		
- development charge component 88.00%	\$276,596	\$276,596	
d) Non-growth summary			
- non-growth component 12.00%	\$37,718		
Developer share of non-growth costs			
- present value of works constructed (works included in 10 year capital forecast)	\$0		\$0
Regional share of non-growth costs	\$37,718	\$37,718	
Total Share of Capital Costs		\$314,314	(\$31,652)

Developer Recovery Summary:

Total growth-related credit -	\$276,596
Total non-growth reimbursement -	\$37,718
	<u>\$314,314</u>

Summary:

Total Estimated Cost of Works	\$282,662
Regional Share (DC Credit)	\$314,314
Developer Share	(\$31,652)