

RESOLUTION OF THE REGIONAL MUNICIPALITY OF YORK

Subject: **YONGE SUBWAY EXTENSION – LEGISLATIVE CHANGES**

Date: March 11, 2021

WHEREAS the Provincial Growth Plan requires York Region to grow to 2,020,000 persons and 990,000 jobs by the year 2051; and,

WHEREAS the Yonge Subway Extension is a required priority transit project for York Region to achieve the Provincial Growth Plan targets; and,

WHEREAS on April 10, 2019, the Province committed to building the Yonge Subway Extension, the cost of which is expected to be approximately \$5.6 billion; and,

WHEREAS on May 28, 2020, York Region and the Province signed the "[Ontario-York Region Transit Partnership Preliminary Agreement](#)", under which it is expected that York Region will contribute its pro rata share of the ~26.67% towards the total capital construction costs of the Yonge Subway Extension; and,

WHEREAS York Region's share of the total capital construction costs of the Yonge Subway Extension are expected to be over \$1 billion; and,

WHEREAS the Province has been working with Regional staff since July 2020 to identify any legislative changes so that York Region may fund its share of the Yonge Subway Extension's capital costs in a financially sustainable manner; and,

WHEREAS the Yonge Subway Extension is expected to benefit population and employment growth for decades into the future; and,

WHEREAS the Yonge Subway Extension would be treated as a transit service under the *Development Charges Act, 1997* with a planning horizon limited to 10 years; and,

WHEREAS as a result of being treated as a transit service, a substantial share of the growth-related capital costs for the Yonge Subway Extension would not be recoverable in York Region's forthcoming 2022 Development Charges Bylaw; and,

WHEREAS recent amendments to the *Development Charges Act, 1997* allow qualifying developments to freeze development charge rates at site plan or zoning bylaw amendment application; and,

WHEREAS these new freezing provisions allow qualifying developments, that would benefit from the Yonge Subway Extension, to lock in their development charges rates prior to the Yonge Subway Extension's inclusion in York Region's 2022 Development Charges Bylaw, thereby avoiding paying their share of the growth-related capital costs; and,

WHEREAS in 2011, in recognition of York Region's position as a rapidly growing municipality with the need to build significant infrastructure projects, the Province amended Ontario Regulation 403/02, adding section 4.1, to allow York Region to add a Growth Cost Supplement to its Annual Repayment Limit; and,

WHEREAS section 4.1 of Ontario Regulation 403/02 will expire on December 31, 2021; and,

WHEREAS the renewal of the Growth Cost Supplement is required for York Region to finance growth-related projects, including the Region's share of the Yonge Subway Extension; and,

WHEREAS in the absence of changes to the *Development Charges Act, 1997* and the renewal of the Growth Cost Supplement, York Region may have to defer capital projects required to support Provincial Growth Plan targets; and,

THEREFORE BE IT RESOLVED that the Province be requested to amend the *Development Charges Act, 1997* to treat the Yonge Subway Extension as a discrete service that is not subject to a 10-year planning horizon; and,

BE IT RESOLVED that the Province be requested to repeal section 26.2 of the *Development Charges Act, 1997* or exempt the Yonge Subway Extension (as a discrete service) from the freezing provisions under section 26.2 of the *Development Charges Act, 1997*; and,

BE IT FURTHER RESOLVED that the Province be requested to renew the York Region-specific, Annual Repayment Limit, under section 4.1 of Ontario Regulation 403/02, for a minimum ten-year period; and,

BE IT FINALLY RESOLVED that the Regional Clerk circulate this resolution to the Minister of Municipal Affairs and Housing, Minister of Finance, Minister of Transportation and Minister of Infrastructure.