



2021  
**NOBLETON**  
AREA-SPECIFIC DEVELOPMENT CHARGE  
Background Study

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## List of Acronyms and Abbreviations

<b>Acronym</b>	<b>Full Description of Acronym</b>
A.M.P.	asset management plan
D.C.	development charge
D.C.A.	<i>Development Charges Act, 1997</i> , as amended
G.F.A.	gross floor area
O. Reg.	Ontario Regulation
P.P.U.	persons per unit
sq.ft.	square foot/square feet
sq.m	square metre/square metres

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# **Executive Summary**

# Executive Summary

This background study has been prepared pursuant to section 10 of the *Development Charges Act, 1997*, as amended (D.C.A.). Together with the proposed bylaw, the study will be made available to the public more than two weeks prior to the public meeting, which is to be held on April 8, 2021. Further, the background study will be posted to the Regional Municipality of York (the Region) website at least sixty days prior to the passage of the development charge (D.C.) bylaw and remain there until the bylaw expires or is repealed.

The report provided herein represents the Region D.C. background study for wastewater service in the Village of Nobleton. The contents include the following:

- Chapter 1 – Introduction and background;
- Chapter 2 – Review of the 2016 Nobleton D.C. bylaw;
- Chapter 3 – Anticipated development within the benefiting area;
- Chapter 4 – Development-related servicing requirements;
- Chapter 5 – Calculation of the development charge;
- Chapter 6 – Bylaw policy considerations;
- Chapter 7 – Bylaw approval process;
- Appendix A - Long-Term Capital and Operating Examination and Asset Management Plan; and
- Appendix B – The Proposed Bylaw.

The purpose of this study is to support a D.C. calculation to recover the growth-related costs for the portion of the wastewater servicing in Nobleton that is under the Region's jurisdiction. The Region provides for wastewater treatment, whereas the Township of King is responsible for the wastewater collection system.

Since 2006, the Region has enacted an area-specific D.C. bylaw applicable to the Village of Nobleton for this purpose. The 2016 D.C. bylaw expires on September 20, 2021 and must be replaced to allow the Region to continue to recover the growth-related costs from new development.

The 2021 calculation updates the calculation made in 2016 allocating the amount still to be recovered over the forecast growth that has not yet paid D.C.s. The proposed rates

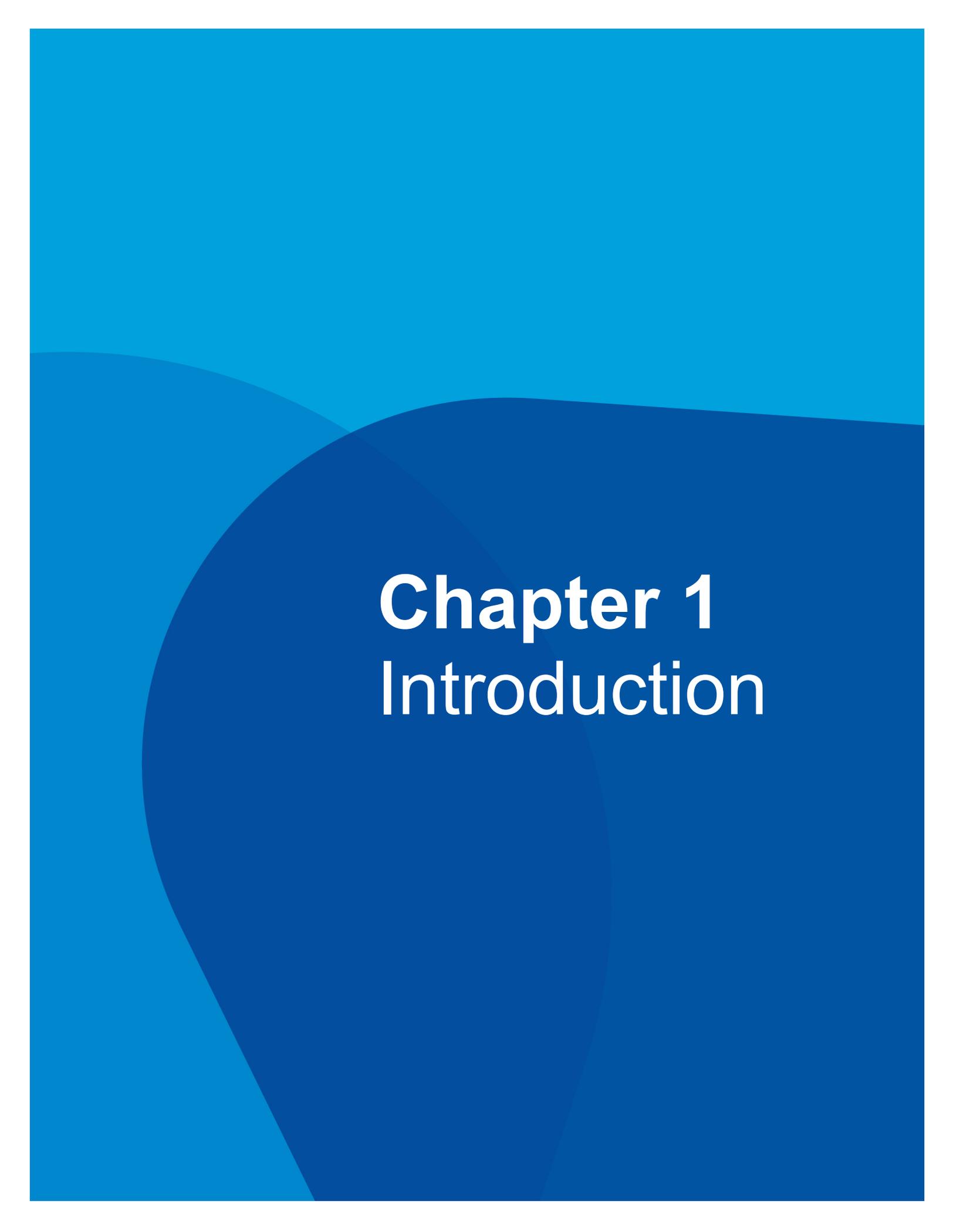
for inclusion in the 2021 Nobleton area-specific D.C. bylaw are shown below as are the rates currently in effect.

	Rates Currently in Effect (indexed as of September 21, 2020)	2021 Proposed Rates
<u>Residential (per unit)</u>		
Single and Semi-detached	\$11,349	\$14,487
Multiple Unit Dwelling	\$9,751	\$12,281
Apartments - 700 square feet or larger	\$6,856	\$9,075
Apartments - Less than 700 square feet	\$4,992	\$6,244
<u>Non-Residential (per square foot of gross floor area)</u>		
Industrial/Office/Institutional	\$6.23	\$5.85
Retail	\$6.23	\$5.85

Note: The categories of apartments in the 2016 bylaw are 650 sq.ft. or larger and less than 650 sq.ft. For 2021, it is proposed that the categories be changed to apartments 700 sq.ft. or larger and less than 700 sq.ft. This is consistent with the Region-wide bylaw.

In addition to providing updated charges, changes are included in the proposed bylaw to bring the policies in line with the Region-wide bylaw as well as the amendments to the D.C.A.

# Report

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# Chapter 1

## Introduction

# 1) Introduction

## 1.1 Background

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Since 2006, the Region has imposed area-specific development charges (D.C.s) in the Village of Nobleton to recover the growth-related costs for the portion of the wastewater servicing that is under the Region's jurisdiction. The Village of Nobleton is located in the Township of King. A map of the area is provided in Chapter 3.

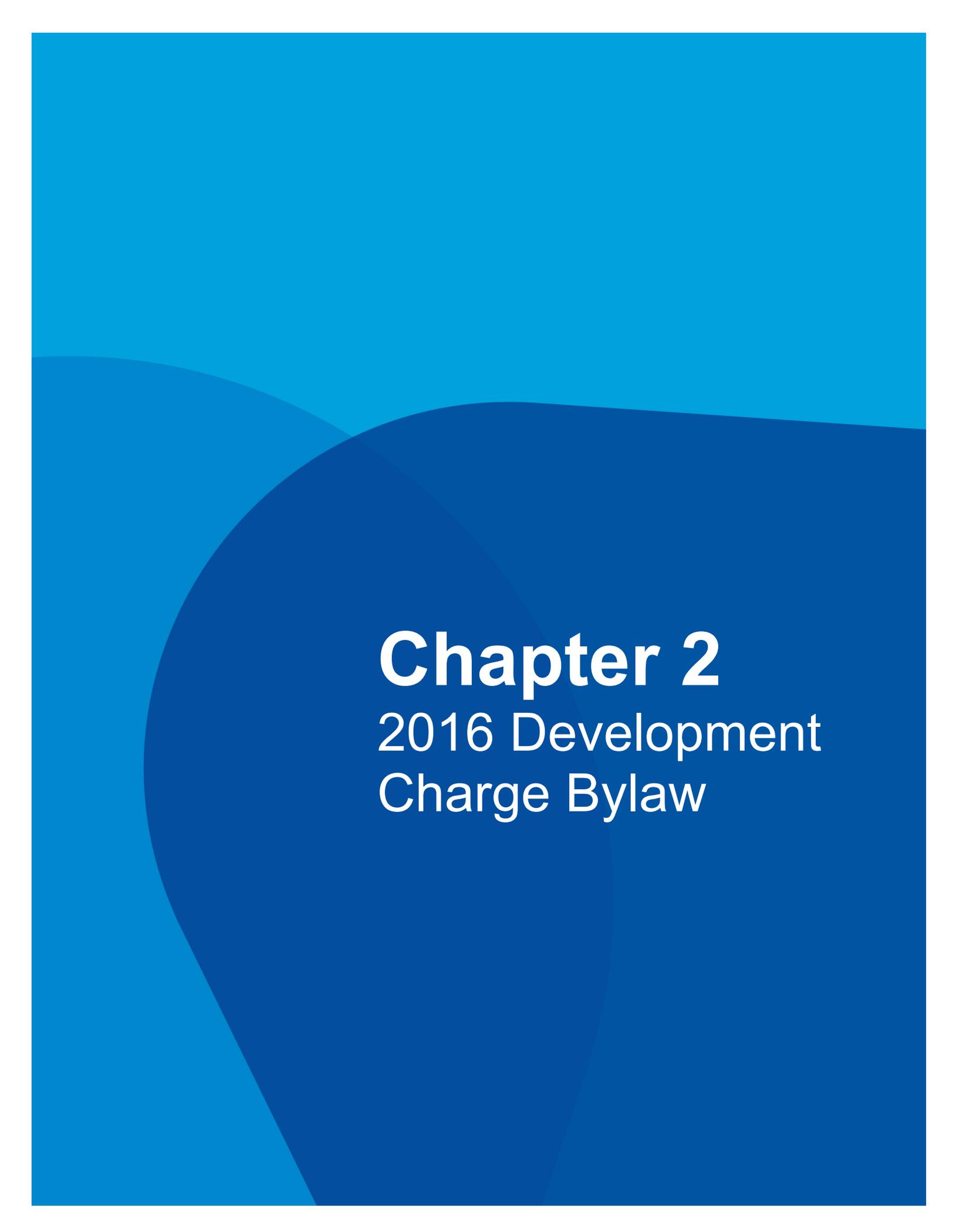
The 2016 D.C. bylaw expires on September 20, 2021. In order to continue to recover the costs of the growth-related works from benefiting development, the Region must pass a new D.C. bylaw. *The Development Charges Act, 1997*, as amended (D.C.A.) requires that a D.C. background study be completed by Council before passing a D.C. bylaw. Further details regarding the proposed process are provided in Chapter 7.

## 1.2 Purpose of this Document

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This background study has been prepared pursuant to the requirements of the D.C.A. (section 10) and, accordingly, recommends new D.C.s for Regional wastewater service in the Village of Nobleton.

This D.C. background study, containing the proposed D.C. bylaw, will be distributed to members of the public in order to provide interested parties with sufficient background information on the legislation, the study's recommendations, and an outline of the basis for these recommendations.

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# **Chapter 2**

## 2016 Development Charge Bylaw

## 2) 2016 Development Charge Bylaw

### 2.1 2016 Bylaw and Schedule of Charges

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On June 23, 2016, the Region passed Bylaw No. 2016-40. The bylaw came into effect on September 21, 2016. This bylaw imposes D.C.s on residential and non-residential uses for wastewater services in the urban boundary of the Village of Nobleton, as shown in Schedule B of the 2016 bylaw.

### 2.2 Services Covered

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Section 2.1 of the Bylaw No. 2016-40 states that the service for which the D.C.s are imposed is wastewater works. The components of this service are described in Schedule A and include:

- Forcemain and Trunk Sewers;
- Sewage Pumping Stations;
- Water Pollution Control Plant;
- Outfall and Wetland; and
- Engineering.

### 2.3 Payment in Any Particular Case

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In accordance with the D.C.A., subsection 2 (2), a D.C. 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 9 of the *Condominium Act, 1998*; or
- g) the issuing of a building permit under the *Building Code Act, 1992* in relation to a building or structure.”

## 2.4 Timing of D.C. Calculation and Payment

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Section 3.13 of Bylaw No. 2016-40 states that D.C.s are payable on the date on which a building permit is issued with respect to each dwelling unit, building or structure. Section 3.14 states that, notwithstanding the provisions of section 3.13, for development by plan of subdivision, D.C.s are due at the time of subdivision agreement calculated as follows:

- 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.
- c. despite section 3.14 (b), development charges payable with respect to blocks intended for future development may be deferred until the issuance of a building permits for such blocks if the number and type of units on such blocks are not specified prior to the issuance of the Region’s clearance of the plan of subdivision.”

## 2.5 Indexing

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Bylaw No. 2016-40 provides for annual indexing of the schedule charges on September 21 each year. Table 2-1 compares the charges at the time of bylaw passage with the rates in effect as of September 21, 2020.

Table 2-1  
Wastewater Development Charges for the Village of Nobleton  
As Per Bylaw 2016-40

	Rates in Effect as of 2016 Bylaw Passage	Rates Currently In Effect (indexed as of Sept 21, 2020)
<u>Residential (per unit)</u>		
Single and Semi-detached	\$9,798	\$11,349
Multiple Unit Dwelling	\$8,419	\$9,751
Apartments - 650 sq.ft. or more	\$5,919	\$6,856
Apartments - Less than 650 sq.ft.	\$4,310	\$4,992
<u>Non-Residential (per square foot of gross floor area)</u>		
Industrial/Office/Institutional	\$5.38	\$6.23
Retail	\$5.38	\$6.23

## 2.6 Redevelopment Credit

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Credit provisions for the demolition or conversion of existing buildings are set out in section 3.11 of Bylaw No. 2016-40:

“3.11 Despite any other provision of this bylaw, 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 bylaw 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 a 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 bylaw by the gross floor area that has been or will be demolished or converted to another principal use;
- c. provided that such amounts shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment.”

## 2.7 Non-Statutory Exemptions

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Section 3.5. of Bylaw No. 2016-40 provides non-statutory exemptions from the payment of D.C.s 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; or
- i. a public hospital receiving aid under the *Public Hospitals Act*.”

The exemptions provided for in paragraphs a, b, or c above apply only if the Township of King also exempts these uses.

Section 3.10 provides an additional exemption for places of worship to a maximum of 5,000 sq.ft. or the actual area that is used for worship, whichever is greater.

## 2.8 Phasing in the Rates

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Bylaw No. 2016-40 did not provide for the phasing-in of the schedule of D.C.s.

## 2.9 Other Region Development Charge Bylaws Applicable in Nobleton

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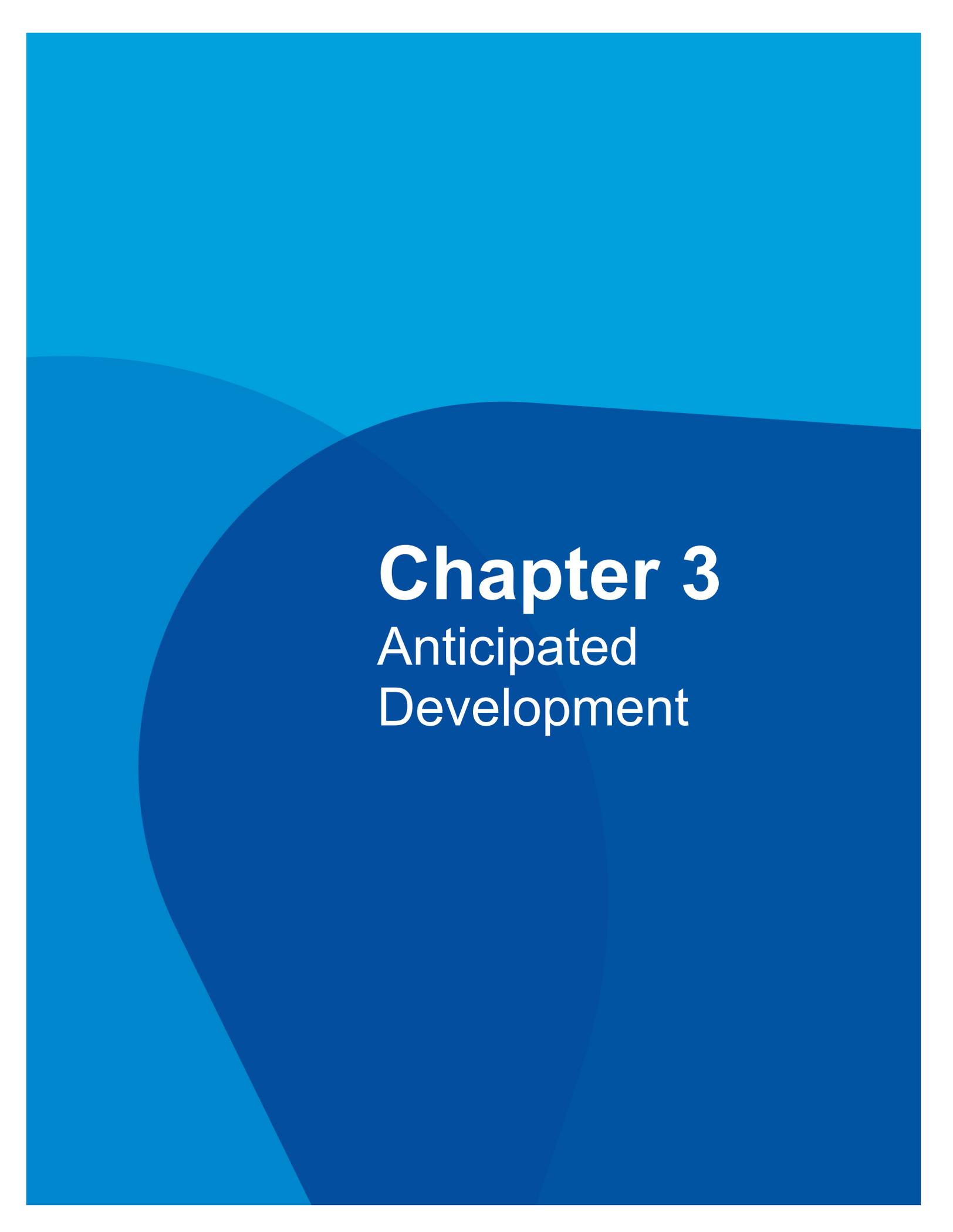
In addition to wastewater charges under Bylaw No. 2016-40, development in the Village of Nobleton is also subject to the Region-wide D.C. bylaw (No. 2017-35, as amended) for services such as roads, water, Regional transit, and police, as well as the Region-wide GO Transit Service bylaw (Bylaw No. 0004-2001-097).

As of November 8, 2020, the combined D.C.s applicable for fully serviced development in the Village of Nobleton under the three bylaws are set out in Table 2-2

Table 2-2  
Total Development Charges Payable for Fully Serviced Development in the Village of Nobleton (as of November 8, 2020)

	Total Charges Applicable in Nobleton
<u>Residential (per unit)</u>	
Single and Semi-detached	\$54,248
Multiple Unit Dwelling	\$44,277
Apartments - 650 sq.ft. or more <sup>1</sup>	\$31,950
Apartments - Less than 650 sq.ft.	\$23,304
<u>Non-Residential (per square foot of gross floor area)</u>	
Industrial/Office/Institutional	\$21.95
Retail	\$51.02

1. The charge for apartments with a floor area of 650 sq.ft. to less than 700 sq.ft. is \$25,168.

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# Chapter 3

## Anticipated Development

## 3) Anticipated Development

### 3.1 Description of the Area

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Map 3-1 illustrates the location of the urban service boundary within the Village of Nobleton, hereinafter referred to as the Nobleton Serviced Area. For the purposes of the D.C., an assessment of the amount of existing residential and non-residential development within this area, and current servicing capacities were considered.

### 3.2 Anticipated Development in Nobleton

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Table 3-1 provides a summary of the anticipated residential development for the Nobleton Serviced Area. Table 3-7 provides a summary of the non-residential development for the Nobleton Serviced Area. A more detailed description of the growth forecast and background assumptions used is set out in subsections 3.2.1 and 3.2.2.

#### 3.2.1 Residential Development

Tables 3-1 and 3-2 summarize existing households and population as of mid-2016 for the Nobleton Serviced Area. Total 2016 households are estimated at 1,622, which generates a population of 5,440.

Table 3-2 summarizes the historical population and housing increase for the Nobleton Serviced Area over the 2016 to buildout period. Applying a weighted housing occupancy assumption of 3.337 persons per unit (P.P.U.), the anticipated net population growth (including existing population decline) for the area is 1,150 persons from mid-2016 to buildout. This provides a total buildout population for the Nobleton Serviced Area of 6,590.<sup>1</sup>

Table 3-3 presents a summary of the vacant land supply and residential housing potential for the Nobleton Serviced Area, as obtained from the Township of King Planning Department, as of 2020. Based on this information, the total residential housing supply for the area is approximately 803 residential units, consisting of 93%

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<sup>1</sup> The buildout population of 6,590 persons was reported within the 2016 ASDC Background Study and has been maintained in this growth forecast.

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low-density dwellings (i.e. single and semi-detached), 3% medium-density units (i.e. townhouses) and 4% high-density dwellings (i.e. apartments).<sup>1</sup>

Table 3-4 (low density) and Table 3-5 (medium and high density) provide a detailed analysis of the existing housing occupancy for the Township of King using custom 2016 Statistics Canada housing occupancy data by dwelling age and structure type. Due to limitations in data, information for the Township of King was used for low-density dwelling occupancy levels and 2016 Census data for the Region was used to derive medium- and high-density dwelling occupancy levels. The larger sample size provides a more accurate representation of the housing occupancy trends within the Nobleton Serviced Area. The Region applies a different charge related to the occupancy levels on apartments based on their size. Table 3-6 represents the weighted P.P.U assumptions used for the growth between 2016 and buildout of the plant servicing capacity of 6,590 persons.

### ***3.2.2 Non-Residential Development***

Table 3-7 summarizes employment growth for the Nobleton Serviced Area over the 2016 to buildout horizon. Nobleton Serviced Area is expected to grow by 892 employees, of which 259 (29%) are anticipated to be in the industrial sector. Additionally, it is anticipated that commercial and population-related employment will grow by 355 employees (40%) and 132 employees (15%), respectively from 2016-Buildout. The remaining 16% of employment growth is expected through an increase of work at home employment of approximately 146 employees for a total growth of 892 employees. Total G.F.A. requirements were generated based on the following square feet (sq.ft.) per employee density assumptions:

- 1,100 sq.ft. per employee for industrial;
- 500 sq.ft. per employee for commercial/population-related; and
- 700 sq.ft. per employee for institutional employment.

Based on the above employment density assumptions, total non-residential gross floor area is anticipated to increase for the Nobleton Serviced Area by 554,800 sq.ft., over

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<sup>1</sup> The supply inventory summarized in Table 3-3 pertains to that which is within the servicing capacity of the existing Nobleton plant.

the 2016 to buildout horizon, of which 51% is comprised of industrial development, 32% commercial/population-related development and 17% institutional-related development.



**Table 3-1  
Nobleton Serviced Area  
Population Forecast Summary, Mid-2016 to Buildout**

Year	Population <sup>1</sup>	Housing Units				Person Per Unit (P.P.U.): Population/ Total Households
		Singles & Semi- Detached	Multiple Dwellings <sup>2</sup>	Apartments <sup>3</sup>	Total Households	
Mid 2016	5,440	1,512	60	50	1,622	3.35
Buildout <sup>5</sup>	6,590	1,972	102	83	2,157	3.06
Incremental Growth						
2016-Buildout	1,150	460	42	33	535	

<sup>1</sup> Population does not include the net Census undercount.

<sup>2</sup> Includes townhouses and apartments in duplexes.

<sup>3</sup> Includes accessory apartments, bachelor, 1-bedroom and 2-bedroom+ apartments.

<sup>4</sup> Buildout population for Nobleton Serviced Area based on Nobleton Community Plan, Township of King Office Consolidation February, 2005. Amendment No. 57 to the Official Plan for the Township of King Planning Area. An additional 160 persons was added through a 2019 Inflow and Infiltration Reduction study as authorized by the Region of York.

**Table 3-2  
Nobleton Serviced Area  
Mid-2016 to Buildout Growth Forecast**

		Population
Mid-2016 Population (1)		5,440
Occupants of New Housing Units, Mid-2016 to Buildout	<i>Units (2)</i>	535
	<i>multiplied by P.P.U. (3)</i>	3.337
	<i>gross population increase</i>	1,785
Decline in Housing Unit Occupancy, Mid-2016 to Buildout	<i>Units</i>	1,622
	<i>multiplied by P.P.U. decline rate (4)</i>	-0.391
	<i>total decline in population</i>	-635
Population Estimate to Buildout		6,590
<i>Net Population Increase, Mid-2016 to Buildout</i>		<i>1,150</i>

(1) Mid 2016 population and housing base derived by Watson & Associates Economists Ltd. in consultation with King Township.

(2) Based upon 2016 Statistics Canada Census data.

(3) Average number of persons per unit (P.P.U.) is assumed to be:

Structural Type	Persons Per Unit <sup>1</sup> (P.P.U.)	% Distribution of Estimated Units <sup>2</sup>	Weighted Persons Per Unit Average
<i>Singles &amp; Semi Detached</i>	3.478	86%	2.991
<i>Multiples (5)</i>	2.946	8%	0.231
<i>Apartments (6)</i>	1.860	6%	0.115
<i>small apartments</i>	1.496		
<i>large apartments</i>	2.184		
<b>Total</b>		100%	3.337

<sup>1</sup> Persons per unit based on Statistics Canada Custom 2016 Census database.

<sup>2</sup> Forecast unit mix based upon historical trends and housing units in the development process.

(4) Decline occurs due to aging of the population and family lifecycle changes, lower fertility rates and changing economic conditions.

(5) Includes townhouses and apartments in duplexes.

(6) Includes bachelor, 1-bedroom and 2-bedroom+ apartments.

Note: Numbers may not add to totals due to rounding.

Table 3-3  
Nobleton Serviced Area Summary of Vacant Land Supply Housing Potential

Status	Low Density <sup>1</sup>	Medium Density <sup>2</sup>	High Density <sup>3</sup>	Total
Approved	83	26	0	109
Draft Approved	5	0	0	5
Proposed	654	0	33	687
Site Plan/Consent	2	0	0	2
<b>Total</b>	<b>744</b>	<b>26</b>	<b>33</b>	<b>803</b>

Source: Prepared by Township of King Planning Department as of Nov, 2020.

<sup>1</sup> Includes single and semi-detached houses.

<sup>2</sup> Includes townhouses and apartments in duplexes.

<sup>3</sup> Includes bachelor, 1-bedroom and 2-bedroom+ apartments.

Table 3-4  
Township of King  
Persons Per Unit By Age and Type of Dwelling (2016 Census)

Age of Dwelling	Singles and Semi-Detached						20 Year Average
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total	
1-5	-	-	-	3.463	4.452	<b>3.622</b>	
6-10	-	-	-	3.451	3.588	<b>3.425</b>	
11-15	-	-	-	3.206	3.647	<b>3.221</b>	
16-20	-	-	-	3.457	4.833	<b>3.645</b>	3.478
20-25	-	-	-	3.345	-	<b>3.316</b>	
25-35	-	-	-	3.129	4.077	<b>3.282</b>	
35+	-	1.286	2.049	2.800	3.671	<b>2.761</b>	
<b>Total</b>	-	<b>1.167</b>	<b>2.179</b>	<b>3.075</b>	<b>3.940</b>	<b>3.113</b>	

<sup>1</sup> Includes townhouses and apartments in duplexes.

<sup>2</sup> Includes bachelor, 1 bedroom and 2 bedroom+ apartments.

<sup>3</sup> Adjusted based on 2001-2016 historical trends.

*Note: Does not include Statistics Canada data classified as 'Other'*

*P.P.U. Not calculated for samples less than or equal to 50 dwelling units, and does not include institutional population.*

Table 3-5  
York Region  
Persons Per Unit By Age and Type of Dwelling (2016 Census)

Age of Dwelling	Multiples <sup>1</sup>						20 Year Average
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total	
1-5	-	1.659	2.090	2.858	4.452	<b>2.775</b>	
6-10	-	1.875	2.235	3.099	4.216	<b>2.999</b>	
11-15	-	1.717	2.188	3.106	4.568	<b>3.038</b>	
16-20	-	1.877	1.990	3.056	4.639	<b>2.974</b>	2.946
20-25	-	1.672	2.259	3.020	3.939	<b>2.893</b>	
25-35	-	1.645	2.103	3.286	4.235	<b>3.180</b>	
35+	-	1.363	2.033	2.837	3.507	<b>2.629</b>	
<b>Total</b>	<b>2.261</b>	<b>1.604</b>	<b>2.115</b>	<b>3.038</b>	<b>4.142</b>	<b>2.931</b>	

Age of Dwelling	Apartments <sup>2</sup>						20 Year Average
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total	
1-5	1.200	1.511	2.073	2.734	-	<b>1.764</b>	
6-10	0.909	1.469	2.066	3.037	-	<b>1.847</b>	
11-15	-	1.445	2.035	3.203	-	<b>1.901</b>	
16-20	-	1.366	1.922	3.167	-	<b>1.927</b>	1.860
20-25	-	1.274	1.921	3.014	-	<b>1.858</b>	
25-35	-	1.308	1.874	2.761	-	<b>1.827</b>	
35+	1.192	1.311	2.008	2.528	3.040	<b>1.835</b>	
<b>Total</b>	<b>1.125</b>	<b>1.418</b>	<b>1.990</b>	<b>2.779</b>	<b>3.667</b>	<b>1.834</b>	

Age of Dwelling	All Density Types					
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total
1-5	1.913	1.521	2.104	3.281	4.513	<b>2.915</b>
6-10	2.091	1.520	2.128	3.449	4.543	<b>3.253</b>
11-15	-	1.572	2.103	3.437	4.522	<b>3.376</b>
16-20	1.727	1.506	2.005	3.336	4.473	<b>3.303</b>
20-25	-	1.417	1.999	3.263	4.141	<b>3.138</b>
25-35	1.647	1.458	1.974	3.138	4.042	<b>3.120</b>
35+	1.556	1.375	1.969	2.817	3.713	<b>2.646</b>
<b>Total</b>	<b>1.767</b>	<b>1.476</b>	<b>2.032</b>	<b>3.217</b>	<b>4.222</b>	<b>3.083</b>

<sup>1</sup> Includes townhouses and apartments in duplexes.

<sup>2</sup> Includes bachelor, 1 bedroom and 2 bedroom+ apartments.

<sup>3</sup> Adjusted based on 2001-2016 historical trends.

*Note: Does not include Statistics Canada data classified as 'Other'*

*P.P.U. Not calculated for samples less than or equal to 50 dwelling units, and does not include institutional population.*

Table 3-6  
 York Region  
 Weighted P.P.U. 2016 to Buildout

Density Type	Persons Per Unit (P.P.U.)	Unit Mix	Weighted P.P.U.
Singles & Semi-detached	3.478	86%	2.991
Multiples	2.946	8%	0.231
Apartments	1.860	6%	0.115
Total Weighted P.P.U.			3.337

Table 3-7  
Nobleton Serviced Area  
Employment Forecast  
Mid-2016 to Buildout

Period	Population	Activity Rate						Employment					
		Primary	Work at Home	Industrial	Comm./Pop'n Related	Institutional	Total	Primary	Work at Home	Industrial	Comm./Pop'n Related	Institutional	Total
<b>Mid-2016<sup>1</sup></b>	5,440	0.000	0.047	0.033	0.072	0.042	0.194	0	255	177	394	229	1,055
<b>Buildout<sup>2</sup></b>	6,590	0.000	0.061	0.066	0.114	0.055	0.296	0	401	436	749	361	1,947
<b>Incremental</b>													
<b>2016-Buildout</b>	1,150	0.000	0.014	0.034	0.041	0.013	0.102	0	146	259	355	132	892

Source: Derived from the Township of King Population, Housing and Employment Forecast Update, 2016 to 2031 and adjusted by Watson & Associates Economists Ltd., 2020

<sup>1</sup> 2016 employment derived by Watson & Associates Economists Ltd. from 2015 York Region Employment Survey

<sup>2</sup> Buildout refers to the buildout in accordance to the Township's Community Plans.

Period	Population	Employment						Square Feet (Estimate) <sup>3</sup>			
		Primary	Work at Home	Industrial	Comm./Pop'n Related	Institutional	Total	Industrial	Comm./Pop'n Related	Institutional	Total
<b>Mid-2016<sup>1</sup></b>	5,440	0	255	177	394	229	1,055				
<b>Buildout<sup>2</sup></b>	6,590	0	401	436	749	361	1,947				
<b>Incremental</b>											
<b>2016-Buildout</b>	1,150	0	146	259	355	132	892	284,900	177,500	92,400	554,800

Source: Derived from the Township of King Population, Housing and Employment Forecast Update, 2016 to 2031 and adjusted by Watson & Associates Economists Ltd., 2020

<sup>1</sup> 2016 employment derived by Watson & Associates Economists Ltd. from 2015 York Region Employment Survey

<sup>2</sup> Buildout refers to the buildout in accordance to the Township's Community Plans.

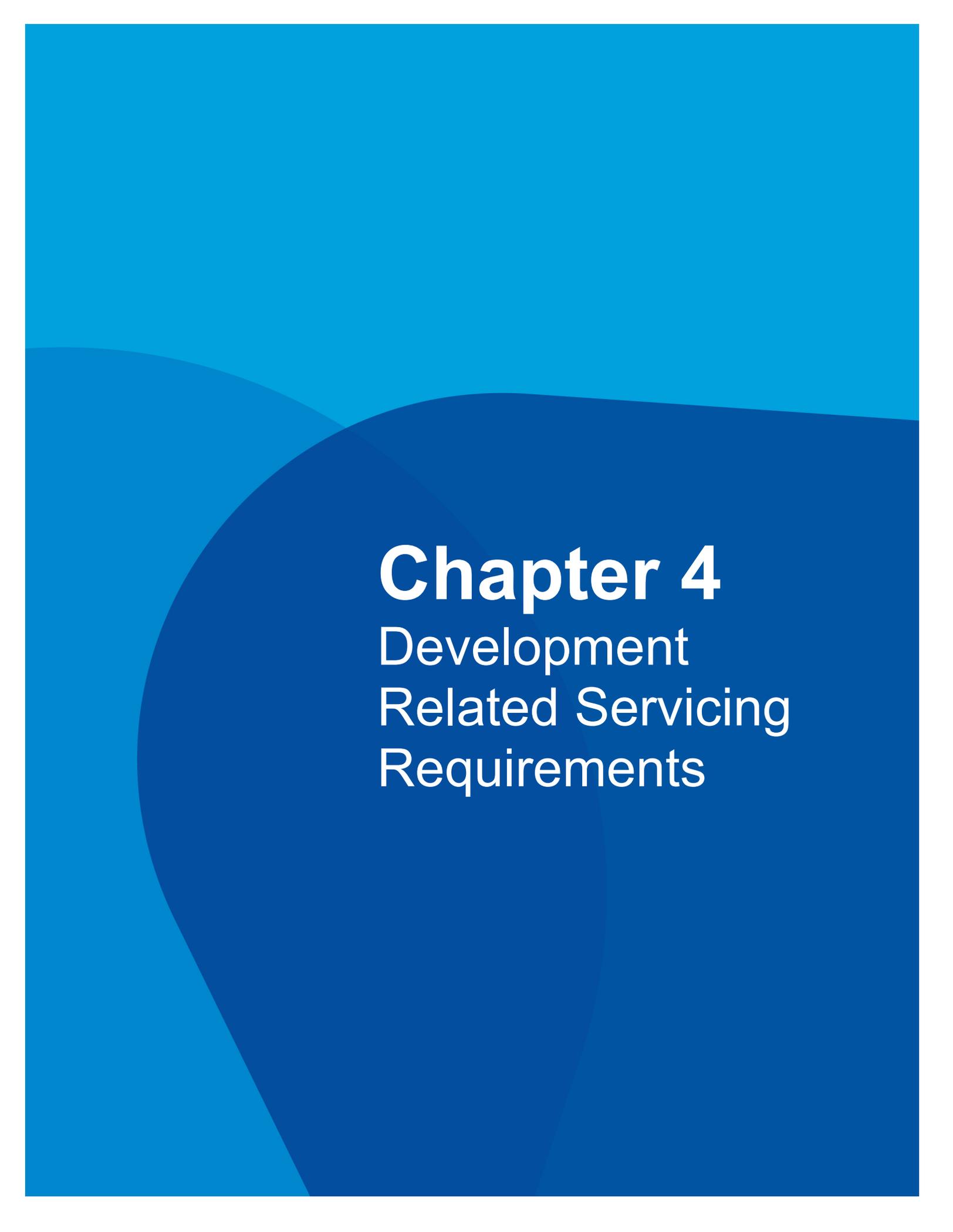
<sup>3</sup> Square Foot Per Employee Assumptions

Industrial

Commercial/ Population Related

Institutional



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# **Chapter 4**

Development  
Related Servicing  
Requirements

## 4) Development Related Servicing Requirements

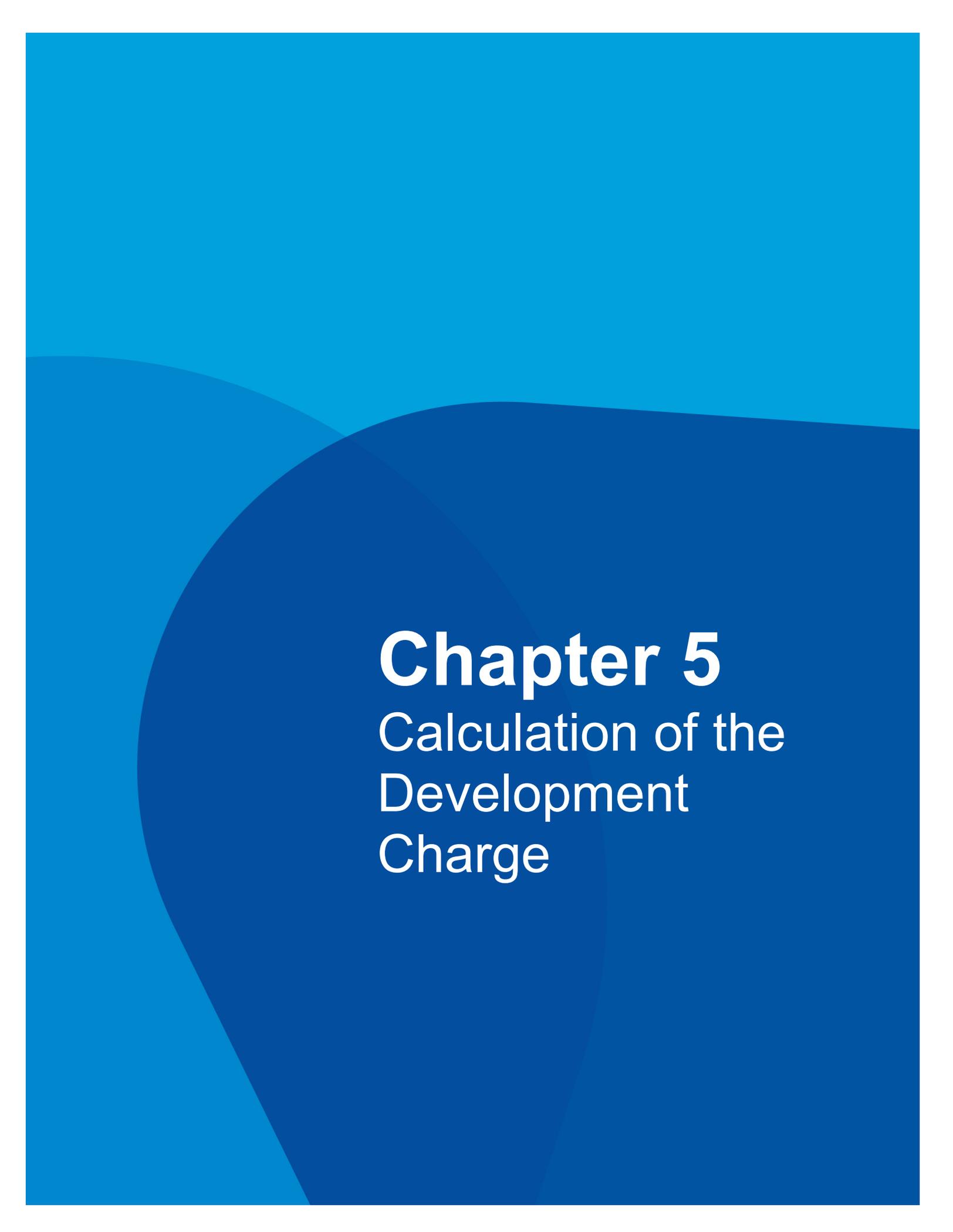
A Class Environmental Assessment was undertaken in 2002 by Totten Sims Hubicki on behalf of the Region for the provision of wastewater service for the Village of Nobleton. The recommendation arising from that process was for wastewater treatment facilities to be built with a treated effluent outlet pipe discharging into the Humber River (Main Branch).

This background study, and the D.C. calculation herein, incorporates the works within the Region's jurisdiction, primarily, wastewater treatment. The Township of King's costs related to the collection system were considered within a Township-led process. Since 2006, the Region has enacted an area-specific D.C. bylaw applicable to the Village of Nobleton for this purpose.

Table 4-1 summarizes the final costs associated with the treatment facility, the forcemain and pumping station, and costs for associated easements, road reinstatement works, etc.

Table 4-1  
Final Development Charge Eligible Project Costs (2014 \$)

Component	Description	Gross Cost
<u>Construction</u>		
Discrete Works	WPCP, SPS, Outfall & Wetland, Development Charge Eligible Additional Work	\$15,123,164 \$1,332,934
Linear Works	Forcemain Development Charge Eligible Adjustments made during Construction Sewermain	\$1,666,959 \$169,553 <u>\$998,054</u>
Sub-total		\$19,290,664
<u>Non-Construction</u>		
Engineering and Project Management		\$2,960,367
Misc.	Property, Phosphorous Offset	<u>\$662,828</u>
Sub-total		\$3,623,195
Total		\$22,913,859

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# **Chapter 5**

## Calculation of the Development Charge

## 5) Calculation of the Development Charge

### 5.1 Review of the 2016 Calculation

---

As presented in Chapter 4, the final cost of the D.C.-eligible works was \$22.9 million (2014 \$). Of this amount, the share attributed to growth was \$13.5 million. For the 2016 D.C. calculation, this figure was adjusted by the credits and D.C. payments received as of December 31, 2015, as well as the additional cost of the 2016 D.C. study. The calculation is summarized in Table 5-1.

Table 5-1  
Summary of the 2016 Calculation of the Net D.C. Recoverable Share

	(000s \$)
2014 Final Project Cost	\$22,914
Less Non-Growth Share	(\$9,419)
Eligible Growth Share	\$13,495
Less Credits/Contributions to Date <sup>1</sup>	(\$8,964)
<b>Amount Remaining to be Recovered</b>	<b>\$4,531</b>

<sup>1</sup> Includes adjustments for interest and cost of the 2016 D.C. Background Study

The remaining amount of \$4.5 million was allocated over the original growth forecast presented in the 2011 D.C. background study less all benefiting development eligible for credits or that had paid the D.C. since 2011.

### 5.2 The 2021 Calculation

---

The 2021 D.C. calculation seeks to recover the remaining D.C. recoverable costs over the remaining eligible development. The eligible development encompasses the forecast remaining growth within the original servicing capacity of the existing treatment plant, less any developments that have received a credit or have already paid the wastewater D.C. In order to maintain the original funding formula underlying the credit agreement, it does not encompass development that exceeds the original plant capacity. Any additional capacity will be addressed in subsequent plant expansions.

---

The calculation of the estimated gross population in residential units that have not paid D.C.s begins with the gross population estimate from the 2016 Study of 509 persons. This figure is reduced by the estimated population in units that have paid since that time, resulting in a remaining gross population of 364 persons. This calculation is summarized in Table 5-2.

Table 5-2  
Calculation of Gross Population In Residential Units  
That Have Not Paid the Nobleton Development Charge

Unit Type	Remaining Unpaid Growth (as of 2016)		Units Paid Since 2016			Remaining Unpaid Growth (as of 2021)	
	Residual Units	Gross Population	Number of Units	Persons Per Unit	Estimated Gross Population	Residual Units	Gross Population
Singles/Semis			35	3.48	122		
Multiples			8	2.95	24		
Apartments				1.86	-		
<b>Total</b>	176	509	43		145	133	364

The 2016 non-residential employment forecast was recalculated applying updated employment density assumptions to produce a non-residential floor area of 554,800 sq.ft. for 2016. This amount was reduced by the 30,972 sq.ft. of G.F.A. for which D.C.s were paid since 2016, resulting in a remaining floor area of 523,828 sq.ft. The D.C. recoverable amount is allocated over these updated gross population and floor area figures.

As of December 31, 2020, the remaining D.C. recoverable amount is \$4,558,217 (2020 \$). This figure reflects the payments received to date as well as the annual indexing of the balance as of September 21. The cost of the 2021 D.C. study (\$21,500) is added to this for a total recoverable amount of \$4,579,717. This figure is apportioned over the remaining unpaid growth.

Table 5-3 presents the D.C. calculation. 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 to calculate the charge based upon four forms of housing types: single and semi-detached; multiples; apartments 700 sq.ft. and larger; and apartments less than 700 sq.ft.

The non-residential D.C. has been calculated uniformly on a per sq.ft. of G.F.A. basis.

Table 5-4 compares the existing charges to the charges proposed herein for residential dwelling units and per sq.ft. of non-residential G.F.A.

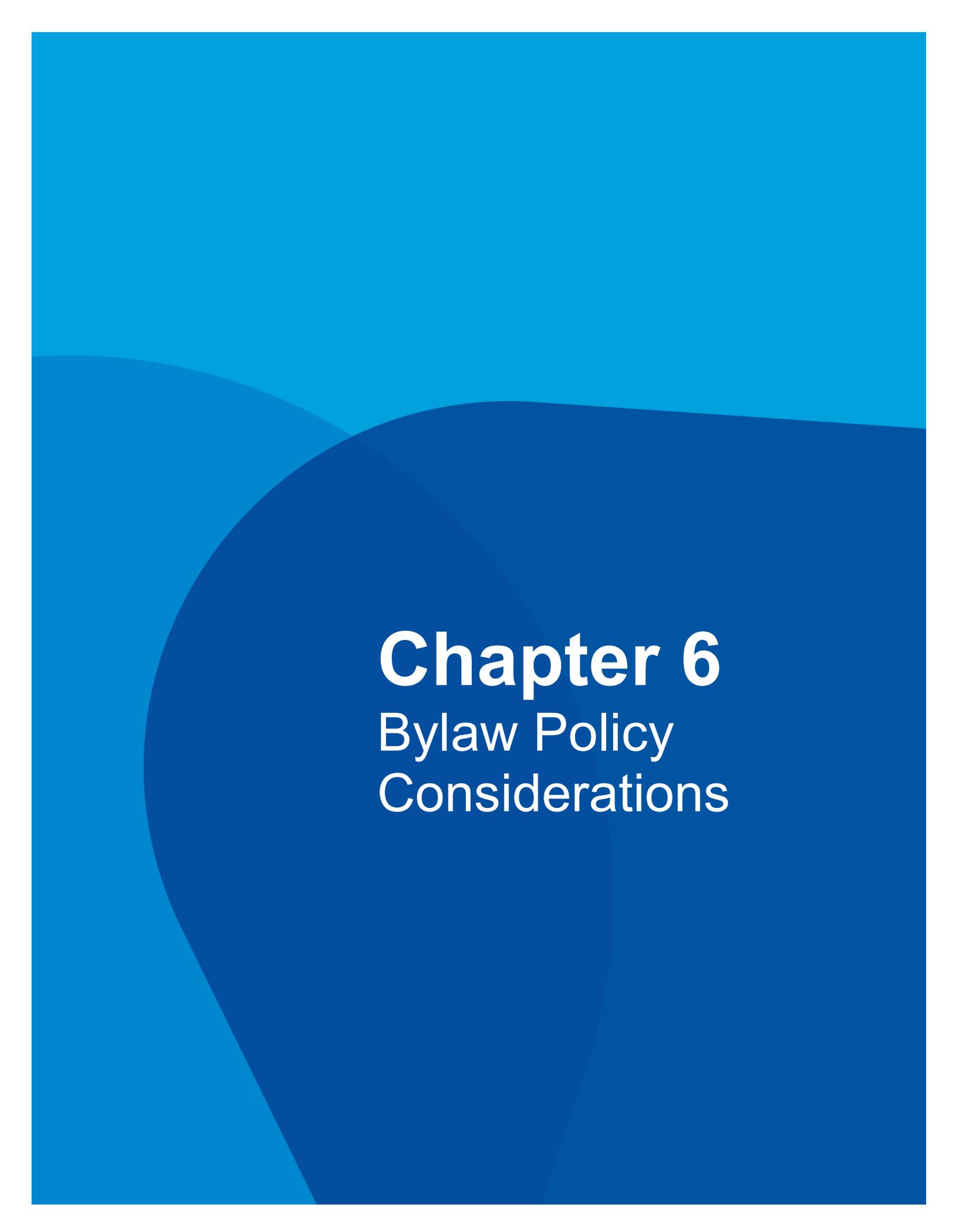
Table 5-3  
Development Charge Calculation  
Nobleton Area-Specific Charge (2021 to Capacity Buildout)

SERVICE	D.C.-Eligible Costs (2020 \$)	
	Residential	Non-residential
Wastewater Services	\$1,515,290	\$3,064,427
D.C.-ELIGIBLE CAPITAL COST	\$1,515,290	\$3,064,427
Remainig Population/Gross Floor Area (square feet) Growth	364	523,828
Cost Per Capita / Non-Residential Gross Floor Area (square feet)	\$4,162.89	\$5.85
<u>By Residential Unit Type</u>	<u>persons per unit</u>	
Single and Semi-Detached	3.48	\$14,487
Multiple Unit Dwelling	2.95	\$12,281
Apartments - 700 square feet or more	2.18	\$9,075
Apartments - Less than 700 square feet	1.50	\$6,244

Table 5-4  
Comparison of Calculated Charge with Rates Currently in Effect

	Rates Currently in Effect (indexed as of September 21, 2020)	2021 Proposed Rates
<u>Residential (per unit)</u>		
Single and Semi-detached	\$11,349	\$14,487
Multiple Unit Dwelling	\$9,751	\$12,281
Apartments - 700 square feet or larger	\$6,856	\$9,075
Apartments - Less than 700 square feet	\$4,992	\$6,244
<u>Non-Residential (per square foot of gross floor area)</u>		
Industrial/Office/Institutional	\$6.23	\$5.85
Retail	\$6.23	\$5.85

Note: The categories of apartments in the 2016 bylaw are 650 sq.ft. or larger and less than 650 sq.ft. For 2021, it is proposed that the categories be changed to apartments 700 sq.ft. or larger and less than 700 sq.ft. This is consistent with the Region-wide bylaw.

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# **Chapter 6**

## Bylaw Policy Considerations

## 6) Bylaw Policy Considerations

### 6.1 Timing of Payment

---

Recent amendments to the D.C.A. affect the calculation and timing of payments for certain types of development. The Region's policies in this regard will be updated in the proposed bylaw to reflect these changes.

Commencing January 1, 2020, rental housing and institutional developments will pay D.C.s in six equal annual payments commencing at occupancy. Non-profit housing developments will pay D.C.s in 21 equal annual payments. Moreover, the D.C. amount for all developments occurring within two years of a Site Plan or Zoning Bylaw Amendment planning approval (for applications submitted after January 1, 2020), shall be determined based on the D.C. in effect on the day of the Site Plan or Zoning Bylaw Amendment application in accordance with Bill 108.

Installment payments and payments determined at the time of Site Plan or Zoning Bylaw Amendment application will be subject to annual interest charges in accordance with the [Region's Interest Policy](#) under sections 26.1 and 26.2 of the D.C.A. which establishes rules and practices for charging interest.

For the purposes of administering the [Region's Interest Policy](#), the following definitions are provided as per O. Reg. 454-19:

“‘Rental housing’ means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises.

‘Institutional development’ means development of a building or structure intended for use,

- a. as a long-term care home within the meaning of subsection 2 (1) of the *Long-Term Care Homes Act, 2007*;
- b. as a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*;
- c. by any of the following post-secondary institutions for the objects of the institution:

- i. a university in Ontario that receives direct, regular and ongoing operating funding from the Government of Ontario,
- ii. a college or university federated or affiliated with a university described in subclause (i), or
- iii. an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*;
- iv. as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion; or
- v. as a hospice to provide end of life care.

'Non-profit housing development' means development of a building or structure intended for use as residential premises by,

- a. a corporation without share capital to which the *Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing;
- b. a corporation without share capital to which the *Canada Not-for-profit Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing; or
- c. a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*."

Further, a change is proposed for future development blocks within a plan of subdivision. Under the 2016 bylaw, charges for wastewater are due prior to the registration of a subdivision agreement. For future block developments, the amount of the charge is calculated based on the maximum number and type of units permitted by the Zoning Bylaw in effect at the time of the registration.

The proposed 2021 bylaw updates the rules for future development blocks making the D.C.s payable on the day on which a building permit is issued. This is consistent with the Region-wide bylaw.

## 6.2 Other Proposed Policy Changes

---

The proposed bylaw includes several other changes to bring the policies into accord with the Region-wide bylaw. Several of the key changes are discussed below.

---

### **6.2.1 Apartment Unit Categories**

The 2016 bylaw for Nobleton wastewater services used 650 sq.ft. as the delineation point between small and large apartments for the purpose of calculating D.C.s payable. With its 2017 Region-wide D.C. bylaw, the Region began using 700 sq.ft. as the delineation point. This change was as a result of a review undertaken by the Region in consultation with the Building Industry and Land Development Association. The key findings of the review were:

- The share of small apartments in the Region is growing;
- The difference in size between one- and two-bedroom apartments is apparent, but has been decreasing over time;
- A 700 sq.ft. threshold is an appropriate threshold to delineate apartments.

The D.C. calculation and proposed bylaw contained in this background study is consistent with the Region-wide bylaw in that it calculates and imposes separate charges for apartments that are 700 sq.ft. and greater, and apartments that are less than 700 sq.ft.

### **6.2.2 Structured Parking Accessory to Shopping Malls and Hotels**

As part of the 2018 amendment to the 2017 Region-wide bylaw, it was recommended that structured parking that is accessory to shopping malls or hotels be explicitly exempt from D.C.s.

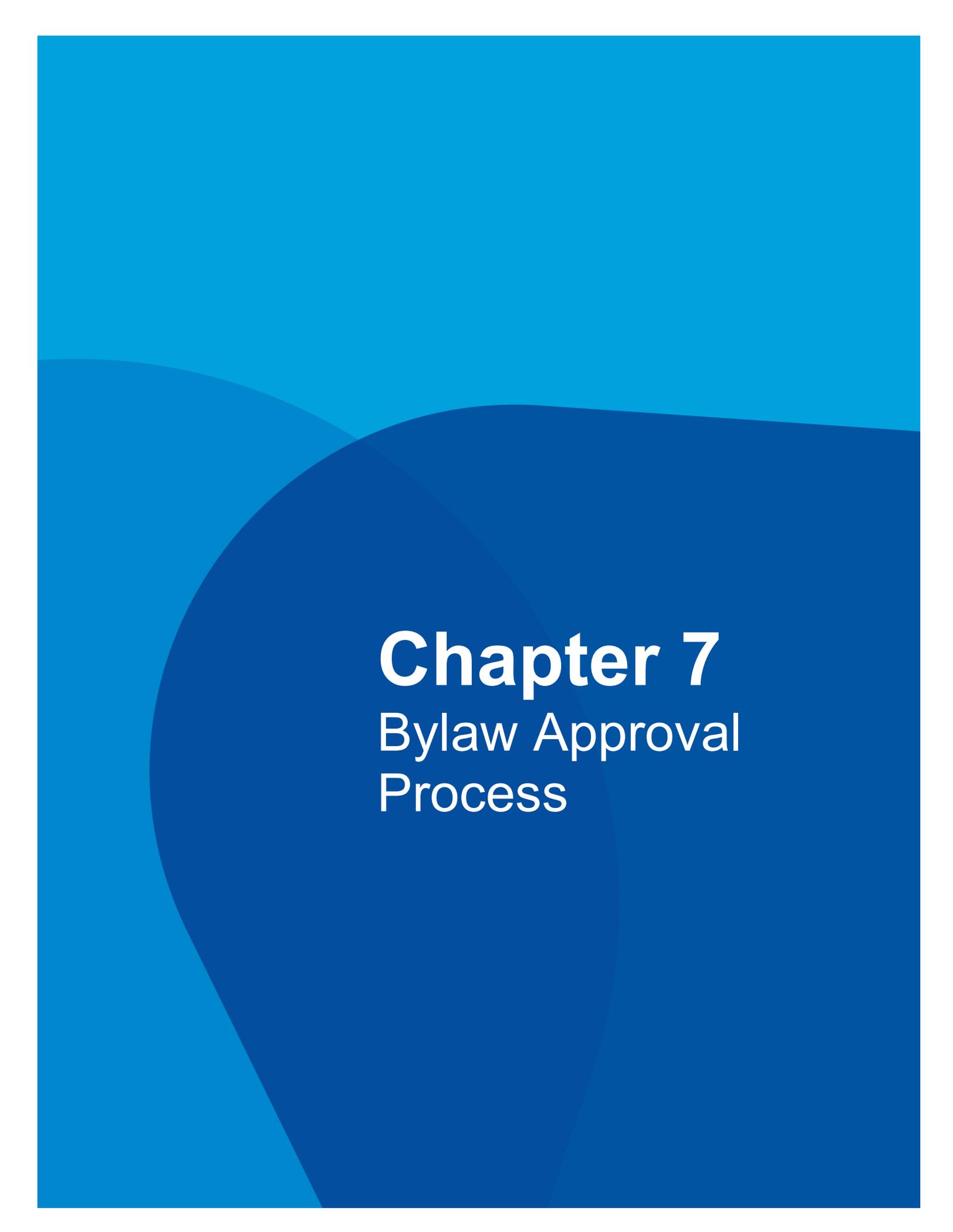
The rationale for clearly exempting this type of structured parking in the Region's bylaw includes:

- This brings treatment of shopping mall accessory parking in line with all other accessory use parking structures; and
- D.C.s are levied on the primary structure.

It is proposed that this exemption also be included in the proposed Nobleton bylaw.

### **6.2.3 *Timing of Indexing***

The 2016 bylaw provides for annual indexing on September 21<sup>st</sup> each year. The new bylaw will provide for annual indexing on July 1<sup>st</sup>, which is the same date that the Region-wide bylaw is indexed.

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# **Chapter 7**

## **Bylaw Approval Process**

## 7) Bylaw Approval Process

The public meeting required under section 12 of the D.C.A. can be scheduled, at the earliest, two weeks after the posting of the D.C. background study and proposed D.C. bylaw on the Region's website. The purpose of the public meeting is to present the background study and draft D.C. bylaw to the public and to solicit public input on the matter. The public meeting is also being held to answer any questions regarding the study's purpose, methodology, and the proposed modifications to the D.C. bylaw.

In accordance with the legislation, the background study and proposed D.C. bylaw will be available for public review at least 60 days prior to bylaw passage.

The process to be followed in finalizing the report and recommendations includes:

- consideration of responses received prior to, at or immediately following the public meeting; and
- finalization of the report and Council consideration of the bylaw subsequent to the public meeting.

Figure 7-1 sets out the key anticipated dates in the proposed bylaw replacement process for the Region's Nobleton area-specific D.C. bylaw. As Committee and Council dates may change, reference should be made to the Region's [calendar](#).

Table 7-1  
Schedule of Dates for the Area-Specific Development Charge Bylaw Process

Step	Date
Background study tabled at Committee of the Whole	January 14, 2021
Background study and proposed bylaw available to the public and posted on the Region's website	At least two weeks prior to the public meeting and 60 days prior to bylaw passage
Public Meeting Notice published in newspaper	At least 20 days in advance of the public meeting
Public Meeting at Committee of the Whole (as delegated by Council)	April 8, 2021
Committee of the Whole considers approval of background study and bylaw	TBD
Council considers adoption of background study and passage of bylaw.	May 27, 2021 <sup>1</sup>
Newspaper notice given of bylaw passage	Within 20 days after passage
Last day for bylaw appeal	40 days after passage
Bylaw comes into effect	July 1, 2021
Region makes available pamphlet (where bylaw not appealed)	Within 60 days after in force date

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<sup>1</sup> If a second public meeting is required, it would be held in May, prior to the meeting of the Committee of the Whole. If this occurs, the bylaw would come to Council for consideration in June.

# Appendices

# Appendix A

Long-Term  
Capital and  
Operating  
Examination  
and Asset  
Management  
Plan

# Appendix A: Long-Term Capital and Operating Examination and Asset Management Plan

As a requirement of the *Development Charges Act, 1997*, as amended (D.C.A.) (new section 10 (c. 2)), the background study must include an asset management plan (A.M.P.) related to new infrastructure. Section 10 (3) of the D.C.A. provides:

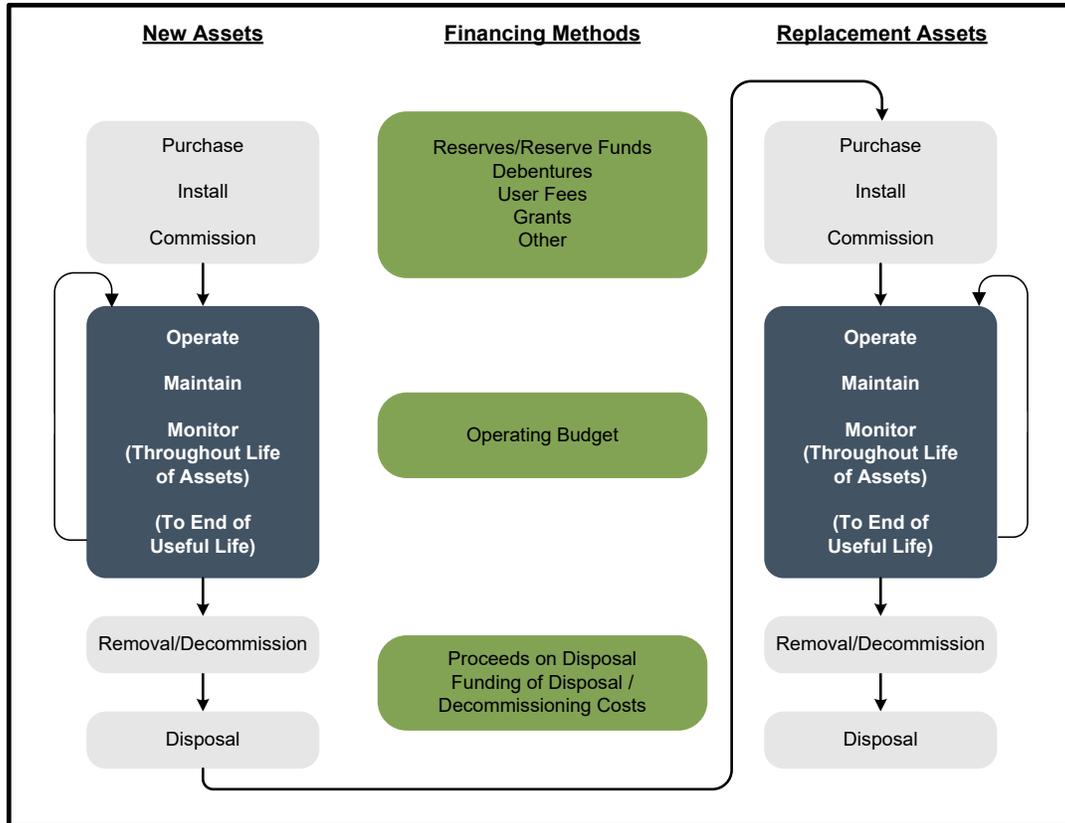
“The A.M.P. shall,

- (a) deal with all assets whose capital costs are proposed to be funded under the development charge by-law;
- (b) demonstrate that all the assets mentioned in clause (a) are financially sustainable over their full life cycle;
- (c) contain any other information that is prescribed; and
- (d) be prepared in the prescribed manner.”

At a broad level, the A.M.P. provides for the long-term investment in an asset over its entire useful life along with the funding. The schematic below identifies the costs for an asset through its entire lifecycle. For growth-related works, the majority of capital costs will be funded by the development charge (D.C.). Non-growth-related expenditures will then be funded from non-D.C. revenues as noted below. During the useful life of the asset, there will be minor maintenance costs to extend the life of the asset along with additional program related expenditures to provide the full services to the residents. At the end of the life of the asset, it will be replaced by non-D.C. financing sources.

In 2012, the Province developed *Building Together: Guide for Municipal Asset Management Plans* which outlines the key elements for an A.M.P., as follows:

- **State of local infrastructure:** asset types, quantities, age, condition, financial accounting valuation and replacement cost valuation.
- **Desired levels of service:** defines levels of service through performance measures and discusses any external trends or issues that may affect expected levels of service or the municipality’s ability to meet them (for example, new accessibility standards, climate change impacts).



- **Asset management strategy:** the asset management strategy is the set of planned actions that will seek to generate the desired levels of service in a sustainable way, while managing risk, at the lowest lifecycle cost.
- **Financing strategy:** having a financial plan is critical for putting an A.M.P. into action. By having a strong financial plan, municipalities can also demonstrate that they have made a concerted effort to integrate the A.M.P. with financial planning and municipal budgeting, and are making full use of all available infrastructure financing tools.

The above provides for the general approach to be considered by Ontario municipalities. At this time, there is not a mandated approach for municipalities, hence leaving discretion to individual municipalities as to how they plan for the long-term replacement of their assets.

An A.M.P. for these works is encompassed in the Region of York report, “Asset Management Plan, Nobleton Wastewater System, January 2021.” The full document is provided in this appendix.

The report states that a long term (100-year) rehabilitation and replacement expenditure forecast for both water and wastewater assets in the Region has been developed and is updated on an annual basis. It is intended that the long-term forecast developed during 2020, will be used to support the Region's 2021 Water and Wastewater User Rate Study.

In terms of funding, the report notes that the operating and capital funding requirements to maintain the infrastructure in a good state of repair will be included in a new multi-year rate plan which will be brought forward for Council's consideration in 2021. It is concluded that:

“based on the anticipated revenues generated by the rates that will be recommended to Council in Q2 of 2021, the funding requirements included within this asset management plan are considered financially sustainable.”

# Asset Management Plan, Nobleton Wastewater System, January 2021

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# 1) Introduction

## Background

---

Under the Development Charges Act, municipalities are required to prepare an asset management plan that deals with all assets that have capital costs proposed to be funded under the development charge by-law. Asset management plans support asset management decisions and ensure that financial resources required to ensure sustainable service delivery are planned for considering a full lifecycle approach.

This Asset Management Plan has been prepared to support the 2021 Nobleton Area Specific Development Charge Background Study. It outlines the characteristics and condition of York Region's wastewater system infrastructure in the Village of Nobleton, current levels of service, planned actions to ensure the assets continue to provide the required levels of service, and long-range financing strategies to implement the planned actions based on the asset lifecycle framework.

The document has been structured as follows:

1. Introduction
2. State of Infrastructure
3. Levels of Service
4. Asset Management Strategy
5. Financing Strategy

## The Village of Nobleton

---

The Village of Nobleton is located within the Township of King in the Regional Municipality of York. York Region owns and operates approximately \$60 million<sup>1</sup> worth of infrastructure assets to support wastewater servicing in the Village of Nobleton.

Wastewater services are provided to Nobleton by York Region and the Township of King through an integrated two-tier servicing arrangement. The Township is responsible for the collection of wastewater from customers, and the Region provides major pumping, conveyance and treatment of wastewater. Jurisdiction for the provision of wastewater services in Ontario is defined by Section 11 of the Municipal Act.

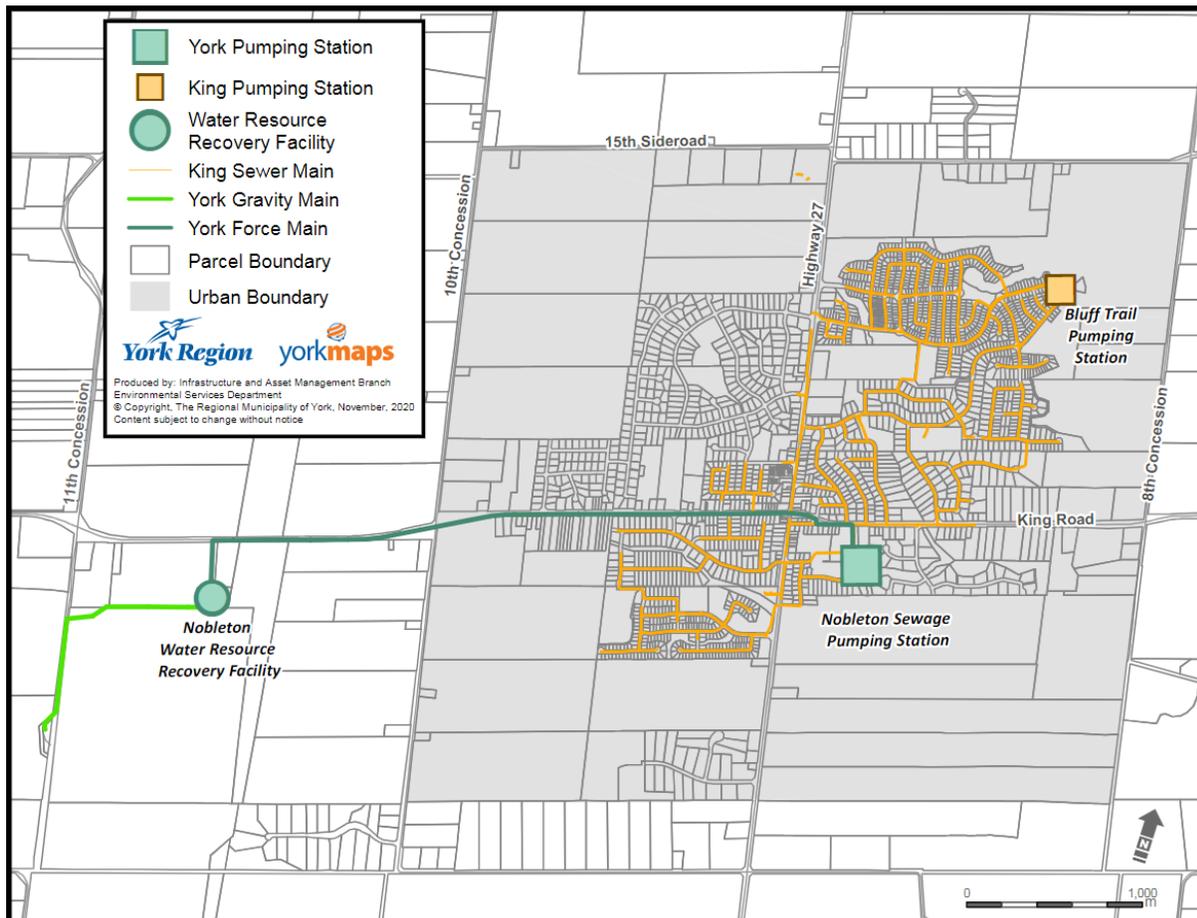
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<sup>1</sup> Estimated replacement cost as of Q4 2019

# Overview of the Wastewater System

All the wastewater generated in Nobleton flows through the Township of King's local collection system towards the Nobleton Sewage Pumping Station which is owned and operated by the Region. This pumping station conveys wastewater through Regional forcemains to the Region's Water Resource Recovery Facility in Nobleton. A map of York Region's wastewater servicing infrastructure and the local collection system is illustrated in Figure 1.

Figure 1: Nobleton Wastewater Servicing Infrastructure



## 2) State of the Infrastructure

### Asset Value

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For the purposes of long-term renewal planning, the Region uses replacement cost models to determine asset replacement value. The Region's Water and Wastewater replacement cost models are intended to capture the value of the current cost to replace the Region's assets (or of obtaining similar service) and generally take into account additional cost considerations such as:

- Updated construction costs
- Current regulatory requirements, and
- New technologies and design best practices.

This approach provides more accurate information to support asset management decision making and reserve contributions than inflated historical cost, resulting in a more appropriate replacement value. Asset values generated by the replacement cost model are used to forecast long-term infrastructure needs and to inform Water and Wastewater User Rate Study updates. Since the preparation of the last Nobleton Asset Management Plan, the replacement cost models have been reviewed, refined, and improved and the current total replacement cost of York Region's wastewater infrastructure in Nobleton is approximately \$59.9M as shown in Table 1 below.

Table 1: York Region Wastewater Infrastructure in Nobleton

System	Asset	Facility Type	Installation Year	Wastewater System Replacement Cost (indexed to 2019 Q4)
Wastewater Collection	Nobleton Sewage Pumping Station	Sewage Pumping Station	2008	<b>\$59.9 M</b>
Wastewater Collection	Nobleton Sewage Pumping Station Forcemain	Forcemain	2010	
Wastewater Treatment	Nobleton Water Resource Recovery Facility	Water Resource Recovery Facility	2010	
Wastewater Treatment	Nobleton Water Resource Recovery Facility Outfall	Gravity Sewer	2010	

## State of Infrastructure Grading

---

The Region has an established condition assessment program to collect condition, reliability, and capacity data on Regional assets on a regular basis. Every year, a review of the Region’s state of infrastructure data is undertaken, with the most recent review completed in 2019. Results are combined with additional metrics and collectively reported within the State of Infrastructure section of each update to the Corporate Asset Management Plan. The following section summarizes the recently completed condition assessment results pertaining to the Nobleton wastewater system.

## Infrastructure Assessments

---

The most recent comprehensive condition assessments for the facilities in Nobleton’s wastewater system were completed in 2015. In addition, several site visits and facility walk-throughs, performance assessments, and capacity studies have been undertaken since 2017 as part of the ongoing Environmental Assessment study. The Region’s wastewater infrastructure in Nobleton is relatively young and frequently monitored by the Region’s Operations, Maintenance and Monitoring team.

Table 2 summarizes the results of the comprehensive condition assessments. The findings are based on data gathered by consultants or Region staff and show that most of the assets were in very good or good condition.

Table 2: Condition and Inspection Summary of Nobleton Wastewater Facilities

<b>Facility</b>	<b>Year of Last Assessment</b>	<b>General Findings*</b>	<b>Type of Inspection</b>
Nobleton Water Resource Recovery Facility	2015	Facility is in very good condition	3rd Party Visual Inspection
Nobleton Sewage Pumping Station	2015	Facility is in good condition	Internal Visual Inspection

\* Grading definitions are provided in Table 3 below

Table 3: Grading Scores and Definitions

Grade	Description
Very Good	<ul style="list-style-type: none"> <li>• Very good physical condition – no wear &amp; tear, no or minimum risk of failure</li> <li>• Operable and well maintained</li> <li>• Expected to perform adequately with routine maintenance for at least another 80 percent of its estimated life</li> <li>• Performance meets expectation</li> </ul>
Good	<ul style="list-style-type: none"> <li>• Good physical condition – minor wear &amp; tear, minimum risk of failure</li> <li>• Little to no diminished performance</li> <li>• No substantial deterioration or diminished performance over the next 5 to 10 years</li> <li>• No immediate repair work required</li> </ul>
Fair	<ul style="list-style-type: none"> <li>• Acceptable physical condition – moderate wear &amp; tear, moderate risk of failure</li> <li>• Functionally sound but is showing signs of wear and diminished performance</li> <li>• Potential for further deterioration and diminished performance over the next 5 to 10 years</li> <li>• Repair work is required, but asset is serviceable</li> </ul>
Poor	<ul style="list-style-type: none"> <li>• Poor physical condition – heavy wear &amp; tear, significant risk of failure</li> <li>• Significant performance reduction</li> <li>• Potential for failure with the next 5 years</li> <li>• Repair work required immediately, or replace asset</li> </ul>
Very Poor	<ul style="list-style-type: none"> <li>• Bad physical condition – heavy wear &amp; tear, failure is imminent</li> <li>• Excessive maintenance is required</li> <li>• Service life has ended</li> <li>• Significant health &amp; safety hazard</li> <li>• Major repair work required or replace asset immediately</li> </ul>

### 3) Levels of Service

#### Levels of Service in the Corporate Asset Management Plan

In 2017, the Government of Ontario introduced the new regulation O.Reg. 588/17 – Asset Management Planning for Municipal Infrastructure under the Infrastructure Jobs and Prosperity Act (2015). The regulation outlines requirements to support the development of a strategic asset management policy and plans, including Levels of Service (LOS).

The regulation outlines minimum requirements for Community and Technical Levels of Service for municipal water and wastewater systems.

In recognition of the importance of managing and maintaining infrastructure to ensure sustainable service delivery, York Region Council approved its first [Corporate Asset Management Plan](#) in 2018. This Corporate Asset Management Plan includes the first Council-adopted levels of service for wastewater developed in alignment with the new regulation, presented in Table 4 below.

Table 4: Wastewater Community Levels of Service - 2018 Corporate AMP

Community Level of Service	Service Attribute	Level of Service Indicator
<p>Are wastewater services accessible?</p> <p><i>This metric discusses access to the service now and in the future</i></p>	Scope & Capacity	Per cent of urban properties serviced by the public wastewater networks by York Region infrastructure
		Number of unplanned service interruptions attributed to York Region infrastructure
		Per cent of growth accounted for in servicing Water and Wastewater Master Plan
<p>How does wastewater impact my community?</p> <p><i>This metric assesses health and safety related to the service</i></p>	Reliability	Per cent of wastewater treated prior to return to the environment
		Number of wastewater sampling results exceeding ECA limits
<p>Are wastewater services affordable and cost efficient?</p> <p><i>This metric assesses financial considerations</i></p>	Financial	Infrastructure Replacement value per capita
		Per cent of infrastructure captured in the User Rate Study

## Regulatory Requirements

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Delivery of water and wastewater services in York Region is also governed by a variety of federal and provincial Acts, Regulations, guidelines, and policies. The following provincial laws and guidelines impact water and wastewater servicing in Nobleton:

- Clean Water Act
- Safeguarding and Sustaining Ontario's Water Act
- Environmental Protection Act
- Ontario Water Resources Act
- Ontario Ministry of the Environment Guideline F-5
- Environmental Assessment Act
- Safe Drinking Water Act and Drinking Water Systems Regulation (O. Reg. 170/03)

## Baseline LOS Commitment - Wastewater System

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The Nobleton wastewater system was designed based on a per capita wastewater generation rate of 446 litres per capita per day.

York Region has an Environmental Compliance Approval (ECA No. 8678-B38R26) from the Ministry of the Environment, Conservation and Parks (MOECP) for Nobleton Water Resource Recovery Facility and Sewage Pumping Station. The ECA outlines the rated capacity of the system as well as final effluent objectives and limits. Additional information is provided in the *Nobleton Water Pollution Control Plant Environmental Compliance Approval (ECA) Annual Wastewater Performance Report – 2019*.

Effluent quality assurance or control measures currently in place include an extensive sampling program and controls required by the ISO 14001 Environmental Management Standard, captured by the Region's Integrated Management System (IMS). As part of the IMS, effluent quality and system performance is monitored and reported to management on a monthly basis.

## Levels of Service Review

Levels of Service will be reviewed as part of the Region's upcoming Water and Wastewater Asset Management Plan update, which is currently in progress. In order to meet the requirements of O. Reg. 588/17, the updated LOS will include proposed service levels and targets for the ten years following the completion of the plan. Through the updated Water and Wastewater Asset Management Plan, York Region will be expanding the use of levels of service as a tool to support infrastructure investment decisions by developing linkages between each level of service and the specific system and facility functions that support it, which will provide line-of-sight from the [Region's Strategic Plan objectives](#) to individual infrastructure within the Region's water and wastewater system.

## 4) Asset Management Strategy

The asset management strategy is a systematic process to manage the lifecycle of assets with the objective of optimizing the cost of asset ownership while delivering expected levels of service with acceptable levels of risk. This is achieved through integration of asset management processes and principles with business and financial planning to make empirically based, transparent, repeatable, and proactive decisions.

The following are key components of the asset management strategy applicable to the Region's Wastewater assets.

- Whole lifecycle infrastructure planning that considers costs and risks to infrastructure from the needs-identification phase through the planning, design, construction, operation, rehabilitation, replacement, and disposal phases
- Comprehensive condition assessments that are prioritized by asset risk and incorporate inspection technologies and methodologies appropriate for each unique facility type
- Integrated infrastructure renewal planning that allows for the coordination of renewal, capital growth, and long-term planning processes to produce an optimized 10-year Capital Plan
- Application of non-infrastructure solutions where possible, including actions or policies that can lower costs or extend asset life (e.g. demand management, process optimization etc.)

## **Alignment with the Region’s 2019 – 2023 Strategic Plan**

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Development of an Asset Management Plan directly supports the Region’s 2019-2023 Strategic Plan objectives to:

1. Ensure reliable, responsive, effective, efficient and fiscally responsible service delivery, and
2. Manage the Region’s assets for current and future generations.

Asset management planning also indirectly supports all of the other objectives in the Strategic Plan by encouraging a coordinated and systematic approach to decision making and promoting sustainable long-term service delivery.

## **Long Term Renewal Forecasting Framework**

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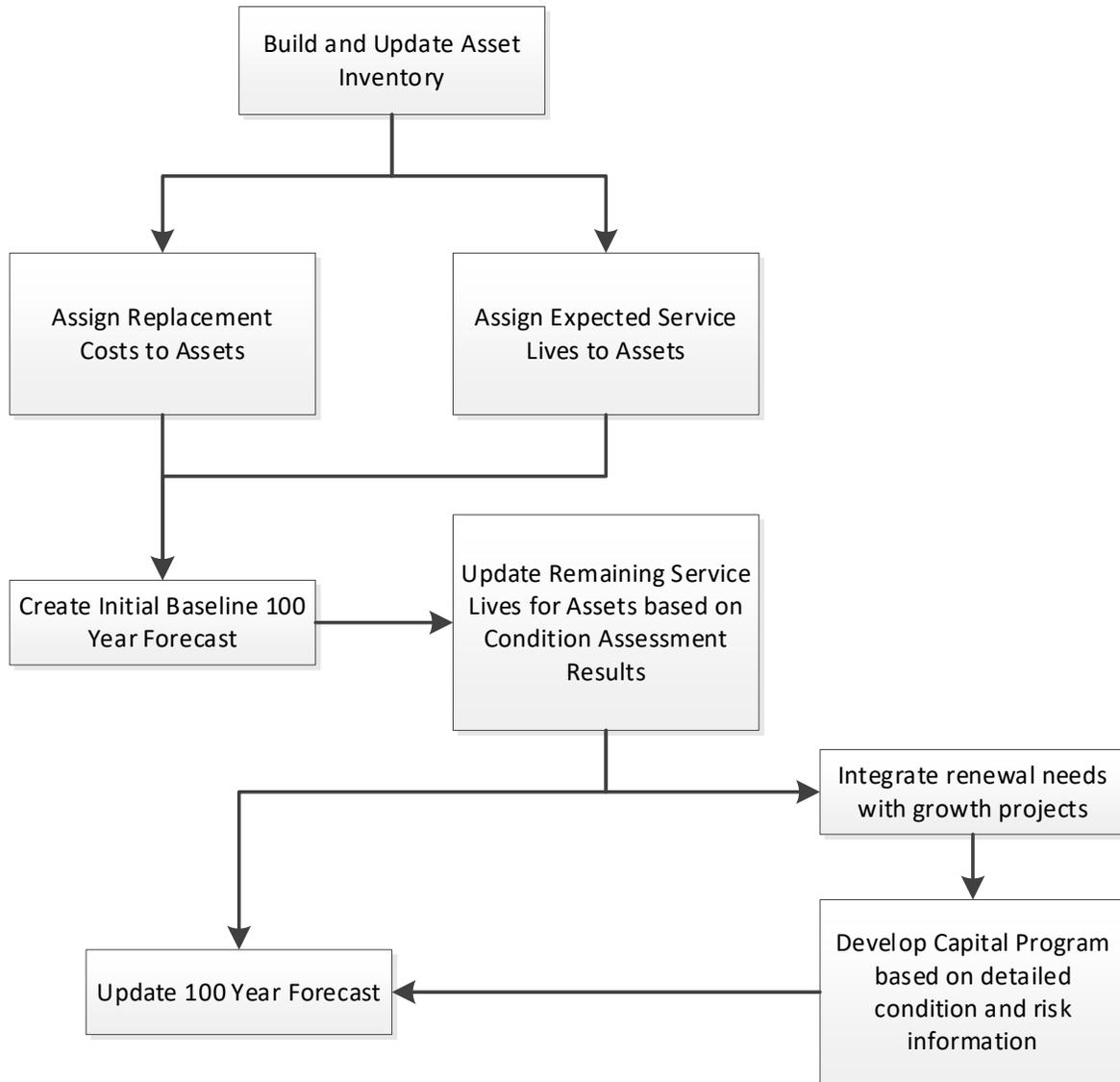
Through a rigorous planning and review process, the Region has developed a capital improvement program to maintain the established level of service for water and wastewater system.

Interventions required to maintain service including operating and maintenance, rehabilitation, and replacement of assets are projected and planned for within the Region’s long-term renewal plans.

As the Region moves into the short-term 10-year planning horizon, a condition and risk-based approach is used to refine needs to maintain service, following a rigorous review of alternatives to address specific needs, validation based on current conditions, and consideration of integration opportunities and efficiencies.

Figure 2 summarizes the general process involved in producing the long-term renewal plan.

Figure 2: Long Term Forecasting Process Diagram



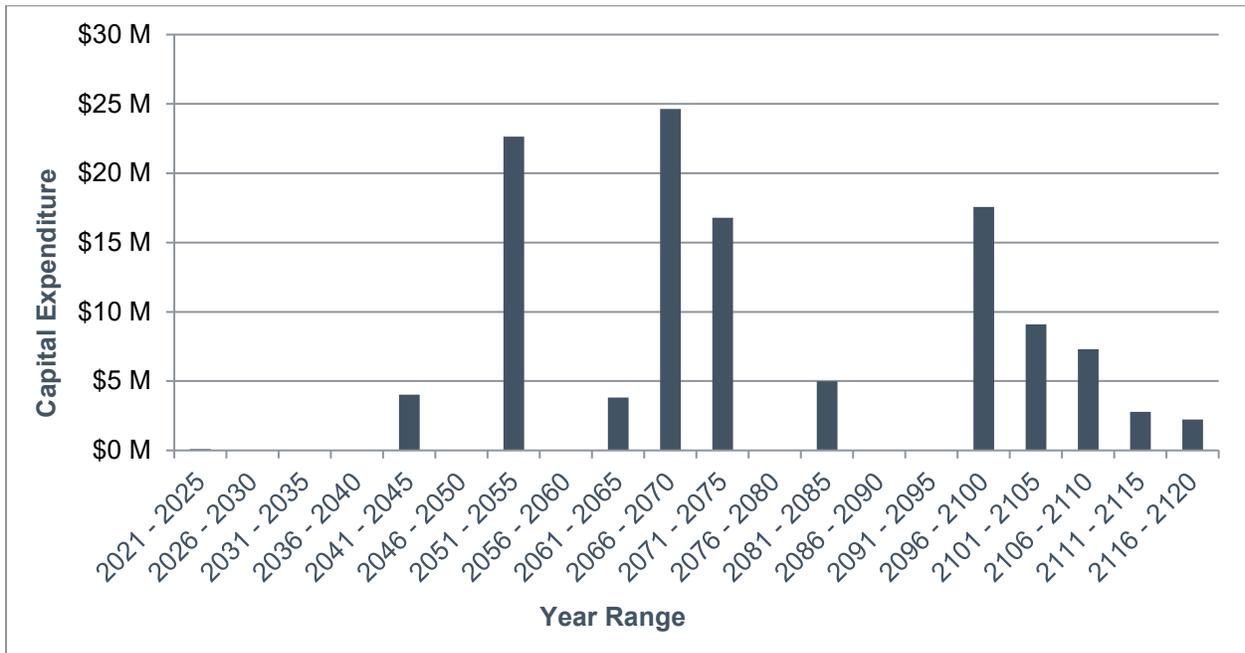
## 5) Financing Strategy

### Long Term Capital Renewal Forecast

A long term (100-year) rehabilitation and replacement expenditure forecast for both water and wastewater assets has been developed and is updated on an annual basis as part of the budget process. The long-term forecast developed during 2020 will be used to support the upcoming 2021 Water and Wastewater User Rate Study.

Figure 3 illustrates the 100-year capital expenditure forecast for Nobleton’s existing wastewater system. The peaks near 2051, 2070, and 2100 correspond to major projected capital renewal works associated with the Nobleton wastewater system.

Figure 3: Nobleton Wastewater System Long Term Expenditure Forecast



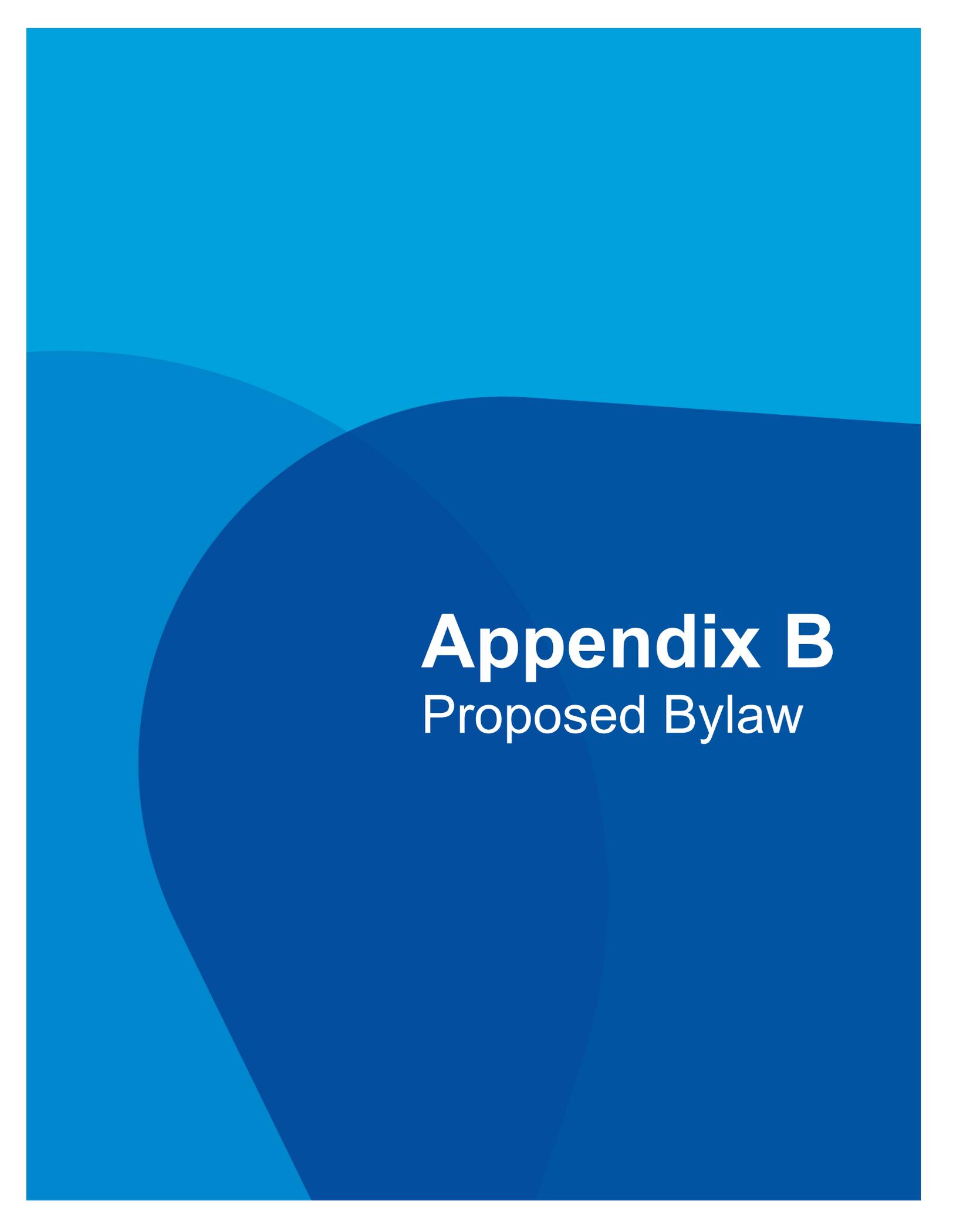
## Funding

The user rate budget funds annual operating costs, including contributions to capital reserves that are used to pay for future rehabilitation and replacement needs. In 2015, York Region Council approved the Water and Wastewater [Financial Sustainability Plan](#): a six-year rate plan to ensure that all costs related to water and wastewater services be fully recovered through user rates by 2021. The plan involved building capital reserves so

future asset management needs can be met while avoiding new user rate debt and promoting the principle of fairness to users over time. While the plan has changed slightly, the Region remains well positioned to ensure the financial sustainability of its water and wastewater system.

Operating and capital funding requirements to maintain the infrastructure in the 2021 Nobleton Development Charge Background Study in a good state of repair were included in the York Region system-wide 2015 Financial Sustainability Plan. They will also be included in a new multi-year rate plan which will be brought forward for York Region Council's consideration in 2021.

Based on the anticipated revenues generated by the rates that will be recommended to Council in Q2 of 2021, the funding requirements included within this asset management plan are considered financially sustainable.

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# **Appendix B**

## Proposed Bylaw

# Appendix B: Proposed Bylaw

## THE REGIONAL MUNICIPALITY OF YORK

### BYLAW NO. 2021- \_\_\_\_\_

A bylaw for the imposition of wastewater works development charges against land in the Village of Nobleton 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 development charge background study includes an asset management plan that deals with all assets whose capital costs are intended to be funded under the development charge bylaw and that such assets are considered to be financially sustainable over their full life-cycle;

**AND WHEREAS** the Council of The Regional Municipality of York has given notice and held a public meeting on the 8<sup>th</sup> day of April, 2021 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) Definitions

1.1. In this bylaw,

“**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 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;

“**building permit**” means a permit issued under the *Building Code Act, 1992*, which permits the construction of a building or structure or, which permits the construction of the foundation of a building or structure;

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

“**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:

- a. the assembly of large gatherings of persons for trade, business or educational purposes, or any combination thereof;
- b. the display of products or services;
- c. accessory uses which may include administrative offices, display areas, show-rooms, training facilities and banquet facilities, but do not include a banquet hall;

**“development”** includes redevelopment;

**“development charges”** means charges in regard to wastewater works services imposed pursuant to this bylaw 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;

**“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;

**“future development”** means development which requires a subsequent planning approval, in addition to a building permit, which planning approval shall include a site plan approval or the approval of a plan of condominium;

**“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 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, or any part thereof, is a retail motor vehicle establishment or a standalone motor vehicle storage facility or a commercial public parking structure, and, for the purposes of this definition, notwithstanding any other section of this bylaw, 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, and 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;

**“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*;

**“high rise residential”** means an apartment building that is 4 or more storeys above grade, consisting of four or more dwelling units and shall not include a townhouse or a stacked townhouse;

**“hotel”** means a commercial establishment offering lodging to travelers and sometimes to permanent residents, and may include other services such as restaurants, meeting rooms and stores, that are available to the general public;

**“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;

**“large apartment”** means a dwelling unit in an apartment building or plex that is 700 square feet or larger in size;

**“live-work unit”** means a unit intended for both residential and non-residential uses concurrently;

**“local board”** means a local board as defined in the Act;

**“mixed-use”** means lands, 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;

**“multiple unit dwellings”** includes townhouses, stacked and back-to-back townhouses, mobile homes, group homes and all other residential uses that are

not included in the definition of “apartment building”, “small apartment”, “large apartment”, “single detached dwelling” or “semi-detached dwelling”;

“**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 or 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;

“**Regulation**” means O. Reg. 82/98 under the Act;

“**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;

**“residential in-fill use”** means ground related residential use, such as a single-detached dwelling, semi-detached dwelling, townhouse or stacked townhouse, comprising three lots or less;

**“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, a funeral home, but shall exclude offices;

**“retail motor vehicle establishment”** means a building or structure used or designed or intended to be used for the sale, rental or servicing of motor vehicles, or any other function associated with the sale, rental or servicing of motor vehicles including but not limited to detailing, leasing and brokerage of motor vehicles, and short or long-term storage of customer motor vehicles. For a retail motor vehicle establishment, gross floor area includes the sum of the areas of each floor used, or designed or intended for use for the parking or storage of motor vehicles, including customer and employee motor vehicles. An exemption may be granted to exclude the sum of the areas for customer and employee motor vehicles on terms and conditions to the satisfaction of the Region;

**“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 sections 3.6, 3.7 and 3.8 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;

**“services”** means the service designated in section 2.1 of this bylaw;

**“shelter”** means a building in which supervised short-term emergency shelter and associated support services are provided to individuals who are fleeing situations of physical, financial, emotional or psychological abuse;

**“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 bylaw;

**“small apartment”** means a dwelling unit in an apartment building or a plex that is less than 700 square feet in size;

**“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;

**"standalone motor vehicle storage facility"** means a building or structure used or designed or intended for use for the storage or warehousing of motor vehicles that is separate from a retail motor vehicle establishment. For a standalone motor vehicle storage facility, gross floor area includes the sum of the areas of each floor used, or designed or intended for use for the parking or storage of motor vehicles, including customer and employee motor vehicles. An exemption may be granted to exclude Page 3 of 5 Pages of Bylaw No. 2018-42 the sum of the areas for customer and employee motor vehicles on terms and conditions to the satisfaction of the Region;

**"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; and

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

## 2) Designation of Services

- 2.1 The category of service for which development charges are imposed under this bylaw is wastewater works.
- 2.2 The components of the service designated in subsection 2.1 are described on Schedule A.

## 3) Application of Bylaw - Rules

- 3.1 Development charges shall be payable in the amounts set out in subsections 3.6, 3.7, and 3.8 of this bylaw 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).

### **Area to Which Bylaw Applies**

- 3.2 Subject to subsection 3.3, this bylaw applies to all lands within the urban boundary, shown on Schedule B.
- 3.3 This bylaw 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; or
  - c. an area municipality or a local board thereof.

### **Approvals for Development**

- 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 bylaw or of an amendment to a zoning bylaw 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 bylaw 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 bylaw

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.
- d. Subsection 3.4(a) shall not apply in respect of an action mentioned in subsection 3.4 (a) (i) to (vii), if the only effect of the action is to:
  - (i) permit the enlargement of an existing dwelling unit; or
  - (ii) permit the creation of additional dwelling units as prescribed, subject to the prescribed restrictions, in prescribed classes of existing residential buildings or prescribed structures ancillary to existing residential buildings.
- e. The creation of a second dwelling unit in prescribed classes of proposed new residential buildings, including structures ancillary to dwellings, is, subject to the prescribed restrictions, exempt from development charges.
- f. For greater clarity, prescribed under sections 3.4(d) and 3.4 (e) of this bylaw shall be the same as is prescribed in the Regulation.

### **Exemptions**

- 3.5. Notwithstanding the provisions of this bylaw, but subject to subsection 3.5.1, 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; or
- i. a public hospital receiving aid under the *Public Hospitals Act*.

3.5.1 The provisions of subsection 3.5 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 bylaw 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 wastewater works services.

### **Non-Residential**

### ***Industrial/Office/Institutional Uses***

- 3.7 The development charges described in Schedule D to this bylaw 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 industrial/office/institutional use, where the lands, buildings or structures are serviced by regional wastewater works services.

### ***Retail Uses***

- 3.8 The development charges described in Schedule D to this bylaw 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 wastewater works 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, such principal use being the use of 55% or greater of the total gross floor area. If no single use has 55% or greater of the total gross floor area, then the development charge payable on the total gross floor area shall be the average of the two non-residential charges payable;
  - b. the development charges under either subsection 3.7 or 3.8 applicable to such principal use as determined under paragraph (a), provided that there is a

principal use determined under paragraph (a), shall be applied to the total non-residential gross floor area of the development;

- c. notwithstanding Section 3.9, if any building or structure designed or intended for use for both industrial/office/institutional uses and retail uses, and, where such building or structure contains multiple individually owned units, each unit's payable development charges will be assessed individually based on the predominant use of that unit.
  
- d. Subsections 3.9 (a) and 3.9 (b) do not apply to a retail motor vehicle establishment or a standalone motor vehicle storage facility. Where a retail motor vehicle establishment is one of multiple industrial/office/institutional uses and retail uses in a building or structure, the development charge payable shall be the retail charge. For a retail motor vehicle establishment, where the sum of the areas used, or designed or intended for use for the parking or storage of motor vehicles, excluding the sum of the areas for customer and employee motor vehicles, as determined by the Region, is more than two times greater than the remaining area, the retail rate shall be applied to two times the difference between the gross floor area of the entire retail motor vehicle establishment and the gross floor area of the area used for parking or storage, and any gross floor area above that shall be levied the industrial/office/institutional rate.

### **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 bylaw, 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:

3.3.1 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 bylaw by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and

3.3.2 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 bylaw by the gross floor area that has been or will be demolished or converted to another principal use;

3.3.3 provided that such amounts shall not exceed, in total, the amount of the amount of the development charges otherwise payable with respect to the redevelopment. The 48 month time frame shall be calculated from the date of the issuance of the demolition permit.

3.11.1 For the purposes of subsection 3.11, the onus is on the applicant to produce evidence to the satisfaction of the Region, acting reasonably, to establish the following:

- a. the number of dwelling units that have been or will be demolished or converted to another principal use; or
- b. the non-residential gross floor area that has been or will be demolished or converted to another principal use; and
- c. in the case of a demolition, that the dwelling units and/or non-residential gross floor area were demolished within 48 months prior to the date of the payment of development charges in regard to the redevelopment.

3.11.2 Any building or structure, that is determined to be derelict, or the equivalent of derelict by the municipal council of the area municipality in which the building or structure is located, shall be eligible for development charge credits in accordance with section 3.11.3.

3.11.3 Any building or structure deemed derelict, or the equivalent of derelict in accordance with subsection 3.11.2 shall be eligible for development charge credits if a building permit is issued for a building or structure on the lands previously occupied by the deemed derelict residential building or structure within 120 months or less of the issuance of demolition permit for the deemed derelict building or structure. The development charge credit shall be calculated in accordance with the time requirements between demolition permit issuance and building permit issuance as set out in Schedule E. The amount of development charges payable for any development to which subsections 3.11.2 and 3.11.3 apply, shall be calculated in accordance with subsections 3.11 and 3.11.1.

### **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 expansion 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 expansion shall be calculated as follows:

- a. If the gross floor area is expanded by fifty percent or less of the original gross floor area of the existing development, the amount of the development charge in respect of the expansion is zero;
- b. If the gross floor area is expanded by more than fifty percent of the original gross floor area of the existing development the amount of the development charge in respect of the expansion is the amount of the development charge that would otherwise be payable multiplied by the fraction determined as follows:
  - i. determine the area by which the expansion exceeds fifty percent of the original gross floor area of the existing development before any expansion; and
  - ii. divide the amount under paragraph (b)(i) by the amount of the expansion of the original gross floor area of the existing development.

### **When amount of development charge is determined**

3.13 Where clause (1)(a) or (1)(b) of Section 26.2 of the Act applies to a development for the purposes of determining the amount of the development charge, the development charge payable under this bylaw shall be determined in accordance with section 26.2 and such development charge shall be subject to interest in accordance with Region's Interest Policy, as may be amended by Regional Council.

### **Time of Payment of Development Charges**

- 3.14 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.
- 3.15 Despite subsection 3.14, 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, development charges for such blocks shall be payable at building permit issuance.
- 3.16 For the purposes of paragraph (b) of subsection 3.15, where the use or uses to which a block in a plan of subdivision may be put pursuant to a zoning bylaw passed under section 34 of the *Planning Act* are affected by the use of a holding symbol in the zoning bylaw as authorized by section 36 of the *Planning Act*, the development charges for such blocks shall be payable at building permit issuance.
- 3.17 For the purposes of subsections 3.15 and 3.16, 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 3.15.
- 3.18 Notwithstanding subsection 3.14 of this bylaw, where section 26.1 of the Act applies in respect of any part of a development, the development charges imposed under this bylaw, in respect that part of the development to which section 26.1 of the Act

applies only, shall be payable in annual installments in accordance with the requirements of subsection 26.1(3) of the Act, and shall be subject to interest in accordance with Region's Interest Policy, as may be amended by Regional Council.

3.19 Despite subsections 3.14 and 3.15, 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.

3.20 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 subsection 3.15, the type of dwelling unit for which building permits are being issued is different from that used for the calculation and payment under subsection 3.15, 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 subsection 3.15 than for the type of dwelling unit used to calculate the payment under subsection 3.15, 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 subsection 5.1 of this bylaw.

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 subsection 3.15, 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 subsection 3.15, 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 subsection 3.15, the type of dwelling unit for which building permits are being issued is different from that used for the calculation and payment under subsection 3.15, 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 subsection 3.15 than for the type of dwelling unit used to calculate the payment under subsection 3.15, 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 subsection 5.1 of this bylaw 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 subsection 3.15, 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 subsection 3.15, 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.

3.21 Despite subsections 3.20(c) and (d), a refund shall not exceed the amount of the development charges paid under subsection 3.15.

## 4) Payment by Services

4.1 Despite the payments required under subsections 3.14 and 3.15, 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 bylaw.

## 5) Indexing

5.1 Development charges imposed pursuant to this bylaw shall be adjusted annually, without amendment to this bylaw, commencing on July 1, 2022 and each anniversary of that date thereafter, in accordance with the Statistics Canada Quarterly Construction Price Statistics.

## 6) Schedules

6.1 The following schedules to this bylaw form an integral part thereof:

Schedule A – Components of Service Designated in Subsection 2.1

Schedule B – Lands Subject to this Bylaw

Schedule C – Residential Development Charges

Schedule D – Non-Residential Development Charges

Schedule E - Calculation of Development Charge Credits provided to Derelict  
Buildings

## 7) Date Bylaw In Force

7.1 This bylaw shall come into force on the 1<sup>st</sup> day of July 2021.

## 8) Date Bylaw Expires

8.1 This bylaw will expire on the 31<sup>st</sup> day of June, 2026, unless it is repealed at an earlier date.

## 9) Repeal

9.1 By-law No. 2016-40 is hereby repealed as of the 1<sup>st</sup> day of July, 2021.

For PASSAGE on May 27, 2021 and for ENACTMENT on July 1, 2021

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Regional Clerk

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Regional Chair

*Authorized by Clause • Report of the Committee of the Whole, adopted by Regional Council at its meeting on •.*

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

**Services:**

- Wastewater works

**Service Components**

- Forcemain and Trunk sewers
- Sewage Pumping Stations
- Water Pollution Control Plant
- Outfall and Wetland
- Engineering



**SCHEDULE C**  
**THE REGIONAL MUNICIPALITY OF YORK**  
**SCHEDULE OF PER UNIT RESIDENTIAL DEVELOPMENT CHARGES**  
**FOR THE NOBLETON URBAN AREA**

<b>Residential</b>	<b>Single and Semi-Detached</b>	<b>Multiple Unit Dwelling</b>	<b>Apartments – 700sq.ft or more</b>	<b>Apartments – Less than 700 sq.ft</b>
Wastewater Works	\$14,487	\$12,281	\$9,075	\$6,244

**SCHEDULE D**  
**THE REGIONAL MUNICIPALITY OF YORK**  
**SCHEDULE OF NON-RESIDENTIAL DEVELOPMENT CHARGES**  
**FOR THE NOBLETON URBAN AREA**

Non-Residential	Per Square Foot of Gross Floor Area		Per Square Metre of Gross Floor Area	
	Industrial / Office / Institutional	Retail	Industrial / Office / Institutional	Retail
Wastewater Works	\$5.85	\$5.85	\$62.97	\$62.97

**SCHEDULE E**  
**THE REGIONAL MUNICIPALITY OF YORK**  
**CALCULATION OF DEVELOPMENT CHARGE CREDITS**  
**PROVIDED TO DERELICT BUILDINGS**

<b>Number of Months From Date of Demolition Permit to Date of Building Permit Issuance</b>	<b>Credit Provided (%)<sup>1</sup></b>
Up to and including 48 months	100
Greater than 48 months up to and including 72 months	75
Greater than 72 months up to and including 96 months	50
Greater than 96 months up to and including 120 months	25
Greater than 120 months	0

<sup>1</sup> Credits are calculated as a percentage of the prevailing development charge rates for the class of non-residential development or type of dwelling demolished.