



Staff Report for Council Meeting

Date of Meeting: July 6, 2022
Report Number: SRCFS.22.026

Department: Corporate and Financial Services
Division: Financial Services

Subject: Request for Approval - Community Benefits Charge Strategy

Purpose:

This report responds to feedback received regarding the City of Richmond Hill's ("City") Community Benefits Charge ("CBC") Strategy and the Community Benefits Charge Draft By-law.

Recommendation(s):

- a) That staff report SRCFS.22.026 be received;
- b) That Council approve the Community Benefits Charge Strategy (Appendix A);
- c) That Council enact the Community Benefits Charge By-law (Appendix B) effective July 6th, 2022; and
- d) That Council approve the establishment of a new Community Benefits Charge Reserve Fund.

Contact Person:

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Report Approval:

Submitted by: Sherry Adams, Commissioner of Corporate and Financial Services

Approved by: Darlene Joslin, Interim City Manager

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. Details of the reports approval are attached.

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Background:

On June 22, staff brought forward SRCFS.22.019 Community Benefits Charge Strategy (Appendix E), containing an overview on the CBC, background on the legislative framework, the Community Benefits Charge Strategy and associated Draft By-law, and a response to the comments obtained from the development community through the City's consultation process. Moreover, staff provided a presentation outlining the key aspects of the Community Benefits Charge, including:

- The process and community engagement/consultation that took place to date;
- The methodology in the preparation of the Community Benefits Charge Strategy;
- The associated capital costs and the calculated CBC rate;
- The exemptions provided in the legislation.

The following section of this report represents additional feedback received from the development community, and at the June 22 Council Meeting.

Building Industry and Land Development Association (“BILD”)

City staff received correspondence on June 17, from BILD York Chapter on the Community Benefits Charge Strategy and the Draft By-law. In addition, staff have received comments from Mr. Daryl Keleher of Altus Group Economic Consulting, who was retained by BILD to review the City of Richmond Hill's Community Benefits Charge Strategy and associated By-law.

On June 24, staff have provided a response letter to both BILD and Mr. Keleher. Refer to Appendix D.

Yonge Ridge Developments Inc. - 13351 and 13359 Yonge Street

Mr. Adam Layton of Evans Planning, retained by Yonge Ridge Developments Inc., to assist with the development of lands located at 13351 and 13359 Yonge Street submitted a correspondence to the City and delegated regarding the Community Benefits Strategy Draft By-law at the June 22 Council Meeting. The contemplated redevelopment consists of 50 back-to-back stacked townhouse dwelling units of standard condominium tenure. Access to an underground parking structure would be provided from Ridge Road, while an operational access route is provided from Yonge Street. The upper units in the proposed buildings benefit from exclusive rooftop terraces accessed by a small 'pop-up' structure. These structures do not contain any living space, consisting only of staircase, landing, and mechanical room.

Mr. Layton brought forward two (2) comments as they relate to the Community Benefits Charge By-law and its applicability to the Yonge Ridge Developments site:

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Comment #1: Definition of 'Grade'

There is a significant grade change between the interior of the site and both the Ridge Road and Yonge Street property lines. In particular, it is noted that the access to the parking structure is level with the elevation of Ridge Road, but is below grade at the interior of the site. Further, the buildings have been designed to step up in accordance with the change of elevation along Yonge Street, such that the 'established grade' varies based on where along the property frontage it is measured. Accordingly, Mr. Layton suggested that the CBC By-law should be revised to recognize a definition of 'established grade' where implemented through a site-specific Zoning By-law Amendment.

Response #1:

In order to provide clarity to unique situations similar to the one that was described by Mr. Layton, staff have amended the Draft Community Benefits Charge By-law to include a definition of 'Established Grade' as the average elevation of the finished Grade of the ground immediately surrounding a Building.

Comment #2: Definition of 'Storey'

As noted above, the proposed development contemplates rooftop access through a 'pop-up' structure for the upper units, however it is not clear whether such a structure would be considered a 'storey' for the purposes of the by-law given the present definition, being 'a level of a Building, other than a Basement, located between any floor and the floor, ceiling or roof immediately above it'. Mr. Layton suggested that the definition be revised to include an exemption for rooftop accesses which are limited in size and do not contain any living space.

Response #2:

No specific exemptions have been provided for in the By-law for rooftop accesses. Staff will consider the proposed development, and would be reasonable in their application of the By-law. There are numerous potential examples of situations where adjustments may be provided, however, to categorize all the potential adjustments for various access points would be extremely difficult. As the legislation is new it is anticipated that other municipalities may be before the Ontario Land Tribunal and hence case law will also assist in informing the City on how it may interpret individual applications.

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Section 37 of the Planning Act vs. Community Benefits Charge

Section 37 of the Planning Act enabled municipalities to secure community benefits through agreements in conjunction with a rezoning which permitted increased height and/or density over and above existing planning permissions.

Richmond Hill has used this many times in the past in order to secure financial contributions, units dedicated for York Housing and dedication of space for recreational programming, etc.

A survey of agreements over the past 15 years provided the following estimated contributions:

- 50% were financial contributions from \$200,000 to \$2,000,000 yielding a total of \$7.68 million.
- 15% provided programming space ranging from 1,000 sq.ft. to 2,700 sq.ft. with a total of 4,800 sq.ft..
- 15% provided units dedicated for York Housing ranging from 1 to 4 units with a total of 6 units.
- The residual 20% provided for replacements of sidewalks, a private road for public use, new trails, and a car share program.

In contrast to Section 37 of the Planning Act, as described above, the Community Benefits Charge Strategy identifies an estimated revenue of \$15.68 million over the 10-year planning period from mid-2022 – mid-2032.

Financial/Staffing/Other Implications:

The Planning Act, R.S.O. 1990, c. P.13, requires the creation of a special account (reserve fund), and that all money received by the municipality under a Community Benefits Charge By-law shall be paid into this special account (reserve fund).

The money in the special account (reserve fund) may be invested in securities in which the municipality is permitted, and the earnings derived from the investment of the money shall be paid into the special account (reserve fund).

Any balances remaining in the legacy Section 37 reserve fund account, will be transferred to the newly established Community Benefits Charge special account (reserve fund).

Relationship to Council's Strategic Priorities 2020-2022:

The Community Benefits Charge is a new growth funding tool introduced by the Province in recent legislation. It allows municipalities to fund capital costs related to growth that are not already recovered from Development Charges and Parkland Dedication.

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Climate Change Considerations:

Climate change considerations are not applicable to this staff report.

Conclusion:

The Community Benefits Charge process is new for all municipalities in Ontario. Staff have engaged internal stakeholders, and are actively participating in engagement sessions with the development industry, and other key stakeholders.

Staff have addressed all public and Council comments on the Community Benefits Charge Strategy and associated By-law. Accordingly, the By-law presented at the July 6, 2022 Council Meeting reflects the amendments made to the Draft Community Benefits Charge By-law presented at the June 22, 2022 Council Meeting.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

- Appendix A: Community Benefits Charge Strategy
- Appendix B: Community Benefits Charge By-law #99-22
- Appendix C: Response Letter to BILD
- Appendix D: Community Benefits Charge Reserve Fund By-law #109-22
- Appendix E: SRCFS.22.019 Community Benefits Charge Strategy

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Report Approval Details

Document Title:	SRCFS.22.026 - Request for Approval - Community Benefits Charge Strategy.docx
Attachments:	- SRCFS.22.026 - Appendix A - Community Benefits Charge Strategy.pdf - SRCFS.22.026 - Appendix B - Community Benefits Charge By-law 99-22.pdf - SRCFS.22.026 - Appendix C - Response Letter to BILD - June 24 - Signed.pdf - SRCFS.22.026 - Appendix D - Community Benefit Charge Reserve Fund By-law 109-22.pdf - SRCFS.22.026 - Appendix E - SRCFS.22.019 Community Benefits Charge Strategy.docx
Final Approval Date:	Jun 30, 2022

This report and all of its attachments were approved and signed as outlined below:

Gigi Li - Jun 30, 2022 - 10:50 AM

Patrick Lee - Jun 30, 2022 - 11:44 AM

Sherry Adams on behalf of Darlene Joslin - Jun 30, 2022 - 11:48 AM



Community Benefits Charge Strategy

Corporation of the City of Richmond Hill

May 31, 2022

Watson & Associates Economists Ltd.
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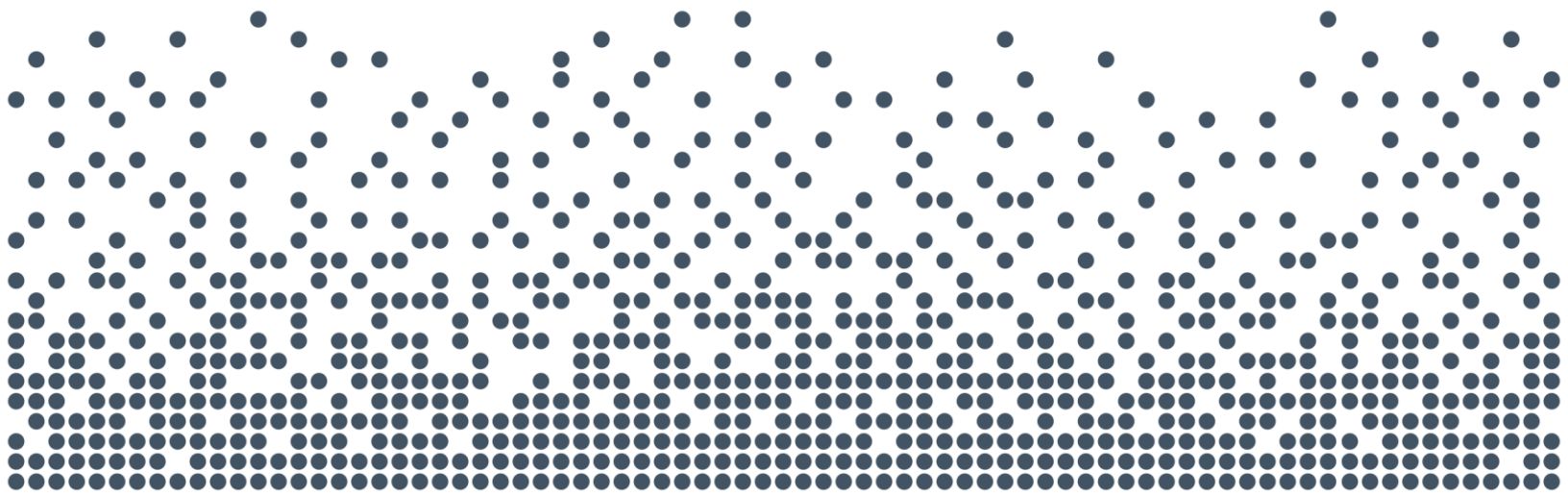
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List of Acronyms and Abbreviations

Acronym	Full Description of Acronym
C.B.C.	Community Benefits Charge
C.I.L.	Cash-in-lieu
D.C.	Development charge
D.C.A.	Development Charges Act, 1997, as amended
M.C.R.	Municipal Comprehensive Review
N.F.P.O.W.	No fixed place of work
O.L.T.	Ontario Land Tribunal
O. Reg.	Ontario Regulation
P.P.U.	Persons per unit
sq.ft.	square foot
sq.m.	square metre



Report



Chapter 1

Introduction



1. Introduction

1.1 Purpose of this Document

This strategy report has been prepared pursuant to the requirements of the Planning Act, 1990, (section 37) and, accordingly, recommends the imposition of a Community Benefits Charge (C.B.C.) and associated policies for the Corporation of the City of Richmond Hill (the “City”).

The City retained Watson & Associates Economists Ltd. (Watson), to undertake the C.B.C. strategy process beginning in the fall of 2021. Watson worked with City staff preparing the C.B.C. analysis and policy recommendations contained within this strategy.

The C.B.C. strategy report, containing the proposed C.B.C. by-law, will be distributed to members of the public in order to provide interested parties the background information on the legislation, the recommendations contained herein, and an outline of the basis for these recommendations.

This report has been prepared, in the first instance, to meet the statutory requirements applicable to the City’s C.B.C. strategy, as summarized in Chapter 3. It also addresses the requirement for “rules” (contained in Chapter 6) and the proposed by-law to be made available as part of the approval process (included as Appendix B).

In addition, the report is designed to set out sufficient background on the legislation (Chapter 3) and the policies underlying the proposed by-law, to make the exercise understandable to those who are involved.

Finally, the report addresses post-adoption implementation requirements (Chapter 7) which are critical to the successful application of the new policy.

The chapters in the strategy report are supported by Appendices containing the data required to explain and substantiate the calculation of the charge. A full discussion of the statutory requirements for the preparation of a strategy and calculation to support the C.B.C. rate is provided herein.



1.2 Legislative Context

1.2.1 Bill 197 – COVID-19 Economic Recovery Act, 2020

The *COVID-19 Economic Recovery Act* received Royal Assent on July 21, 2020. Schedule 3 of the Act amends the Development Charges Act (D.C.A.) and Schedule 17 amends the Planning Act (including amendments to community benefits and the alternative rate of parkland dedication). These amendments replace those not proclaimed under the More Homes, More Choice Act (Bill 108).

The *COVID-19 Economic Recovery Act* amendments in Schedules 3 and 17 were proclaimed and came into effect on September 18, 2020. In regard to the C.B.C., eligible municipalities have two years after the date of proclamation (i.e., September 18, 2022) to transition to the new rules and pass a C.B.C. by-law if they wish to impose these charges.

D.C.A. Amendments:

Changes to Eligible Services – the amendments reframe the context of the D.C.A. from a tool to fund services that are not defined as "ineligible," to only include "eligible" services for which development charges (D.C.s) may be imposed. Eligible services include:

- Water supply services, including distribution and treatment services;
- Wastewater services, including sewers and treatment services;
- Storm water drainage and control services;
- Services related to a highway;
- Transit services;
- Waste diversion services;
- Policing services;
- Fire protection services;
- Ambulance services;
- Public library services;
- Long-term care services;
- Parks and recreation services;
- Public health services;



- Child-care services;
- Housing services;
- Services related to proceedings under the Provincial Offences Act; and
- Emergency preparedness services.

C.B.C. Amendments:

As per section 37 (5) of the Planning Act, a C.B.C. may be imposed for services that do not conflict with services or projects provided under a municipality's D.C. by-law or Parkland dedication by-law. Hence, the service provided under the C.B.C. would be defined as follows:

- (a) land for park or other public recreational purposes in excess of lands dedicated or provided cash-in-lieu payments under section 42 or 51 of the Planning Act;
- (b) services not provided under section 2 (4) of the D.C.A. (as noted above);
- (c) capital costs for eligible D.C. services that are not intended to be funded under the City's D.C. by-law.

Single-tier and lower-tier municipalities may impose a C.B.C. against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment in the area to which the by-law applies. As noted above, there are no restrictions on the services that may be included in the charge, with the exception of capital costs included under a D.C.A. by-law or Cash-in-Lieu (C.I.L.) of Parkland by-law. There are, however, restrictions on the application of the charges, i.e., a C.B.C. may not be imposed with respect to:

- development or redevelopment of fewer than 10 residential units, and in respect of buildings or structures with fewer than five storeys;
- a building or structure intended for use as a long-term care home;
- a building or structure intended for use as a retirement home;
- a building or structure intended for use by a university, college, or an Indigenous Institute;
- a building or structure intended for use as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion;
- a building or structure intended for use as a hospice to provide end-of-life care; or



- not-for-profit housing.

O. Reg. 509/20 specifies that a maximum charge of 4% of the value of land at the time of building permit issuance may be imposed. Prior to adopting a C.B.C. by-law the municipality must undertake a C.B.C. strategy report and follow the required public procedure. The C.B.C. by-law is appealable to the Ontario Land Tribunal (O.L.T.).

1.2.2 Bill 109 – More Homes for Everyone Act, 2022

The *More Homes for Everyone Act, 2022* received Royal Assent on April 14, 2022. Schedule 5 of the Act amends the Planning Act with respect to C.B.C. by-laws. New subsections 37 (54) to (59) require that Council must pass a resolution on whether a revision to the C.B.C. by-law is needed at least every five years from the date the by-law was first passed.

The municipality must review the by-law and determine whether there is need for a revision and requires that municipalities shall consult with such persons and public bodies as appropriate. The municipality must give notice of the passing of the resolution within 20 days on the website of the municipality.

If Council does not pass a resolution within the five years, the by-law is deemed to expire.

1.3 Current Policies

The City has occasionally imposed charges related to community benefits under the prior Planning Act section 37 provisions through negotiations with developers. The following list provides a few examples of community benefits the City has received through Section 37:

- community rooms;
- recreational trails;
- park development/revitalization projects;
- cash contributions;
- sidewalk replacements;
- assisted housing units;
- sidewalk replacements; and



- car share programs.

1.4 Summary of the Process

Prior to passing a C.B.C. by-law, the Planning Act, section 37 (10) requires the City to consult with the public and such persons and public bodies as the City considers appropriate. As such, a preliminary presentation was provided to members of Council and the public on May 24, 2022, to discuss the C.B.C purpose, approach, and methodology. An additional meeting of Council has been set for June 22, 2022 to present the strategy to the public and members of Council to solicit input. The meeting is also being held to present the proposed C.B.C. by-law. A meeting with the development community has been set for mid June, 2022 to allow for feedback on the strategy (Note: the City previously met with the development community to present preliminary findings on May 2, 2022). The feedback received during the public consultation will be reported back to Council during the meeting scheduled for June 22, 2022.

Figure 1-1 provides an outline of the schedule to be followed with respect to the C.B.C. strategy and by-law adoption and implementation process.



Figure 1-1
City of Richmond Hill
Schedule of Key Dates in the C.B.C. Strategy Process

Item	Date
1. Data collection, land valuation analysis, growth forecast development, capital needs assessment, staff review, C.B.C. calculations and policy work.	September 2021 to May 2022
2. Meeting with BILD/Development Community	May 2, 2022
3. Special Council meeting to present C.B.C. methodology	May 24, 2022
4. Release of C.B.C. Strategy Report	May 31, 2022
5. Meeting of Council advertisement placed in newspaper(s)	June 2022
6. Meeting with BILD/Development Community	Mid June, 2022
7. Meeting of Council to present the C.B.C. Strategy and proposed by-law	June 22, 2022
8. Council considers adoption of C.B.C. strategy and passage of by-law	July 6, 2022
9. Notice given of by-law passage	No later than 20 days after passage
10. Last day for by-law appeal	40 days after passage



Chapter 2

Anticipated Development in the City of Richmond Hill



2. Anticipated Development

2.1 Requirement of the Act

Chapter 3 provides the methodology for calculating a C.B.C. as per the Planning Act. Figure 3-1 presents this methodology schematically. It is noted in the first box of the schematic that in order to determine the C.B.C. that may be imposed, it is a requirement of section 37 (9) of the Planning Act and O. Reg. 509/20 that “the anticipated amount, type and location of development and redevelopment, for which a C.B.C. can be imposed, must be estimated.”

The growth forecast contained in this chapter (with supplemental tables in Appendix A) provides for the anticipated development for which the City will be required to provide services over a 10-year (mid-2022 to mid-2032) time horizon.

2.2 Basis of Population, Household and Employment Forecast

The C.B.C. growth forecast has been derived by Watson. In preparing the growth forecast, the following information sources were consulted to assess the residential and non-residential development potential for the City over the forecast period, including:

- City of Richmond Hill 2021 Growth Analysis by Traffic Zone, Final Report, March 31, 2022, Watson & Associates Economists Ltd.;
- 2006, 2011, 2016 and 2021 population and household Census data;
- 2006, 2011 and 2016 employment Census data;
- Historical residential building permit data over the 2012 to 2021 period;
- Residential supply opportunities as identified by City staff; and
- Discussions with City staff regarding anticipated residential development in the City.

2.3 Summary of Growth Forecast

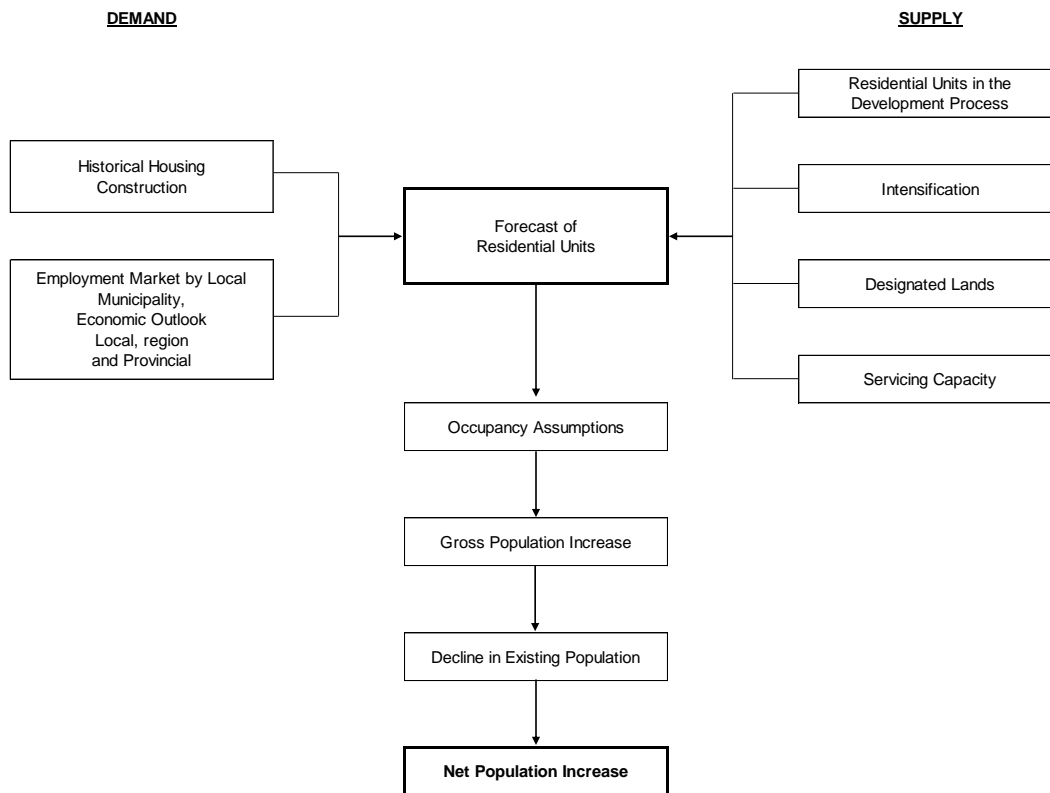
A detailed analysis of the residential and non-residential growth forecasts is provided in Appendix A and the methodology employed is illustrated in Figure 2-1. The discussion provided herein summarizes the anticipated growth for the City and describes the basis



for the forecast. The results of the residential growth forecast analysis are summarized in Table 2-1 below, and Schedule 1 in Appendix A.

As identified in Table 2-1 and Schedule 1, the City's population is anticipated to reach approximately 249,130 by mid-2032, resulting in an increase of 40,290 persons, over the 10-year forecast period.^[1]

Figure 2-1
Approach to Population and Housing Forecast



^[1] The population figures used in the calculation of the 2022 C.B.C. exclude the net Census undercount, which is estimated at approximately 3.1%.



**Table 2-1
City of Richmond Hill
Residential Growth Forecast Summary**

	Year	Population (Including Census Undercount) ^[1]	Excluding Census Undercount			Housing Units						Persons Per Unit (P.P.U.): Total Population/ Total Households
			Population	Institutional Population	Population Excluding Institutional Population	Singles & Semi- Detached	Multiple Dwellings ^[2]	Apartments ^[3]	Other	Total Households	Equivalent Institutional Households	
Historical	<i>Mid 2011</i>	191,467	185,541	1,171	184,370	38,835	10,300	9,455	61	58,651	1,065	3.163
	<i>Mid 2016</i>	201,000	195,022	1,222	193,800	40,195	11,610	12,240	55	64,100	1,111	3.042
	<i>Mid 2021</i>	208,210	202,022	1,266	200,756	41,960	12,640	14,655	55	69,310	1,151	2.915
Forecast	<i>Mid 2022</i>	215,250	208,845	1,321	207,524	42,371	13,453	15,777	55	71,656	1,201	2.915
	<i>Mid 2032</i>	256,770	249,134	1,562	247,572	45,023	18,044	22,361	55	85,483	1,420	2.914
Incremental	Mid 2011 - Mid 2016	9,533	9,481	51	9,430	1,360	1,310	2,785	-6	5,449	46	
	Mid 2016 - Mid 2021	7,210	7,000	44	6,956	1,765	1,030	2,415	0	5,210	40	
	Mid 2021 - Mid 2022	7,040	6,823	55	6,768	411	813	1,122	0	2,346	50	
	Mid 2022 - Mid 2032	41,520	40,289	241	40,048	2,652	4,591	6,584	0	13,827	219	

^[1] Census undercount estimated at approximately 3.1%.

^[2] Includes townhouses and apartments in duplexes.

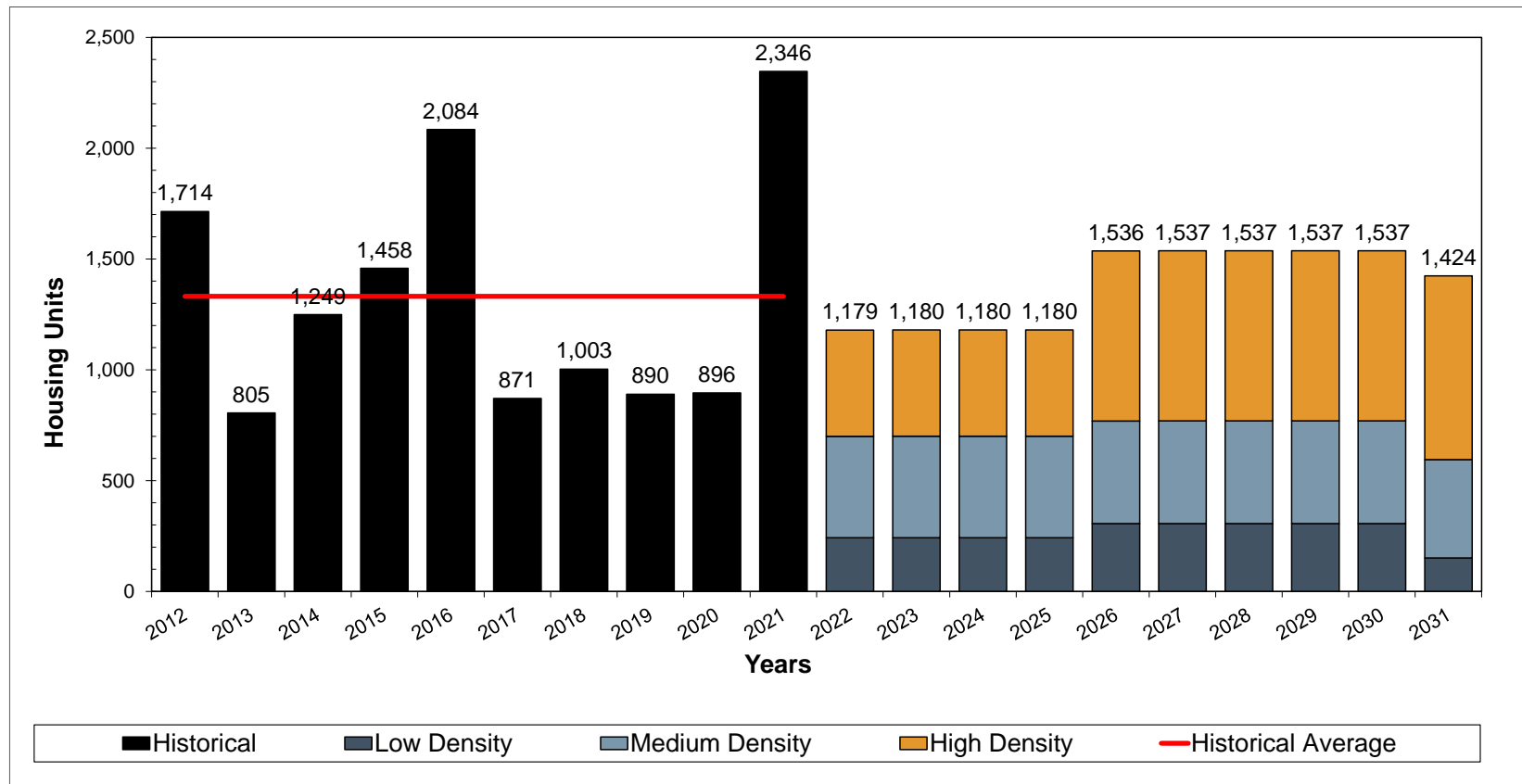
^[3] Includes bachelor, 1-bedroom, and 2-bedroom+ apartment units.

Note: Population including the Census undercount has been rounded.

Source: Derived from the City of Richmond Hill 2021 Growth Analysis by Traffic Zone, Final Report, March 31, 2022, by Watson & Associates Economists Ltd.



Figure 2-2
City of Richmond Hill
Annual Housing Forecast^[1]



^[1] Growth forecast represents calendar year.

Source: Historical housing activity derived from City of Richmond Hill building permit data, 2012 to 2020, and 2021 from Statistics Canada building permit data for the City of Richmond Hill., by Watson & Associates Economists Ltd.



Provided below is a summary of the key assumptions and findings regarding the City's C.B.C. growth forecast:

1. Unit Mix (Appendix A – Schedules 1, 5 and 6)

- The housing unit mix for the City was derived from the City of Richmond Hill 2021 Growth Analysis,^[1] a detailed review of historical development activity (as per Schedule 6), as well as active residential development applications (as per Schedule 5) and discussions with City staff regarding anticipated development trends for Richmond Hill.
- Based on the above indicators, the 2022 to 2032 household growth forecast for the City is comprised of a unit mix of 19% low density units (single detached and semi-detached), 33% medium density (multiples except apartments) and 48% high density (accessory units, bachelor, 1-bedroom and 2+ bedroom apartments) units.

2. C.B.C.-Eligible Units

- Subsection 37 (4) of the Planning Act establishes the criteria for a development to be C.B.C. eligible. A C.B.C. may be imposed if:
 - Development of a proposed building or structure has five or more storeys at or above ground and has 10 or more residential units;
 - Redevelopment of an existing building or structure that will have 5 or more storeys at or above ground after redevelopment and proposes to add 10 or more residential units to an existing building or structure; or
 - Such types of development or redevelopment as prescribed. 2020, c. 18, Sched. 17, section 1.
- The C.B.C.-eligible unit forecast is derived based on the established criteria above and a detailed review of historical Census housing trends, historical development activity (as per Schedule 6), active residential development applications (as per Schedule 5) and discussions with City staff regarding anticipated C.B.C.-eligible developments.

^[1] City of Richmond Hill 2021 Growth Analysis by Traffic Zone, Final Report, March 31, 2022, Watson & Associates Economists Ltd.



- Based on the above indicators, the City is forecast to accommodate 5,924 C.B.C.-eligible household units over the 10-year forecast period. This translates to 90% of all high-density units, including accessory units, being C.B.C. eligible from 2022 to 2032. Schedule 2 summarizes the anticipated amount, type, and location of development for the City by location.
3. Geographic Location of C.B.C.-Eligible Residential Development (Appendix A – Schedule 2)
- Schedule 2 summarizes the anticipated amount, type, and location of C.B.C.-eligible development by area for the City.
 - In accordance with forecast demand and available land supply, the amount and percentage of forecast C.B.C.-eligible housing growth between 2022 and 2032 by development location is summarized in Table 2-2.
 - The development locations are Yonge Street Corridor – North of Elgin Mills, Yonge Street Corridor – South of Elgin Mills, and all other areas.



Table 2-2
City of Richmond Hill
Residential High-Density Growth by Development Area

Development Location	High-Density Housing Growth, 2022 to 2032 ^[1]	C.B.C.- Eligible Share (%)	C.B.C.- Eligible Housing Growth, 2022 to 2032	C.B.C.- Housing Growth Shares by Location, 2022 to 2032
Yonge St. Corridor – South of Elgin Mills	3,191	99%	3,148	53%
Yonge St. Corridor – North of Elgin Mills	1,501	99%	1,481	25%
All Other Areas	1,892	68%	1,295	22%
City-Wide Total	6,584	90%	5,924	100%

^[1] High density includes accessory apartments, bachelor, 1-bedroom and 2-bedroom+ apartments.
Source: Watson & Associates Economists Ltd.

4. Planning Period

- For the purpose of this study, a 10-year planning horizon has been assumed which aligns with the City's 10-year capital budget.

5. Population in New Units (Appendix A – Schedules 3 and 4)

- The number of housing units to be constructed by 2032 in the City over the forecast period is presented in Figure 2-2. Over the 2022 to 2032 forecast period, the City is anticipated to average approximately 1,380 new housing units per year.



- Institutional population^[1] is anticipated to increase by approximately 240 people between 2022 to 2032.
- Population in new units is derived from Schedules 3 and 4 which incorporate historical development activity, anticipated units (see unit mix discussion) and average persons per unit (P.P.U.) by dwelling type for new units.
- Schedule 7 summarizes the average P.P.U. assumed for new housing units by age and type of dwelling based on Statistics Canada 2016 custom Census data for the City of Richmond Hill. The total calculated P.P.U. for all density types has been adjusted accordingly to account for the P.P.U. trends which has been recently experienced in both new and older units. Forecast 15-year average P.P.U.s by dwelling type are as follows:
 - Low density: 3.611
 - Medium density: 2.975
 - High density:^[2] 1.958

6. Existing Units and Population Change (Appendix A – Schedules 3 and 4)

- Existing households for mid-2022 are based on 2021 Census households, plus estimated residential units constructed between mid-2021 and mid-2022, assuming a six-month lag between construction and occupancy (see Schedule 3).
- The change in average occupancy levels for existing housing units is calculated in Schedules 3 and 4, by aging the existing population over the forecast period. The forecast population change in existing households over the 2022 to 2032 forecast period is approximately 3,920.

7. Employment (Appendix A – Schedule 8)

- The employment projections provided herein are largely based on the activity rate method, which is defined as the number of jobs in the City divided by the number of residents.

^[1] Institutional population largely includes special care facilities such as nursing home or residences for senior citizens. A P.P.U. of 1.100 depicts 1-bedroom and 2-or-more-bedroom units in collective households.

^[2] Includes accessory units, bachelor, 1-bedroom and 2-or-more-bedroom apartments.



- 2016 employment data for the City is outlined in Schedule 8.^[1] In accordance with the York Region 2021 Municipal Comprehensive Review (M.C.R.), the City's 2016 employment base including work at home and no fixed place of work (N.F.P.O.W.) is 78,800.^[2]
- Total employment, including work at home and N.F.P.O.W. for the City is anticipated to reach approximately 98,250 by mid-2032. This represents an employment increase of approximately 12,100 over the 10-year forecast period.
- Schedule 8, Appendix A, summarizes the employment forecast, excluding work at home employment and N.F.P.O.W. employment, which is the basis for the C.B.C. employment forecast. The impact on municipal services from work at home employees has already been included in the population forecast. The need for municipal services related to N.F.P.O.W. employees has largely been included in the employment forecast by usual place of work (i.e., employment and gross floor area generated from N.F.P.O.W. construction employment).
- Total employment for the City (excluding work at home and N.F.P.O.W. employment) is anticipated to reach approximately 74,360 by mid-2032. This represents an employment increase of approximately 7,390 for the 10-year forecast period.

Based upon the above information, the following summaries are provided for use in the calculations presented in chapter 4, as follows:

- Of the services to be provided, most service costs will be allocated a 85% residential share (Table 2-3);
- Of the residential portion of the costs, 36% of the population is forecast to reside in high-density residential units (Table 2-4); and

^[1] 2016 employment is adapted from the York Region 2021 M.C.R. allocations for the City of Richmond Hill.

^[2] No fixed place of work is defined by Statistics Canada as "persons who do not go from home to the same workplace location at the beginning of each shift. Such persons include building and landscape contractors, travelling salespersons, independent truck drivers, etc."



- Of those who reside in high density residential units, 90% are forecast to reside in units to which the C.B.C. may be imposed (Table 2-5).

Table 2-3
Residential and Non-Residential Growth Share based on Incremental Growth in
Population and Employment over the 10-Year Forecast Period

Residential Population and Non-Residential Employment	Population/ Employment	Residential/ Non- Residential %
Residential Net Population	40,289	85%
Employment (net of Work at Home & N.F.P.O.W.)	7,387	15%
Total Population & Employment	47,676	100%



Table 2-4
Low/Medium Density Growth and High-Density Growth Share

Residential Density	Residential Population	% of Gross Population in New Units
Low/Medium Density	23,235	64%
High Density	12,891	36%
Total Residential Forecast	36,126	100%

Table 2-5
Eligible and Ineligible High-Density Growth Share

Residential High Density	Residential Population	% of Gross Population in High Density Units
Eligible High Density	11,599	90%
Ineligible High Density	1,292	10%
Total Residential High Density Forecast	12,891	100%

2.4 Land Valuation

As the C.B.C. rate is applied against the value of land the day before a building permit is issued, average land values are required to be assessed in various locations throughout the City where the development and redevelopment is anticipated. These land values assist in calculating the eligible C.B.C. rate (up to a maximum of 4%). As such the City commissioned a professional land appraiser to provide input into the analysis.

Antec Appraisal Group undertook land value estimates on behalf of the City to assist with the implementation of this C.B.C. strategy. The land valuations were based on high density residential lands in different locations throughout the City. The high-density



lands were based on lands anticipated to be developed into buildings with five storeys or more and a minimum of 10 residential units.

The land areas to which an average valuation has been applied are as follows:

1. Yonge St. Corridor – North of Elgin Mills;
2. Yonge St. Corridor – South of Elgin Mills; and
3. All other areas of the City.

It is noted that the Antec report identified land values for five different areas of the City, however based on where the growth is anticipated to occur the values have been weighted for the following locations. Table 2-6 provides the findings of the land value assessment for eligible high-density development, by area.

Table 2-6
Summary of Land Valuations by Area

Location	Average Value per Acre
Yonge St. Corridor - South of Elgin Mills	\$13,590,000
Yonge St. Corridor - North of Elgin Mills	\$6,760,000
All Other Areas	\$6,970,000

As per Antec Appraisal Group

2.5 Land Analysis

For purposes of calculating the total land value potential for high-density development in the City, the eligible high-density growth forecast was aligned with the average land valuations based on applications in the planning process and the anticipated growth over the 10-year forecast. Table 2-7 provides for the assumptions on growth by area and the corresponding land valuations.



Table 2-7
Summary of Eligible High-Density Growth in the Planning Process by Area

Area	Total C.B.C. Eligible Units	Average Land Value Per Acre
Yonge St. Corridor - South of Elgin Mills	3,148	\$13,590,000
Yonge St. Corridor - North of Elgin Mills	1,481	\$6,760,000
All Other Areas	1,295	\$6,970,000
Total	5,924	

The acres of land by area associated with the C.B.C.-eligible units were provided by staff. The estimated total acres are multiplied by the land values in Table 2-7 to determine a total land value which will be used as the denominator in the C.B.C. calculations. Table 2-8 provides for these calculations. An estimated 41.3 acres of eligible high-density growth is anticipated over the 10-year forecast period; with the total land value estimated at approximately \$392.12 million.

Table 2-8
Summary of Eligible High-Density Growth and Total Land Value by Area

Area	Total C.B.C. Eligible Units	Average Land Value Per Acre	Estimated Total Acres	Total Land Value
Yonge St. Corridor - South of Elgin Mills	3,148	\$13,590,000	16.1	\$218,565,000
Yonge St. Corridor - North of Elgin Mills	1,481	\$6,760,000	9.3	\$63,099,000
All Other Areas	1,295	\$6,970,000	15.8	\$110,452,000
Total	5,924		41.3	\$392,116,000



Chapter 3

Approach to the Calculation

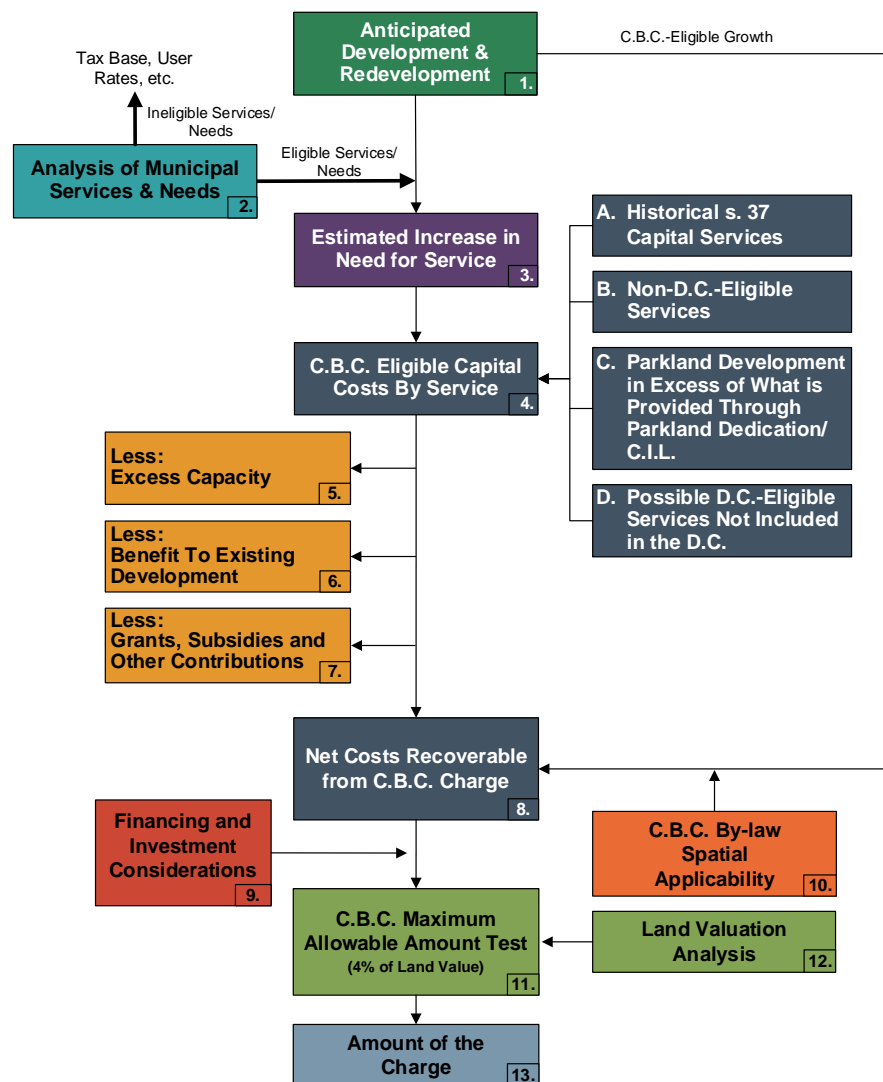


3. The Approach to the Calculation of the Charge

3.1 Introduction

This chapter addresses the requirements of subsection 37(9) of the Planning Act and sections 2 and 3 of O. Reg. 509/20 with respect to the establishment of the need for service which underpins the C.B.C. calculation. These requirements are illustrated schematically in Figure 3-1.

Figure 3-1
The Process of Calculating a Community Benefits Charge under the Planning Act





3.2 Anticipated Development and Redevelopment

The anticipated development and redevelopment forecast is provided in chapter 2 (with supplemental tables in Appendix A). This chapter provides for the anticipated overall growth within the City over a 10-year (mid-2022 to mid-2032) time horizon and then estimates the residential units eligible to be considered as per section 37 (4) of the Planning Act.

3.3 Services Potentially Involved

As per section 37 (5) of the Planning Act, a C.B.C. may be imposed for services that do not conflict with services or projects provided under a municipality's D.C. by-law or Parkland dedication by-law. Hence, the service provided under the C.B.C. would be defined as follows:

- (a) land for park or other public recreational purposes in excess of lands dedicated or provided cash-in-lieu payments under section 42 or 51 of the Planning Act.
- (b) services not provided under section 2 (4) of the D.C.A.
- (c) capital costs for eligible D.C. services that are not intended to be funded under the City's D.C. by-law.

Examples of services not provided by a D.C. or Parkland by-law include (but are not limited to) capital facilities and equipment for municipal parking, airports, municipal administration building expansions, museums, arts centres, public art, heritage preservation, landfill, public realm improvements, community gardens, space for non-profits, etc.

3.4 Increase in the Need for Service

Similar to a D.C., the C.B.C. calculation commences with an estimate of “the increase in the need for service attributable to the anticipated development,” for eligible services to be covered by the by-law. There must be some form of link or attribution between the anticipated development and the estimated increase in the need for service. While the need could potentially be expressed generally in terms of units of capacity, a project-specific expression of need would appear to be most appropriate. This is suggested by



the requirement of section 2 (e) of O. Reg. 509/20 which provides “include estimates of the capital costs necessary to provide the facilities, services and matters referred to in clause 2 (b).” As noted, this is a similar consideration provided when undertaking a D.C. calculation.

3.5 Capital Forecast

Section 37 (2) of the Planning Act provides that, “The council of a local municipality may by by-law impose community benefits charges against land to pay for the capital costs of facilities, services and matters.” The Act does not define what capital costs may be included within the charge. As noted in section 3.3 above, the Act provides that the C.B.C. charge could include capital costs for eligible D.C. services that are not intended to be funded under the City’s D.C. by-law. This provision suggest that capital costs may be defined in an equivalent manner as the D.C.A. Hence, based on this relationship with the D.C.A., capital costs may include:

- (a) costs to acquire land or an interest therein (including a leasehold interest);
- (b) costs to improve land;
- (c) costs to acquire, lease, construct or improve buildings and structures;
- (d) costs to acquire, lease or improve facilities, including rolling stock (with a useful life of 7 or more years), furniture and equipment (other than computer equipment), materials acquired for library circulation, reference, or information purposes;
- (e) interest on money borrowed to pay for the above-referenced costs;
- (f) costs to undertake studies in connection with the above-referenced matters; and
- (g) costs of the C.B.C. Strategy study.

3.6 Deductions

The section 2 of O. Reg. 509/20 potentially requires that three deductions be made to the capital costs estimates. These relate to:



- excess capacity;
- benefit to existing development; and
- anticipated grants, subsidies, and other contributions.

The requirements behind each of these reductions are addressed below.

3.6.1 Reduction for Excess Capacity

Section 2 (c) of O. Reg. 509/20 requires the identification of the excess capacity that exists in relation to the facilities, services and matters referred to in clause 2(b) suggesting the need for a potential deduction to the capital.

“Excess capacity” is undefined, but in this case, the excess capacity must be able to meet some or all of the increase in need for service, in order to potentially represent a deduction. The deduction of excess capacity from the future increase in the need for the service would normally occur as part of the conceptual planning and feasibility work associated with justifying and sizing new facilities, e.g., if a new landfill site to accommodate increased solid waste generated by the new growth is not required because sufficient excess capacity is already available, then a landfill site expansion would not be included as an increase in need, in the first instance.

3.6.2 Reduction for Benefit to Existing Development

Section 2 (c) of O. Reg. 509/20 of the Planning Act provides that the capital estimates identify extent to which an increase in a facility, service or matter referred to in clause 2 (b) of the regulation would benefit existing development. The general guidelines used to consider benefit to existing development included:

- the repair or unexpanded replacement of existing assets that are in need of repair;
- the elimination of a chronic servicing problem not created by growth; and
- providing services where none previously existed (for example, extending garbage pickup to the rural area which previously did not receive the municipal service).

Where existing development has an adequate service level which will not be tangibly increased by an increase in service, no benefit would appear to be involved. For example, where expanding existing garbage collection vehicles simply replicates what



existing residents are receiving, they receive very limited (or no) benefit as a result. On the other hand, where a clear existing service problem is to be remedied, a deduction should be made accordingly.

In the case of services such as cultural facilities, the service is typically provided on a municipal-wide system basis. For example, facilities of the same type may provide different services (i.e., art vs. theatre), different programs (i.e., art classes vs. acting classes), and different time availability for the same service (i.e., art classes available on Wednesdays in one facility and Thursdays in another). As a result, residents will travel to different facilities to access the services they want at the times they wish to use them, and facility location generally does not correlate directly with residence location. Even where it does, displacing users from an existing facility to a new facility frees up capacity for use by others and generally results in only a very limited benefit to existing development. Further, where an increase in demand is not met for a number of years, a negative service impact to existing development is involved for a portion of the planning period.

3.6.3 Reduction for Anticipated Grants, Subsidies and Other Contributions

This step involves reducing the capital costs by capital grants, subsidies, and other contributions made or anticipated by Council and in accordance with various rules such as the attribution between the share related to new vs. existing development. That is, some grants and contributions may not specifically be applicable to growth or where Council targets fundraising as a measure to offset impacts on taxes.

Although specific grants, subsidies and/or other contributions may not be currently identified and reduced in the calculations, due diligence will be undertaken by City staff during the annual budget process to net off any future identified funding from these other sources.

3.7 Municipal-wide vs. Area Rating

This step involves determining whether all of the subject costs are to be recovered on a uniform municipal-wide basis or whether some or all are to be recovered on an area-specific basis. Unlike D.C.s, there is no mandatory requirement to consider area rating of services (providing charges for specific areas and services); however, the legislation



does not prohibit area rating. There may be instances where Council may consider varying rates to align with other policies or possible incentives in the development area.

Through the C.B.C. strategy process, discussions with City staff took place related to structuring the charge on a municipal-wide vs. area specific basis. As the services being provided in the strategy are not restricted to one specific area and are anticipated to be used by all residents with a city-wide benefit, the charges have been provided on a municipal-wide basis. For example, cultural facilities are provided in different parts of the City, and they will be accessed by residents from all areas depending on the programming offered within the facilities and personal interests. Although the charges are to be calculated and imposed on a city-wide basis, consideration of location of the projects will take place through the annual budget process.

3.8 Land Valuation Analysis

To facilitate the rate calculation provided in section 3.9, an estimate of the market value of the land related to the anticipated applicable development/redevelopment presented in section 3.2, needs to be undertaken. It is noted that the land values may vary based on a number of factors including location, zoning density, parcel size, etc., however, these values should estimate the land value the day before building permit issuance. This data may be available from municipal staff, or the municipality may consider engaging the assistance of a land appraiser.

3.9 Calculation of the Community Benefit Charge

Section 37(32) of the Planning Act provides that the maximum charge which can be imposed is prescribed by the regulations. O. Reg 509/20 section 3 provides that the maximum charge is to be 4%.

To calculate the rate, the net capital cost (provided by netting the deductions set out in section 3.6 from the capital presented in section 3.5) divided by the land values related to the anticipated applicable development/redevelopment produces a percentage of the capital cost to the land value. The product of this calculation provides for the eligible rate. As noted above, the maximum rate to be imposed is 4%; hence, the rate can be any rate between 0% and 4%.



Chapter 4

C.B.C.-Eligible Cost Analysis



4. C.B.C.-Eligible Cost Analysis

4.1 Introduction

This chapter outlines the basis for calculating eligible costs to be recovered through C.B.C.s which are to be applied on a uniform basis throughout the City. In each case, the required calculation process set out in O. Reg. 509/20 section 2 (a) through (f) to the Planning Act and described in Chapter 3 was followed in determining C.B.C.-eligible costs.

The nature of the capital projects and timing identified in the Chapter reflects City staff's recommendation based on Council policy directions. However, it is recognized that over time, capital projects and Council priorities change; accordingly, Council's intentions may alter, and different capital projects (and timing) may be necessary to meet the need for services required by new growth.

4.2 Allocation of Costs to Eligible High-Density Growth

For capital costs identified for recovery through the C.B.C., a review of the gross costs has been made based on information provided by City staff. Each capital project was assessed to determine if there were deductions required to the gross costs related to excess capacity, benefit to existing development, and grants, subsidies, or other contributions known. The resultant net growth costs were then allocated based on the following:

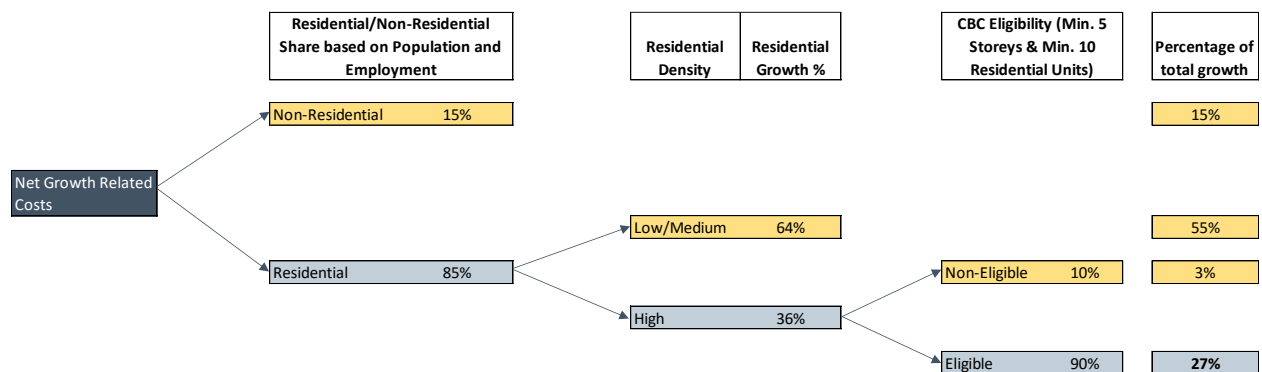
- Net costs for certain services (municipal parking, general administration space, streetscaping (beautification), and traffic safety) were apportioned between residential and non-residential growth (Table 2-3) based upon the relation between population and employment.
- Similar to the City's D.C. background study, public realm, culture, community services, and parkland acquisition projects were apportioned 95% residential and 5% non-residential.
- Affordable housing has been apportioned 100% to the residential sector.



- The costs associated with residential growth were then further apportioned between low/medium density growth and total high-density growth anticipated over the forecast (Table 2-4).
- Finally, the costs associated with the total high-density growth were apportioned to eligible growth (i.e., buildings with a minimum of five storeys and a minimum of 10 residential units) and ineligible growth (Table 2-5).

As noted above, similar to the calculations undertaken in the City’s D.C. study, some services are shared between residential and non-residential growth based on the incremental population and employment for the forecast period. Based on the C.B.C. 10-year forecast, this would result in an allocation of 85% residential/15% non-residential. Figure 4-1 provides a flowchart of the shares that would be assigned to services such as municipal parking. Based on Tables 2-3 through 2-5, the allocations between the total growth anticipated over the forecast period would result in 27% of net growth-related costs being eligible for recovery through the C.B.C. (see Table 4-1).

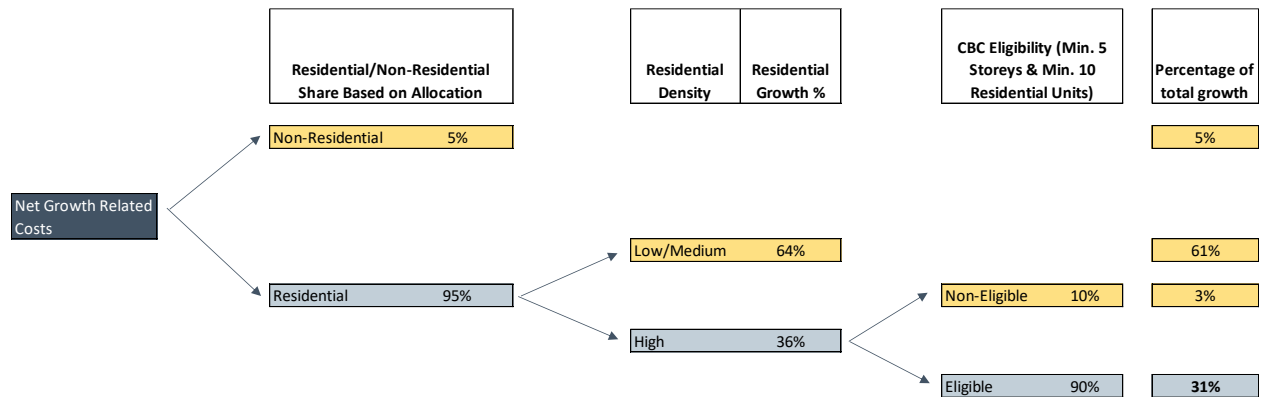
Figure 4-1
Growth Shares for City-Wide Services



As the predominant users of public realm, community services, parkland, and culture services tend to be residents of the City, the forecast growth-related costs have been allocated 95% to residential and 5% to non-residential, similar to the allocations provided for in the City’s D.C. study for these types of services. Figure 4-2 provides a flowchart of the shares that would be assigned to services such as culture and public realm. Therefore, for these services, the total growth anticipated over the forecast period would result in 31% of net growth-related costs being eligible for recovery through the C.B.C. (see Table 4-2).

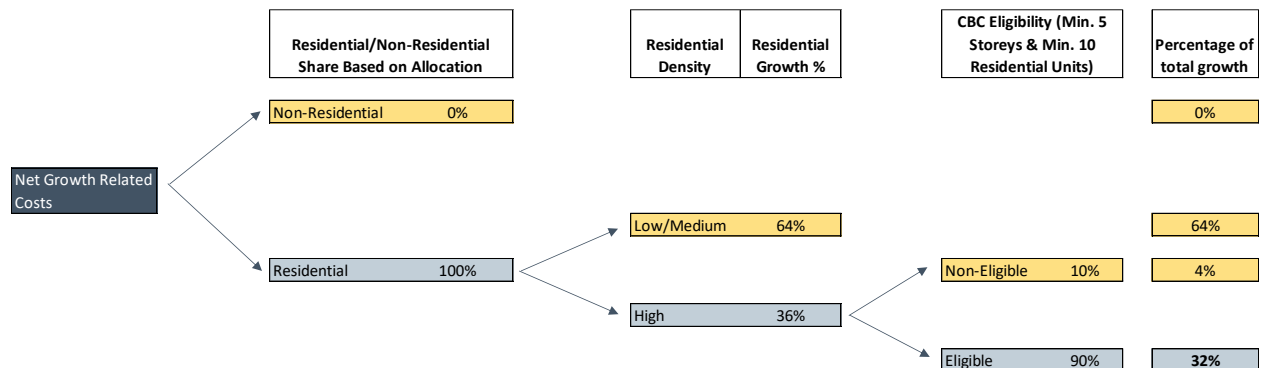


Figure 4-2
Growth Shares for Public Realm, Community and Cultural Services



As affordable housing is a residential-based services, the forecast growth-related capital costs have been allocated 100% to residential and 0% to non-residential. Figure 4-3 provides a flowchart of the shares that would be assigned to this service. Therefore, the total growth anticipated over the forecast period would result in 32% of net growth-related costs being eligible for recovery through the C.B.C. (see Table 4-3).

Figure 4-3
Growth Shares for Affordable Housing Services



For the costs related to undertaking the C.B.C. Strategy Study, 100% is attributable to the eligible high-density growth as the C.B.C. is not applicable to other forms of development (see Table 4-4).



4.3 C.B.C. Eligible Cost Analysis

This section provides for the evaluation of development-related capital requirements over a 10-year planning horizon. The projects include municipal parking, general administration space, streetscaping (beautification), traffic safety, affordable housing, public realm, community services, culture, parkland acquisition, and the C.B.C. study.

The estimated gross cost of each project has been reviewed with staff and where necessary, deductions have been made to recognize the benefit the projects have to the existing community. Further, the projects that have been identified have been reviewed and currently, there is no anticipated grants, subsidy or other funding anticipated for the majority of the projects. An exception, however, is for the beautification and lighting feature at Yonge and Garden where a portion of the funding is being provided by the Region of York. Finally, as the projects are associated with future service needs, consideration was given to the capacity available for the existing service and projects provided are considered to be incremental costs to service the future growth needs.

Based on the calculations and allocations to eligible high-density growth, the City has identified approximately \$32.50 million in eligible net growth-related costs to be included within the C.B.C. calculations.



Table 4-1
Capital Infrastructure Needs to be Recovered through C.B.C.s for Growth Studies and Municipal Parking

Prj. No.	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Costs Less Deductions				Allocations Between Residential and Non-Residential Growth		Allocation Between Residential Growth by Density		Allocation Between Eligible and Ineligible High Density Growth	
			Gross Capital Cost Estimate (2022\$)	Less:		Net Growth-Related Cost	Total Non-Residential Share	Total Residential Share	Low/Medium Density Residential	Total High Density Residential	Ineligible High Density Residential	Eligible High Density Residential
				Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development							
2022-2031												
15% 85% 64% 36% 10% 90%												
Municipal Parking:												
1	Parking Strategy for New Developments (New Developments Only)	2025	200,000	-		200,000	30,000	170,000	109,300	60,700	6,100	54,600
2	Parking Strategy for New Developments (New Developments Only)	2030	200,000	-		200,000	30,000	170,000	109,300	60,700	6,100	54,600
3	Pay Parking Meters (Lake Wilcox)	2023	60,000	48,000		12,000	1,800	10,200	6,600	3,600	400	3,200
General Administration Space:												
4	Accommodation Strategy	2022	200,000	50,000		150,000	22,500	127,500	82,000	45,500	4,600	40,900
5	Provision for additional space		10,000,000	2,500,000		7,500,000	1,125,000	6,375,000	4,100,300	2,274,700	228,000	2,046,700
Streetscaping (Beautification):												
5	Streetscape (Beautification) - 16th avenue	2023-2024	32,000	16,000		16,000	2,400	13,600	8,700	4,900	500	4,400
6	Streetscape (Beautification and Lighting Feature) - Yonge and Garden	2023-2024	1,500,000	357,000	450,000	693,000	104,000	589,000	378,800	210,200	21,100	189,100
Traffic Safety												
7	Pole-Mounted Radar Boards	2023-2032	200,000	100,000		100,000	15,000	85,000	54,700	30,300	3,000	27,300
Total			12,392,000	3,071,000	450,000	8,871,000	1,330,700	7,540,300	4,849,700	2,690,600	269,800	2,420,800



Table 4-2
Capital Infrastructure Needs to be Recovered through C.B.C.s for Public Realm, Parkland Acquisition, Community and Cultural Services

Prj. No.	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Costs Less Deductions				Allocations Between Residential and Non-Residential Growth		Allocation Between Residential Growth by Density		Allocation Between Eligible and Ineligible High Density Growth	
			Gross Capital Cost Estimate (2022\$)	Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Net Growth-Related Cost	Total Non-Residential Share	Total Residential Share	Low/Medium Density Residential	Total High Density Residential	Ineligible High Density Residential	Eligible High Density Residential
	2022-2031											
1	Macleod Trail Extension - Stage 3 Archaeological Study	2023-2031	500,000	250,000		250,000	12,500	237,500	152,800	84,700	8,500	76,200
2	Community Garden Start-Up	2023-2031	173,000	138,000		35,000	1,800	33,200	21,400	11,800	1,200	10,600
3	Bridgeview Park - Community Garden	2023	2,430,000	1,944,000		486,000	24,300	461,700	297,000	164,700	16,500	148,200
4	Unity Park - Gateway (Phase 1)	2023	231,000	-		231,000	11,600	219,400	141,100	78,300	7,800	70,500
	Mill Pond Park Revitalization:			-								
5	Mill Pond Park Revitalization - Art Gallery	2024	3,000,000	-		3,000,000	150,000	2,850,000	1,833,100	1,016,900	101,900	915,000
6	Mill Pond Park Revitalization - Public Art / Sculpture Garden	2024	240,000	-		240,000	12,000	228,000	146,600	81,400	8,200	73,200
7	Mill Pond Park Revitalization - Wayfinding and Signage	2024	392,000	-		392,000	19,600	372,400	239,500	132,900	13,300	119,600
8	Mill Pond Park Revitalization - Gazebo Building/Park Stage	2024	350,000	-		350,000	17,500	332,500	213,900	118,600	11,900	106,700
9	Mill Pond Park Revitalization - Dedication + Memorial Benches + Trees	2024	15,000	-		15,000	800	14,200	9,100	5,100	500	4,600
	Woodland Enhancement/Adaptation:			-								
10	Rouge River Headwaters Woodland Enhancement/Adaptation	2024	260,000	-		260,000	13,000	247,000	158,900	88,100	8,800	79,300
11	Moraine (Lake Wilcox) Park Woodland Enhancement/Adaptation	2027	358,000	-		358,000	17,900	340,100	218,700	121,400	12,200	109,200
12	Kings Hill Woodlot Enhancement/Adaptation	2030	132,000	-		132,000	6,600	125,400	80,700	44,700	4,500	40,200
13	TransRichmond Trail Woodland Enhancement/Adaptation	2032	26,000	-		26,000	1,300	24,700	15,900	8,800	900	7,900



Table 4-2 (Cont'd)

Prj. No.	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Costs Less Deductions				Allocations Between Residential and Non-Residential Growth		Allocation Between Residential Growth by Density		Allocation Between Eligible and Ineligible High Density Growth	
			Gross Capital Cost Estimate (2022\$)	Less:		Net Growth-Related Cost	Total Non-Residential Share	Total Residential Share	Low/Medium Density Residential	Total High Density Residential	Ineligible High Density Residential	Eligible High Density Residential
				Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development							
2022-2031												
David Dunlap Observatory:												
14	Observatory Parking Lot	2026	965,000	-	-	965,000	48,300	916,700	589,600	327,100	32,800	294,300
15	Central Plaza incl. fountain feature	2028	1,375,000	-	-	1,375,000	68,800	1,306,200	840,100	466,100	46,700	419,400
16	Amphitheatre	2029	386,000	-	-	386,000	19,300	366,700	235,900	130,800	13,100	117,700
17	Full restoration of Elvis Stojko Arena parking lot	2031	1,557,000	1,246,000	-	311,000	15,600	295,400	190,000	105,400	10,600	94,800
18	Additional DDO Projects		18,300,000	-	-	18,300,000	915,000	17,385,000	11,181,800	6,203,200	621,700	5,581,500
Enhanced Theming and Imaginative Play:												
19	Brickworks Revitalization	2024	64,000	-	-	64,000	3,200	60,800	39,100	21,700	2,200	19,500
20	North Leslie East Community Park	2024	375,000	-	-	375,000	18,800	356,200	229,100	127,100	12,700	114,400
21	West Gormley North Local Park	2024	113,000	-	-	113,000	5,700	107,300	69,000	38,300	3,800	34,500
22	West Gormley Community Park	2024	238,000	-	-	238,000	11,900	226,100	145,400	80,700	8,100	72,600
23	North Leslie East Local Park	2024	102,000	-	-	102,000	5,100	96,900	62,300	34,600	3,500	31,100
24	Ozark Park	2024	216,000	-	-	216,000	10,800	205,200	132,000	73,200	7,300	65,900
25	Lake Wilcox Park - Canoe Club Precinct	2025	329,000	-	-	329,000	16,500	312,500	201,000	111,500	11,200	100,300
26	Toll Bar Park Revitalization	2025	117,000	-	-	117,000	5,900	111,100	71,500	39,600	4,000	35,600
27	Good Brothers Parkette / Chapman Park	2025	69,000	-	-	69,000	3,500	65,500	42,100	23,400	2,300	21,100
28	North Leslie West Community Park (#5 NLMPA)	2025	271,000	-	-	271,000	13,600	257,400	165,600	91,800	9,200	82,600
29	Dr. James Langstaff Park Revitalization	2025	231,000	-	-	231,000	11,600	219,400	141,100	78,300	7,800	70,500
30	North Leslie West Local Park (#10 NLMPA)	2026	150,000	-	-	150,000	7,500	142,500	91,700	50,800	5,100	45,700
31	North Leslie West Local Park (#11/12 NLMPA)	2026	193,000	-	-	193,000	9,700	183,300	117,900	65,400	6,600	58,800
32	Silver Stream Park Revitalization	2026	183,000	-	-	183,000	9,200	173,800	111,800	62,000	6,200	55,800
33	Newberry Revitalization	2026	275,000	-	-	275,000	13,800	261,200	168,000	93,200	9,300	83,900
34	Timber Mill Park	2026	26,000	-	-	26,000	1,300	24,700	15,900	8,800	900	7,900
35	Dovestone Parkette	2026	51,000	-	-	51,000	2,600	48,400	31,100	17,300	1,700	15,600
36	Leno Park	2026	296,000	-	-	296,000	14,800	281,200	180,900	100,300	10,100	90,200
37	Brodie House Park	2027	44,000	-	-	44,000	2,200	41,800	26,900	14,900	1,500	13,400
38	North Leslie West Local Park (#8 NLMPA)	2027	106,000	-	-	106,000	5,300	100,700	64,800	35,900	3,600	32,300



Table 4-2 (Cont'd)

Prj. No.	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Costs Less Deductions				Allocations Between Residential and Non-Residential Growth		Allocation Between Residential Growth by Density		Allocation Between Eligible and Ineligible High Density Growth	
			Gross Capital Cost Estimate (2022\$)	Less:		Net Growth-Related Cost	Total Non-Residential Share	Total Residential Share	Low/Medium Density Residential	Total High Density Residential	Ineligible High Density Residential	Eligible High Density Residential
				Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development							
	2022-2031											
39	Helmkay Park Revitalization	2028	131,000	-		131,000	6,600	124,400	80,000	44,400	4,400	40,000
40	Mount Pleasant Park Revitalization	2028	188,000	-		188,000	9,400	178,600	114,900	63,700	6,400	57,300
41	West Gormley South Local Park	2028	69,000	-		69,000	3,500	65,500	42,100	23,400	2,300	21,100
42	Pine Farm Park Revitalization	2029	188,000	-		188,000	9,400	178,600	114,900	63,700	6,400	57,300
43	Redstone Park Revitalization	2029	125,000	-		125,000	6,300	118,700	76,300	42,400	4,200	38,200
44	Headwaters Park Revitalization	2029	269,000	-		269,000	13,500	255,500	164,300	91,200	9,100	82,100
45	RH Centre North Local Park	2029	54,000	-		54,000	2,700	51,300	33,000	18,300	1,800	16,500
46	Russel Tilt Community Park Revitalization	2030	151,000	-		151,000	7,600	143,400	92,200	51,200	5,100	46,100
47	North Leslie West Local Park (#1 NLMPA)	2030	81,000	-		81,000	4,100	76,900	49,500	27,400	2,700	24,700
48	North Leslie West Local Park (#2 NLMPA)	2031	96,000	-		96,000	4,800	91,200	58,700	32,500	3,300	29,200
49	North Leslie West Local Park (#9 NLMPA)	2031	38,000	-		38,000	1,900	36,100	23,200	12,900	1,300	11,600
50	North Leslie West Local Park (#3 NLMPA)	2031	144,000	-		144,000	7,200	136,800	88,000	48,800	4,900	43,900
51	North Leslie West Local Park (#4 NLMPA)	2031	67,000	-		67,000	3,400	63,600	40,900	22,700	2,300	20,400
52	Baif Oak Ridges Community Park	2031	241,000	-		241,000	12,100	228,900	147,200	81,700	8,200	73,500
53	Baif Oak Ridges Local Park	2031	84,000	-		84,000	4,200	79,800	51,300	28,500	2,900	25,600
54	Phyllis Rawlinson Revitalization	2032	325,000	-		325,000	16,300	308,700	198,600	110,100	11,000	99,100
55	Bernard KDA Linear Park (SE quadrant)	2032	28,000	-		28,000	1,400	26,600	17,100	9,500	1,000	8,500
56	16th KDA NW quadrant Local Park on Carrville	2032	41,000	-		41,000	2,100	38,900	25,000	13,900	1,400	12,500
57	RH Centre Urban Squares adjacent to subway station	2032	56,000	-		56,000	2,800	53,200	34,200	19,000	1,900	17,100
58	RH Centre Local Park (east of Red Maple)	2032	31,000	-		31,000	1,600	29,400	18,900	10,500	1,100	9,400
59	RH Centre Major Urban Open Space revitalization	2032	27,000	-		27,000	1,400	25,600	16,500	9,100	900	8,200
	Studies:											
60	Cultural Master Plan	2022	75,000	38,000		37,000	1,900	35,100	22,600	12,500	1,300	11,200



Table 4-2 (Cont'd)

Prj. No.	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Costs Less Deductions				Allocations Between Residential and Non-Residential Growth		Allocation Between Residential Growth by Density		Allocation Between Eligible and Ineligible High Density Growth	
			Gross Capital Cost Estimate (2022\$)	Less:		Net Growth-Related Cost	Total Non-Residential Share	Total Residential Share	Low/Medium Density Residential	Total High Density Residential	Ineligible High Density Residential	Eligible High Density Residential
				Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development							
	2022-2031											
61	Cultural Master Plan	2030	100,000	50,000		50,000	2,500	47,500	30,600	16,900	1,700	15,200
62	Public Art Master Plan	2031	100,000	50,000		50,000	2,500	47,500	30,600	16,900	1,700	15,200
	Public Art:											
63	Provision for Public Art (As per Public Art Policy)	2022-2031	3,960,000	-		3,960,000	198,000	3,762,000	2,419,700	1,342,300	134,500	1,207,800
	Community Service:											
64	Holiday Market Display	2023	120,000	96,000		24,000	1,200	22,800	14,700	8,100	800	7,300
65	Winter Display Products and Lights	2023	160,000	128,000		32,000	1,600	30,400	19,600	10,800	1,100	9,700
66	Parkland Acquisition Costs	2022-2032	50,000,000	-		50,000,000	2,500,000	47,500,000	30,551,300	16,948,700	1,698,700	15,250,000
	Total		91,088,000	3,940,000	-	87,148,000	4,358,900	82,789,100	53,249,200	29,539,900	2,960,600	26,579,300



**Table 4-3
Capital Infrastructure Needs to be Recovered through C.B.C.s for Affordable Housing**

Prj. No.	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Costs Less Deductions				Allocations Between Residential and Non-Residential Growth		Allocation Between Residential Growth by Density		Allocation Between Eligible and Ineligible High Density Growth	
			Gross Capital Cost Estimate (2022\$)	Less:		Net Growth-Related Cost	Total Non-Residential Share	Total Residential Share	Low/Medium Density Residential	Total High Density Residential	Ineligible High Density Residential	Eligible High Density Residential
				Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development							
	2022-2031						0%	100%	64%	36%	10%	90%
1	Affordable Housing	2022-2031	19,000,000	9,500,000		9,500,000	-	9,500,000	6,110,300	3,389,700	339,700	3,050,000
	Total		19,000,000	9,500,000	-	9,500,000	-	9,500,000	6,110,300	3,389,700	339,700	3,050,000



Table 4-4
Capital Infrastructure Needs to be Recovered through C.B.C.s for the C.B.C. Strategy

Prj. No.	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Costs Less Deductions				Allocations Between Residential and Non-Residential Growth		Allocation Between Residential Growth by Density		Allocation Between Eligible and Ineligible High Density Growth	
			Gross Capital Cost Estimate (2022\$)	Less:		Net Growth-Related Cost	Total Non-Residential Share	Total Residential Share	Low/Medium Density Residential	Total High Density Residential	Ineligible High Density Residential	Eligible High Density Residential
				Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development							
2022-2031												
							0%	100%	0%	100%	0%	100%
1	Community Benefits Strategy	2022	100,000	-		100,000	-	100,000	-	100,000	-	100,000
2	Community Benefits Strategy	2027	100,000	-		100,000	-	100,000	-	100,000	-	100,000
3	Provision for Appraisal Costs	2022-2032	250,000	-		250,000	-	250,000	-	250,000	-	250,000
	Total		450,000	-	-	450,000	-	450,000	-	450,000	-	450,000



Chapter 5

C.B.C. Calculation



5. C.B.C. Calculation

5.1 Anticipated Funding Recovery

To summarize the calculation of the charge, the following has been undertaken:

- 1) **Anticipated Development:** As presented in Chapter 2, the 10-year growth forecast provides for 5,924 eligible high-density units (i.e., in buildings containing a minimum of five storeys and a minimum of 10 residential units).
- 2) **Land Valuation:** The City engaged a land appraiser to provide average land valuations for properties anticipated for eligible high-density development. The land valuations were provided for various locations throughout the City (refer to Chapter 2).
- 3) **Identification of Services:** A number of services were identified including municipal parking, public realm, community services, culture services, affordable housing, information technology, general administration space, streetscaping (beautification), traffic safety, parkland acquisition, and the C.B.C. strategy itself.
- 4) **C.B.C. Eligible Costs:** Capital needs related to the identified services were provided by City staff. Gross costs of the capital projects were assessed for the portion of the projects that would benefit the existing community vs. the future growth. The growth-costs were then allocated amongst all types of growth to calculate the amount that is associated with eligible high-density units.
- 5) **Total Land Value:** Based on the growth forecast, density assumptions, and land valuation assessment, the total land value for eligible high density was calculated to equal approximately \$392.12 million.
- 6) **Maximum C.B.C.:** As per the Planning Act, the maximum a municipality can impose for a C.B.C. is equal to 4% of the land value of a property, the day before building permit issuance. Based on the total land value, the estimated potential C.B.C. recovery for the City equates to approximately \$15.68 million for the 10-year forecast period (see Table 5-1).



**Table 5-1
Anticipated C.B.C. Funding Recovery**

Area	Total C.B.C. Eligible Units	Average Land Value Per Acre	Estimated Total Acres	Total Land Value	C.B.C. %	Potential C.B.C. Revenue
Yonge St. Corridor - South of Elgin Mills	3,148	\$13,590,000	16.1	\$218,565,000		
Yonge St. Corridor - North of Elgin Mills	1,481	\$6,760,000	9.3	\$63,099,000		
All Other Areas	1,295	\$6,970,000	15.8	\$110,452,000		
Total	5,924		41.3	\$392,116,000	4%	\$15,684,600

The City has identified capital costs attributable to eligible high-density growth in the amount of \$32.50 million (as per Tables 4-1 through 4-4), which is in excess of the maximum allowable amount of approximately \$15.68 million. Therefore, the City has provided herein that the maximum C.B.C. of 4% may be considered to be imposed on eligible forms of development. It is noted that available C.B.C. funding will not provide funding for all projects on the capital projects list, and hence City Council will have to consider the highest capital priorities to be funded through C.B.C. revenue during the annual budget process. Table 5-2 provides a summary of the growth capital costs by service.

**Table 5-2
Summary of Growth Capital Costs**

Service	Gross Cost	Deductions		Net Growth-Related Cost	Eligible High Density Residential
		Benefit to Existing Development	Grants, Subsidies and Other Contributions		
C.B.C. Strategies	450,000	-	-	450,000	450,000
Municipal Parking	460,000	48,000	-	412,000	112,400
General Administration Space	10,200,000	2,550,000	-	7,650,000	2,087,600
Streetscaping (Beautification)	1,532,000	373,000	450,000	709,000	193,500
Traffic Safety	200,000	100,000	-	100,000	27,300
Affordable Housing	19,000,000	9,500,000	-	9,500,000	3,050,000
Public Realm/Community Services/Culture/Parkland Acquisition	41,088,000	3,940,000	-	37,148,000	11,329,300
Parkland Acquisition	50,000,000	-	-	50,000,000	15,250,000
Total	122,930,000	16,511,000	450,000	105,969,000	32,500,100
Total Land Value					392,116,000
Calculated Percentage to Recover all Costs Identified					8.3%



Chapter 6

C.B.C. Policy Recommendations and C.B.C. By-law Rules



6. C.B.C. Policy Recommendations and C.B.C. By-law Rules

6.1 C.B.C. Policies

Planning Act section 37 and O. Reg. 509/20 outline the required policies that must be considered when adopting a C.B.C. by-law. The following subsections set out the recommended policies governing the calculation, payment and collection of C.B.C.s in accordance with the legislation.

6.2 C.B.C. By-law Rules

6.2.1 *Payment in any Particular Case*

In accordance with the Planning Act, subsection 37 (3), a C.B.C. may be imposed only with respect to development or redevelopment that requires one 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 subsection 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 permit under the *Building Code Act, 1992* in relation to a building or structure.”



6.2.2 Maximum Amount of the Community Benefit Charge

Subsection 37 (32) of the Planning Act states that the amount of a C.B.C. payable in any particular case shall not exceed an amount equal to the prescribed percentage of the value of the land as of the valuation date.

Based on section 3 of O. Reg. 509/20, the prescribed percentage is 4%.

6.2.3 Exemptions (full or partial)

The following exemptions are provided under subsection 37 (4) of the Planning Act and section 1 of O. Reg. 509/20:

- Development of a proposed building or structure with fewer than five storeys at or above ground;
- Development of a proposed building or structure with fewer than 10 residential units;
- Redevelopment of an existing building or structure that will have fewer than five storeys at or above ground after the redevelopment;
- Redevelopment that proposes to add fewer than 10 residential units to an existing building or structure;
- Such types of development or redevelopment as are prescribed:
 - Development or redevelopment of a building or structure intended for use as a long-term care home within the meaning of subsection 2 (1) of the Long-Term Care Homes Act, 2007.
 - Development or redevelopment of a building or structure intended for use as a retirement home within the meaning of subsection 2 (1) of the Retirement Homes Act, 2010.
 - Development or redevelopment of a building or structure intended for use 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 subparagraph i,
 - iii. an Indigenous Institute prescribed for the purposes of section 6 of the Indigenous Institutes Act, 2017.



- Development or redevelopment of a building or structure intended for use as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion.
- Development or redevelopment of a building or structure intended for use as a hospice to provide end of life care.
- Development or redevelopment of a building or structure intended for use as residential premises by any of the following entities:
 - i. a corporation to which the Not-for-Profit Corporations Act, 2010 applies that is in good standing under that Act and whose primary object is to provide housing,
 - ii. 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,
 - iii. a non-profit housing co-operative that is in good standing under the Co-operative Corporations Act.

In addition to the exemptions noted above, the C.B.C. will not apply to buildings or structures owned by and used for the purposes of any municipality, local board, or Board of Education.

6.2.4 Timing of Collection

The C.B.C.s imposed are calculated, payable, and collected upon issuance of a building permit for eligible development or redevelopment.

6.2.5 In-kind Contributions

A municipality that has passed a C.B.C. by-law may allow the landowner to provide to the municipality: facilities, services, or matters required because of development or redevelopment in the area to which the by-law applies.

Prior to providing these contributions, the municipality shall advise the landowner of the value that of the in-kind contributions that will be attributed to them. As part of this valuation, the contributing landowner will be expected to provide any valuation documents as backup or alternatively, staff will investigate and assign a reasonable value to the in-kind contribution. This value shall be deducted from the amount the landowner would otherwise be required to pay under the C.B.C. by-law.



6.2.6 The Applicable Areas

The C.B.C. by-law will apply to all lands within the City.

6.2.7 Special Account

All money received by the municipality under a C.B.C. by-law shall be paid into a special account. The money contained within the special account:

- may be invested in securities in which the municipality is permitted to invest under the Municipal Act, 2001, and the earnings derived from the investment of the money shall be paid into a special reserve fund account; and
- must have at least 60 percent of the funds spent or allocated at the beginning of the year.

In addition to the monies collected under a C.B.C. by-law, transitional rules for transferring existing reserve funds are provided in subsection 37 (51) of the Planning Act. These rules apply for any existing reserve funds related to a service that is not listed in subsection 2 (4) of the D.C.A., as well as reserve funds established under section 37 of the Planning Act prior to Bill 197.

1. If the municipality passes a C.B.C. by-law under this section before the specified date, the municipality shall, on the day it passes the by-law, allocate the money in the special account or reserve fund to the special account referred to in subsection (45) of the Planning Act.
2. If the municipality has not passed a C.B.C. by-law under this section before the specified date, the special account or reserve fund is deemed to be a general capital reserve fund for the same purposes for which the money in the special account or reserve fund was collected.
3. Despite paragraph 2, subsection 417 (4) of the Municipal Act, 2001 (a provision which requires the funds raised for a reserve fund must only be used for the intended purpose) and any equivalent provision do not apply with respect to the general capital reserve fund referred to in paragraph 2.
4. If paragraph 2 applies and the municipality passes a C.B.C. by-law under this section on or after the specified date, the municipality shall, on the day it passes the by-law, allocate any money remaining in the general capital reserve fund referred to



in paragraph 2 to the special account referred to in subsection (45) of the Planning Act.

6.2.8 Credits

Subsection 37 (52) of the Planning Act indicates that any credits that were established under section 38 of the D.C.A. and that are not related to a service that is listed in subsection 2 (4) of the D.C.A., may be used by the holder of the credit with respect to a charge that the holder is required to pay under a C.B.C. by-law.

6.2.9 By-law In-Force Date

A C.B.C. by-law comes into force on the day it is passed, or the day specified in the by-law, whichever is later.

6.3 Recommendations

It is recommended that Council:

Adopt the C.B.C. approach to calculate the charges on a uniform City-wide basis;

Approve the capital project listing set out in Chapter 4 of the C.B.C. Strategy dated May 31, 2022, subject to further annual review during the capital budget process;

Create a special reserve fund account which will contain all C.B.C. monies collected;

Approve the C.B.C. Strategy dated May 31, 2022, as amended (if applicable);

Determine that no further public consultation is required; and

Approve the C.B.C. By-law as set out in Appendix B.



Chapter 7

By-law Implementation



7. By-law Implementation

7.1 Introduction

This chapter addresses the public consultation process and by-law implementation requirements for the imposition of a C.B.C. by-law. Figure 7-1 provides an overview of the process.

7.2 Public Consultation Process

7.2.1 *Required Consultation*

In establishing the policy for which a C.B.C. strategy and by-law will be based; section 37 (10) of the Planning Act requires that:

“In preparing the community benefits strategy, the municipality shall consult with such persons and public bodies as the municipality considers appropriate.”

As there is no specific guidance as to which parties the municipality shall consult with, municipalities may establish their own policy for public consultation. The policy for public consultation should be designed to seek the co-operation and participation of those involved, in order to produce the most suitable policy. Municipalities may consider a public meeting, similar to that undertaken for D.C. study processes (however, this is not a mandated requirement). At a minimum, this would include a presentation to Council and the public on the findings of the C.B.C. strategy, advanced notice of the meeting, and consideration for delegations from the public.

7.2.2 *Interested Parties to Consult*

There are three broad groupings of the public who are generally the most concerned with municipal C.B.C. policy.

1. The first grouping is the residential development community, consisting of land developers and builders, who will typically be responsible for generating the majority of the C.B.C. revenues. Others, such as realtors, are directly impacted by C.B.C. policy. They are, therefore, potentially interested in all aspects of the charge, particularly the percentage applicable to their properties, projects to be funded by



the C.B.C. and the timing thereof, and municipal policy with respect to development agreements and in-kind contributions.

2. The second public grouping embraces the public at large and includes taxpayer coalition groups and others interested in public policy.
3. The third grouping is the non-residential mixed-use development sector, consisting of land developers and major owners or organizations with significant construction plans for mixed use developments. Also involved are organizations such as Industry Associations, the Chamber of Commerce, the Board of Trade, and the Economic Development Agencies, who are all potentially interested in municipal C.B.C. policy. Their primary concern is frequently with the percentage charge applicable to their lands, exemptions, and phase-in or capping provisions in order to moderate the impact.

As noted in Section 1.4, through the C.B.C. strategy process, the City's consultation process includes meetings with the development community, general public, and Council.

7.3 Anticipated Impact of the Charge on Development

The establishment of sound C.B.C. policy often requires the achievement of an acceptable balance between two competing realities. The first is that increased residential development fees (such as a C.B.C.) can ultimately be expected to be recovered via higher housing prices and can impact project feasibility in some cases (e.g., rental apartments). Secondly, C.B.C.s or other municipal capital funding sources need to be obtained in order to help ensure that the necessary infrastructure and amenities are installed. The timely installation of such works is a key initiative in providing adequate service levels and in facilitating strong economic growth, investment, and wealth generation.



7.4 Implementation Requirements

7.4.1 Introduction

Once the City has calculated the charge, prepared the complete strategy, carried out the public process, and passed a new by-law, the emphasis shifts to implementation matters.

These include notices, potential appeals and complaints, in-kind contributions, and finally the collection of revenues and funding of projects.

The sections that follow provide an overview of the requirements in each case.

7.4.2 Notice of Passage

In accordance with subsection 37 (13) of the Planning Act, when a C.B.C. by-law is passed, the clerk of the municipality shall give written notice of the passing and of the last day for appealing the by-law (the day that is 40 days after the day it was passed). Such notice must be given no later than 20 days after the day the by-law is passed (i.e., as of the day of newspaper publication or the mailing of the notice).

Section 4 of O. Reg. 509/20 further defines the notice requirements which are summarized as follows:

- notice shall be given by publication in a newspaper which is (in the clerk's opinion) of sufficient circulation to give the public reasonable notice, or by personal service, fax or mail to every owner of land in the area to which the by-law relates;
- subsection 4 (2) lists the persons/organizations who must be given notice; and
- subsection 4 (5) lists the seven items that the notice must cover.

7.4.3 Appeals

Subsections 37 (13) to 37 (31) of the Planning Act set out the requirements relative to making and processing a C.B.C. by-law appeal as well as an OLT hearing in response to an appeal. Any person or organization may appeal a C.B.C. by-law to the OLT by filing a notice of appeal with the clerk of the municipality, setting out the objection to the



by-law and the reasons supporting the objection. This must be done by the last day for appealing the by-law, which is 40 days after the by-law is passed.

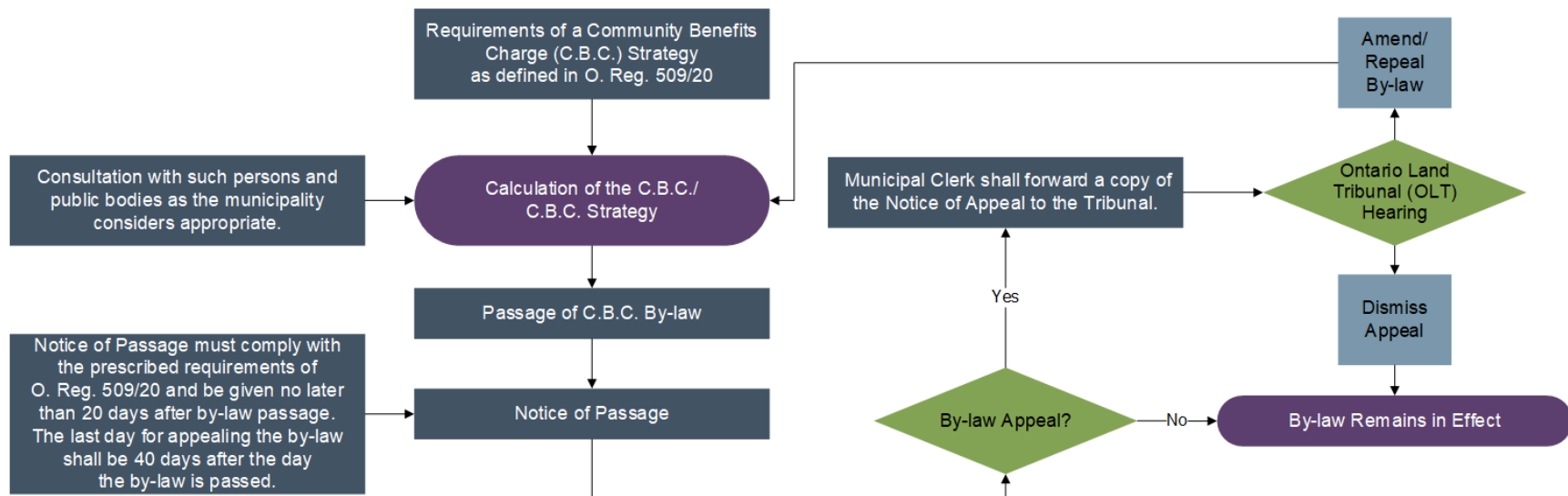
The municipality is carrying out a public consultation process, in order to address the issues that come forward as part of that process, thereby avoiding or reducing the need for an appeal to be made.

7.4.4 In-Kind Contributions

Subsections 37 (6) to 37 (8) provide the rules for in-kind contributions. An owner of land may provide the municipality facilities, services, or matters required because of development or redevelopment in the area to which the by-law applies. Prior to providing these contributions, the municipality shall advise the owner of the land of the value that will be attributed to the contributions. The value of the contributions shall be deducted from the amount the owner of the land would otherwise have to pay under the C.B.C. by-law.



Figure 7-1
The Process of Required for Passing a Community Benefits Charge By-law under the Planning Act





7.5 Ongoing Application and Collection of C.B.C. funds

7.5.1 Introductions

Once the municipality passes a C.B.C. by-law, development or redevelopment that meets the requirements of the C.B.C. by-law will pay a C.B.C. based on the value of their land. The following sections describe the overall process and discusses the approach to appraisals and use of the special account as set out in the Planning Act.

7.5.2 Overview of Process and Appraisals

Figure 7-2 provides an overview of the process for application of the C.B.C. by-law and collection of C.B.C. funds.

In regard to the process for receiving and reviewing appraisals of land, the following is the City's initial approach to the process. However, the City will be engaging with the development community and will receive input with respect to the actual process to be undertaken:

Once the C.B.C. by-law is in place, as development or redevelopment that meets the eligibility criteria proceeds (i.e., prior to issuance of a building permit), the municipality collects C.B.C.s based on the calculated percentage (as set out in the by-law and C.B.C. strategy) and the value of the land. The City will require each eligible development to provide a land appraisal of the market value of the land from a certified professional appraiser of real estate who is designated as an accredited appraiser by the Appraisal Institute of Canada, at no expense to the City, for use in calculating the C.B.C. charge on each development or redevelopment.

If the City agrees with the appraised value, then the owner pays their C.B.C.s to the City and the funds will then be deposited into the special account.

If the City does not agree with the appraisal provided by the owner, the City has 45 days to provide the owner of the land with their own appraisal value. Then:

- If no appraisal is provided to the owner within 45 days, the owner's appraisal is deemed accurate and the difference in the amounts shall be refunded to the owner.



- If the municipality's appraisal is within 5% of the landowner's appraisal, the landowner's appraisal is deemed accurate, and the municipality shall refund the difference in the amounts to the owner.
- If the appraisal is more than 5% higher than the landowner's appraisal, the municipality shall request an appraisal be undertaken by an appraiser, selected by the landowner, from the list of approved appraisers provided by the municipality. This must be undertaken within 60 days. This final appraisal is deemed accurate for the purposes of calculating the applicable C.B.C.
- In regard to the last bullet, subsection 37 (42) and 37 (43) require the municipality to maintain a list of at least three persons who are not employees of the municipality or members of Council and have an agreement with the municipality to perform appraisals for the above. This list is to be maintained until the C.B.C. by-law is repealed or the day on which there is no longer any refund that could be required (whichever is later).

7.5.3 Special Reserve Fund Account

All funds collected under the C.B.C. by-law are to be deposited into a special account. Subsections 37 (45) to 37 (48) of the Planning Act outline the rules with respect to the special reserve fund account. As noted in section 6.2.7, these rules are as follows:

- All money received under a C.B.C. by-law shall be paid into a special account;
- The money in the special account may be invested in securities (as permitted under the Municipal Act) and the interest earnings shall be paid into the special account;
- In each year, a municipality shall spend or allocate at least 60 percent of the monies that are in the special account at the beginning of the year; and
- The municipality shall provide reports and information as set out in section 7 of O. Reg. 509/20
- In regard to the third bullet, it is suggested that the annual capital budget for the City directly list the works which are being undertaken and/or to which monies from this fund are being allocated toward.

As per this C.B.C. strategy, the growth-related services (as outlined in Chapter 4), form the anticipated capital needs required to service growth over the 10-year forecast period. However, other services may be considered by Council in the future and are subject to approval by resolution and inclusion in the annual budget process. Further,

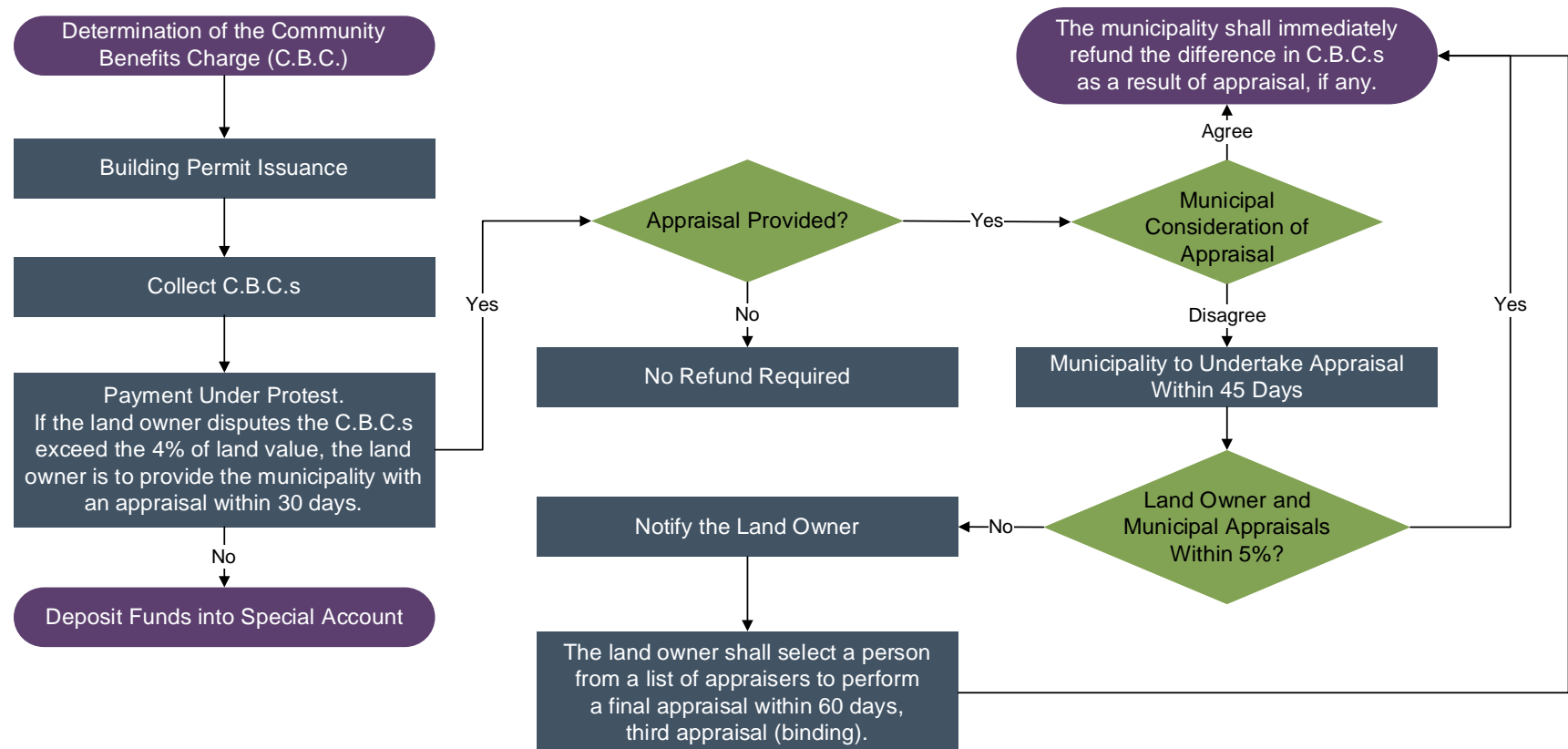


any additional services approved and funded from C.B.C. revenue in the future will be reported on through an annual C.B.C. reserve fund statement, which will form part of the City's overall year-end statements.

During the annual budget process, the use of C.B.C. funding will be reviewed, and the capital costs associated with each eligible service and capital project will be confirmed and identified for approval of Council.



Figure 7-2
City of Richmond Hill
Community Benefits Charge Application and Calculation Process





7.6 Transitional Matters

7.6.1 Existing Reserves and Reserve Funds

The Planning Act, section 37 (49) to section 37 (51) provides transitional provisions for:

1. A special account established under the previous section 37 rules; and
2. A D.C. reserve fund for which services are no longer eligible.

With respect to item 1, the City has collected prior section 37 funds which were allocated to a Section 37 Community Benefits reserve fund.

If the City passes a C.B.C. by-law with an in-force date before September 18, 2022, the City shall allocate the money in the Section 37 Community Benefits reserve fund the C.B.C. special account.

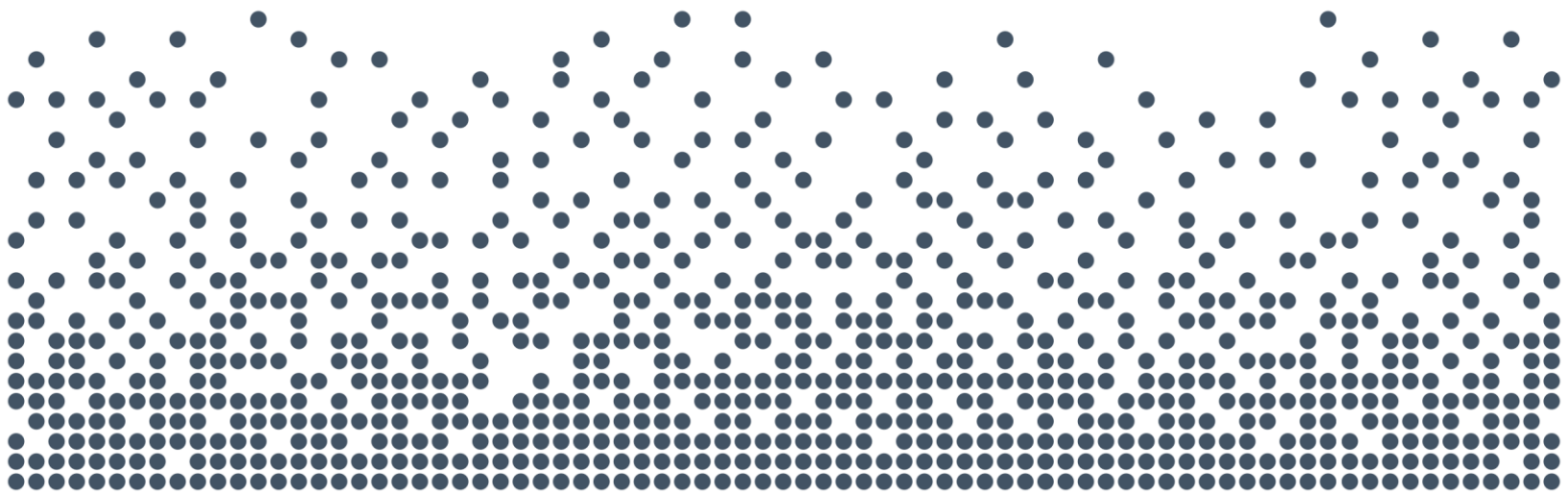
If the City does not pass a C.B.C. by-law before September 18, 2022, the Section 37 Community Benefits reserve fund is deemed to be a general capital reserve funds for the same purpose in which the money was collected. Subsequently, if a C.B.C. by-law is passed after September 18, 2022, the City shall allocate the money from the newly created general capital reserve fund, to the C.B.C. special account.

7.6.2 Credits under Section 38 of the Development Charges Act

The Planning Act (s.37 (52)) provides that, if a municipality passes a C.B.C. by-law before September 18, 2022, any credits held for services that are no longer D.C. eligible (e.g., parking services), may be used against payment of a C.B.C. by the landowner. The City does not currently hold credits related to the services which are no longer D.C. eligible, therefore, there are no adjustment against future payments of a C.B.C. to apply.

7.6.3 Continued Application of Previous Section 37 Rules

Section 37.1 of the Planning Act provides for transitional matters regarding previous section 37 rules.



Appendices



Appendix A

Background Information on Residential and Non- Residential Growth Forecast



Schedule 1 City of Richmond Hill Residential Growth Forecast Summary

Year	Population (Including Census Undercount) ^[1]	Excluding Census Undercount			Housing Units						Persons Per Unit (P.P.U.): Total Population/ Total Households	
		Population	Institutional Population	Population Excluding Institutional Population	Singles & Semi-Detached	Multiple Dwellings ^[2]	Apartments ^[3]	Other	Total Households	Equivalent Institutional Households		
Historical	Mid 2011	191,467	185,541	1,171	184,370	38,835	10,300	9,455	61	58,651	1,065	3.163
	Mid 2016	201,000	195,022	1,222	193,800	40,195	11,610	12,240	55	64,100	1,111	3.042
	Mid 2021	208,210	202,022	1,266	200,756	41,960	12,640	14,655	55	69,310	1,151	2.915
Forecast	Mid 2022	215,250	208,845	1,321	207,524	42,371	13,453	15,777	55	71,656	1,201	2.915
	Mid 2032	256,770	249,134	1,562	247,572	45,023	18,044	22,361	55	85,483	1,420	2.914
Incremental	Mid 2011 - Mid 2016	9,533	9,481	51	9,430	1,360	1,310	2,785	-6	5,449	46	
	Mid 2016 - Mid 2021	7,210	7,000	44	6,956	1,765	1,030	2,415	0	5,210	40	
	Mid 2021 - Mid 2022	7,040	6,823	55	6,768	411	813	1,122	0	2,346	50	
	Mid 2022 - Mid 2032	41,520	40,289	241	40,048	2,652	4,591	6,584	0	13,827	219	

^[1] Census undercount estimated at approximately 3.1%.

^[2] Includes townhouses and apartments in duplexes.

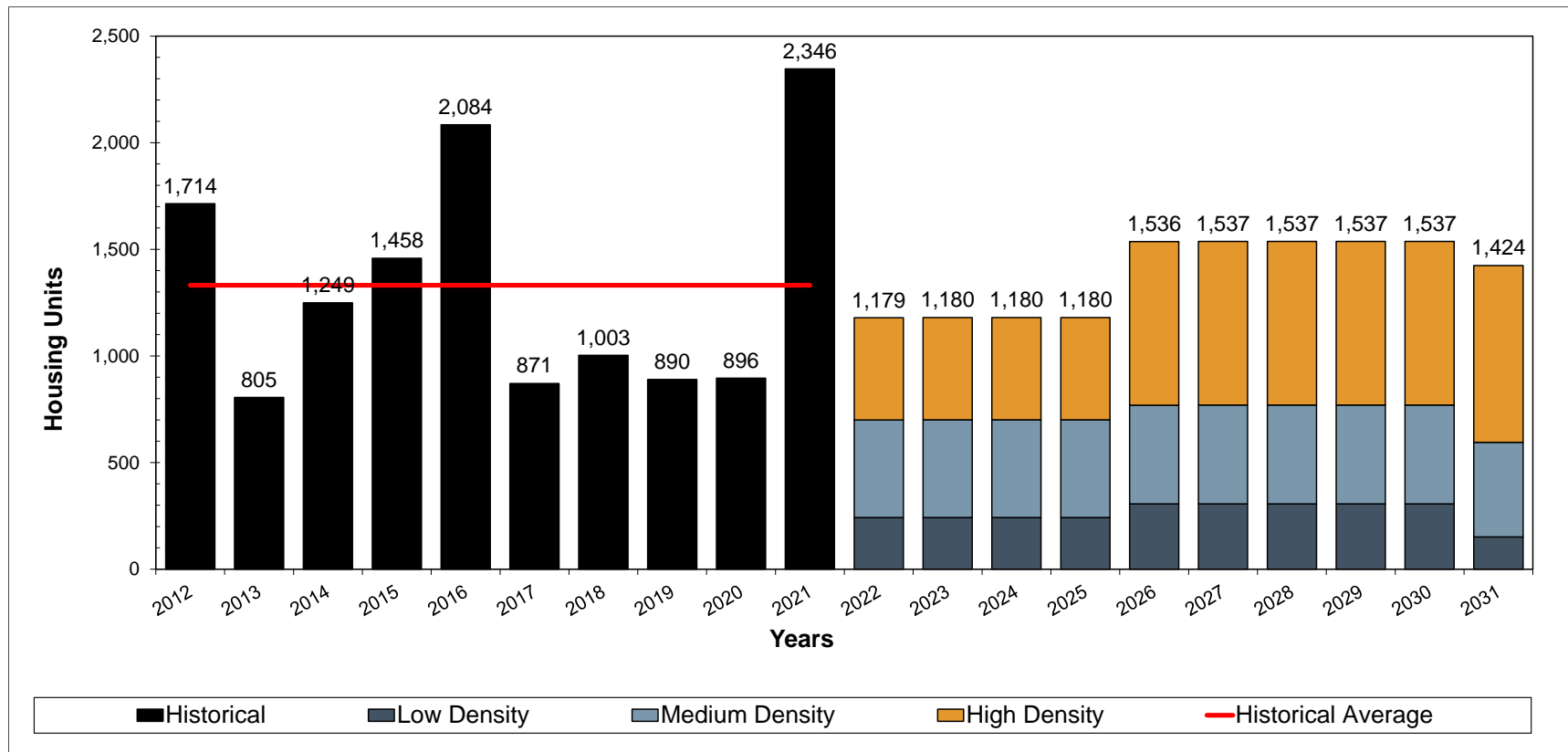
^[3] Includes bachelor, 1-bedroom, and 2-bedroom+ apartment units.

Note: Population including the Census undercount has been rounded.

Source: Derived from the City of Richmond Hill 2021 Growth Analysis by Traffic Zone, Final Report, March 31, 2022, by Watson & Associates Economists Ltd.



Figure A-1
City of Richmond Hill
Annual Housing Forecast¹



^[1] Growth forecast represents calendar year.

Source: Historical housing activity derived from City of Richmond Hill building permit data, 2012 to 2020, and 2021 from Statistics Canada building permit data for the City of Richmond Hill., by Watson & Associates Economists Ltd.



Schedule 2
City of Richmond Hill
Estimate of the Anticipated Amount, Type and Location of
Residential Development for Which Community Benefits Charges Can Be Imposed

Development Location	Timing	Single & Semi-Detached	Multiples ⁽¹⁾	Apartments ⁽²⁾			Total Residential Units	Gross Population In New Units	Existing Unit Population Change	Net Population Increase, Excluding Institutional	Institutional Population	Net Population Including Institutional
				Units in C.B.C. Ineligible Buildings	Units in C.B.C. Eligible Buildings	Total Apartment Units						
City of Richmond Hill	2022 - 2032	2,652	4,591	660	5,924	6,584	13,827	36,126	3,922	40,048	241	40,289
City of Richmond Hill C.B.C. Eligible Unit Breakdown												
Yonge St. Corridor – South of Elgin Mills				43	3,148	3,191						
Yonge St. Corridor – North of Elgin Mills				20	1,481	1,501						
All Other Areas				597	1,295	1,892						

⁽¹⁾ Includes townhouses and apartments in duplexes.

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

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

Source: Watson & Associates Economists Ltd.



Schedule 3
City of Richmond Hill
Current Year Growth Forecast
Mid 2021 to Mid 2022

		Population	
Mid 2021 Population		202,022	
Occupants of New Housing Units, Mid 2021 to Mid 2022	<i>Units (2)</i>	2,346	
	<i>multiplied by P.P.U. (3)</i>	2,464	
	<i>gross population increase</i>	5,781	5,781
Occupants of New Equivalent Institutional Units, Mid 2021 to Mid 2022	<i>Units</i>	50	
	<i>multiplied by P.P.U. (3)</i>	1,100	
	<i>gross population increase</i>	55	55
Decline in Housing Unit Occupancy, Mid 2021 to Mid 2022	<i>Units (4)</i>	69,310	
	<i>multiplied by P.P.U. decline rate (5)</i>	0.014	
	<i>total decline in population</i>	987	987
Population Estimate to Mid 2022		208,845	
<i>Net Population Increase, Mid 2021 to Mid 2022</i>		6,823	

- (1) 2016 population based on Statistics Canada Census unadjusted for Census undercount.
 (2) Estimated residential units constructed, Mid-2021 to the beginning of the growth period assuming a six-month lag between construction and occupancy.
 (3) Average number of persons per unit (P.P.U.) is assumed to be:

Structural Type	Persons Per Unit ¹ (P.P.U.)	% Distribution of Estimated Units ²	Weighted Persons Per Unit Average
<i>Singles & Semi Detached</i>	3.600	18%	0.631
<i>Multiples (6)</i>	2.848	35%	0.987
<i>Apartments (7)</i>	1.777	48%	0.846
Total		100%	2.464

¹ Based on 2016 Census custom database

² Based on Building permit/completion activity

- (4) 2016 households taken from Statistics Canada Census.
 (5) Decline occurs due to aging of the population and family life cycle changes, lower fertility rates and changing economic conditions.
 (6) Includes townhouses and apartments in duplexes.
 (7) Includes bachelor, 1-bedroom and 2-bedroom+ apartments.

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



Schedule 4
City of Richmond Hill
Ten Year Growth Forecast
Mid 2022 to Mid 2032

		Population
Mid 2022 Population		208,845
Occupants of New Housing Units, Mid 2022 to Mid 2032	<i>Units (2)</i>	13,827
	<i>multiplied by P.P.U. (3)</i>	2,613
	<i>gross population increase</i>	36,126
Occupants of New Equivalent Institutional Units, Mid 2022 to Mid 2032	<i>Units</i>	219
	<i>multiplied by P.P.U. (3)</i>	1,100
	<i>gross population increase</i>	241
Decline in Housing Unit Occupancy, Mid 2022 to Mid 2032	<i>Units (4)</i>	71,656
	<i>multiplied by P.P.U. decline rate (5)</i>	0,055
	<i>total decline in population</i>	3,922
Population Estimate to Mid 2032		249,134
<i>Net Population Increase, Mid 2022 to Mid 2032</i>		<i>40,289</i>

(1) Mid 2022 Population based on:

2021 Population (202,022) + Mid 2021 to Mid 2022 estimated housing units to beginning of forecast period (2,346 x 2.464 = 5,781) + (50 x 1.1 = 55) + (69,310 x 0.014 = 987) = 69,310

(2) Based upon forecast building permits/completions assuming a lag between construction and occupancy.

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

Structural Type	Persons Per Unit ¹ (P.P.U.)	% Distribution of Estimated Units ²	Weighted Persons Per Unit Average
<i>Singles & Semi Detached</i>	3.611	19%	0.692
<i>Multiples (6)</i>	2.975	33%	0.988
<i>Apartments (7)</i>	1.958	48%	0.932
Total		100%	2.613

¹ Persons per unit based on adjusted Statistics Canada Custom 2016 Census database.

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

(4) Mid 2022 households based upon 2021 Census (69,310 units) + Mid 2021 to Mid 2022 unit estimate (2,346 units) = 71,656 units.

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

(6) Includes townhouses and apartments in duplexes.

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

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



Schedule 5
City of Richmond Hill
Summary of C.B.C Eligible Units in the Development Approvals Process

Location	C.B.C. Eligible Units with Approved Zoning	
	Total	Share
Yonge St. Corridor – South of Elgin Mills	4,105	53%
Yonge St. Corridor – North of Elgin Mills	1,931	25%
All Other Areas	1,688	22%
Total	7,724	100%

Source: Derived from data provide by the City of Richmond Hill by Watson & Associates Economists



Schedule 6
City of Richmond Hill
Historical Residential Building Permits
Years 2012 to 2021

Year	Residential Building Permits			
	Singles & Semi Detached	Multiples ^[1]	Apartments ^[2]	Total
2012	311	335	1,068	1,714
2013	417	388	0	805
2014	330	512	407	1,249
2015	237	339	882	1,458
2016	499	149	1,331	1,979
Sub-total	1,794	1,723	3,688	7,205
Average (2012 - 2016)	359	345	738	1,441
% Breakdown	24.9%	23.9%	51.2%	100.0%
2017	291	146	355	792
2018	373	216	305	894
2019	265	295	199	759
2020	337	224	225	786
2021	411	813	1,122	2,346
Sub-total	1,677	1,694	2,206	5,577
Average (2017 - 2021)	335	339	441	1,115
% Breakdown	30.1%	30.4%	39.6%	100.0%
2012 - 2021				
Total	3,471	3,417	5,894	12,782
Average	347	342	589	1,278
% Breakdown	27.2%	26.7%	46.1%	100.0%

[1] Includes townhouses and apartments in duplexes.

[2] Includes bachelor, 1-bedroom and 2-bedroom+ apartments.

Source: Historical housing activity derived from City of Richmond Hill building permit data, 2011-2020, and 2021 from Statistics Canada building permit data for the City of Richmond Hill.



Schedule 7
City of Richmond Hill
Person Per Unit by Age and Type of Dwelling
(2016 Census)

Age of Dwelling	Singles and Semi-Detached						15 Year Average	15 Year Average Adjusted ^[3]
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total		
1-5	-	-	-	3.442	4.558	3.600		
6-10	-	-	2.714	3.511	4.324	3.613		
11-15	-	-	2.500	3.535	4.272	3.634	3.616	3.611
16-20	-	-	2.318	3.383	4.274	3.557		
20-25	-	-	-	3.325	4.049	3.540		
25-35	-	-	1.882	3.089	3.774	3.245		
35+	-	1.474	2.110	2.789	3.855	2.834		
Total	1.214	1.556	2.219	3.271	4.085	3.396		

Age of Dwelling	Multiples ¹						15 Year Average	15 Year Average Adjusted ^[3]
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total		
1-5	-	-	2.059	2.862	-	2.848		
6-10	-	-	2.105	3.267	-	3.191		
11-15	-	-	2.455	3.022	-	2.980	3.007	2.975
16-20	-	-	2.086	2.995	4.091	2.932		
20-25	-	1.571	2.200	3.100	-	2.959		
25-35	-	1.750	2.067	3.184	4.000	3.028		
35+	-	1.471	2.000	2.976	2.577	2.603		
Total	-	1.747	2.131	3.045	3.753	2.940		

Age of Dwelling	Apartments ²						15 Year Average	15 Year Average Adjusted ^[3]
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total		
1-5	-	1.471	2.142	3.063	-	1.777		
6-10	-	1.536	2.091	-	-	1.835		
11-15	-	1.490	2.047	3.000	-	1.909	1.840	1.958
16-20	-	1.417	2.169	2.769	-	2.017		
20-25	-	1.308	2.113	2.963	-	1.987		
25-35	-	1.379	1.958	2.840	-	1.904		
35+	-	1.293	2.021	2.689	-	1.860		
Total	1.500	1.423	2.058	2.867	2.615	1.875		

Age of Dwelling	All Density Types					
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total
1-5	-	1.485	2.174	3.203	4.543	2.742
6-10	-	1.570	2.111	3.442	4.307	3.158
11-15	-	1.546	2.172	3.388	4.252	3.316
16-20	-	1.521	2.184	3.257	4.235	3.256
20-25	-	1.366	2.117	3.265	4.069	3.168
25-35	-	1.403	1.970	3.093	3.800	2.966
35+	0.929	1.335	2.042	2.809	3.731	2.558
Total	1.412	1.454	2.086	3.206	4.066	3.022

^[1] Includes townhouses and apartments in duplexes.

^[2] Includes bachelor, 1-bedroom and 2-bedroom+ apartments.

^[3] Adjusted based on 2001 to 2016 historical trends and forecast 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.



Schedule 8
City of Richmond Hill
Employment Forecast, Mid-2022 to Mid-2032

Year	Population Including Undercount	Employment Activity Rates							Total Excluding Work at Home and N.F.P.O.W.
		Major Office ^{[1],[7]}	Employment Land Employment ^{[2],[7]}	Population-Related Employment ^{[3],[7]}	Rural Employment ^{[4],[7]}	Work at Home ^{[5],[7]}	Total	N.F.P.O.W. ^[6]	
Mid-2016	201,000	0.054	0.129	0.157	0.002	0.050	0.392	0.039	0.304
Mid-2022	215,250	0.052	0.133	0.163	0.002	0.050	0.400	0.039	0.311
Mid-2032	256,770	0.051	0.119	0.157	0.002	0.053	0.383	0.040	0.290
Mid 2022 - Mid 2032	41,520	-0.001	-0.014	-0.005	0.000	0.003	-0.018	0.001	-0.022

Year	Population Including Undercount	Total Employment by Employment Category							Total Excluding Work at Home and N.F.P.O.W.
		Major Office ^{[1],[7]}	Employment Land Employment ^{[2],[7]}	Population-Related Employment ^{[3],[7]}	Rural Employment ^{[4],[7]}	Work at Home ^{[5],[7]}	Total	N.F.P.O.W. ^[6]	
Mid-2016	201,000	10,900	26,000	31,500	500	10,000	78,800	7,750	61,050
Mid-2022	215,250	11,238	28,569	35,022	500	10,822	86,151	8,352	66,977
Mid-2032	256,770	13,175	30,568	40,392	500	13,617	98,252	10,271	74,364
Mid 2022 - Mid 2032	41,520	1,937	1,999	5,370	0	2,795	12,101	10,118	7,387

^[1] In the Growth Plan, major office is described as “freestanding office buildings of approximately 4,000 square metres of floor space or greater, or with approximately 200 jobs or more.” Major office employment (MOE) is comprised of employment accommodated in office buildings greater than 1,900 sq.m (20,000 sq.ft.). In this report, the phrase “major office” is generally used in regard to buildings that accommodate MOE and are aligned with office inventories. Major office functions are often concentrated in downtown areas or established suburban office park. Typically, MOE includes knowledge-based sectors found in standalone multi-storey buildings including finance and insurance; information and cultural industries; management of companies; professional, scientific and technical services; and real estate, rental and leasing sectors.

^[2] Employment Lands Employment (ELE) represents jobs accommodated in industrial-type buildings. This includes largely industrial-sector employment including manufacturing, wholesale trade, transportation and warehousing, construction and utilities as well as a limited amount of employment associated with office commercial and employment supportive uses. ELE includes population-related employment but excludes major office.

^[3] Population-related Employment (PRE) includes employment in institutional and commercial sectors not accommodated in major office buildings (MOE) or within industrial buildings (ELE). Work at home employment is also captured as PRE. PRE is located within the City’s urban areas and largely accommodated in downtown areas, commercial corridors and nodes, neighbourhood plazas, institutional campuses and schools, and standalone institutional and retail buildings. A limited share of PRE is accommodated in Employment Areas within standalone institutional and retail commercial buildings.

^[4] Rural-based employment reflects jobs accommodated in locations outside of the urban area. Rural Employment consists primarily of primary sectors (e.g. agriculture, mineral aggregate extraction) within the countryside as well as PRE outside urban areas.

^[5] Work at home employment reflects people who work from home on a full-time basis.

^[6] Statistics Canada defines no fixed place of work (N.F.P.O.W.) employees as “persons who do not go from home to the same work place location at the beginning of each shift”. Such persons include building and landscape contractors, travelling salespersons, independent truck drivers, etc.

^[7] No fixed place of work employment is embedded within the employment categories (excluding work at home).

Source: 2016 to 2021 adapted from York Region 2021 M.C.R. 2022 to 2032 forecast by Watson & Associates Economists Ltd.



Appendix B

Proposed C.B.C. By-law

To be Provided Under Separate Cover

The Corporation of the City of Richmond Hill

By-Law 99-22

A By-Law to require the payment of community benefits charges within the City of Richmond Hill

Whereas The Corporation of the City of Richmond Hill will experience growth through development and redevelopment;

And Whereas Section 37 of the *Planning Act, R.S.O. 1990, c. P.13, as amended* provides that the council of a municipality may by by-law impose community benefits charges against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment;

And Whereas City Council desires to impose community benefits charges against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment in the area to which this by-law applies;

And Whereas a community benefits charge strategy dated May 31, 2022 has been prepared in accordance with subsection 37(9) of the *Planning Act, R.S.O. 1990, c. P.13, as amended* and O. Reg. 509/20 and which identifies the facilities, services and matters that will be funded with community benefits charges;

And Whereas the City has consulted with such persons and public bodies as the City considers appropriate;

Now Therefore The Council Of The Corporation Of The City Of Richmond Hill Enacts As Follows:

Definitions

1. In this By-law,

“Act” means the *Planning Act, R.S.O. 1990, CHAPTER P.13, as amended*, or any successor thereof;

“Basement” means a Storey or Storeys of a Building located below the First Storey;

“Building” means a building as defined in the Building Code Act;

“Building Code Act” means the *Building Code Act, 1992, SO 1992, c. 23, as amended*, or any successor thereof;

“Building Permit” means a permit issued under the Building Code Act to construct, alter or change the use of a Building;

“City” means The Corporation of the City of Richmond Hill or where the context requires, the geographical jurisdiction of The Corporation of the City of Richmond Hill, as the context requires;

“Community Benefits Charge Strategy” means the community benefits charges strategy prepared pursuant to subsection 37(9) of the Act and as Prescribed;

“Council” means the Council of the Corporation of the City of Richmond Hill;

“Development” or “Redevelopment” means any activity or proposed activity in respect of land that requires one or more of the approvals referred to in section 3 of this by-law and includes the development or redevelopment of land or the redevelopment, expansion, extension or alteration of the use of a Building;

“Established Grade” means the average elevation of the finished Grade of the ground immediately surrounding a Building.

“First Storey” means the Storey with its floor closest to Established Grade and having its ceiling more than 1.8 metres above Established Grade.

“Grade” means the level of the ground adjacent to the outside wall of a Building.

“In-Kind Contribution” means facilities, services or matters identified in a Community Benefits Charge Strategy and required because of Development or Redevelopment provided by an Owner of land, in lieu of payment of the community benefits charge otherwise applicable, in whole or in part;

“Local Board” has the meaning set out in Section 1 of the *Municipal Affairs Act*, R.S.O. 1990, c. M.46, as amended, or any successor thereof;

“Owner” means the owner of land that is the subject of Development or Redevelopment for which a community benefits charge may be imposed;

“Prescribed” means prescribed in the regulations made under the Act;

“Redevelopment” See “Development”;

“Residential Unit” means a unit that:

- (a) consists of one self-contained set of rooms located in a Building;
- (b) is used or has the capability of being used as a domicile by one or more persons as a single housekeeping unit;
- (c) contains cooking, eating, living, sleeping and sanitary facilities designated for the exclusive use of its occupants; and
- (d) has a means of egress to the outside of the Building, which may be a means of egress with other shared residential units;

“Storey” means a level of a Building, other than a Basement, located between any floor and the floor, ceiling or roof immediately above it.

“Valuation Date” means, with respect to land that is the subject of Development or Redevelopment,

- (a) the day before the day the Building Permit is issued in respect of the Development or Redevelopment, or
- (b) if more than one Building Permit is required for the Development or Redevelopment, the day before the day the first Building Permit is issued.

“Value of the Land” means for the purposes of determining the community benefits charges payable, the appraised value of the land in an appraisal prepared by or for the City that is:

- (i) in accordance with the Canadian Uniform Standards of Professional Appraisal Practice of the Appraisal Institute of Canada; and,
- (ii) in accordance with any additional specifications or requirements as directed by the City.

Lands Affected

2. This By-law applies to all lands within the corporate limits of the City.

General Requirement

3. A community benefits charge shall be payable for the capital costs of facilities, services and matters required because of Development or Redevelopment that requires any of the following:
 - (i) the passing of a zoning by-Law or an amendment to a zoning by-Law under section 34 of the Act;
 - (ii) the approval of a minor variance under section 45 of the Act;
 - (iii) a conveyance of land to which a by-law passed under subsection 50(7) of the Act applies;
 - (iv) the approval of a plan of subdivision under section 51 of the Act;
 - (v) a consent under section 53 of the Act;
 - (vi) the approval of a description under section 9 of the *Condominium Act, 1998*, SO 1998, c 19, as amended, or any successor thereof; or
 - (vii) the issuing of a permit under the *Building Code Act, 1992* in relation to a Building.

Exemptions

4. Despite Section 3 of this by-law, this by-law shall not apply to lands that are owned by and used for the purposes of:
 - (a) the City or a Local Board thereof;
 - (b) a Board of Education; or
 - (c) the Regional Municipality of York or a Local Board thereof.
5. Despite Section 3 of this by-law, a community benefits charge shall not be imposed with respect to:
 - (i) Development of a proposed Building with fewer than five (5) Storeys at or above ground;
 - (ii) Development of a proposed Building with fewer than ten (10) Residential Units;
 - (iii) Redevelopment of an existing Building that will have fewer than five (5) Storeys at or above ground after the Redevelopment;
 - (iv) Redevelopment that proposes to add fewer than ten (10) Residential Units to an existing Building; or
 - (v) such types of Development or Redevelopment as are Prescribed.
6. Despite Section 3 of this by-law, a community benefits charge shall not be imposed with respect to:
 - (a) Development or Redevelopment of a Building intended for use as a long-term care home within the meaning of subsection 2(1) of the *Long Term Care Homes Act, 2007*;
 - (b) Development or Redevelopment of a Building intended for use as a retirement home within the meaning of subsection 2(1) of the *Retirement Homes Act, 2010*;
 - (c) Development or Redevelopment of a Building intended for use 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 subparagraph (i);
 - (iii) an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*.

- (d) Development or Redevelopment of a Building intended for use as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion;
- (e) Development or Redevelopment of a Building intended for use as a hospice to provide end of life care;
- (f) Development or Redevelopment of a Building intended for use as residential premises by any of the following entities:
 - (i) a corporation to which the *Not-for-Profit Corporations Act, 2010* applies that is in good standing under that Act and whose primary object is to provide housing,
 - (ii) a corporation without share capital to which the *Canada Not-for-profit Corporations Act* applies, that is in good standing under the *Canada Not-for-profit Corporations Act* and whose primary object is to provide housing,
 - (iii) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*.

Multiple Uses – Excluded Types of Development

- 7. Where Development or Redevelopment proposes multiple uses within a Building and the Owner has provided satisfactory evidence to the City's Commissioner of Planning and Infrastructure that it includes one or more of the excluded types of Development or Redevelopment described in Section 6 of this By-law, a community benefits charge otherwise payable for the Development or Redevelopment will be reduced by an amount attributed by the City to the excluded type of Development or Redevelopment.

Determination of Charge

- 8. The amount of a community benefits charge payable under this by-law shall be four (4) percent of the Value of the Land that is the subject of the Development or Redevelopment as of the Valuation Date.
- 9. If a Development or Redevelopment consists of two or more phases, each phase is deemed to be a separate Development or Redevelopment and
 - (a) the Valuation Date for each phase will be the day before the day the Building Permit is issued in respect of the Development or Redevelopment for that phase, or if more than one Building Permit is required for the Development or Redevelopment for that phase, the day before the day that the first Building Permit is issued for that phase; and,
 - (b) a community benefits charge payable for each phase will be 4% of Value of the Land for that phase.

In-Kind Contributions

- 10. The City's Commissioner of Planning and Infrastructure is delegated authority to allow an Owner to provide an In-Kind Contribution in lieu of the payment of a community benefits charge otherwise payable, in whole or in part, and to accept and attribute a value pertaining to an In-Kind Contribution and to make satisfactory arrangements for the provision of the In-Kind Contribution to the City, which arrangements may include the execution of an agreement by the Mayor and Clerk upon the Recommendation of the City's Commissioner of Planning and Infrastructure.
- 11. Where the City's Commissioner of Planning and Infrastructure has allowed an Owner to provide an In-Kind Contribution, a community benefits charge otherwise payable for the Development or Redevelopment will be reduced by the value that the City's Commissioner of Planning and Infrastructure has attributed to the In-Kind Contribution.

Time of Payment of Community Benefits Charges

12. A community benefits charge imposed under this by-law shall be paid prior to the date that a Building Permit is issued for the Development or Redevelopment, or with respect to a phased Development or Redevelopment, shall be paid prior to the date that the first Building Permit is issued for each phase of the Development or Redevelopment.

No Building Without Payment

13. No person shall construct a Building on land proposed for Development or Redevelopment where an approval under Section 3 of this By-law is required unless: (a) a community benefits charge payment required by this by-law has been made or arrangements for the payment that are satisfactory to the City have been made and (b) any approved In-Kind Contribution has been provided or arrangements for its provision satisfactory to the City's Commissioner of Planning and Infrastructure have been made.

Administration of By-law

14. The City's Commissioner of Corporate and Financial Services is delegated authority for the implementation and administration of this by-law.
15. The City's Commissioner of Corporate and Financial Services shall report annually to City Council on:
 - (a) the prescribed matters contained in section 7 of the O. Reg. 509/20, as amended; and,
 - (b) funding recommendations to spend or allocate at least 60 percent of the monies in the special account at the beginning of the year.

General

16. City Council shall review this by-law and pass a resolution declaring whether a revision to this by-law is needed within five years of the date it is first passed, and every five years after the previous resolution was passed.
17. If, for any reason, any provision of this By-law is held to be invalid, it is hereby declared to be the intention of Council that all the remainder of this By-law shall continue in full force and effect until repealed, re-enacted, amended or modified.
18. The reference to any statute, regulation or by-law shall be deemed to refer to the statute, regulation or by-law as they may be amended from time to time.

Effective Date

19. This By-law shall come into effect at 12:01 A.M. on July 6TH, 2022.

Passed this 6 day of July, 2022.

David West
Mayor

The Corporation of the City of Richmond Hill
By-law 99-22

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Stephen M.A. Huycke
City Clerk



June 24, 2022

Memo To: Victoria Mortelliti, Manager, Policy & Advocacy, BILD
Copy To: Daryl Keleher, Senior Director, Altus Group Economic Consulting
From: Gigi Li, Director, Financial Services and Treasurer
Subject: City of Richmond Hill, Community Benefits Charge Strategy & By-law
June 14th – Development Industry Session Follow-up

Dear Ms. Mortelliti,

We thank you for your involvement in the public consultation process on the Community Benefits Charge (“CBC”) Strategy and the associated By-law. We have received and reviewed your correspondence along with Mr. Keleher’s memorandum, with feedback on the information presented at the June 14, 2022 consultation meeting. Some of the questions raised in your correspondence as well as Mr. Keleher’s memorandum were addressed in our previous response dated June 14, 2022, included in Appendix C of the SRCFS.22.019 Council staff report.

As it specifically relates to the City’s proposed CBC By-law, and the definition of “Value of Land”, at this point no specific exemptions or adjustments are provided for in the by-law. Application of the CBC by-law will be reasonably considered for each proposed development application. There are numerous potential examples of situations where adjustments may be provided, however, to categorize all the potential adjustments for a mixed use development would be extremely difficult to provide for at this time. As the legislation is new it is anticipated that other municipalities may be before the OLT and hence case law will also assist in informing the City on how it might deal with individual applications.

The following provides responses to the questions that were raised in Mr. Keleher’s memorandum:

Question #1: Can a copy of the Antec Appraisal report referenced throughout the CBC Study be provided?

Answer: The Antec Appraisal report is not available to the public. The value estimates reported in the Antec Appraisal are based on a general land parcel(s) with typical characteristics. Land use policies and/or development applications have been verified at the City’s Planning Department where applicable. Land rates were determined from market sales data researched and analyzed by Antec. The variance in land rates can be attributed to several factors, including prevailing market conditions, location, size, utility, configuration, planning, and development timing.

It is important to note that the Antec Appraisal report was used to develop the framework for the CBC and the City's ability to utilize the CBC as a funding source for up to a maximum of 4% of the land value. Nevertheless, the calculation of the CBC charge on any particular development will be supported by a site-specific land appraisal a day prior to building permit issuance.

Question #2: Table 2-3 of the CBC Study shows "Residential Net Population" of 40,289 persons, but Table 2-4 shows the sum of low/medium-density growth and high-density growth as 36,126 persons, a difference of 4,173 persons – what is the basis for the difference?

Answer: "Residential Net Population" in Table 2-3 of the CBC Strategy includes gross population in new units, as well as existing units population change. On the other hand, "Total Residential Forecast" in Table 2-4 of the CBC Strategy includes information on gross population in new units only. Please refer to Schedule 2 in the Appendices of the CBC Strategy.

Question #3: Inclusion of \$50 million in gross parkland acquisition costs (item #66), including \$15.25 million from CBC-eligible developments appears to presume that the City will utilize some sort of Parkland CIL cap. Otherwise, if Parkland CIL is yielded at the maximum alternative rate (1 hectare per 500 dwelling units) from the Planning Act, there should be no need to obtain additional parkland cash from development, as the amount of parkland obtained would exceed the Planning Act maximums (even if under different planning tools).

For reference, the City's Parks Plan sets out the value of lands that need to be acquired at \$411 million. Even in the case of the City utilizing cap on Parkland CIL, assuming that the City's fixed-unit rate will recover all of these \$411 million in needed funds, the \$50 million to be recovered from the City's CBC would not appear necessary to fulfil future parkland needs in the City.

Answer: The City is currently working on a new Parkland Dedication By-law. No details are available at this time however, consultation will occur over the summer. If the City choose not to provide a dedication cap, it would still not be able to acquire parkland in the value of \$411. Accordingly, the City aims to utilize the CBC charge to achieve some of the shortfall in parkland acquisition. We have considered the \$50 million provision in the CBC relative to the draft Park Plan and there is no conflict between the two documents.

Question #4: Item 5 of the project list is a \$10 million provision for "Additional Space" under the General Administration category:

- a. What are the plans for additional general administration space for \$10 million and how are the need for these works driven by high-density development?
- b. How was the BTE of 25% determined?

Answer: Over the past 8-10 years, the City has been investigating providing an additional amount of space needed as the municipality grows over time. This growth in space may occur to accommodate a variety of staff for services which would be deemed for the CBC process as "non-DC'able". While no specific project(s) have been approved by Council, a nominal provision of \$10 million has been provided to which a 25% allocation for Benefit to Existing has been made as a possible deduction.

Question #5: What are the \$450,000 in "Grants, Subsidies and Other Contributions" for the Streetscape – Yonge and Garden representing?

Answer: Deduction of \$450,000 from the gross capital estimated costs in the Streetscape (Beautification and Lighting Feature) - Yonge and Garden, represents 30% funding provided by third-party (York Region) as per the Municipal Streetscaping Partnership Program.

Question #6: It appears that even though the park redevelopment works in the CBC study are DC eligible works, they are not included in the City's DC study, which matches the stated intent for the City's CBC to have a completely separate set of projects from the City's DC Study. However, if these works and parkland improvements are required because of development, why were they not included in the City's 2021 DC Study?

Answer: The CBC Strategy includes Parks related projects, which include cultural components, such as: enhanced theming and imaginative play; art; amphitheater; etc. Such projects would not be eligible under the Development Charges Act.

Question #7: Project #18 in the capital project list is an \$18.3 million provision for "Additional DDO Projects", with DDO meaning the "David Dunlap Observatory" – can the City provide details about what specific works are to be built with these funds?

Answer: Projects have been identified in the master plan as follows:

- Planetarium Feasibility Study: \$150,000
- Elms Lea Visitor Centre: \$3,350,000
- Construct Planetarium: \$10,800,000
- Community Orchard \$87,000
- Conservatory Feasibility Study: \$100,000
- Construct Conservatory: \$3,200,000
- Restoration of Historic Pumphouse: \$80,000
- Radio Shack Restoration Including Antenna: \$533,000

Although these projects were identified as late priority projects and outside of the 10-year forecast period, the City has noted that the time frame has been extended to make the project feasible for the City. The City has also noted that if other funding sources could be secured/received, a new timeline would be provided. As such, the projects are proposed to be advanced as the City is now able to receive funding from the CBC.

These projects are considered 100% growth-related as they are entirely new facilities/amenities that will be provided by the City to service new growth. This is analogous to the D.C. study where the addition of an additional community center in the City would be considered 100% growth-related. DDO projects that have benefit to existing allocations are related to redevelopments and enhancements of existing facilities (e.g. restoration of Elvis Stojko Arena Parking Lot).

Question #8: How was the “Provision for Public Art (as per Public Art Policy)” gross cost of \$3.96 million determined? The City’s Public Art policy states that “1% of each municipal capital project over \$500,000 is dedicated to the commission and management of public art projects.”

- a. Consistent with the City’s stated policy, is the amount included in the CBC Study recovering the 1% of costs for municipal capital projects (implying there are \$396 million in municipal capital project costs)?
- b. If so, wouldn’t the 1% contribution already be embedded within those project costs (as included in the CBC Study, DC Study and capital budget)?

Answer: As noted, the City has adopted the above mentioned policy for public art. At this time, the policy has not been implemented given limitations on funding and prioritization of other works during the capital budget process. It is anticipated that, with the additional funds raised through this financial charge, that some or all of the net needs will be funded via the CBC. This will be subject to an annual review and prioritization during the annual capital budget process.

Question #9: What are the City’s plans for the \$19 million line item for Affordable Housing? Does the City have responsibility for delivery and monitoring of affordable housing, or is it a responsibility of the Region of York?

Answer: There are Provincial and Regional planning policies that direct local municipalities to secure affordable housing. Accordingly, Richmond Hill has policies in its local official plan that direct it to securing 25% of new units across the City and 30% within Centres and Corridors as “affordable”. Unlike Regional Municipalities like York, who have a mandate as the service manager to provide “social housing” (owned and operated by York Region) which targets deeper affordability needs, the City of Richmond Hill intends to facilitate “affordable market housing”. To facilitate affordable market housing, the City will attempt to utilize the numerous tools outlined in its Affordable Housing Strategy. Many of these tools will involve a cost to the City and the City aims to use the CBC charge to offset some of these costs.



Thank you for providing these comments and BILD's continued engagement.

A handwritten signature in black ink, consisting of a stylized initial followed by a long horizontal stroke.

Gigi Li

Director, Financial Services and Treasurer

The Corporation of the City of Richmond Hill

By-Law 109-22

A By-Law to establish a Community Benefits Charge (“CBC”) Reserve

Whereas Section 417 (1) of the Municipal Act, 2001, authorizes Council to establish reserve for any purpose for which the municipality has authority to expend funds;

And Whereas Council at its meeting on July 6, 2022 adopted the recommendation contained in staff report SRCFS.22.026 to establish a reserve to maintain collections received from the Community Benefits Charges (“CBC”);

Now Therefore The Council Of The Corporation Of The City Of Richmond Hill Enacts As Follows:

1. A Community Benefits Charge Reserve be established.
2. Annually, the Treasurer of The Corporation shall prepare and submit to the Council of The Corporation for its information a statement of revenues and expenditures and a balance sheet of the Community Benefits Charge for the immediately preceding year.

Passed this 6th day of July, 2022.

David West
Mayor

Stephen M.A. Huycke
City Clerk



Staff Report for Special Council Meeting

Date of Meeting: June 22, 2022

Report Number: SRCFS.22.020

Department: Corporate and Financial Services

Division: Financial Services

Subject: **SRCFS.22.026 - Appendix E - SRCFS.22.019
Community Benefits Charge Strategy.docx**

Purpose:

The purpose of this report is to provide an update on the City of Richmond Hill's ("The City") Community Benefits Charge ("CBC") Strategy and the Community Benefits Charge Draft By-law, including comments and feedback on the Community Benefits Strategy and Draft By-law received, for Council consideration.

Recommendation(s):

- a) That the staff report SRCFS.22.020, the Community Benefits Charge Strategy, and the corresponding Draft By-law, be received by Council;
- b) That the 2022 Community Benefits Charge Strategy and Draft By-law be considered at the Council meeting on July 6, 2022.

Contact Person:

Ilan Treiger, Development Finance Supervisor, Corporate and Financial Services, Ext 2415

Sara Beukeboom, Manager Fiscal Planning & Strategy, Corporate and Financial Services, Extension 6311

Report Approval:

Submitted by: Sherry Adams, Commissioner of Corporate and Financial Services

Approved by: Darlene Joslin, Interim City Manager

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. Details of the reports approval are attached.

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Background:

On June 6, 2019, Bill 108, More Homes, More Choice Act, 2019 received royal assent and outlined several changes to the Development Charges Act (“DCA”) and the Planning Act, R.S.O, 1990 (“the Act”). These changes were further amended by Bill 138, Plan to Build Ontario Together Act, 2019 and by Bill 197, COVID-19 Economic Recovery Act, 2020. On September 18, 2020, the Province proclaimed the amendments that were made to the DCA and the Planning Act by Bills 108, 138, and 197. Municipalities have up to two (2) years to transition to the new regime from the date the legislation was proclaimed.

As a result of the legislative changes brought by the Bills described above, CBC provisions replaces Section 37 height and density bouncing in the Planning Act. CBC is a growth related funding tool that allows municipalities to levy a charge against buildings or structures with five (5) storeys or more, and with 10 or more residential units. A mixed-use development can also be subject to a CBC if the development meets the above criteria.

CBC revenue will be used, in part, to offset amendments to the DCA that will eliminate the City’s ability to collect Development Charges for certain services that were previously eligible. CBC may be imposed for services that do not conflict with services or projects provided under a municipality’s Development Charges by-law, or Parkland Dedication by-law. This could include capital such as public art, parkland enhancements, and other items that would have been previously funded through Section 37 of the Planning Act.

Subsection 37(32) of the Planning Act provides that there is a maximum permitted charge that can be levied, which is prescribed within O.Reg 509/20 as being four percent (4%) of the land value for sites that meet the criteria above on the day before building permit issuance.

O. Reg. 509/20, being a regulation made under the Planning Act with respect to CBC, also provides for a number of statutory exemptions for the payment of CBC including:

- Long-term care and retirement homes;
- Colleges, universities and post-secondary indigenous institutes;
- Royal Canadian Legion;
- Hospice for end of life care: and
- Non-profit Housing.

Draft Strategy

The City retained Watson & Associates Economists Ltd. (Watson), to undertake the CBC Strategy process beginning in the fall of 2021. Watson worked with City staff in preparing the CBC analysis and policy recommendations contained within the CBC Strategy.

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In order to provide interested parties background information on the legislation, the recommendations contained in the Strategy, and an outline of the basis for these recommendations, the CBC Strategy, was distributed to members of the public on May 31, 2022. In addition to the CBC Strategy, the underlying CBC Draft By-law was distributed on June 9, 2022.

The City's CBC Strategy complies with the Act, and related regulation O. Reg. 509/20. The Act mandates several steps that a municipality must take to charge CBCs, and include the following:

- Preparing a development forecast;
- Determining the increased need arising from development;
- Determining how these costs are attributable to CBC development;
- Identifying any access capacity that exists; and
- Estimate benefit to existing shares, grants, subsidies or other contributions.

The CBC Strategy is designed to set out sufficient background on the legislation, and the policies underlying the proposed By-law, to make the exercise understandable to those who are involved.

Preparing a Development Forecast and Land Valuation:

The CBC Strategy contains the anticipated overall growth within the City over a 10-year (mid-2022 to mid-2032) time horizon, and factors in the estimated eligible residential units to be considered as per section 37 (4) of the Act. As the CBC is applied against the value of land the day before a building permit is issued, average land values are required to be assessed in various locations throughout the City where the development and redevelopment is anticipated.

Increase in the Need for Service:

The CBC calculation commences with an estimate of the increase in the need for service attributable to the anticipated development for eligible services to be covered by the By-law. There must be some form of link or attribution between the anticipated development and the estimated increase in the need for service.

Capital Forecast:

The Council may by By-law impose CBC against land to pay for the capital costs of facilities, services and matters. The Act does not define what capital costs may be included within the charge. However the Act does provide that the CBC charge could include capital costs for eligible Development Charges services that are not intended to be funded under the City's Development Charges by-law. In addition, the CBC charge may include capital costs for services that are not provided under the DCA, such as:

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land for parks and other recreation services and facilities, municipal parking, streetscaping, public art, etc.

Reductions for Excess Capacity, Benefit to Existing Development and for Anticipated Grants, Subsidies and Other Contributions:

Section 2 (c) of O. Reg. 509/20 of the Act requires the identification of the excess capacity that exists, as well as any benefit to existing development, in relation to the facilities, services and matters.

Deduction of excess capacity from the future increase in the need for the service would normally occur as part of the conceptual planning and feasibility work associated with justifying and sizing new facilities.

Deduction of benefit to existing development is required, where existing development has an adequate service level which will not be tangibly increased by an increase in service, no benefit would appear to be involved.

Furthermore, deductions are made to reduce the capital costs by capital grants, subsidies, and other contributions made or anticipated by Council and in accordance with various rules.

Calculation of the Community Benefit Charge:

To calculate the CBC, the net capital cost (provided by netting the deductions described above from the capital forecast) divided by the land values related to the anticipated applicable development/redevelopment produces a percentage of the capital cost to the land value. The product of this calculation provides for the eligible rate. As noted above, the maximum rate to be imposed is 4% of land value the day before issuance of the first building permit.

Engagement and Consultation

Prior to passing a CBC By-law, the City must consult with the public and such persons and public bodies as the City considers appropriate.

- On May 2, 2022 – BILD Consultation - staff hosted its first virtual consultation meeting with Building Industry and Land Development Association (BILD). Initial comments received included potential exemptions, land valuation on mixed used development, land appraisal methodology and valuation of in-kind contributions.
- On May 24, 2022 – Council Special Meeting - Staff along with Watson made a presentation to Council providing an overview of the CBC methodology and approach. Staff received Council feedback, and have been available for further inquiries on the matter.

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The CBC Strategy and Draft By-law (Appendix A and Appendix B), were made available to the public on May 31, 2022 and June 10, 2022 respectively.

Staff are committed to continue the public consultation process, through the following scheduled meetings:

- June 14, 2022 – BILD Consultation - Staff hosted a second virtual public consultation meeting with stakeholders from the development community including BILD to present the CBC Strategy and Draft By-law. The feedback/questions raised at the meeting, the corresponding responses from staff and Watson are summarized in Appendix C.
- June 22, 2022 - Council Meeting – Staff will present the CBC Strategy and the Draft CBC By-law at the Council Meeting. At the Council meeting, staff will receive further feedback from both members of the public and Council.
- July 6, 2022 – Council Meeting – Council consideration of the adoption of the CBC By-law.

Financial/Staffing/Other Implications:

The CBC eligible unit forecast is derived based on an established criteria, and a detailed review of historical Census housing trends, historical development activity active residential development applications, and discussions with City staff regarding anticipated CBC eligible developments.

The City is forecasting to accommodate 5,924 CBC eligible residential units over the 10-year forecast period. This translates to 90% of all high-density units, including accessory units, being CBC eligible from mid-2022 to mid-2032.

As the CBC rate is applied against the value of land the day before a building permit is issued, average land values are required to be assessed in various locations throughout the City where the development and redevelopment is anticipated. These land values assist in calculating the eligible CBC rate (up to a maximum of 4%). As such the City commissioned a professional land appraiser to provide input into the analysis.

For capital costs identified for recovery through the CBC, a review of the gross costs has been made. Each capital project was assessed to determine if there were deductions required to the gross costs related to excess capacity, benefit to existing development, and grants, subsidies, or other contributions known.

The potential CBC revenue has been estimated at \$15.68 million over the 10-year planning period from mid-2022 – mid-2032. The CBC capital needs exceed the revenue forecast, which justifies a 4% of land value CBC charge.

As part of the development of the CBC strategy, a capital program and associated projects were identified, summarized in the table below.

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Service	Gross Cost	Deductions		Net Growth-Related Cost	Eligible High Density Residential
		Benefit to Existing Development	Grants, Subsidies and Other Contributions		
C.B.C. Strategies	450,000	-	-	450,000	450,000
Municipal Parking	460,000	48,000	-	412,000	112,400
General Administration Space	10,200,000	2,550,000	-	7,650,000	2,087,600
Streetscaping (Beautification)	1,532,000	373,000	450,000	709,000	193,500
Traffic Safety	200,000	100,000	-	100,000	27,300
Affordable Housing	19,000,000	9,500,000	-	9,500,000	3,050,000
Public Realm/Community Services/Culture/Parkland Acquisition	41,088,000	3,940,000	-	37,148,000	11,329,300
Parkland Acquisition	50,000,000	-	-	50,000,000	15,250,000
Total	122,930,000	16,511,000	450,000	105,969,000	32,500,100
Total Land Value					392,116,000
Calculated Percentage to Recover all Costs Identified					8.3%

Relationship to Council’s Strategic Priorities 2020-2022:

The Community Benefit Charge is a new growth funding tool introduced by the Province in recent legislation. It allows municipalities to fund capital costs related to growth that are not already recovered from Development Charges and Parkland Dedication.

This report is aligned with the Council’s Strategic Priority of a Fiscal Responsibility, in recognizing the need for capital funding of growth related projects, utilizing the funding tools available to the municipality. It ensures that the Community Benefit Charge By-law is enacted.

Climate Change Considerations:

Climate change considerations are not applicable to this staff report.

Conclusion:

The Community Benefits Charges process is new for all municipalities in Ontario. Staff have engaged internal stakeholders, and are actively participating in engagement sessions with the development industry, and other key stakeholders. The proposed Community Benefits Charges Strategy is available in Appendix A to this report. The CBC By-law will be presented to Richmond Hill City Council in July 6, 2022 for consideration.

Attachments:

The following attached documents may include scanned images of appendices, maps and photographs. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

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- Appendix A: Community Benefits Charge Strategy
- Appendix B: Community Benefits Charge Draft By-law
- Appendix C: Responses to BILD Questions