



The Regional Municipality of Durham

COUNCIL INFORMATION PACKAGE

August 30, 2019

Information Reports

- [2019-INFO-61](#) Commissioner of Finance and Acting Commissioner of Social Services—re: 2018 Rent-Geared-to-Income Reviews of Social Housing Providers
- [2019-INFO-62](#) Commissioner of Finance – re: Regional Reserve Fund Balances as of June 30, 2019

Early Release Reports

- [2019-P-**](#) Commissioner of Planning and Economic Development –re: Application to Amend the Durham Regional Official Plan, submitted by Jerrann Farms, to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels, in the Township of Brock, File: OPA 2019-004
- [2019-P-**](#) Commissioner of Planning and Economic Development – re: Application to Amend the Durham Regional Official Plan, submitted by Daryl Phoenix to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels, in the Township of Brock, File: OPA 2019-005

Early release reports will be considered at the October 1, 2019 Planning and Economic Development Committee meeting.

Staff Correspondence

1. [Letter from Mirka Januszkiewicz, Director, Waste Management Services, Region of Durham and Laura McDowell, Director, Environmental Promotion and Protection, Region of York](#) advising that in accordance with the approved Ambient Air Monitoring and Reporting Plan and the Ministry of the Environment, Conservation and Parks' (MECP) Ambient Air Monitoring Guideline, the Regional Municipalities of Durham and York (Regions) submit the Second Quarterly (Q2) Ambient Air Monitoring Report for calendar year 2019, covering the period from April to June 2019. The related reports are available on the project website. ([Ambient Air Monitoring \(AAM\) 2019, Second Quarterly \(Q2\) Report and AAM 2019 Q2 MECP submission letter](#))

2. [Letter from Mirka Januszkiewicz, Director, Waste Management Services, Region of Durham and Laura McDowell, Director, Environmental Promotion and Protection, Region of York](#) advising that the Region of Durham, the Region of York and Covanta continue to monitor complaints and inquiries for the Durham York Energy Centre and provide monthly reports to the Ministry of the Environment, Conservation and Parks' (MECP) York Durham District Office. Reports have been submitted for the period of February to June 2019. The related complaint and inquiry logs are available on the project website. ([Complaint and Inquiry Logs – February to June 2019 and Complaint and Inquiry Logs MECP submission letters](#))

Durham Municipalities Correspondence

There are no Durham Municipalities Correspondence

Other Municipalities Correspondence/Resolutions

1. [Township of Lake of Bays](#) – re: Resolution passed at their Council meeting held on August 20, 2019, in support of the Township of McKellar's resolution regarding Municipal Amalgamation

Miscellaneous Correspondence

1. [Watson & Associates Economists Ltd.](#) – re: Providing comments on the draft Ontario Regulation 019-0183 and 019-0184 regarding the proposed Community Benefits Charge (C.B.C.) and changes to the Development Charges Act (D.C.A.)

Advisory Committee Minutes

There are no Advisory Committee Minutes

Members of Council – Please advise the Regional Clerk at clerks@durham.ca, if you wish to pull an item from this CIP and include on the next regular agenda of the appropriate Standing Committee. Items will be added to the agenda if the Regional Clerk is advised by Wednesday noon the week prior to the meeting, otherwise the item will be included on the agenda for the next regularly scheduled meeting of the applicable Committee.

Notice regarding collection, use and disclosure of personal information:

Written information (either paper or electronic) that you send to Durham Regional Council or Committees, including home address, phone numbers and email addresses, will become part of the public record. If you have any questions about the collection of information, please contact the Regional Clerk/Director of Legislative Services.

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2304



The Regional Municipality of Durham Information Report

From: Commissioner of Finance and Acting Commissioner of Social Services
Report: [#2019-INFO-61](#)
Date: August 30, 2019

Subject:

2018 Rent-Geared-to-Income Reviews of Social Housing Providers

Recommendation:

Receive for information

Report:

1. Purpose

1.1 The purpose of this report is to provide a summary of the 2018 Rent-Geared-to-Income (RGI) review findings and provide a comparison to those for 2017.

2. Background

2.1 Under the Housing Services Act (HSA), the Service Manager is responsible for rent-geared-to-income (RGI) eligibility assessment and calculation of the housing charge paid by eligible households. The majority of Service Managers in Ontario, including the Region of Durham, have opted to enter into service agreements with social housing providers, delegating the responsibility for the RGI assessments and calculations to the housing provider as a convenience to both tenants and housing providers and because it is the responsibility of the landlord to both charge and collect monthly and ongoing housing charges. The service agreement between the Region and housing providers contains an expectation that housing providers have the expertise to do RGI assessments.

2.2 Annually, staff from the Finance Department (Financial Housing Services) and the Social Service Department (Housing Services) review a minimum of 20 per cent of the RGI files for each housing provider, with a minimum of 10 files, regardless of project size. The review helps identify issues such as incorrect completion of calculations, additional documentation to be collected from a tenant/member to support the assessment, or areas where additional training might be beneficial. The

review findings are discussed with the housing provider upon completion of the review.

3. 2018 RGI Review Results

- 3.1 Regional staff completed on-site reviews at 40 housing providers representing 4,459 RGI units in 2018.
- 3.2 Based on these reviews, staff determined that the majority of housing providers are in compliance with the legislation. While the overall error rate for 2018 was 13.3% (down from 13.6% from 2017) there were no significant errors that materially impacted the tenant housing charge or that affected the total amount of subsidy provided by the Region. The value of errors represented less than 0.1 per cent of the 2018 budget for RGI subsidy.

Statistical Summary of Regional RGI Reviews

	Number in 2018	Percentage in 2018	Number in 2017	Percentage in 2017
Total RGI Provider Files	4,459	100%	4,417	100%
RGI Files Reviewed	1,001	22.8%	924	20.9%
RGI Files with Housing Charge Issues	133	13.3%	126	13.6%
Number of Providers Reviewed	40		38	

Note: The Region's legislated RGI service level is 4,446 units. Council approved an additional 35 units in 2005 to provide flexibility to the Region in meeting the minimum legislated target. Total RGI Provider Files will vary as the count is at a point in time as of the date of visit, and vacancies are not included in the count.

4. Conclusion

- 4.1 The findings of the RGI reviews performed by Regional staff over the past year indicate that the vast majority of social housing providers are, for the most part, correctly completing RGI calculations, thus reducing potential subsidy overpayment by the Region while ensuring tenants contribute an appropriate amount for their housing charges. Staff will continue to follow up on those providers and files where errors were identified to address any outstanding concerns.

Respectfully submitted,

Original Signed by Nancy Taylor

Nancy Taylor, BBA CPA, CA
Commissioner of Finance

Original Signed by Dennis Holmes

Dennis Holmes
Acting Commissioner of Social Services

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2304



The Regional Municipality of Durham Information Report

From: Commissioner of Finance
Report: [#2019-INFO-62](#)
Date: August 30, 2019

Subject:

Regional Reserve Fund Balances as of June 30, 2019

Recommendation:

Receive for information

Report:

1. Purpose

1.1 This report provides schedules indicating the current balances of the Regional Reserve Funds as at June 30, 2019.

2. Development Charge Receipts

2.1 Pursuant to the Development Charges Act, 1997, development charges payable at the issuance of building permit are received by the Region one month in arrears from the issuance of the permit. As such, the receipts are based on building permits issued and reflect the activity to the end of May 31, 2019.

2.2 The following table shows the actual building permit activity compared to the forecast for 2019.

Development Charge Activity to May 31, 2019

	January 1 – May 31, 2019	2019 Forecast	% of Forecast
Residential (units)	1,107	4,800	23.1%
Non-residential (square feet)	392,818	933,000	42.1%

2.3 As displayed, on Schedule 1, the residential development charge receipts are significantly below the 2019 forecast and actual receipts for 2017 and 2018.

3. Purpose of Reserve Funds

3.1 Reserve funds are an integral component of the Region's long-term financing strategy, provide flexibility for one-time investment opportunities (i.e. infrastructure programs) and are a source of liquidity and a hedge against contingencies. Reserve funds are key to the Region's financial stability, a major factor in Durham's long-standing Triple A credit ratings and are an integrated part of financial management policies and practices. A review of the funds and future requirements is upcoming in 2019 as part of a long-term reserve fund financing strategy. Use of reserve funds as part of the 2020 budget as a strategic approach will be highlighted for Council.

4. Attachments

Attachment #1: Residential Development Charge Receipts Graph, Regional Revitalisation and General Levy Stabilization Reserve Funds Graphs

Attachment #2: Regional Reserve Fund Balances

Attachment #3: Regional Residential Development Charges

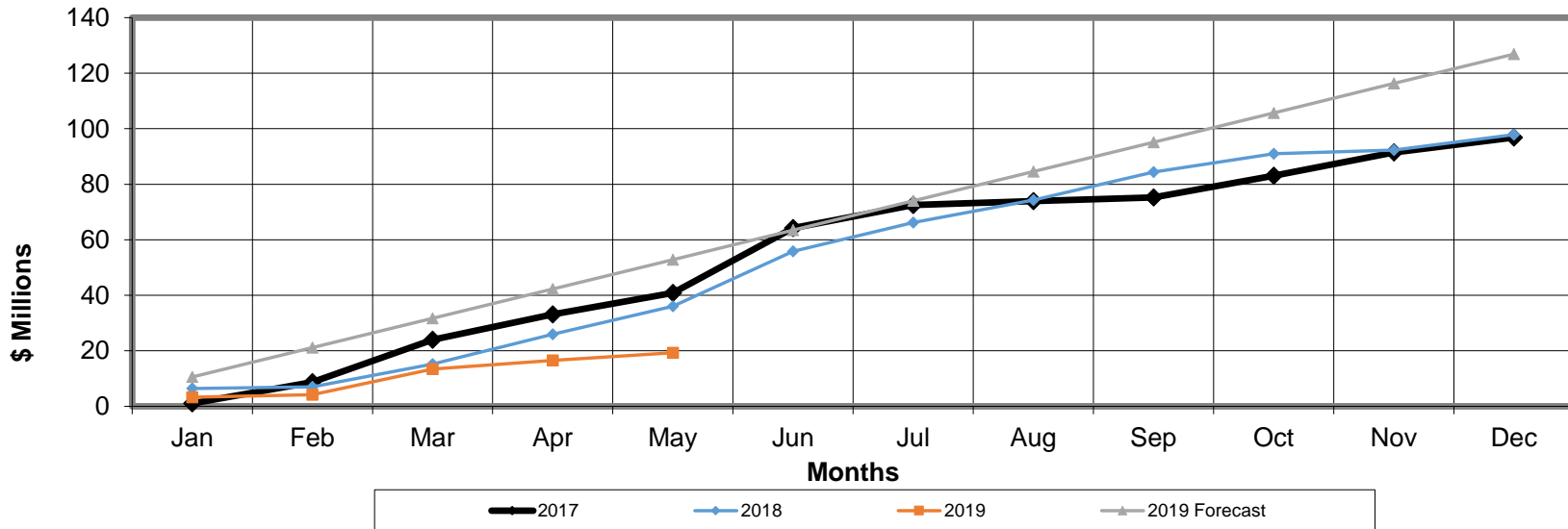
Attachment #4: Regional Non-Residential Development Charges

Respectfully submitted,

Original Signed by Nancy Taylor

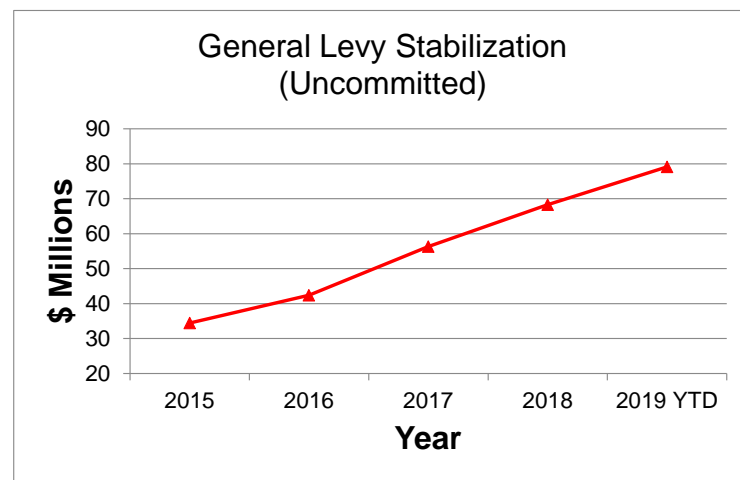
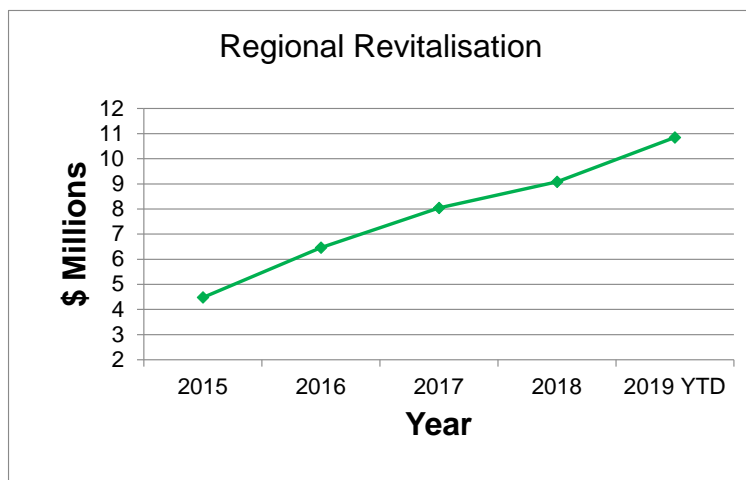
Nancy Taylor, BBA, CPA, CA
Commissioner of Finance

RESIDENTIAL DEVELOPMENT CHARGE RECEIPTS 2017 to 2019



Note: This graph reflects 2017-2019 Development Charges, and includes prepayments on development agreements prior to the annual indexation of the development charges.

RESERVE FUNDS



REGION OF DURHAM
REGIONAL RESERVE FUND BALANCES
AS AT JUNE 30, 2019

Schedule 2

(Page 1 of 8)

Development Charges						
Residential						
	Water Supply \$	Sanitary Sewerage \$	Roads \$	Police \$	Homes for the Aged \$	Development Related Studies \$
Balance as at January 1, 2019	169,132,607	73,519,339	54,259,904	14,059,020	-	578,019
TRANSFERS IN						
- Development Charges	9,324,162	4,648,144	9,266,501	649,993	17,123	17,593
- Interest	2,068,174	882,754	708,923	169,731	94	6,931
- Contribution from Operations	-	-	-	-	-	-
- Transfers (2)	224,599	-	-	-	-	-
Total Revenue	11,616,935	5,530,898	9,975,424	819,724	17,217	24,524
TRANSFERS OUT						
- Capital Financing	57,357,880	14,348,142	29,896,011	-	-	-
- Operations	-	-	-	-	-	-
- Debt Charges	-	-	-	-	-	-
Total Expenses	57,357,880	14,348,142	29,896,011	-	-	-
Balance (Before Commitments)						
As at June 30, 2019	123,391,662	64,702,095	34,339,317	14,878,744	17,217	602,543
COMMITMENTS (1)	18,895,309	26,161,082	19,756,515	11,300,000	17,217	-
UNCOMMITTED BALANCE						
As at June 30, 2019	104,496,353	38,541,013	14,582,802	3,578,744	-	602,543

1. Development charge commitments include the 2019 budgeted contributions to capital projects, current and next year debt charges, the Region's share of commitments pursuant to various agreements, specific capital project approvals and deferral of prepayments received prior to the annual indexation of the development charges.
2. Balance remaining in Carruther's Creek Area Specific Development Charges transferred to Residential Water Development Charges given that Carruther's Creek development is complete and the Area Specific Development Charge by-law expired June 30, 2018. Transfer was approved under Report 2019-F-24 on June 26, 2019.

REGION OF DURHAM
REGIONAL RESERVE FUND BALANCES
AS AT JUNE 30, 2019

Schedule 2

(Page 2 of 8)

	Development Charges							
	Residential					Commercial		
	EMS	Health & Social Services	Housing	GO Transit	Transit	Water Supply	Sanitary Sewerage	Roads
	\$	\$	\$	\$	\$	\$	\$	\$
Balance as at January 1, 2019	3,128,495	1,600,598	523,466	-	13,771,808	6,646,878	6,780,195	13,166,691
TRANSFERS IN								
- Development Charges	154,522	112,698	350,997	680,843	1,037,697	581,243	1,599,925	1,431,681
- Interest	37,823	19,536	8,092	-	168,437	81,256	84,505	162,221
- Contribution from Operations	-	-	-	-	-	-	-	-
- Transfers	-	-	-	-	-	-	-	-
Total Revenue	192,345	132,234	359,089	680,843	1,206,134	662,499	1,684,430	1,593,902
TRANSFERS OUT								
- Capital Financing	149,392	-	-	680,843	2,634,623	1,769,185	1,907,689	3,410,652
- Operations	-	-	-	-	-	-	-	-
- Debt Charges	-	-	-	-	-	-	-	-
Total Expenses	149,392	-	-	680,843	2,634,623	1,769,185	1,907,689	3,410,652
Balance (Before Commitments)								
As at June 30, 2019	3,171,448	1,732,832	882,555	-	12,343,319	5,540,192	6,556,936	11,349,941
COMMITMENTS (1)	2,500,000	-	-	-	-	-	1,418,228	350,000
UNCOMMITTED BALANCE								
As at June 30, 2019	671,448	1,732,832	882,555	-	12,343,319	5,540,192	5,138,708	10,999,941

Note:

- Development charge commitments include the 2019 budgeted contributions to capital projects, current and next year debt charges, the Region's share of commitments pursuant to various agreements, specific capital project approvals and deferral of prepayments received prior to the annual indexation of the development charges.

REGION OF DURHAM
REGIONAL RESERVE FUND BALANCES
AS AT JUNE 30, 2019

Schedule 2

(Page 3 of 8)

	Development Charges					
	Institutional			Industrial		
	Water Supply	Sanitary Sewerage	Roads	Water Supply	Sanitary Sewerage	Roads
	\$	\$	\$	\$	\$	\$
Balance as at January 1, 2019	311,120	630,819	2,638,353	3,518,577	4,855,461	4,987,128
TRANSFERS IN						
- Development Charges	-	-	-	543,030	635,268	643,266
- Interest	3,679	7,456	31,223	42,806	58,711	60,393
- Contribution from Operations	-	-	-	-	-	-
- Transfers	-	-	-	-	-	-
Total Revenue	3,679	7,456	31,223	585,836	693,979	703,659
TRANSFERS OUT						
- Capital Financing	-	-	-	-	1,000,000	1,652,300
- Operations	-	-	-	-	-	-
- Debt Charges	-	-	-	-	-	-
Total Expenses	-	-	-	-	1,000,000	1,652,300
Balance (Before Commitments)						
As at June 30, 2019	314,799	638,275	2,669,576	4,104,413	4,549,440	4,038,487
COMMITMENTS (1)	-	-	-	-	-	-
UNCOMMITTED BALANCE						
As at June 30, 2019	314,799	638,275	2,669,576	4,104,413	4,549,440	4,038,487

Note:

1. Development charge commitments include the 2019 budgeted contributions to capital projects, current and next year debt charges, the Region's share of commitments pursuant to various agreements, specific capital project approvals and deferral of prepayments received prior to the annual indexation of the development charges.

REGION OF DURHAM
REGIONAL RESERVE FUND BALANCES
AS AT JUNE 30, 2019

Schedule 2

(Page 4 of 8)

	Development Charges			
	Non-Residential Transit	Area Specific Development Charges		
		Carruthers Creek Water Supply	Seaton Water Supply	Seaton Sewage
	\$	\$	\$	\$
Balance as at January 1, 2019	2,866,165	222,423	3,597,224	2,945,611
TRANSFERS IN				
- Development Charges	201,595	-	2,000,850	1,230,654
- Interest	34,556	2,176	48,678	38,607
- Contribution from Operations	-	-	-	-
- Transfers (2)	-	(224,599)	-	-
Total Revenue	236,151	(222,423)	2,049,528	1,269,261
TRANSFERS OUT				
- Capital Financing	1,183,672	-	-	-
- Operations	-	-	-	-
- Debt Charges	-	-	-	-
Total Expenses	1,183,672	-	-	-
Balance (Before Commitments) As at June 30, 2019	1,918,644	-	5,646,752	4,214,872
COMMITMENTS (1)	-	-	5,646,752	4,214,872
UNCOMMITTED BALANCE As at June 30, 2019	1,918,644	-	-	-

Note:

1. Development charge commitments include the 2019 budgeted contributions to capital projects, current and next year debt charges, the Region's share of commitments pursuant to various agreements, specific capital project approvals and deferral of prepayments received prior to the annual indexation of the development charges.
2. Balance remaining in Carruther's Creek Area Specific Development Charges transferred to Residential Water Development Charges given that Carruther's Creek development is complete and the Area Specific Development Charge by-law expired June 30, 2018. Transfer was approved under Report 2019-F-24 on June 26, 2019.

REGION OF DURHAM
REGIONAL RESERVE FUND BALANCES
AS AT JUNE 30, 2019

Schedule 2

(Page 5 of 8)

	Treatment Plant / Rate Stabilization		Regional Share of Non-Residential Development		Workers Compensation	York/Durham
	Water	Sewer	Water	Sewer		
	\$	\$	\$	\$		
Balance as at January 1, 2019	109,019,395	174,554,332	3,902,955	4,963,415	42,142,668	2,621,739
TRANSFERS IN						
- Development Charges	-	-	-	-	-	-
- Interest	1,296,469	2,071,221	46,141	58,677	503,425	32,566
- Contribution from Operations	647,394	647,823	-	-	626,085	137,980
- Transfers	-	-	-	-	-	-
Total Revenue	1,943,863	2,719,044	46,141	58,677	1,129,510	170,546
TRANSFERS OUT						
- Capital Financing	2,000,000	-	-	-	-	67,500
- Operations	-	-	-	-	-	-
- Debt Charges	-	-	-	-	-	-
Total Expenses	2,000,000	-	-	-	-	67,500
Balance (Before Commitments)						
As at June 30, 2019	108,963,258	177,273,376	3,949,096	5,022,092	43,272,178	2,724,785
COMMITMENTS	12,855,366	24,728,365	-	-	18,434,400	-
UNCOMMITTED BALANCE						
As at June 30, 2019	96,107,893	152,545,011	3,949,096	5,022,092	24,837,778	2,724,785

REGION OF DURHAM
REGIONAL RESERVE FUND BALANCES
AS AT JUNE 30, 2019

Schedule 2

(Page 6 of 8)

	Industrial Land	Regional Revitalisation	Roads Property Acquisition	Foreign Exchange	Insurance	Highway #2	Emergency Medical Services
	\$	\$	\$	\$	\$	\$	\$
Balance as at January 1, 2019	540,972	9,084,815	810,697	5,586,984	65,391,809	357,783	621,087
TRANSFERS IN							
- Development Charges	-	-	-	-	-	-	-
- Interest	6,396	129,389	9,584	66,049	765,779	4,229	7,343
- Contribution from Operations	-	1,860,000	-	-	-	-	-
- Transfers	-	-	-	-	-	-	-
Total Revenue	6,396	1,989,389	9,584	66,049	765,779	4,229	7,343
TRANSFERS OUT							
- Capital Financing	-	-	-	-	-	-	-
- Operations	-	225,600	-	-	1,136,118	-	-
- Debt Charges	-	-	-	-	-	-	-
Total Expenses	-	225,600	-	-	1,136,118	-	-
Balance (Before Commitments)							
As at June 30, 2019	547,368	10,848,604	820,281	5,653,033	65,021,470	362,012	628,430
COMMITMENTS							
	-	1,361,900	-	851,334	75,000	-	-
UNCOMMITTED BALANCE							
As at June 30, 2019	547,368	9,486,704	820,281	4,801,699	64,946,470	362,012	628,430

REGION OF DURHAM
REGIONAL RESERVE FUND BALANCES
AS AT JUNE 30, 2019

Schedule 2

(Page 7 of 8)

	Solid Waste Management \$	Social Housing \$	Regional Roads Rehabilitation \$	Regional Bridge Rehabilitation \$	Durham Regional Cancer Centre \$	Police Capital \$	Durham Regional Forest \$	Land Conservation & Protection \$
Balance as at January 1, 2019	86,540,659	32,273,627	22,682,750	9,070,813	634,892	60,273	135,070	6,831,455
TRANSFERS IN								
- Development Charges	-	-	-	-	-	-	-	-
- Interest	1,036,374	398,678	576,114	172,550	7,506	-	1,596	87,435
- Contribution from Operations	2,575,000	1,450,000	26,050,000	5,525,000	-	-	-	564,794
- Transfers	-	-	-	-	-	-	-	-
Total Revenue	3,611,374	1,848,678	26,626,114	5,697,550	7,506	-	1,596	652,229
TRANSFERS OUT								
- Capital Financing	-	-	26,050,000	5,525,000	-	60,273	-	-
- Operations	1,450,000	-	-	-	-	-	-	876
- Debt Charges	-	-	-	-	-	-	-	-
Total Expenses	1,450,000	-	26,050,000	5,525,000	-	60,273	-	876
Balance (Before Commitments)								
As at June 30, 2019	88,702,033	34,122,305	23,258,864	9,243,363	642,398	-	136,666	7,482,808
COMMITMENTS								
	-	5,319,041	-	-	-	-	-	7,482,808
UNCOMMITTED BALANCE								
As at June 30, 2019	88,702,033	28,803,264	23,258,864	9,243,363	642,398	-	136,666	-

REGION OF DURHAM
REGIONAL RESERVE FUND BALANCES
AS AT JUNE 30, 2019

Schedule 2

(Page 8 of 8)

	Oak Ridges Moraine Conservation Plan	Asset Management	Federal Gas Tax	Provincial Gas Tax	Transit Capital	Seaton Facilities Capital	Seaton Transit Capital	General Levy Stabilization	Total
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Balance as at January 1, 2019	221,403	46,541,019	1,288,502	7,744,604	36,217,356	30,225,199	1,022,530	245,655,708	1,330,484,412
TRANSFERS IN									
- Development Charges	-	-	-	-	-	-	-	-	35,127,785
- Interest	2,618	714,289	15,233	97,181	428,157	127,252	12,747	2,958,733	16,360,493
- Contribution from Operations	-	13,879,950	-	8,866,900	-	-	66,749	-	62,897,675
- Transfers	-	-	-	-	-	-	-	-	-
Total Revenue	2,618	14,594,239	15,233	8,964,081	428,157	127,252	79,496	2,958,733	114,385,953
TRANSFERS OUT									
- Capital Financing	-	13,219,000	1,288,502	5,637,185	-	-	-	-	169,837,849
- Operations	-	-	-	2,589,418	-	-	-	-	5,402,012
- Debt Charges	-	-	-	-	-	-	-	-	-
Total Expenses	-	13,219,000	1,288,502	8,226,603	-	-	-	-	175,239,861
Balance (Before Commitments)									
As at June 30, 2019	224,021	47,916,258	15,233	8,482,082	36,645,513	30,352,451	1,102,026	248,614,441	1,269,630,504
COMMITMENTS	224,021	-	15,233	8,482,082	-	19,461,086	-	126,833,432	316,384,043
UNCOMMITTED BALANCE									
As at June 30, 2019	-	47,916,258	-	-	36,645,513	10,891,365	1,102,026	121,781,009	953,246,461

REGIONAL RESIDENTIAL DEVELOPMENT CHARGES
 SCHEDULE OF DEVELOPER CONTRIBUTIONS BY AREA MUNICIPALITY
 AS OF JUNE 30, 2019

Schedule 3

	<u>Water Supply</u> \$	<u>Sanitary Sewerage</u> \$	<u>Roads</u> \$	<u>Police</u> \$	<u>Homes for the Aged</u> \$	<u>Development Related Studies</u> \$	<u>EMS</u> \$	<u>Health & Social Services</u> \$	<u>Housing</u> \$	<u>GO Transit</u> \$	<u>Transit</u> \$	<u>Total</u> \$
Ajax	386,220	375,970	379,250	1,430	38	38	340	246	774	1,446	2,286	1,148,038
Brock	-	-	9,250	715	19	19	170	123	387	723	1,143	12,549
Clarington	806,605	776,270	810,655	45,165	1,189	1,189	10,750	7,773	24,437	48,053	72,193	2,604,279
Oshawa	122,460	119,210	129,500	26,796	711	711	6,369	4,612	14,505	27,109	42,304	494,287
Pickering	629,266	611,961	617,539	127,812	3,332	3,332	30,348	22,060	69,208	135,121	203,928	2,453,907
Scugog	-	-	9,250	715	19	19	170	123	387	723	1,143	12,549
Uxbridge	19,005	18,500	74,160	2,160	56	526	451	1,153	387	2,476	3,052	121,926
Whitby	7,360,606	2,746,233	7,236,897	445,200	11,759	11,759	105,924	76,608	240,912	465,192	711,648	19,412,738
Total	9,324,162	4,648,144	9,266,501	649,993	17,123	17,593	154,522	112,698	350,997	680,843	1,037,697	26,260,273

Note:

1. Pursuant to the *Development Charges Act, 1997*, development charges payable at the issuance of the building permit are received by the Region one month in arrears from the issuance of the permit. The recorded receipts reflect activity to the end of May.
2. Whitby includes \$2,576,508 West Whitby sewer non-monetary contribution.

REGIONAL NON-RESIDENTIAL DEVELOPMENT CHARGES
 SCHEDULE OF DEVELOPER CONTRIBUTIONS BY AREA MUNICIPALITY
 AS OF JUNE 30, 2019

	Commercial			Institutional			Industrial			Non-Residential	Total
	Water	Sanitary	Roads	Water	Sanitary	Roads	Water	Sanitary	Roads	Transit ⁽²⁾	
	Supply	Sewerage		Supply	Sewerage		Supply	Sewerage		Transit ⁽²⁾	
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
Ajax	-	-	-	-	-	-	-	-	-	-	-
Brock	-	-	-	-	-	-	-	-	-	-	-
Clarington	16,132	27,024	39,250	-	-	-	-	-	-	2,482	84,888
Oshawa	65,468	109,673	159,286	-	-	-	-	-	-	10,072	344,499
Scugog	15,093	25,284	36,722	-	-	-	8,960	10,816	10,368	4,050	111,293
Uxbridge	-	-	28,225	-	-	-	16,772	-	34,311	12,901	92,209
Whitby	484,550	1,437,944	1,168,198	-	-	-	517,298	624,452	598,587	172,090	5,003,119
Total	581,243	1,599,925	1,431,681	-	-	-	543,030	635,268	643,266	201,595	5,636,008

Notes:

1. Pursuant to the Development Charges Act, 1997, development charges payable at the issuance of the building permit are received by the Region one month in arrears from the issuance of the permit. The recorded receipts reflect activity to end of May.
2. Non-residential transit includes Commercial, Institutional and Industrial components.
3. Whitby includes \$648,348 West Whitby Commercial Sewer Non-Monetary contributions.

EARLY RELEASE OF REPORT



The Regional Municipality of Durham Report

To: Planning and Economic Development Committee
From: Commissioner of Planning and Economic Development
Report: #2019-P-**
Date: October 1, 2019

Subject:

Public Meeting Report

Application to Amend the Durham Regional Official Plan, submitted by Jerrann Farms, to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels, in the Township of Brock, File: OPA 2019-004.

Recommendation:

That the Planning and Economic Development Committee recommends to Regional Council:

- A) That Commissioner's Report #2019-P-** be received for information; and
 - B) That all submissions received be referred to the Planning Division for consideration.
-

Report:

1. Purpose

- 1.1 On July 25, 2019, Clark Consulting Services Ltd., on behalf of Jerrann Farms, submitted an application to amend the Regional Official Plan (ROP) to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels in the Township of Brock.

2. Site Description

- 2.1 The subject site is located on the north side of Thorah Concession Road 1 at the north-west intersection of Thorah Concession Road 1 and Simcoe Street, west side of the Brock/Kawartha Lakes municipal boundary, municipally known as C2365 Thorah Concession Road 1, Part of Lot 1, Concession 1, in the Township of Brock (refer to Attachment 1).
- 2.2 The agricultural parcel is rectangular in shape and slopes gently downwards south to north. A tributary of the Beaver River bisects the property flowing in an east to west direction. The southern portion of the property contains a dwelling. The northern portion of the site contains a dairy farm operation which includes silos, barn structures, and a second dwelling.
- 2.3 Jerrann Farms operates a dairy family business that began in 1967. The farm business also produces feed crops for the dairy herd, including pasture, corn, alfalfa hay, and soy beans.
- 2.4 The surrounding uses located adjacent to the subject site include:
 - a) North - Thorah Concession Road 2, agricultural lands, and rural residences;
 - b) East - Simcoe Street, Brock/Kawartha Lakes municipal boundary, agricultural lands, and rural residences;
 - c) South - Thorah Concession Road 1, agricultural lands, and rural residences; and
 - d) West - agricultural lands, and rural residences.
- 2.5 The proposed amendment to the ROP would permit the severance of a 0.41 ha (1 acre) parcel of land containing a surplus farm dwelling from an 82.7 ha (204 acre) agricultural parcel. The existing dwelling is not required by a farm employee and is surplus to the farm operation. The retained agricultural parcel will continue to support the dairy farm operation and farming.

3. Reports Submitted in Support of the Application

- 3.1 A Planning Rationale/Justification Agricultural Assessment Report prepared by Clark Consulting Services Ltd., dated July 17, 2019 has been submitted in support of the application. The report concludes that the application meets the intent of the Provincial Policy Statement, the Greenbelt Plan, and the ROP. The report also concludes the proposed severance will comply with the Minimum Distance Separation (MDS) requirements.
- 3.2 Jerrann Farms owns two separate agricultural parcels totalling 123.2 ha (304 acres), of which approximately 116 ha (287 acres) is used for cultivating feed crop (refer to Attachment 2). The subject agricultural parcel contains a surplus dwelling that is occupied by a family friend who is not involved in the farming operation. The applicant's other agricultural land holding is vacant with no structures and is used for cultivating hay.
- 3.3 A Site Screening Questionnaire (SSQ) for the property completed by GHD, dated July 24, 2019 identified no environmental site concerns at the subject site.

4. Provincial Plans and Policies

- 4.1 The subject site is located within the Protected Countryside designation of the Greenbelt Plan. The Greenbelt Plan and the Provincial Policy Statement may permit the severance of a residence surplus to a farming operation as a result of farm consolidation, provided that the planning authority ensures that a residential dwelling is not permitted in the future on the proposed retained farm lot created by the severance.

5. Durham Regional Official Plan Context

- 5.1 The subject site is designated "Prime Agricultural Areas" in the ROP. The southerly portion of the site contains Key Natural Heritage and/or Hydrologic Features. Severance applications for agricultural uses may be considered in accordance with the relevant policies of Sub-Section 9A of the ROP.
- 5.2 Policy 9A.2.10 of the ROP permits the severance of a farm dwelling rendered surplus as a result of a farmer acquiring a non-abutting farm, provided that:
- a) the dwelling is not needed for a farm employee;

- b) the farm parcel is a size which is viable for farm operations;
- c) for sites within the Protected Countryside of the Greenbelt Plan, the dwelling was in existence as of December 16, 2004; and
- d) the farm parcel is zoned to prohibit any further severances or the establishment of any residential dwelling.

No further severances shall be permitted from the acquired farm parcel.

6. Consultation

- 6.1 The ROP Amendment has been circulated to a variety of agencies, including the Ministry of Municipal Affairs and Housing; the Township of Brock; the Regional Health Department; the Lake Simcoe Region Conservation Authority; the Durham Agricultural Advisory Committee; and the City of Kawartha Lakes.

7. Public Consultation

- 7.1 Anyone who attends the public meeting may present an oral submission, and/or provide a written submission to the Planning and Economic Development Committee on the proposed amendment. Also, any person may make written submissions at any time before Regional Council makes a decision.
- 7.2 If a person or public body does not make oral submissions at a public meeting, or does not make written submissions before the proposed official plan amendment is adopted, the person or public body:
- a) is not entitled to appeal the decision of the Region of Durham to the Local Area Planning Tribunal (LPAT) (formerly the Ontario Municipal Board); and
 - b) may not be added as a party to the hearing of an appeal before the LPAT, as appropriate, unless in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

- 7.3 Anyone who wants to be notified of Regional Council's decision on the proposed ROP Amendment must submit a written request to:

Brian Bridgeman, MCIP, RPP
Commissioner of Planning and Economic Development
Planning and Economic Development Department
Regional Municipality of Durham
Durham Regional Headquarters
605 Rossland Road East
Whitby, ON L1N 6A3

8. Future Regional Council Decision

- 8.1 The Planning and Economic Development Committee will consider the proposed ROP Amendment at a future meeting and will make a recommendation to Regional Council. Council's decision will be final unless appealed.
- 8.2 All persons who make oral submissions, or have requested notification in writing, will be given notice of the future meeting of the Planning and Economic Development Committee and Regional Council at which the subject application will be considered.

9. Attachments

Attachment #1: Location Sketch

Attachment #2: Jerrann Farms' Agricultural Land Holdings

Respectfully submitted,

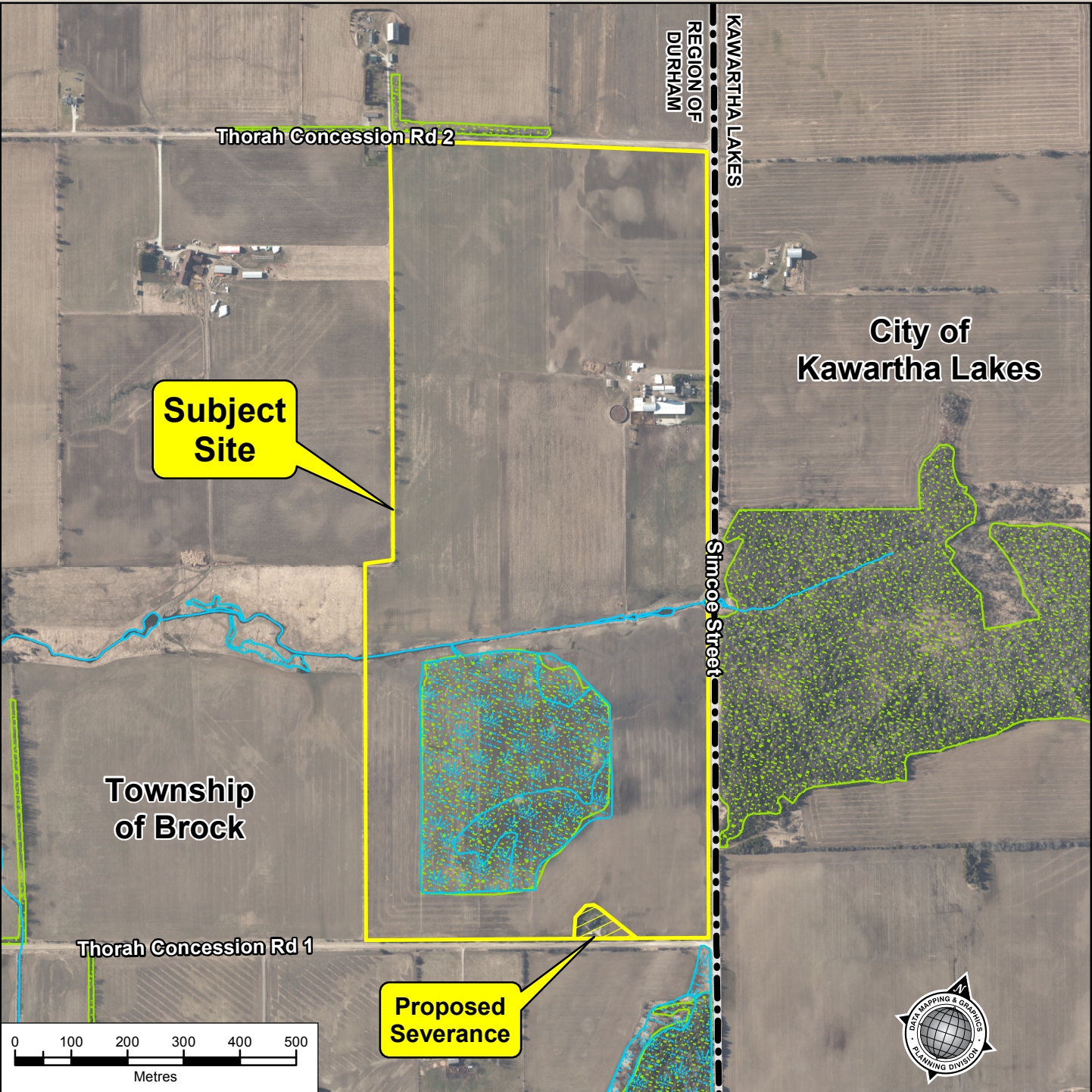
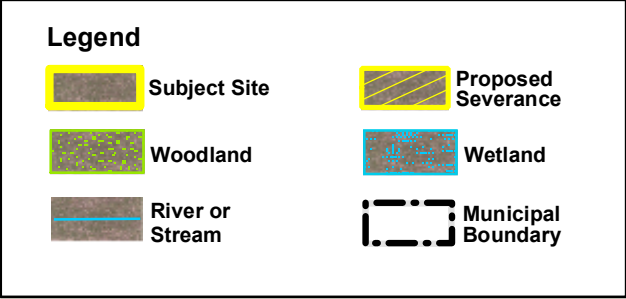
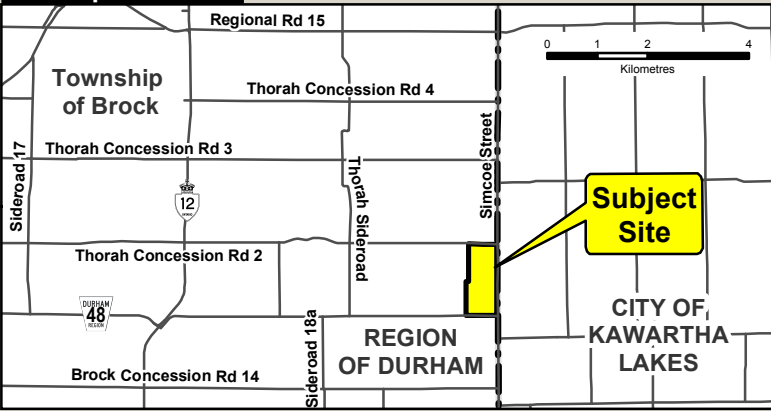
Original signed by

Brian Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee

Elaine C. Baxter-Trahair
Chief Administrative Officer

Municipal Context



Data Sources:
 PARCEL DATA: Ownership © Teranet Inc. and its suppliers. Assessment © 2018 MPAC and its suppliers.
 ORTHOPHOTO: © 2018 First Base Solutions. All rights reserved. May not be reproduced without permission. This is not a plan of survey.

This map has been produced from a variety of sources.
 The Region of Durham does not make any representations concerning the accuracy, likely results, or reliability of the use of the materials.
 The Region hereby disclaims all representations and warranties.

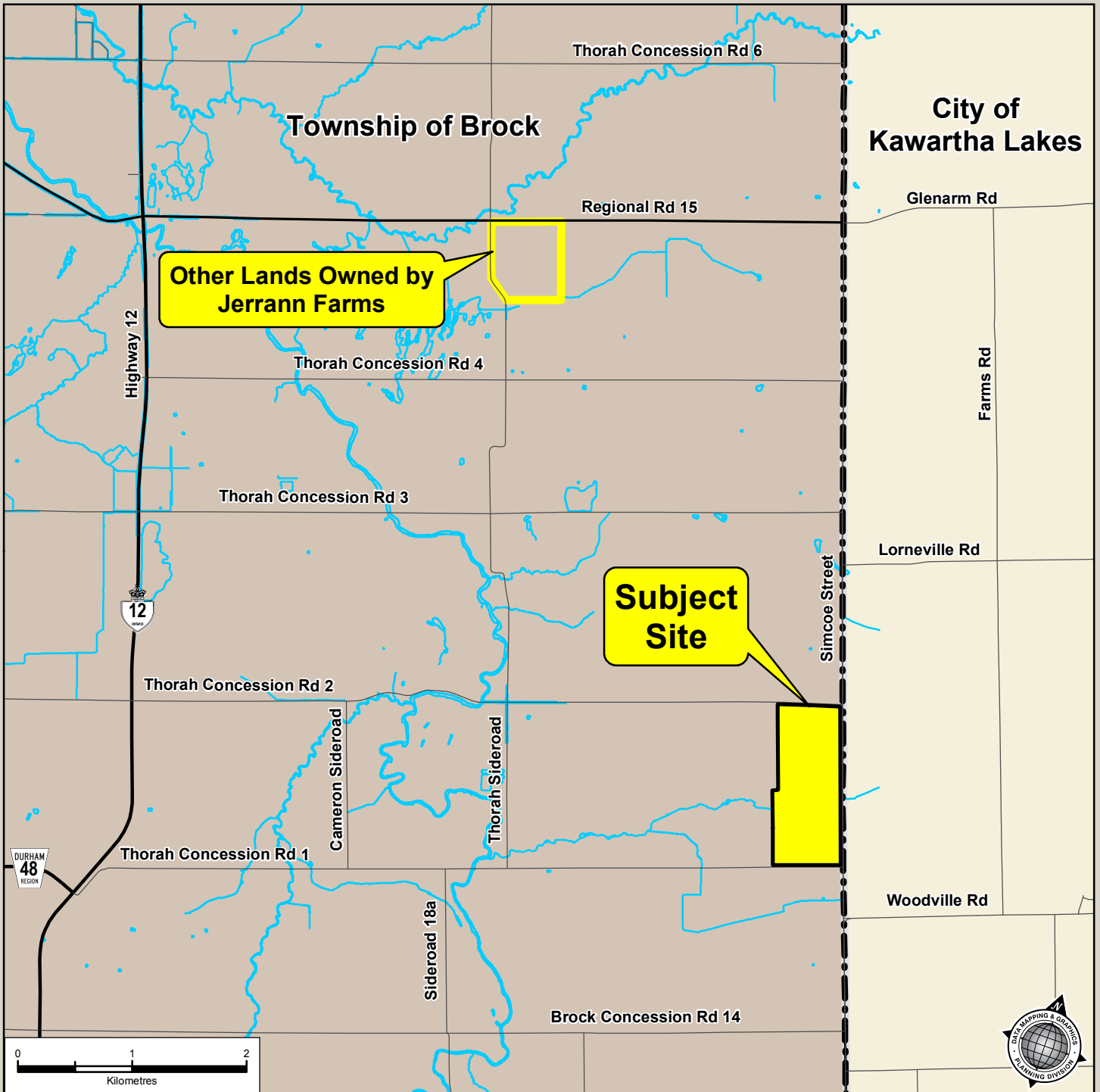


Municipal Context



Legend

- Subject Site
- Municipal Boundary
- Other Lands Owned by Jerrann Farms



Data Sources:
PARCEL DATA: Ownership © Teranet Inc. and its suppliers. Assessment © 2018 MPAC and its suppliers.
All rights reserved. May not be reproduced without permission. This is not a plan of survey.

This map has been produced from a variety of sources.
The Region of Durham does not make any representations concerning the accuracy, likely results, or reliability of the use of the materials.
The Region hereby disclaims all representations and warranties.



EARLY RELEASE OF REPORT



The Regional Municipality of Durham Report

To: Planning and Economic Development Committee
From: Commissioner of Planning and Economic Development
Report: #2019-P-**
Date: October 1, 2019

Subject:

Public Meeting Report

Application to Amend the Durham Regional Official Plan, submitted by Daryl Phoenix to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels, in the Township of Brock, File: OPA 2019-005.

Recommendation:

That the Planning and Economic Development Committee recommends to Regional Council:

- A) That Commissioner's Report #2019-P-** be received for information; and
 - B) That all submissions received be referred to the Planning Division for consideration.
-

Report:

1. Purpose

- 1.1 On July 25, 2019, Clark Consulting Services Ltd., on behalf of Daryl Phoenix, submitted an application to amend the Regional Official Plan (ROP) to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels in the Township of Brock.

2. Site Description

- 2.1 The subject site is located on the north side of Concession 6 and west of Simcoe Street. The parcel is municipally known as S2165 Concession Road 6, Part of Lot

- 22, Concession 6, in the Township of Brock (refer to Attachment 1).
- 2.2 The agricultural parcel is irregular in shape and contains an existing dwelling. A woodlot and wetland are located on the proposed retained property. The parcel slopes down gently towards a tributary of Layton River.
- 2.3 The applicant is a private farm corporation which owns a total of 18 farm properties, that encompass over 1,416 ha (3,500 acres) and farms crops including corn, soy beans and wheat. The subject site was acquired by Daryl Phoenix in November 2018.
- 2.4 Surrounding uses located adjacent to the subject site include:
- a. North – woodland, wetland, Trans-Canada Trail, tributary of Layton River;
 - b. East – agricultural lands, woodlands and wetlands;
 - c. South – Concession 6, agricultural lands; and
 - d. West – agricultural lands, Simcoe Street.
- 2.5 The proposed amendment to the ROP would permit the severance of a 0.61 ha (1.5 acre) parcel of land containing a farm dwelling from a 54 ha (133 acre) agricultural parcel. The dwelling is not utilized by a farm employee and is currently vacant. The retained agricultural parcel will continue to be used for agricultural purposes.

3. Reports Submitted in Support of the Application

- 3.1 A Planning Justification Report prepared by Clark Consulting Services Ltd., has been submitted in support of the application. The report concludes that the proposed amendment meets the objectives and requirements of the Provincial Policy Statement, the Greenbelt Plan and the ROP. The report also concludes the proposed severance will comply with Minimum Separation Distance (MDS) requirements.
- 3.2 A Farm Holdings Inventory Report prepared by Clark Consulting Services Ltd., indicates that Daryl Phoenix presently owns a total of 18 farms in the Township of Brock (refer to Attachment 2). There are 18 houses, 4 of the houses are occupied by family with interest in the farm business, 13 are rented to tenants with no interest in the farm business and 1 is vacant. The residence on the subject site is currently vacant and is not required for the farm operation.

3.3 A Phase One Environmental Site Assessment completed by GHD indicated that there are no significant environmental site contamination concerns on the subject property.

4. Provincial Plans and Policies

4.1 The subject site is located within the “Protected Countryside” designation of the Greenbelt Plan. The Provincial Policy Statement, as well as the Greenbelt Plan may permit the severance of a residence surplus to a farming operation as a result of farm consultation. Severances of surplus farm dwellings are allowed provided the planning authority ensures that a residential dwelling is not permitted in the future on the proposed retained farm lot created by the severance.

5. Durham Regional Official Plan Context

5.1 The subject site is designated “Prime Agricultural Area” and “Major Open Space” in the ROP. Severance applications for agricultural uses may be considered in accordance with the relevant policies of Sub-Section 9A of the ROP.

5.2 Policy 9A.2.10 of the ROP permits the severance of a farm dwelling rendered surplus as a result of a farmer acquiring a non-abutting farm, provided that:

- a. The dwelling is not needed for a farm employee;
- b. The farm parcel is a size which is viable for farm operations;
- c. For sites within the Protected Countryside of the Greenbelt Plan, the dwelling was in existence as of December 16, 2004; and
- d. The farm parcel is zoned to prohibit any further severances or the establishment of any residential dwelling.

6. Consultation

6.1 The ROP Amendment has been circulated to a variety of agencies, including the Ministry of Municipal Affairs and Housing; the Township of Brock; the City of Kawartha Lakes; the Regional Health Department; Kawartha Conservation; and the Durham Agricultural Advisory Committee.

7. Public Consultation

7.1 Anyone who attends the public meeting may present an oral submission, and/or provide a written submission to the Planning and Economic Development

Committee on the proposed amendment. Also, any person may make written submissions at any time before Regional Council makes a decision.

- 7.2 If a person or public body does not make oral submissions at a public meeting, or does not make written submissions before the proposed official plan amendment is adopted, the person or public body:
- a. Is not entitled to appeal the decision of the Region of Durham to the Local Area Planning Tribunal (LPAT) (formerly the Ontario Municipal Board); and
 - b. May not be added as a party to the hearing of an appeal before the LPAT, as appropriate, unless in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.
- 7.3 Anyone who wants to be notified of Regional Council's decision on the proposed ROP Amendment must submit a written request to:

Brian Bridgeman, MCIP, RPP
Commissioner of Planning and Economic Development
Planning and Economic Development Department
Regional Municipality of Durham
Durham Regional Headquarters
605 Rossland Road East
Whitby, ON L1N 6A3

8. Future Regional Council Decision

- 8.1 The Planning and Economic Development Committee will consider the proposed ROP Amendment at a future meeting and will make a recommendation to Regional Council. Council's decision will be final unless appealed.
- 8.2 All persons who make oral submissions, or have requested notification in writing, will be given notice of the future meeting of the Planning and Economic Development Committee and Regional Council at which the subject application will be considered.

9. Attachments

Attachment #1: Location Sketch

Attachment #2: Daryl Phoenix Agricultural Land Holdings

Respectfully submitted,

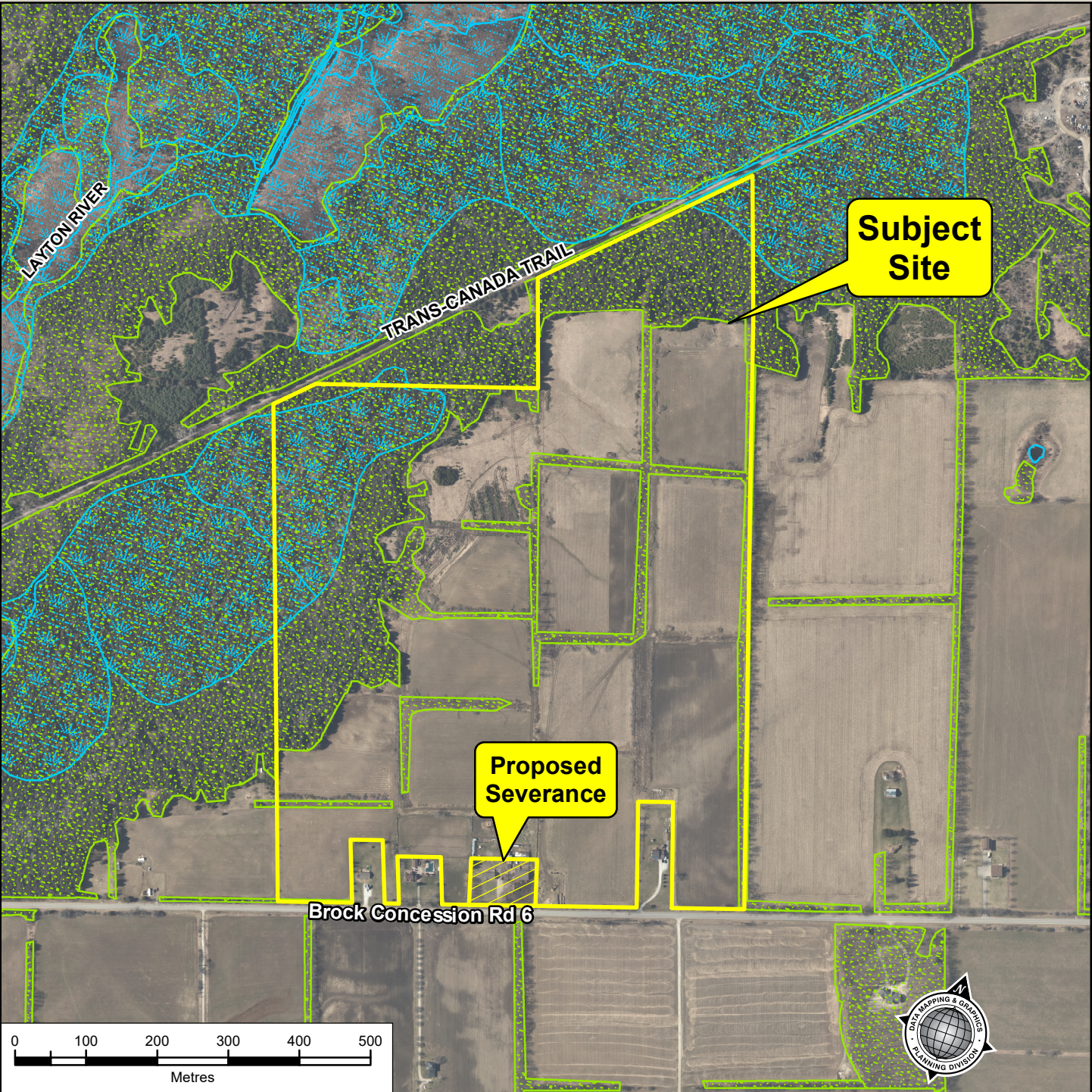
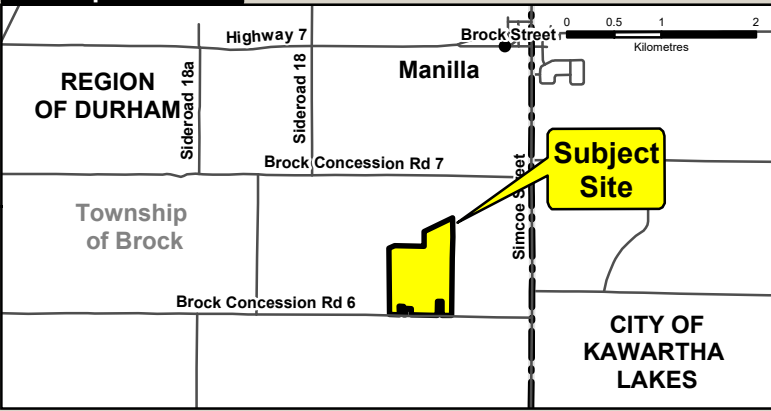
Original signed by

Brian Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee

Elaine C. Baxter-Trahair
Chief Administrative Officer

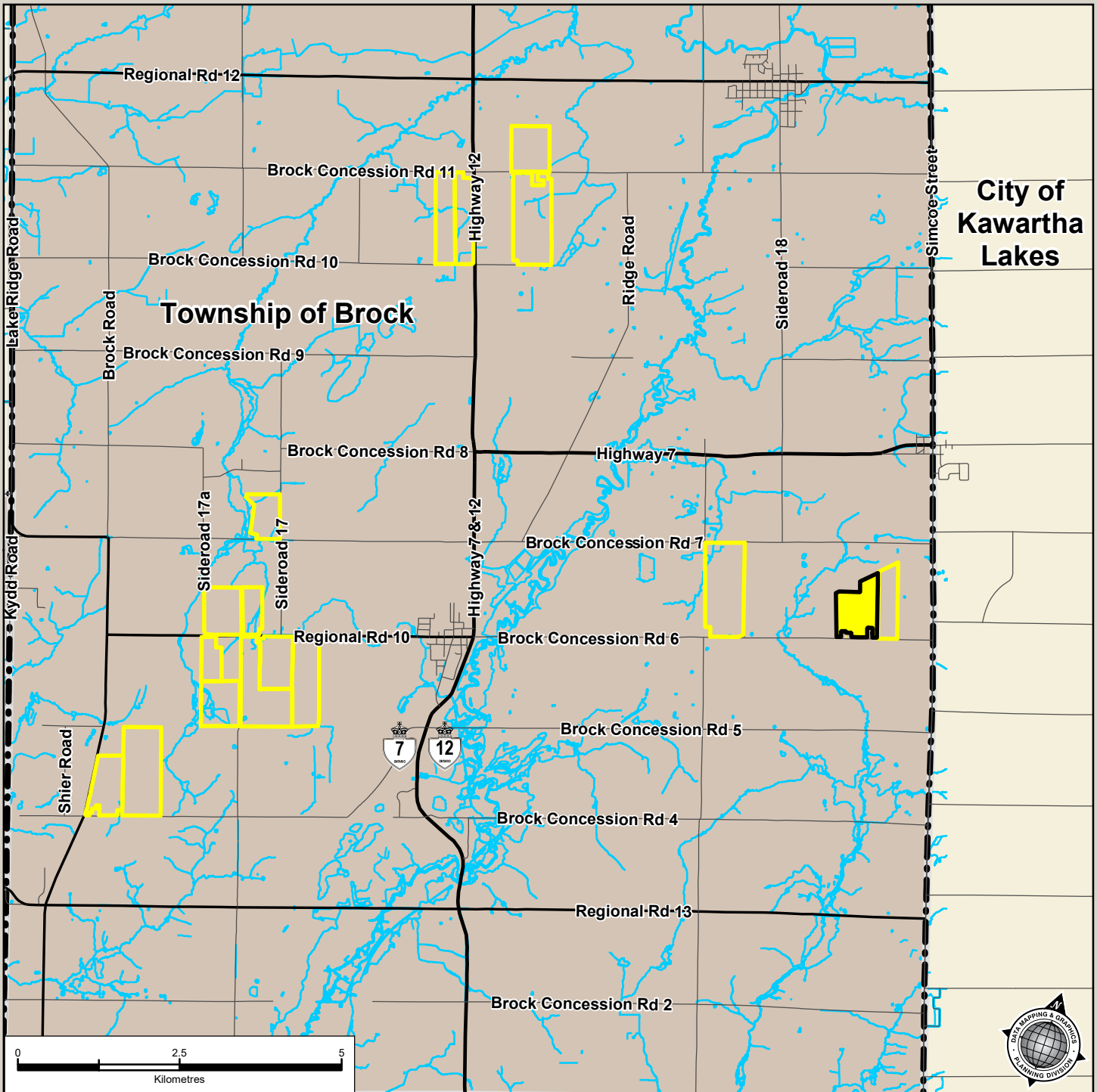
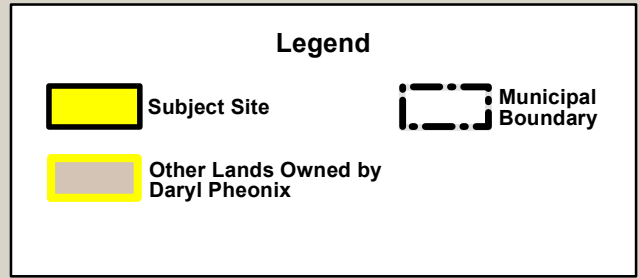
Municipal Context



Data Sources:
 PARCEL DATA: Ownership © Teranet Inc. and its suppliers. Assessment © 2019 MPAC and its suppliers.
 ORTHOPHOTO: © 2018 First Base Solutions. All rights reserved. May not be reproduced without permission. This is not a plan of survey.

This map has been produced from a variety of sources.
 The Region of Durham does not make any representations concerning the accuracy, likely results, or reliability of the use of the materials.
 The Region hereby disclaims all representations and warranties.

Municipal Context



Data Sources:
 PARCEL DATA: Ownership © Teranet Inc. and its suppliers. Assessment © 2019 MPAC and its suppliers.
 All rights reserved. May not be reproduced without permission. This is not a plan of survey.

This map has been produced from a variety of sources.
 The Region of Durham does not make any representations concerning the accuracy, likely results, or reliability of the use of the materials.
 The Region hereby disclaims all representations and warranties.

If you require this information in an accessible format, please contact The Regional Municipality of Durham at 1-800-372-1102 ext. 3560.



August 14, 2019

Lisa Trevisan, Director, Central Region
Ministry of the Environment, Conservation and Parks
Place Nouveau
5775 Yonge Street, Floor 8
North York, ON M2M 4J1

Dear Ms. Trevisan:

**RE: Durham/York Energy from Waste Project
Ambient Air Monitoring 2019, Second Quarterly Report (Q2)
(Environmental Assessment Condition 11)
MECP File #: EA-08-02**

In accordance with the approved Ambient Air Monitoring and Reporting Plan and the Ministry of the Environment, Conservation and Parks' (MECP) Ambient Air Monitoring Guideline, the Regional Municipalities of Durham and York (Regions) submit the Second Quarterly (Q2) Ambient Air Monitoring Report for calendar year 2019, covering the period from April to June 2019.

The report has been prepared by RWDI Air Inc. who was awarded the ambient air monitoring and reporting contract for the Regions. The Regions are available to discuss the report at your convenience.

Sincerely,

Original signed by:

Mirka Januszkiewicz, P.Eng.
Director, Waste Management Services

The Regional Municipality of Durham
905-668-7711 extension 3464
Mirka.Januszkiewicz@durham.ca

Original signed by:

Laura McDowell, P.Eng.
Director, Environmental Promotion
and Protection
The Regional Municipality of York
905-830-4444 extension 75077
Laura.McDowell@york.ca

- c. H. Malcolmson, Director (Acting), Environmental Assessment and Permissions Branch, MECP
A. Cross, Manager, Environmental Assessment Services, MECP
M. Mahmood, Manager, Approvals Services, MECP
C. Dugas, Manager, York Durham District Office, MECP
P. Dunn, Senior Environmental Officer, York Durham District Office, MECP
P. Martin, Supervisor, Air, Pesticides, and Environmental Planning, MECP
E. O'Leary, Environmental Resource Planner & EA Coordinator, Air, Pesticides, and Environmental Planning, MECP
G. Battarino, Special Project Officer, Project Coordination, MECP
A. Huxter, Environmental Specialist, Covanta
Energy from Waste Advisory Committee (EFWAC)
C. Raynor, Regional Clerk, The Regional Municipality of York
R. Walton, Regional Clerk, The Regional Municipality of Durham

Enclosure

If you require this information in an accessible format, please contact The Regional Municipality of Durham at 1-800-372-1102 ext. 3560.



July 16, 2019

Celeste Dugas, Manager, York Durham District Office
Ministry of the Environment, Conservation and Parks
230 Westney Road South, Floor 5
Ajax, ON L1S 7J5

Dear Ms. Dugas:

RE: Durham York Energy Centre
Submission of February 2019 Complaint and Inquiry Logs
MECP File #: EA-08-02

The Regional Municipality of Durham, the Regional Municipality of York, and Covanta continue to monitor complaints and inquiries for the Durham York Energy Centre and provide monthly reports to the Ministry of the Environment, Conservation and Parks' (MECP) York Durham District Office. The next reporting period will cover the month of March 2019.

We trust that this meets the MECP's expectation. If you require additional information, please contact the undersigned.

Sincerely,

Original signed by:

Mirka Januszkiewicz, P.Eng.
Director, Waste Management Services

The Regional Municipality of Durham
905-668-7711 extension 3464
Mirka.Januszkiewicz@durham.ca

Original signed by:

Laura McDowell, P.Eng.
Director, Environmental Promotion
and Protection
The Regional Municipality of York
905-830-4444 extension 75077
Laura.McDowell@york.ca

- c. P. Dunn, Senior Environmental Officer, MECP
P. Martin, Supervisor, Air, Pesticides and Environmental Planning, MECP
G. Battarino, Special Project Officer, Project Coordination, MECP
E. O'Leary, Environmental Resource Planner and EA Coordinator, Air, Pesticides and Environmental Planning, MECP
A. Huxter, Environmental Specialist, Covanta
Energy from Waste Advisory Committee (EFWAC)
C. Raynor, Regional Clerk, The Regional Municipality of York
R. Walton, Regional Clerk, The Regional Municipality of Durham

Enclosure

If you require this information in an accessible format, please contact The Regional Municipality of Durham at 1-800-372-1102 ext. 3560.



July 16, 2019

Celeste Dugas, Manager, York Durham District Office
Ministry of the Environment, Conservation and Parks
230 Westney Road South, Floor 5
Ajax, ON L1S 7J5

Dear Ms. Dugas:

RE: Durham York Energy Centre
Submission of March 2019 Complaint and Inquiry Logs
MECP File #: EA-08-02

The Regional Municipality of Durham, the Regional Municipality of York, and Covanta continue to monitor complaints and inquiries for the Durham York Energy Centre and provide monthly reports to the Ministry of the Environment, Conservation and Parks' (MECP) York Durham District Office. The next reporting period will cover the month of April 2019.

We trust that this meets the MECP's expectation. If you require additional information, please contact the undersigned.

Sincerely,

Original signed by:

Mirka Januszkiewicz, P.Eng.
Director, Waste Management Services

The Regional Municipality of Durham
905-668-7711 extension 3464
Mirka.Januszkiewicz@durham.ca

Original signed by:

Laura McDowell, P.Eng.
Director, Environmental Promotion
and Protection
The Regional Municipality of York
905-830-4444 extension 75077
Laura.McDowell@york.ca

- c. P. Dunn, Senior Environmental Officer, MECP
P. Martin, Supervisor, Air, Pesticides and Environmental Planning, MECP
G. Battarino, Special Project Officer, Project Coordination, MECP
E. O'Leary, Environmental Resource Planner and EA Coordinator, Air, Pesticides and Environmental Planning, MECP
A. Huxter, Environmental Specialist, Covanta
Energy from Waste Advisory Committee (EFWAC)
C. Raynor, Regional Clerk, The Regional Municipality of York
R. Walton, Regional Clerk, The Regional Municipality of Durham

Enclosure

If you require this information in an accessible format, please contact The Regional Municipality of Durham at 1-800-372-1102 ext. 3560.



July 16, 2019

Celeste Dugas, Manager, York Durham District Office
Ministry of the Environment, Conservation and Parks
230 Westney Road South, Floor 5
Ajax, ON L1S 7J5

Dear Ms. Dugas:

RE: Durham York Energy Centre
Submission of April 2019 Complaint and Inquiry Logs
MECP File #: EA-08-02

The Regional Municipality of Durham, the Regional Municipality of York, and Covanta continue to monitor complaints and inquiries for the Durham York Energy Centre and provide monthly reports to the Ministry of the Environment, Conservation and Parks' (MECP) York Durham District Office. The next reporting period will cover the month of May 2019.

We trust that this meets the MECP's expectation. If you require additional information, please contact the undersigned.

Sincerely,

Original signed by:

Mirka Januszkiewicz, P.Eng.
Director, Waste Management Services

The Regional Municipality of Durham
905-668-7711 extension 3464
Mirka.Januszkiewicz@durham.ca

Original signed by:

Laura McDowell, P.Eng.
Director, Environmental Promotion
and Protection
The Regional Municipality of York
905-830-4444 extension 75077
Laura.McDowell@york.ca

- c. P. Dunn, Senior Environmental Officer, MECP
P. Martin, Supervisor, Air, Pesticides and Environmental Planning, MECP
G. Battarino, Special Project Officer, Project Coordination, MECP
E. O'Leary, Environmental Resource Planner and EA Coordinator, Air, Pesticides and Environmental Planning, MECP
A. Huxter, Environmental Specialist, Covanta
Energy from Waste Advisory Committee (EFWAC)
C. Raynor, Regional Clerk, The Regional Municipality of York
R. Walton, Regional Clerk, The Regional Municipality of Durham

Enclosure

If you require this information in an accessible format, please contact The Regional Municipality of Durham at 1-800-372-1102 ext. 3560.



July 16, 2019

Celeste Dugas, Manager, York Durham District Office
Ministry of the Environment, Conservation and Parks
230 Westney Road South, Floor 5
Ajax, ON L1S 7J5

Dear Ms. Dugas:

RE: Durham York Energy Centre
Submission of May 2019 Complaint and Inquiry Logs
MECP File #: EA-08-02

The Regional Municipality of Durham, the Regional Municipality of York, and Covanta continue to monitor complaints and inquiries for the Durham York Energy Centre and provide monthly reports to the Ministry of the Environment, Conservation and Parks' (MECP) York Durham District Office. The next reporting period will cover the month of June 2019.

We trust that this meets the MECP's expectation. If you require additional information, please contact the undersigned.

Sincerely,

Original signed by:

Mirka Januszkiewicz, P.Eng.
Director, Waste Management Services

The Regional Municipality of Durham
905-668-7711 extension 3464
Mirka.Januszkiewicz@durham.ca

Original signed by:

Laura McDowell, P.Eng.
Director, Environmental Promotion
and Protection
The Regional Municipality of York
905-830-4444 extension 75077
Laura.McDowell@york.ca

- c. P. Dunn, Senior Environmental Officer, MECP
P. Martin, Supervisor, Air, Pesticides and Environmental Planning, MECP
G. Battarino, Special Project Officer, Project Coordination, MECP
E. O'Leary, Environmental Resource Planner and EA Coordinator, Air, Pesticides and Environmental Planning, MECP
A. Huxter, Environmental Specialist, Covanta
Energy from Waste Advisory Committee (EFWAC)
C. Raynor, Regional Clerk, The Regional Municipality of York
R. Walton, Regional Clerk, The Regional Municipality of Durham

Enclosure

If you require this information in an accessible format, please contact The Regional Municipality of Durham at 1-800-372-1102 ext. 3560.



July 16, 2019

Celeste Dugas, Manager, York Durham District Office
Ministry of the Environment, Conservation and Parks
230 Westney Road South, Floor 5
Ajax, ON L1S 7J5

Dear Ms. Dugas:

RE: Durham York Energy Centre
Submission of June 2019 Complaint and Inquiry Logs
MECP File #: EA-08-02

The Regional Municipality of Durham, the Regional Municipality of York, and Covanta continue to monitor complaints and inquiries for the Durham York Energy Centre and provide monthly reports to the Ministry of the Environment, Conservation and Parks' (MECP) York Durham District Office. The next reporting period will cover the month of July 2019.

We trust that this meets the MECP's expectation. If you require additional information, please contact the undersigned.

Sincerely,

Original signed by:

Mirka Januszkiewicz, P.Eng.
Director, Waste Management Services

The Regional Municipality of Durham
905-668-7711 extension 3464
Mirka.Januszkiewicz@durham.ca

Original signed by:

Laura McDowell, P.Eng.
Director, Environmental Promotion
and Protection
The Regional Municipality of York
905-830-4444 extension 75077
Laura.McDowell@york.ca

- c. P. Dunn, Senior Environmental Officer, MECP
P. Martin, Supervisor, Air, Pesticides and Environmental Planning, MECP
G. Battarino, Special Project Officer, Project Coordination, MECP
E. O'Leary, Environmental Resource Planner and EA Coordinator, Air, Pesticides and
Environmental Planning, MECP
A. Huxter, Environmental Specialist, Covanta
Energy from Waste Advisory Committee (EFWAC)
C. Raynor, Regional Clerk, The Regional Municipality of York
R. Walton, Regional Clerk, The Regional Municipality of Durham

Enclosure

**THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS
Council Meeting**

DATE: 20 Aug 2019

RESOLUTION: #7(b)/08/20/19

MOVED BY:

SECONDED BY:

Gregory Godard

Terry Brooks

BE IT RESOLVED THAT THE Council of the Corporation of the Township of Lake of Bays supports the Township of McKellar's Resolution No. 19-355 dated July 15, 2019 (attached) with respect to Municipal Amalgamation;

AND FURTHER THAT a copy of this resolution be sent to Doug Ford, Premier of Ontario; Christine Elliott, Deputy Premier; Steve Clark, Minister of Municipal Affairs; Andrea Horwath, Leader of the New Democratic Party; and all MPP's in the Province of Ontario;

AND FURTHER THAT a copy of this resolution be sent to the Association of Municipalities of Ontario (AMO), the Northwestern Ontario Municipal Association (NOMA), Rural Ontario Municipalities Association (ROMA), Federation of Northern Ontario Municipalities (FONOM), the District of Parry Sound Municipal Association (DPSMA) and all Ontario Municipalities.

RECORDED VOTE

NAYS

YEAS

- Councillor Mike Peppard**
- Councillor Robert Lacroix**
- Councillor Nancy Tapley**
- Councillor Rick Brooks**
- Councillor Jacqueline Godard**
- Mayor Terry Glover**

Carried	<input checked="" type="checkbox"/>	Defeated	<input type="checkbox"/>	Postponed	<input type="checkbox"/>	Lost	<input type="checkbox"/>
----------------	-------------------------------------	-----------------	--------------------------	------------------	--------------------------	-------------	--------------------------

MAYOR

Terry Glover

TOWNSHIP OF MCKELLAR

DATE: July 15, 2019

RESOLUTION No. 19- 355

Moved by: Marco Ancinelli
Don Carmichael
Morley Haskim
Mike Kekkonen

Seconded by: Marco Ancinelli
Don Carmichael
Morley Haskim
Mike Kekkonen

WHEREAS there are 444 municipalities in Ontario that are very efficient and well-governed, and who respond quickly to ratepayer's needs;

AND WHEREAS in the 1990's the Conservative Government forced many municipalities to amalgamate on the guise they would become more efficient, effective, save money, lower taxes and ultimately reduce the provincial deficit;

AND WHEREAS there has never been a valid evidence-based study that supported these outcomes;

AND WHEREAS forced amalgamation actually accomplished just the opposite: ill feelings, increased animosity and mistrust, job losses, rise in local taxes and an increase in the provincial deficit;

AND WHEREAS there are many positive examples of small rural and northern municipalities working together in a collaborate and cooperative manner via shared agreements that responds to local needs without amalgamation and provincial interference;

AND WHEREAS the Provincial Government has a large deficit due to their own decision-making;

AND WHEREAS recently the same Conservative Government recently reduced one large regional municipal government by 50%, without "consultation";

AND WHEREAS this same Conservative Government is presently reviewing other provincial regional governments through a purported "consultative" approach with a view to reduce or eliminate them;

AND WHEREAS the Provincial Government should investigate all other internal ways of reducing their deficit and becoming more fiscally responsible over time rather than downloading to the one level of government that is the most efficient, has the lowest cost and is closest to the electorate which will not put a dent in the provincial deficit;

substantially increase fines *MJD*
MLK


AND WHEREAS the Province could look at what other provinces have done to reduce the debt with the singular education system, organizing unorganized municipalities, controlling OPP costs, and find a way to collect millions and millions of dollars in unpaid fines and instead, invest in the north to create jobs and stimulate and enhance economic development;

NOW THEREFORE BE IT RESOLVED that before the Provincial Government forces amalgamation in any of the 444 municipalities in Ontario, our AMO organization go beyond requesting "consultation" and "demand" that the Provincial Government do the following:

- 1) Hold a local referendum letting the citizens decide to amalgamate or not
- 2) Conduct an evidence-based study to show that amalgamation actually saves costs, jobs, lowers taxes and reduce the provincial deficit
- 3) Allow those municipalities to work out their own local collaborative agreement that best suit their local needs and to be permitted to do so on their own time line and volition
- 4) To ensure that there is absolutely no conflict of interest in this consultative process
- 5) To emphasize the political reality of forcing amalgamation on the many rural and northern municipalities across Ontario

AND FURTHER that a copy of this resolution be sent to Doug Ford, Premier of Ontario; Christine Elliott, Deputy Premier; Steve Clark, Minister of Municipal Affairs; Andrea Horwath, Leader of the New Democratic Party; and all MPPs in the Province of Ontario;

AND FURTHER that a copy of this resolution be sent to the Association of Municipalities of Ontario (AMO), the Northwestern Ontario Municipal Association (NOMA), Rural Ontario Municipalities Association (ROMA), Federation of Northern Ontario Municipalities (FONOM), the District of Parry Sound Municipal Association (DPSMA) and all Ontario municipalities for their consideration.

Carried Defeated Deferred

Peter Hopkins, Mayor

DIVISION VOTE

	YEA	NAY
Councillor Marco Ancinelli	_____	_____
Councillor Don Carmichael	_____	_____
Councillor Morley Haskim	_____	_____
Councillor Mike Kekkonen	_____	_____
Mayor Peter Hopkins	_____	_____

Afreen Raza

From: Bruna Fischer <fischer@watsonecon.ca> on behalf of Watson & Associates Economists Ltd. <info@watsonecon.ca>
Sent: August-22-19 3:25 PM
Subject: Letters to Province on C.B.C. and D.C. - Review and Commentary by Watson & Associates Economists Ltd.
Attachments: Aug 21 2019 Letter to Province on O Reg 019-0183-signed.pdf; Aug 21 2019 Letter to Province on O Reg 019-0184-signed.pdf

Good afternoon,

On behalf of our many municipal clients, we are providing our comments on the draft Ontario Regulation 019-0183 and 019-0184 regarding the proposed Community Benefits Charge (C.B.C.) and changes to the Development Charges Act (D.C.A.).

The attached letters provides Watson's review and commentary on the draft Regulations proposed for the D.C.A. and the Planning Act (as they relate to the C.B.C.).

Disclaimer: This message is for the use of the intended recipient(s) only and may contain information that is privileged, proprietary, confidential, and/or exempt from disclosure under any relevant privacy legislation. If you are not the intended recipient or authorized agent thereof, you are hereby notified that any review, retransmission, dissemination, distribution, copying, conversion to hard copy, taking of action in reliance on or other use of this communication is strictly prohibited. If you are not the intended recipient and have received this message in error, please notify the sender by return e-mail and delete or destroy all copies of this message. Warning: Although Watson & Associates Economists Ltd. has taken reasonable precautions to ensure no viruses are present in this email, the company cannot accept responsibility for any loss or damage arising from the use of this email or attachments.

If you do not wish to receive future emails from Watson & Associates Economists Ltd. which update you on municipal matters, please reply to this message with the subject 'UNSUBSCRIBE'.

Watson & Associates Economists Ltd.

Plaza Three
101-2000 Argentia Rd.
Mississauga, Ontario
L5N 1V9

Office: 905-272-3600
Fax: 905-272-3602
www.watsonecon.ca



CIP

CAO
Nancy Taylor
G.C. S.C.C. File
Take Appr. Action



The effective date is proposed to be January 1, 2020.

“effective date” is the day section 9 of Schedule 12 to the More Homes, More Choice Act, 2019 comes into force.

- The implications of subsection 51.1(6) and 37.1(1) is that municipalities requiring the provision of land as a condition of a subdivision agreement after the “effective date” but before a Community Benefits Charge by-law has been put in place will lose the ability to use Community Benefits Charges to recover other growth related costs from that development.

2. Reporting on Community Benefits

“The Minister is proposing to prescribe reporting requirements that are similar to existing reporting requirements for development charges and parkland under section 42 of the Planning Act. Municipalities would be required annually to prepare a report for the preceding year that would provide information about the amounts in the community benefits charge special account, such as:

- *Opening and closing balances of the special account*
- *A description of the services funded through the special account*
- *Details on amounts allocated during the year*
- *The amount of any money borrowed from the special account, and the purpose for which it was borrowed*
- *The amount of interest accrued on money borrowed.”*

In regard to the above:

- Confirm that “special account” and reserve fund have the same meaning. If they don’t please provide a definition for “special account”.
- In regard to “amounts allocated”, within the context of the legislation where 60% of funds must be spent or allocated annually, can amounts be allocated to a capital account for future spending (i.e. recreation facility in year 5 of a forecast period) or are they to be allocated for immediate spending only?
- Similar to D.C. reserve funds, can the funds in the special account only be used for growth-related capital costs (i.e. cannot be used as an interim financing source for other capital expenditures)?

3. Reporting on Parkland

“The amendments to the Planning Act in Schedule 12 of the More Homes, More Choice Act, 2019 provide that municipalities may continue using the current basic parkland provisions of the Planning Act if they are not collecting community benefits charges. Municipalities would be required annually to prepare a report for the preceding year that would provide information about the amounts in the special account, such as:

- *Opening and closing balances of the special account*



- *A description of land and machinery acquired with funds from the special account*
 - *Details on amounts allocated during the year*
 - *The amount of any money borrowed from the special account, and the purpose for which it was borrowed.*
-
- In regard to the amount of interest accrued on money borrowed, confirm that the “special account” and reserve fund have the same meaning.
 - This section of the regulation is introduced to allow municipalities to continue using the current basic parkland provisions of the *Planning Act*. However, in contrast to the current reporting under s. 42 (15) of the *Planning Act* which allows funds to be used “for park or other public recreation purposes”, the scope in this regulation is for “land and machinery.” Confirm whether the scope of services has been limited or continues to be the same.

4. Exemptions from Community Benefits

“The Minister is proposing that the following types of developments be exempt from charges for community benefits under the Planning Act:

- *Long-term care homes*
 - *Retirement homes*
 - *Universities and colleges*
 - *Memorial homes, clubhouses or athletic grounds of the Royal Canadian Legion*
 - *Hospices*
 - *Non-profit housing.*”
-
- Confirm whether “for-profit” developments will be entitled to exemptions similar to “not-for-profit” developments.
 - Will the regulations prescribe that exemptions must be funded from non-C.B.C. sources, similar to D.C.s, or can these exemptions be funded from the special account and incorporated into the calculation methodology?
 - Will there be definitions provided for each of the development types noted above and will these definitions link to legislation or accreditation for the various facilities provided above.
 - Does the phrase “universities and colleges” relate only to the academic space? Housing and commercial developments can occur on university/college owned lands and hence, should not be exempted by this provision. Moreover, would private institutions be included within these definitions?

5. Community Benefits Formula

“Provides the authority for municipalities to charge for community benefits at their discretion, to fund a range of capital infrastructure for community services needed because of new development.”



- The regulation notes that, “This capital infrastructure for community services could include libraries, parkland, daycare facilities, and recreation facilities.” Is the inclusion of libraries, parkland, daycare facilities, and recreation facilities as capital infrastructure for community services intended to be exhaustive or are all other “soft” services (e.g. social and health services) eligible to be included as community benefits?
- What capital costs will be eligible as capital infrastructure for community services? The D.C.A. has an existing definition for capital costs which includes land, buildings, capital leases, furnishing and equipment, various types of studies and approvals, etc. Will these capital costs continue to be eligible as capital infrastructure under a C.B.C.?
- Will the cost of land appraisals, including annual appraisal studies, required for the C.B.C. be an eligible cost to be recovered through the C.B.C.?
- Will existing (and future) growth-related debt payments and all outstanding/existing D.C. credits for soft services be an eligible cost to be recovered through the C.B.C.?
- For parkland dedication, most municipalities have a local service policy which defines the minimum standard of development on which the land will be dedicated (i.e. graded, seeded, fenced, etc.). Will the local service policy be allowed to continue? If not, how will this matter be handled policy wise or cost wise?
- Will the D.C.A. mandatory 10% discount still apply to capital costs for services under a C.B.C.?
- The C.B.C. payable could not exceed the amount determined by a formula involving the application of a prescribed percentage to the value of the development land. The value of land that is used is the value on the day before the building permit is issued to account for the necessary zoning to accommodate the development. Will a range of percentages be prescribed to take into account varying values of land for different types of development or will the C.B.C. strategy require a weighting of the land values within the calculations?
- Will the range of percentages be prescribed to account for geographic differences in land values (i.e. municipal, county, regional, etc.)?
- Will the prescribed percentage account for differences in land use or zoning?
- Will the same percentage apply to both residential and non-residential lands be different? Will the formula also deal with mixed use properties?
- The Ministry is not providing prescribed percentages at this time. Can the Province confirm that no prescribed percentages will be proclaimed during the transition period?
- How will the formula deal with redevelopment (i.e. where buildings are demolished and replaced with another building, this could include conversions from residential to non-residential, vice versa, intensification, etc.)?
Is there a prescribed planning horizon for calculating the C.B.C. (i.e. 10 years)?



- Will municipalities be required to express the C.B.C. as a percentage of land value or will the percentage simply be used to determine if the applicable charge fits within the maximum percentage of land value? For example, a municipality could impose C.B.C.s as a charge per unit, based on the unit type, similar to how D.C.s are currently imposed. When a developer applies for a building permit, a determination would need to be made whether the charge payable based on the type of dwelling being developed exceeds the maximum permissible percentage of land value. Allowing C.B.C.s to be imposed as a charge per unit would provide for a tighter nexus between the charge and the increase in need for service resulting from the development, by reflecting underlying differences in occupancy levels between different unit types. If the C.B.C. is expressed as a percentage of value then the C.B.C. would be more akin to a tax, since there is no clear relationship between land value and increase in need for service.

6. Appraisals for Community Benefits

It is proposed that,

- *“If the owner of land is of the view that the amount of a community benefits charge exceeds the amount legislatively permitted and pays the charge under protest, the owner has 30 days to provide the municipality with an appraisal of the value of land.*
- *If the municipality disputes the value of the land in the appraisal provided by the owner, the municipality has 45 days to provide the owner with an appraisal of the value of the land.*
- *If the municipality’s appraisal differs by more than 5 percent from appraisal provided by the owner of the land, the owner can select an appraiser from the municipal list of appraisers, that appraiser’s appraisal must be provided within 60 days.”*
- Is the third appraisal binding? Can this appraisal be appealed to the Local Planning Appeal Tribunal (L.P.A.T.)?
- Can the costs for land appraisals be included as eligible costs to be funded under the C.B.C.?
- Do all municipalities across the province have a sufficient inventory of land appraisers (i.e. at least 3) to meet the demands and turnaround times specified within the regulations?
- A potential loophole may arise where a developer sells their land to a related company at a deeply discounted value. Is the market value what the land sold for in this transaction or will market value be defined differently by the regulation? Can the definition of market value be established to overrule this situation?

7. Excluded Services for Community Benefits

“The following facilities, services or matters are to be excluded from community benefits:

- *Cultural or entertainment facilities*



- *Tourism facilities*
 - *Hospitals*
 - *Landfill sites and services*
 - *Facilities for the thermal treatment of waste*
 - *Headquarters for the general administration of municipalities and local boards.*
- This would be consistent with the ineligible services currently included in the D.C.A. Is there a distinction between services defined as “the thermal treatment of waste” and incineration?
 - Will there be any limitation to capital costs for computer equipment or rolling stock with less than 7 years’ useful life (present restrictions within the D.C.A.)?
 - Are these services exhaustive, relative to the description of community services referenced in item 5 above.

8. Community Planning Permit System

Amendments to the Planning Act will allow conditions requiring the provision of specified community facilities or services, as part of the community planning permit system (which combines and replaces the individual zoning, site plan and minor variance processes). It is proposed, “that a community benefits charge by-law would not be available for use in areas within a municipality where a community planning permit system is in effect and specified community services are identified.”

- The above suggests different charges to different lands. It is unclear as to the amount of recovery provided under the C.B.C. and that allowed under the community planning permit system.
- Will the community planning permit system have the same percentage of land value restrictions as the C.B.C.?

9. Other Matters

The following are questions arising from the new cost recovery approach which is not clearly expressed in the draft legislation.

- Will upper-tier municipalities (i.e. Counties and Regions) be allowed to continue to collect for their “soft” services under C.B.C.? How will the prescribed percentage of the land value be allocated between upper- and lower-tier municipalities? If they are required to provide an averaged percentage across their jurisdiction, how are they to recover their costs if their percentage of land value can be absorbed within the urban area municipalities but not absorbed within the rural area municipalities?
- How are mixed use developments which include exempt development types to be handled? For example, exempt institutional uses are planned for the first floor of a high-rise commercial/residential building.



- Will ownership or use determine the ability to impose the C.B.C.?
- In situations where large industrial or commercial properties are purchased for long-term purposes and only small portions of the full site are initially developed, is the C.B.C. calculated for the entire property or only the portion being developed at that time (with lot coverage provisions)? As the property continues to develop, is the percentage applied to the existing and undeveloped portion of the land?
- D.C. by-laws must be revisited at least every 5 years. Is there a similar time period to be established for the Community Benefits Strategy underlying the C.B.C.?
- The Act requires that *"In preparing the community benefits charge strategy, the municipality shall consult with such persons and public bodies as the municipality considers appropriate"*. Will the regulations further define a public process to be followed?
- As the province will most likely consider the C.B.C. percentage in light of past practice, will all of the above noted costs be included in the determination of the C.B.C. percentage?
- Currently, many municipalities enter in agreements where the developing land owner either develops the park (and receives a credit for the work) or pre-pays the D.C. to advance the funds to develop the park. Will similar types of arrangements be allowed under the C.B.C.? Also, if the land owner wants to enhance the park at a standard in excess of the municipal standard, can this overcontribution be allowed without a monetary recovery from the C.B.C.?

We trust that the aforementioned information and questions assist the Province in developing the appropriate regulations for municipalities to continue to collect the required funding needed for these important services.

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Gary D. Scandlan, BA, PLE
Director

Andrew Grunda, MBA, CPA, CMA
Principal

August 21, 2019

John Ballantine, Manager
Municipal Finance Policy Branch
Municipal Affairs and Housing
13th Floor, 777 Bay St.
Toronto, ON
M5G 2E5
Canada

Dear Mr. Ballantine:

Re: Comments on Draft Regulations 019-0184 – Changes to the Development Charges Act

On behalf of our many municipal clients, we are providing our comments on the draft Ontario Regulation 019-0184 regarding the proposed changes to the *Development Charges Act* (D.C.A.). Generally, our questions and commentary follow the format of the draft regulation.

1. Transition of Discounted Soft Services

Provides for transition to the Community Benefits Charge (C.B.C.) authority during the period of January 1, 2020 to January 1, 2021.

- Confirm that all D.C.A. provisions of Bill 108 will be effective at the municipality's discretion during the transition period (i.e. by January 1, 2021), such that development charge (D.C.) by-law amendments for collections and statutory exemptions can take effect at the same time as the transition of soft services to a C.B.C.

2a. D.C. Deferral

Provides for the deferral of D.C.s for rental housing development, non-profit housing development, institutional, industrial, and commercial development until occupancy.

- The draft regulation speaks to “until occupancy;” however, it is proposed to be collected during a term (5 or 20 years) beyond occupancy. Clarify that this means period “from the date of occupancy.”
- How would date of occupancy be defined in the case of a commercial strip mall or industrial condo building where many businesses occupy portions of the building over time?



- As land ownership may change during the deferral period, how will municipalities track the changes in ownership? Is there an ability to place a notice on title of the land?
- Can security be taken to ensure recovery of the payments, or will municipalities only be entitled to recover this as taxes on default?
- Are municipalities allowed to collect the totality of the charge upfront if requested by the developing landowner (currently allowed for by section 27 of the D.C.A.)?

2b. Deferral Definitions

“Non-profit housing development’ means the construction, erection or placing of one or more buildings or structures for or the making of an addition or alteration to a building or structure...”

- This appears to cover both new developments as well as redevelopments. Need to consider how the application of D.C. credits would apply on redevelopments.

“Rental housing development’ means...four or more self-contained units that are intended for use as rented residential premises.”

- Definition speaks to “intended.” What requirement is in place for these units to remain a “rented residential premises” and over the deferral period?
- Can municipalities impose requirements to maintain status over the term of installments?
- Will municipalities be entitled to collect remaining installments and interest if the use is changed?
- How will this be substantiated at the time of occupancy?

“Non-profit housing development’ means...by a non-profit corporation.”

- What requirement is in place for the development to remain a “non-profit corporation” over the deferral period?
- Can municipalities impose requirements to maintain status over the term of installments?
- Will municipalities be entitled to collect remaining installments and interest if the use is changed?
- How will this be substantiated at the time of occupancy?

“Institutional development’ means...long-term care homes; retirement homes; universities and colleges; memorial homes; clubhouses; or athletic grounds of the Royal Canadian Legion; and hospices.”

- Long-term care homes and retirement homes are considered in some municipalities as residential development types with charges imposed based on the number of dwelling units. Does this require these developments to be



charged as non-residential developments based on the gross floor area of development?

Does the phrase “universities and colleges” relate only to the academic space, as many municipalities impose D.C.s on the housing related to the institution.

- Many colleges and universities own land but provide long-term leases for the land. Use of the buildings should be the basis for imposing the D.C. not ownership of the land.

“Commercial development’ means...office buildings as defined under subsection 11(3) in Ontario Regulation 282/98 under the Assessment Act; and shopping centres as defined under subsection 12(3) in Ontario Regulation 282/98 under the Assessment Act.”

- This would appear to apply to a subset of commercial types of development. The *Assessment Act* defines a shopping centre as:
 - “i. a structure with at least three units that are used primarily to provide goods or services directly to the public and that have different occupants, or
 - ii. a structure used primarily to provide goods or services directly to the public if the structure is attached to a structure described in subparagraph i on another parcel of land.”
 - “Shopping centre’ does not include any part of an office building within the meaning of subsection 11 (3).”
- Office includes:
 - “(a) a building that is used primarily for offices,
 - (b) the part of a building that, but for this section, would otherwise be classified in the commercial property class if that part of the building is used primarily for offices.”
- Confirm all other types of commercial will continue to be charged fully at the time of building permit issuance.
- Will municipalities be entitled to collect remaining installments and interest if the use is changed?
- Will these definitions require D.C. background studies to further subdivide the growth forecast projections between shopping centre, office and other commercial development for cash flow calculation purposes?

Administration of deferral charges in two-tier jurisdiction.

- Regulation does not speak to policies for upper- and lower-tier municipalities. Areas where variation could occur including collection of installments (i.e. who monitors and collects installments), commonality for processing payment defaults, interest rates, etc.



3. D.C. Freeze for Site Plan and Zoning By-law Amendment

The D.C. quantum would be frozen “until two years from the date the site plan application is approved, or in the absence of the site plan application, two years from the date the zoning application was approved.”

- D.C.s are frozen from the date of site plan or zoning bylaw application up to a period of 2 years after approval. In the situation where the planning application is appealed by the applicant, would they still be entitled to the rates at the date of planning application submission?
- This provision may provide for abuse where landowners may apply for minor zoning changes or provide incomplete planning applications in order to freeze the D.C. quantum for several years.
- Are municipalities able to recover the lost revenue due to differences in rates between site plan/zoning application and building permit issuance within the DC calculations?

4. Maximum Interest Rates on D.C. Deferrals for Freeze

Minister is not proposing to prescribe a maximum interest rate that may be charged on D.C. amounts that are deferred or on D.C.s that are frozen.

- Municipalities will need to consider what rates are to be used in this regard (i.e. annual short-term borrowing rates, long-term debenture rates, maximum rates on unpaid taxes, etc.).
- Should there be consistency between upper- and lower-tier municipalities?
- If interest rate selected is too high, would it discourage paying installments?

5. Additional Dwelling Units

It is proposed that the present exemption within existing dwellings be expanded to allow “...the creation of an additional dwelling in prescribed classes of residential buildings and ancillary structures does not trigger a D.C.” Further, in new single, semi and row dwellings (including ancillary structures), one additional dwelling will be allowed without a D.C. payment. Lastly, it is proposed that, “...within other existing residential buildings, the creation of additional units comprising 1% of existing units” would be exempted.

- All the noted exemptions should be granted once, so as to not allow for multiple exemptions in perpetuity.
- The regulation should define a “row dwelling.” Does a row dwelling include other multiples such as stacked townhouses and back-to-back townhouses?



We trust that the aforementioned information and questions assist the Province in developing the appropriate regulations for municipalities to continue to collect the required funding needed for funding DC services.

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Gary D. Scandlan, BA, PLE
Director

Andrew Grunda, MBA, CPA, CMA
Principal