

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 20, 2018

Item 1, Report No. 3, of the Finance, Administration and Audit Committee, which was adopted without amendment by the Council of the City of Vaughan on March 20, 2018.

1 2018 CITY-WIDE AND AREA SPECIFIC DEVELOPMENT CHARGE BACKGROUND STUDY AND BY-LAWS

The Finance, Administration and Audit Committee recommends:

- 1) That the recommendation contained in the following report of the Chief Financial Officer and City Treasurer, dated March 5, 2018, be approved; and
- 2) That the presentation by the Project Manager, Finance Sustainability, and Communication C1, presentation material titled “2018 Development Charge Review”, dated March 5, 2018, be received.

Purpose

To present the Draft 2018 City-wide and Area Specific Development Charges Background Study and By-Laws and to communicate the timing of the statutory public process leading to the approval of the new by-laws.

Recommendations

1. That the Draft 2018 City-wide and Area Specific Development Charges Background Study be made available to the public sixty (60) days in advance of the passage of the by-law in accordance with the Development Charges Act, 1997;
2. That the Draft City-Wide (“CW”) and Area Specific Development Charge By-laws (“ASDC”) be made available to the public at a date to be established by the Chief Financial Officer, but no later than two (2) weeks in advance of the public statutory meeting; and
3. That staff be authorized to advertise the Public Statutory Meeting at least twenty (20) days in advance of the date of the meeting in a method that is consistent with the requirements of the Development Charges Act, 1997.

Report Highlights

- Development Charge Background Study and by-laws to be released in accordance with the Development Charges Act, 1997
- A more detailed report with highlights from the Development Charge Background Study will follow in April
- A public statutory meeting will be advertised and held in April

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 20, 2018

Item 1, FAA Report No. 3 – Page 2

Background

The Development Charges Act, 1997 (DCA), as amended, provides Ontario municipalities with the authority to recover for growth related capital costs. Typically, this includes infrastructure such as watermains, sewers, roads, recreation centres, libraries and fire stations. Not all infrastructure is 100 per cent recoverable, nor is all growth-related infrastructure development charges (DC) eligible. This is, however, a vital financial tool for many growing municipalities to help fund their capital plans.

As reported to Finance & Administration Committee on January 16, 2017, the City of Vaughan's current Development Charge By-law #045-2013 expires on September 21, 2018. The Development Charge Background Study and By-law update began in early 2017 with draft rate calculations produced in late January. These preliminary rates were shared with external stakeholders and further refined through the first half of February.

This report serves as the notice of public release of the draft background study and by-laws. A comprehensive report highlighting the most notable highlights within the study will be presented at the April 3, 2018 Finance, Audit and Administration Committee for discussion purposes. The time between the release of the draft study and the discussion of material on April 3rd will allow Council, the general public, and the development industry an opportunity to review the technical data.

Communications

A total of seven (7) workshops and two (2) technical meetings have taken place with the development industry:

1. Workshop #1 – September 19th, 2017
2. Workshop #2 – October 23rd, 2017
3. Workshop #3 – December 5th, 2017
4. Workshop #4 – December 12th, 2017
5. Workshop #5 – January 15th, 2018
6. Technical Meeting #1 – January 29th, 2018
7. Technical Meeting #2 – February 1st, 2018
8. Workshop #6 – February 6th, 2018
9. Workshop #7 – February 22th, 2018

The workshops included members of the Building Industry and Land Development Association (BILD). In between these workshops several correspondences, including the exchange of detailed supporting background information, and two technical meetings took place to discuss the technical aspects of the draft calculations. It is anticipated that ongoing correspondence, meetings and collaboration will continue until the finalization of the new by-law.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 20, 2018

Item 1, FAA Report No. 3 – Page 3

The DCA has mandatory communication requirements around advertising of at least one public statutory meeting and the Clerk is mandated to carry out such advertising at least 20 days in advance of the meeting date. The Public Statutory Meeting will be scheduled for April 3rd.

City Wide Charges

A City-wide development charge is calculated on the basis that new infrastructure, benefits the growth that is occurring city-wide. For instance, a new road may be built in one area of the City, but it benefits the connectivity required to facilitate the growth that is occurring city wide. The majority of growth-related capital costs are collected on a city-wide basis. City-wide charges include two types of services: General Services and Engineered Services.

General Services

Eligible general services (or soft services) include the following:

- General government – Studies
- Library Services
- Fire and Rescue Services
- Community Services (Formerly Referred to as Indoor Recreation and Parks Development and Facilities)
- Public Works: Buildings and Fleet

Cost recovery for general services for the next 10-year period is limited to the average service level provided by the City for the previous 10-year period. In addition, all of the general services, with the exception of Fire and Rescue Services, can only be funded to a maximum of 90% from development charges. The remainder must be funded from a non-DC source such as property taxation.

Engineered Services

Engineered Services are not subject to the same 90% maximum funding limit as General Services, unless a benefit to the existing community has been identified. The Engineered Services program includes planned projects out to the planning horizon of 2031. The City-Wide Charge for Engineered Services (or hard services) recovers the cost of the following types of infrastructure:

- Roads, structures, and watermain construction
- Land requirements
- Growth related engineering studies
- Sidewalks and street lighting
- Urban design
- Active Transportation

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 20, 2018

Item 1, FAA Report No. 3 – Page 4

Area Specific Development Charges (ASDCs)

Area Specific Development Charges recover costs of infrastructure located in, and benefiting, a specific area. For instance, if a piece of infrastructure is constructed that is deemed to only benefit a specific geographic area (e.g. a sanitary sewer line that services only specific blocks of subdivisions) then this cost is more appropriately borne by only the growth in that area rather than by growth occurring city-wide. ASDCs can vary significantly depending on the amount of benefiting land to share the cost and the magnitude of cost related to the specific infrastructure. ASDCs are currently used to recover the following types of Engineered Services:

- Wastewater
- Select Storm Drainage Facilities

Update to the Growth Management Strategy and the City's Official Plan

In February 2015, the Province announced that it would be undertaking a comprehensive review of a number of Provincial Plans including the Growth Plan for the Greater Golden Horseshoe. Due to the timing of the release of changes to the Growth Plan the City faced challenges with the availability of the growth forecasting data required to update the Development Charge Background Study. City staff determined that the best approach to managing the existing gaps in information would be to include growth forecasting as a part of the overall scope of the project.

The Province release an updated Growth Plan on May 18, 2017 and it came into effect on July 1, 2017. Along with new growth forecasts, the Province also provided more detailed direction on an integrated approach for all levels of government when planning for growth. City and Regional staff have met to discuss these changes and are in the process of determining work flows and timing to ensure the most efficient completion of the necessary works in order to conform to the new policy framework.

The new framework sets out requirements for the City and Region to work together collaboratively to establish a long-term growth strategy and policies. It is imperative that the City work in lock-step with the Region where possible to avoid the need to revisit assumptions during the update. Staff will be providing further detail regarding this Municipal Comprehensive Review process and the City's Official Plan update as discussions with the Region progress in a future report.

This information has led to the decision that the City's Development Charge Background Study continue using the same assumptions that the Region used in 2017 for the update of their Development Charge Background Study with the understanding that staff will likely reopen the by-law in a period of less than five years, once the

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 20, 2018

Item 1, FAA Report No. 3 – Page 5

Province, Region and City have sufficiently progressed with work related to the Municipal Comprehensive Review and Official Plan. Therefore, the current assumptions continue to be:

- To use existing population projections out to 2031;
- To assume a 45 percent intensification target;
- To exclude all infrastructure costs related to an expansion into the white belt;
- To use the projections from the Region's endorsed Transportation Master Plan and Water/Wastewater Master Plans to 2031; and
- To include some updates from the recent Census releases and actual development activity, where appropriate

Previous Reports/Authority

http://www.vaughan.ca/council/minutes_agendas/Extracts/01Finance0116_17ex_3.pdf

Analysis and Options

Hemson Consulting Ltd was retained to prepare the updated Development Charge Background Study and has been working closely with staff and the Development Industry to produce the technical foundations for the study. The background study has been produced in accordance with the Development Charges Act and their associated regulations. It contains both the capital program and the service level analysis for all Development Charge eligible services and also provides all the growth-related assumptions that help formulate the rate calculation. The rates calculated are draft in nature and are subject to adjustment based on changes to any draft data within the draft study before the enactment of the final by-law(s).

A comprehensive report highlighting the most important factors within the study will be presented at the April 3rd, 2018 Finance, Audit and Administration Committee for discussion purposes. The time period between the release of the draft study and the discussion of materials and public meeting on April 3rd should allow Council, the general public and the development industry an opportunity to review the technical data should they wish to do so.

Policy Discussion

Staff are finalizing consultation with the Development Industry and will report back to Council on April 3rd with any further updates on the policy issues that are currently

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 20, 2018

Item 1, FAA Report No. 3 – Page 6

under discussion. The draft by-laws will incorporate any provisions resulting from these discussions and amendments to the Draft Background Study (if any) will be noted to Council in the April 3rd report for discussion purposes.

Proposed Future Changes to the Application of ASDCs

As a part of the consultation process it has been identified that the methodology to calculate DCs, while common practice across Ontario, may contain some inherent and unintentional incentives to promote inefficient use of land and infrastructure.

The City has historically, and currently still does, use Area Specific DCs for the recovery of Wastewater and Stormwater infrastructure. Vaughan is one of very few municipalities to have this practice in place, which is now formally promoted as an endorsed methodology by the Province through the Bill 73 changes last year.

Other methodologies exist that reduce the effect of cross subsidization between greenfield and intensification development, to varying degrees. The City already uses ASDCs, one of these methodologies, for its Wastewater and Stormwater infrastructure, but staff are committed to exploring the potential for further methodological changes in future updates of the DC by-law in order to further mitigate this issue.

Next Steps

City staff will continue to meet and consult with the development industry regarding policy issues. The anticipated milestone dates leading up to the new by-law enactment are as follows:

DC By-Law Review – Highlight Report	April 3, 2018	FA&A Committee
Public Statutory Meeting	April 3, 2018	Special Meeting
Final Report on DC By-Law Review	May 7, 2018	FA&A Committee
By-Law Passage & Enactment	May 23, 2018	City Council

Financial Impact

All funding for the 2018 Development Charges Background Study and By-law Update has been approved within the Financial Planning and Development Finance capital budget (projects BU-0011-16 and DI-0075-15). Additional funding required for the growth forecasting component of work required by the development charge consultants

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 20, 2018

Item 1, FAA Report No. 3 – Page 7

will be funded through the Policy Planning and Environmental Sustainability Department's capital budget (project PL-9550-16).

The outcome of these projects will impact the entire corporation as the 2018 Development Charges Background Study and By-laws will be used in future fiscal planning and decision making. The growth forecasting is an integral part of the update to the Development Charges Background Study and By-law but will also be used to assist in the Municipal Comprehensive Review (MCR) and Official Plan (OP) Update.

Broader Regional Impacts/Considerations

Regional Council approved a Development Charge By-law on June 17, 2017. City staff provided significant feedback throughout the course of this Study. In addition to these meetings, City staff has engaged with Regional staff during the City-Wide By-law update to ensure coordination and cohesiveness between the approach of the Region and the City.

In addition to the 2017 update, the Region has committed to reopening their DC By-law in 2018 to add 56 road projects that appear on Contingency Schedule G, (Part B) in their DC By-law 2017-35. These projects will be added to the roads rate calculation. City staff have been consulted by the Region regarding this update and will continue to do so until the new rates are approved.

Conclusion

The overall objective of the Development Charge Update is to achieve the fullest cost recovery allowable under legislation. Completion of the 2018 Development Charges Background Study, area specific development charges and related by-laws and policies is a vital step towards ensuring long term financial sustainability for the City of Vaughan by ensuring that development charge collections are in line with anticipated growth pressures to be experienced by the City.

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