



Town of Newmarket Council Information Package

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Date: December 10, 2021

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Information Reports

There were no information reports distributed during this period.

CITY OF VAUGHAN**EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 16, 2021**

Item 9, Report No. 49, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on November 16, 2021.

9. COMMEMORATING OLDER ADULT OCCASIONS

The Committee of the Whole recommends approval of the recommendations contained in the following resolution submitted by Regional Councillor Ferri dated November 2, 2021.

Member's Resolution

Submitted by Regional Councillor Mario Ferri

Whereas, as the senior population across Canadian communities continues to increase, it is more important than ever to support the health and well-being of older adults. The city of Vaughan is a growing municipality, expected to reach a population of approximately 500,000 by 2041. It is projected that older adults (55 years and older) will make up the largest portion of the population of Vaughan, representing more than 30 per cent of the total population, by 2031; and

Whereas, the City's Older Adult Task Force has an overall mandate to make recommendations on the implementation of initiatives and opportunities to move towards an age-friendly community and the promotion of healthy seniors; and

Whereas, under the direction and guidance of the Older Adult Task Force, the City is developing an Age-friendly Community Action Plan to be completed in early 2022, that involves completing a review of local data and key age-friendly indicators, conducting a review of best practices and promising approaches from other communities and capturing the insights, feedback, and ideas from residents and community stakeholders to create an age-friendly vision and concrete actions for the city of Vaughan to become a more age-friendly community; and

Whereas, Vaughan's Age-Friendly Community Action Plan reinforces the City's commitment to Active, Safe and Diverse Communities, a strategic priority in the 2018-2022 Term of Council Service Excellence Strategic Plan that aims to enhance well-being, enrich Vaughan communities, and maintain safety in the community; and

Whereas, the local Vaughan community joins in solidarity with communities across Ontario, Canada and around the world to recognize, support and celebrate older adult populations, with occasion like Seniors Month each June; and

Whereas, other notable occasions include the Government of Canada's National Seniors Day and the United Nations International Day of Older Persons, both which take place Oct. 1, annually; and

CITY OF VAUGHAN**EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 16, 2021****Item 9, CW Report 49 – Page 2**

Whereas, this Member's Resolution was first presented during the Oct. 25, 2021, meeting of the Older Adult Task Force.

It is therefore recommended:

1. The City officially proclaim Oct. 1 as National Seniors Day and United Nations International Day of Older Persons, on a recurring basis; and
2. The City's Corporate and Strategic Communications department promote the proclamations on the appropriate corporate communications channels, including issuing a news release to local, national, and cultural media outlets; and
3. That this resolution is shared with York Region Council, all York Region-area Members of Provincial Parliament, Members of Parliament, York Region lower-tier municipalities and both the provincial and federal seniors ministers.

MEMBER'S RESOLUTION

Committee of the Whole (1)

DATE: Tuesday, November 02, 2021

TITLE: Commemorating Older Adult Occasions

FROM:

Regional Councillor Mario Ferri

Whereas, as the senior population across Canadian communities continues to increase, it is more important than ever to support the health and well-being of older adults. The city of Vaughan is a growing municipality, expected to reach a population of approximately 500,000 by 2041. It is projected that older adults (55 years and older) will make up the largest portion of the population of Vaughan, representing more than 30 per cent of the total population, by 2031; and

Whereas, the City's Older Adult Task Force has an overall mandate to make recommendations on the implementation of initiatives and opportunities to move towards an age-friendly community and the promotion of healthy seniors; and

Whereas, under the direction and guidance of the Older Adult Task Force, the City is developing an Age-friendly Community Action Plan to be completed in early 2022, that involves completing a review of local data and key age-friendly indicators, conducting a review of best practices and promising approaches from other communities and capturing the insights, feedback, and ideas from residents and community stakeholders to create an age-friendly vision and concrete actions for the city of Vaughan to become a more age-friendly community; and

Whereas, Vaughan's Age-Friendly Community Action Plan reinforces the City's commitment to Active, Safe and Diverse Communities, a strategic priority in the 2018-2022 Term of Council Service Excellence Strategic Plan that aims to enhance well-being, enrich Vaughan communities, and maintain safety in the community; and

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3. That this resolution is shared with York Region Council, all York Region-area Members of Provincial Parliament, Members of Parliament, York Region lower-tier municipalities and both the provincial and federal seniors ministers.



GEORGINA

The Clerks Division

November 29, 2021

COMMUNICATED VIA EMAIL

Hon. David Piccini, Minister; Andrew Evans, Director of Policy
Ontario Ministry of the Environment, Conservation and Parks
minister.mecp@ontario.ca; Andrew.Evans4@ontario.ca

Hon. Jonathan Wilkinson, Minister
Environment and Climate Change Canada
jonathan.wilkinson@parl.gc.ca

Hon. Lisa Thompson, Minister; Jack Sullivan, Issues Manager & Press Secretary
Ontario Ministry of Agriculture, Food and Rural Affairs
minister.omafra@ontario.ca; jack.sullivan@ontario.ca

Hon. Marie-Claude Bibeau, Minister
Minister of Agriculture and Agri-Food
Marie-Claude.Bibeau@parl.gc.ca

**RE: LACK OF RECYCLING OPTIONS
AGRICULTURAL BALE WRAP AND TWINE AND BOAT SHRINK WRAP**

To Whom this May Concern:

Residents of the Town of Georgina are concerned about the lack of options for recycling boat shrink-wrap and agricultural bale wrap and twine. We note that the [Inventory of recycling programs](#) in Canada, listed on the Government of Canada website specifies that the only location in Canada to recycle bale and silage wrap is in Manitoba as part of a pilot program by CleanFARMS. The Region of York has advised that there are additional pilot programs in Bruce County, Clinton, and Ottawa Valley however, none of these locations are accessible to the residents of Georgina, nor to many other rural communities in Ontario. Moreover, CleanFarms has advised that expansion beyond Bruce County is highly unlikely due to financial limitations.

Every year, tons of plastic waste are burned on farms around Ontario and across Canada, and more is buried or dumped in municipal landfills. [CBC reports that a 2012 survey](#) found that only 17 percent of farmers send their plastic for recycling. Accordingly, 83 percent of farmers have been forced to adopt

other means of disposal, largely, or entirely due to a lack of options for agricultural plastics within the province. As you are aware, burning plastics releases potent environmental toxins into the air and buried plastics are not biodegradable.

Just recently, Prince Edward Island announced [regulatory amendments](#) that will transition pilots for items like silage wrap and twine into permanent, industry-funded programs starting December, 2022. More recently still, Quebec took similar [regulatory action](#). Are similar initiatives currently under consideration for Ontario?

We seek to work with you, however possible, and with neighboring municipalities, in order to promote the well-being of our environment and to make recycling programs more accessible to farmers and boaters across the country. We look forward to hearing from you regarding concrete steps that can be implemented between government, agricultural and marine groups, and municipalities for the furtherance of these causes.

Kind Regards,

FOR THE TOWN OF GEORGINA

Council of the Town of Georgina
Georgina Agricultural Advisory Committee
Georgina Environmental Advisory Committee
Georgina Waterways Advisory Committee

Cc: Scot Davidson, MP, York-Simcoe, Scot.Davidson@parl.gc.ca
Caroline Mulroney, MPP, York-Simcoe, caroline.mulroneyc@pc.ola.org
Laura McDowell, Regional Municipality of York, Director, Environmental Promotion and Protection Branch, Laura.McDowell@york.ca
Cleanfarms Inc., info@cleanfarms.ca
Dr. Shrink, drshrink@dr-shrink.com
Switch Energy Corp., dnott@switchenergycorp.com
Neighbouring Municipalities

November 30, 2021

The Honourable Dominic LeBlanc
Minister of Intergovernmental Affairs, Infrastructure and Communities
180 Kent Street
Suite 1100
Ottawa, Ontario
K1P 0B6

Sent via email to Dominic.LebLANC@parl.gc.ca

The Honourable David Piccini
Minister of Environment, Conservation and Parks
College Park 5th Floor, 777 Bay St.
Toronto, ON
M7A 2J3

Sent via email to david.piccini@pc.ola.org

Dear Ministers:

For your information and records, at its regular meeting held on November 16, 2021 the Council of the Town of East Gwillimbury enacted as follows:

WHEREAS the Holland Marsh Polder Phosphorus Recycling Facility is a proposed \$40-million capital project by York Region; and

WHEREAS the Facility will reduce phosphorous runoff into the Holland River and Lake Simcoe by up to 40% and thereby protect the Lake's watershed from algae growth, resulting in better protection for the region's aquatic habitats, increased ecosystem biodiversity and protection of drinking water sources; and

WHEREAS the federal government has announced funding of up to \$16 million for the Facility and York Region has identified funding of up to \$25 million as part of their broader Upper York Sewage Solutions Project; and

WHEREAS further to the June announcement and introduction of the York Region Wastewater Act by the Ontario Minister of the Environment, Conservation and Parks, which, if passed, would put on hold the Environmental Assessment application for the Upper York Sewage Solutions Project.

BE IT THEREFORE RESOLVED THAT the Town of East Gwillimbury respectfully request York Region, the Government of Canada and the Province of Ontario to work collaboratively to move the Holland Marsh Polder Phosphorous Recycling Facility forward notwithstanding the "paused" status of the broader Upper York Sewage Solutions Project, including undertaking an Environmental Assessment for the Phosphorous Reduction Facility commencing in 2021; and

THAT Council direct staff to forward a copy of this resolution to the federal Minister of Infrastructure and Communities; the provincial Minister of the Environment, Conservation and Parks; Lake Simcoe Region Conservation Authority including all MPPs, MPs and municipalities within the Lake Simcoe Watershed.

If you have any further questions, feel free to contact the undersigned.

Yours truly,



Tara Lajevardi, Hon.B.A.
Municipal Clerk

cc: Lake Simcoe Region Conservation Authority - admin@lsrca.on.ca
Caroline Mulroney, MPP, York-Simcoe caroline.mulroneyco@pc.ola.org
Doug Downey, MPP, Barrie-Springwater-Oro-Medonte doug.downey@pc.ola.org
Andrea Khanjin, MPP, Barrie Innisfil andrea.khanjin@pc.ola.org
Jill Dunlop, MPP, Simcoe North jill.dunlop@pc.ola.org
Laurie Scott, MPP, Haliburton-Kawartha Lakes-Brock laurie.scott@pc.ola.org
Doug Shipley, MP, Barrie-Springwater-Oro-Medonte Doug.Shipley@parl.gc.ca
John Brassard, MP, Barrie Innisfil, john.brassard@parl.gc.ca
Scot Davidson, MP, York-Simcoe Scot.Davidson@parl.gc.ca
Adam Chambers, MP, Simcoe North adam.chambers@parl.gc.ca
Jamie Schmale, MP, Haliburton-Kawartha Lakes-Brock jamie.schmale@parl.gc.ca
Chippewas of Georgina Island - sylvia.mccue@georginaisland.com
Chippewas of Rama First Nation - evelynb@ramafirstnation.ca
Town of Aurora - clerks@aurora.ca
City of Barrie - wendy.cooke@barrie.ca

Town of Bradford West Gwillimbury - info@townofbwg.com
Township of Brock - Fernando.lamanna@brock.ca
Regional Municipality of Durham - clerks@durham.ca
Town of Georgina - info@georgina.ca
Town of Innisfil - clerksoffice@innisfil.ca
City of Kawartha Lakes - clerks@kawarthalakes.ca
Township of King - clerks@king.ca
Town of New Tecumseth - clerk@newtecumseth.ca
Town of Newmarket - clerks@newmarket.ca
City of Orillia - clerks@orillia.ca
Township of Oro-Medonte - yaubichon@oro-medonte.ca
Township of Ramara - ramara@ramara.ca
Township of Scugog - clerks@scugog.ca
County of Simcoe - clerks@simcoe.ca
Town of Whitchurch-Stouffville - clerks@townofws.ca
Township of Uxbridge - info@uxbridge.ca
Municipality of York - regional.clerk@york.ca

THE TOWN OF COCHRANE
 171 Fourth Avenue
 Cochrane, Ontario, Canada, P0L 1C0
 T: 705-272-4361 | F: 705-272-6800
 E: townhall@cochraneontario.com



"Via Email: premier@ontario.ca

November 29th, 2021

The Honourable Doug Ford
 Premier of Ontario
 Legislative Building
 Queen's Park
 Toronto, ON
 M7A 1A1

Dear Premier Ford:

Re:Property Assessment

This will serve to advise you that Council, at its regular meeting held Tuesday, November 23rd, 2021 passed the following resolution in support of the Municipality of Mattice-Val Cote's resolution pertaining to the above noted:

"Resolution No.: 320-2021

Moved by: Councillor Desmond O'Connor

Seconded by: Councillor Robert Hutchinson

BE IT RESOVLED THAT the Council of the Corporation of the Town of Cochrane endorses and supports the resolution from the Municipality of Mattice-Val Cote regarding property assessment.

CARRIED"

Your attention to this matter is greatly appreciated!

Yours truly,

THE CORPORATION OF THE TOWN OF COCHRANE

Alice Mercier
 Clerk

AM/yl

c.c.: Municipal Property Assessment (MPAC) – Mario.Levesque@mpac.ca
 Association of Municipalities of Ontario (AMO) - amo@amo.on.ca
 Charlie Angus, MP, Timmins – James Bay - charlie.angus@parl.gc.ca
 John Vanthof, MPP, Timiskaming – Cochrane - jvanthof-co@ndp.on.ca
 Guylaine Coulombe, CAO/Clerk, Mattice-Val Cote - gcoulombe@matticevalcote.ca
 All Ontario Municipalities





Planning and Development Fees Policy - 2022

Under

Section 21 (m.1) of the *Conservation Authorities Act*

For the

Lake Simcoe Region Conservation Authority

120 Bayview Parkway

Newmarket, ON, L3Y 3W3

Tel: (905) 895-1281

Web: www.lsrca.on.ca

Effective Date: January 3, 2022

Basis

Legislative

The *Conservation Authorities Act* provides the legislative basis to allow conservation authorities in Ontario to charge fees for services approved by the Minister of Northern Development, Mines, Natural Resources and Forestry. Section 21(m.1) of the Act allows for the collection of fees for planning and development related activities such as:

- Permitting
- Plan review
- Public and legal inquiries

Policy

The Ministry of Northern Development, Mines, Natural Resources and Forestry established the Policies and Procedures for the Charging of Conservation Authority Fees to fulfill Section 21(m.1) of the Conservation Authorities Act. These Policies and Procedures further provide the Lake Simcoe Region Conservation Authority (the Authority) with the policy basis to charge fees for planning and development proposals.

Principles

As a result of the legislative and policy basis, the Authority's Fees Policy is based on the following:

- The user-pay principle
- Adequate consultation and notification
- Opportunity or right to an appeal

Relationship to Planning and Development Program Budget

The fees on the attached Schedules are designed to recover 100% of the cost of providing a planning and regulatory service to the member municipalities, development industry, and landowners.

Process and Notification

One of the Authority's stated Annual Operating Priorities of 2021 was to respond to Bill 108 / Bill 229. In doing so, staff were directed to undertake a comprehensive review of the Planning and Development Fees so that moving forward in 2022, a transparent and defensible fee schedule would be in place to ensure that the Planning and Development program is operating on a 100% full cost recovery basis. To do so, Watson & Associates Economists Limited were engaged to carry out a comprehensive review of the fees which resulted in recommendations which have been incorporated into this fee policy. Members of the Building Industry and Land Development Association were consulted, and their valuable feedback has also been considered in the fee schedule below. The report prepared by Watson & Associates can be accessed via this link: [Watson and Associates Report](#). This Fees Policy is a reflection of the in-depth analysis carried out by Watson & Associates with recognition of industry best practices, staff and stakeholder input. Ultimately, this Fees Policy requires approval by the Authority Board of Directors. Once approved, the Policy will be posted on the Authority's website and will be circulated to:

- Regional and local municipalities
- Neighbouring Conservation Authorities
- Conservation Ontario
- Ministry of Northern Development, Mines, Natural Resources and Forestry
- Building Industry Land Development Association
- Ontario Stone Sand and Gravel Association
- Consultants and the general public as requested

Date of Effect

This Fees Policy requires approval from the Authority Board of Directors. Generally, this Fees Policy will be in effect for a two-year period commencing on January 3, 2022. The Policy supersedes and replaces all previous Authority Fee Policies. Please see transition notes below.

Appeal

An applicant, proponent, or developer has the right to appeal should they be dissatisfied with the prescribed fee. Any appeal shall be heard by the Authority's Board of Directors through a deputation by the proponent. The appeal will be heard in accordance with the Statutory Powers Procedure Act based on the principles of fairness, opportunity, and notification.

Monitoring

This Fees Policy shall be monitored on an annual basis to evaluate its effectiveness and fairness. A Working Group has been established with members of the Building Industry Land Development Association to evaluate this Fees Policy.

Fee Schedules

Note – Fees are not required to include HST Updated May 2020 per the Authority Board of Directors (BOD-30-20) Updated March 2021 (Housekeeping Update) per the Authority Board of Directors (16-21-BOD)

Applications made under the *Planning Act*

Category	Fee
Minor Official Plan Amendment - Proponent Initiated (No technical Review Required – Planning Review Only)	\$2,152
Major Official Plan Amendment – Proponent Initiated (Technical review required)	\$12,651
Minor Zoning By-Law Amendment - Proponent Initiated (No technical review required – Planning Review Only)	\$2,152
Major Zoning By-law Amendment – Proponent Initiated (Technical review required)	\$12,651
Combined Official Plan Amendment / Zoning By-law Amendment	\$12,651
Draft Plan (Subdivision/Condo) Approval – Minimum Fee	\$18,279
Draft Plan Approval - >60 Lots/Units (\$/lot) Maximum Fee imposed at 160 Lots	\$288/Lot, Unit
Final Plan Approval - Minimum Fee (<60 Lots)	\$12,240
Final Plan Approval - >60 Lots	\$288/lot/Unit
Final Plan approval - Maximum Fee (Imposed at 160 +Lots)	No Final Plan Fee
Combined OPA/ZBA/Subdivision or Condo <60 Lots	Full Subdivision Fee and 70% of OPA/ZBA Fee
Combined OPA/ZBA/Subdivision or Condo >60 Lots	Full Subdivision Fee and 70% of OPA/ZBA Fee
Draft Plan of Subdivision – Red-line Revision (Triggering additional technical review)	\$5,100
Draft Plan of Subdivision – Request for Extension of Approval	\$1,282
Site Plan – Residential/Institutional (>15 units)	\$ 20,949
Combined OPA/ZBA/Site Plan (>15 Units)	Full Site Plan Fee and 70% of OPA/ZBA Fee

Category	Fee
Site Plan – Residential/Institutional (<15 units)	\$14,000
Combined OPA/ZBA/Site Plan (<15 Units)	Full Site Plan Fee and 70% of OPA/ZBA Fee
Site Plan - Residential (single-unit)/Agricultural (Minor)	\$2,196
Site Plan – Residential (single-unit)/Agricultural (Major)	\$4,700
Combined OPA/ZBA/Site Plan (Residential – single unit /Agricultural (Major)	Full Site Plan Fee and 70% OPA/ZBA Fee
Site Plan - Golf Courses, Aggregate	\$26,604
Site Plan – Commercial and Industrial	\$24,249
Site Plan Amendment Fee - Minor (Minimal Review or Revisions)	\$2,550
Site Plan Amendment Fee - Major (Technical Review Required)	\$5,100
Greater Than (>) Two (2) technical re-submissions	25% of Application Fee for each additional submission after the 2nd
Site Plan – Water Balance Review Only (WHPA Q2 & 4.8-DP/ 6.40-DP) (The water balance review fee in the WHPA Q2 area and applications subject to the Lake Simcoe Protection Plan Water Recharge Offsetting Policy for the Lake Simcoe Protection Plan for site plans (\$3,151) is applied to those applications typically not circulated to the Authority in accordance with the Memorandum of Understanding with the watershed municipalities. The Authority’s review of these site plan applications will be restricted to the water balance only (i.e., it will not include a review of the grading/drainage/Erosion Sediment Control Plans)	\$3,151
Phosphorus Offsetting Policy Review Only	\$3,387
Consent/Minor Variance Application (Minor – No Technical Review Required – Planning Review Only)	\$525
Consent / Minor Variance Application (Major)	\$2,038
Development Potential Review – Planning (in writing)	\$1,122
Peer Review (e.g., Geotechnical Study)	Paid by Applicant
Site Visit Fee (Required for Requested Site Visits that are not subject to a current and open application under the Planning Act.	\$1,530
Pre-consultation (Review fee of pre-consultation circulations provided to the Authority by partner Municipalities) NOTE: The pre-consultation fee will be credited to the Application Fee if a complete application under the Planning Act is submitted within 12 months of the date of the provided pre-consultation comments.	\$750

Permit Applications made under the *Conservation Authorities Act* and O.Reg.179/06

O.Reg. 179/06 Refers to the Lake Simcoe Region Conservation Authority specific regulation under the *Conservation Authorities Act*.

Private Residential Property

Category	Fee
Major Permit Application Development where there is a high risk to people or property, natural hazards, or natural features. One or more studies required. For example, an environmental impact study, hydraulic analysis, stormwater management report or geotechnical report.	\$5,081
Intermediate Permit Application Development where there is moderate risk to people or property, natural hazards, or natural features. Detailed plans or report is required	\$1,700
Minor Permit Application (Minor permit application refers to a permit for development where there is low risk of impact on natural hazards or natural features. No technical reports are required. Small scale, and/or consistent with policy and guidelines.)	\$750
Routine Permit Application Limited review, minor in nature relative to location, or impact.	\$600
Permit – Revisions Amendments/minor changes to plans made under a previously approved and still valid permit.	Half the original Permit Fee
Retroactive Permit (Refers to a permit required arising from the failure to obtain permission under Ontario Regulation 179/06 before works commenced.)	Double Permit Fee
Retroactive Permit involving Court Order	Double Permit Fee
Permit Reissuance – If a new application is submitted within 6 months of the original permit expiring and there are no changes to the site plan, application, or regulation limit	Half the original Permit Fee
Legal/Real Estate Inquiries	\$525
Letter of Comment	\$255
Permit Associated with a Minister’s Zoning Order (s.28.0.1)	Double Permit Fee
Re-submission Fee (>2 submissions)	25% of Permit Fee

Major Residential (Subdivision), Commercial, Industrial, Institutional Proposals

Category	Fee
Permit Application Amendments/minor changes to plans made under a previously approved and still valid permit.	\$6,000
Intermediate Permit Application	\$4,000
Permit Revisions	Half the original Permit Fee
Retroactive Permits (Refers to a permit required arising from the failure to obtain permission under Ontario Regulation 179/06 before works commenced.)	Double Permit Fee
Permit Reissuance If a new application is submitted within 6 months of the original permit expiring and there are no changes to site plan, application, or regulation limit	Half the original Permit Fee
Green Energy Permits	\$3,200
Permit Associated with a Minister's Zoning Order (s.28.0.1)	Double Permit Fee
Re-submission Fee (>2 Submissions)	25% of Permit Fee

Municipal Proposals

Category	Fee
Major Permit Application Major municipal permit applications refer to applications that require technical reports or analysis to support the application as well as applications for works that cover large geographic areas such as multiple road culverts or bridge replacements and large-scale municipal servicing and road projects.	\$6,300
Minor Permit Application Minor municipal permit applications refer to a permit application which does not require detailed technical reports or analysis to support the application. This could include permit applications for road resurfacing, driveways/roadways culvert replacements, re-grading of existing roadside ditches.	\$4,200
Permit Revisions	Half the original Permit Fee

Category	Fee
Permit Reissuance If a new application is submitted within 6 months of the original permit expiring and there are no changes to site plan, application, or regulation limit	Half the original Permit Fee
Permit Associated with a Minister's Zoning Order (s.28.0.1)	Double Permit Fee
Re-submission Fee (>2 Submissions)	25% of Permit Fee

Large Fill Proposals (>250m³ of Fill Placement)

Category	Fee
Base Fee	\$5,100 + \$1/m ³
Retroactive/Unauthorized Works Refers to a permit required arising from the failure to obtain permission under Ontario Regulation 179/06 before works commenced.	Double Base Fee + \$1/m ³
Speciality Crop Areas within the Provincial Greenbelt (e.g. top dressing or dyke management)	Base Fee + .50 cents/m ³ to a maximum of \$3,060
Re-Submission Fee (>2 Submissions)	25% of Permit Fee

Note – Any Peer Review required by the Authority shall be paid by the applicant or proponent.

Environmental Compliance Approval (ECA) Review

Category	Fee
Minor ECA Stormwater Works Review for <2ha Typically, minor site plans. Municipal projects <2ha;	\$3,800
Moderate ECA Stormwater Works Review for 2ha to 5ha Typically, larger site plans and condominiums. Municipal projects 2ha to 5ha;	\$4,080
Major Stormwater Works Review for >5ha Typically, Draft Plans of Subdivisions and major site plans. Large scale municipal projects >5ha;	\$7,650
Minor Stormwater Conveyance Systems Local municipal roads, 500 metres long or less	\$3,800
Major Stormwater Conveyance Systems Large road projects, arterials, greater than 500 metres in length	\$4,080

Category	Fee
Site or Topic Specific Technical Expert Peer Review This is for the rare instance where there is need for an outside Technical Expert (i.e., geotechnical). All external fees will be agreed upon by applicant prior to commencement;	\$710 + TBD Technical Review Fee
Re-submission Fee (>2 Technical Submissions)	%25 of Permit Fee

Technical Reviews (Non-Application)

Category	Fee
Minor Technical Review Due diligence review, minor technical studies. NOTE: 50% of Fee will be credited to Application Fee if an application is received within 12 months of first Minor Technical Review Submission	\$2,100
Major Technical Review Detailed studies including floodplain analysis, detailed boundary delineation, peer review of existing reports. NOTE: 50% of Fee will be credited to Application Fee if an application is received within 12 months of first Major Technical Review Submission	\$4,000
Re-Submission Fee (>2 Submissions)	25% of Review Fee

Environmental Assessments

Category	Fee
Schedule B Class	\$6,520 + Applicable Permit Fee
Schedule C Class	\$9,208 + Applicable Permit Fee

Notes to Fee Schedule

Resubmission Fees

Re-submission fees will be applicable for any submission after the second submission in support of a permit application or *Planning Act* application. For subdivision applications, resubmission fees will be payable for each submission after the second functional submission and second detailed design submission.

Changes to Fees

The Authority reserves the right to modify or adjust fees should the review require a substantially greater or lower level of review and/or assessment, including applications to alter or change a floodplain, retroactive permits required by a Court Order or permits associated with a Minister's Zoning Order.

Transition

Any subdivision application where the draft plan fee was paid prior to January 2, 2022 will be required to pay the final plan fee (per the 2021 fee schedule) and will be subject to the >3 submission fee per the 2021 fee schedule if required.

Applications for Plan of Subdivision (and associated Official Plan Amendment and/or Zoning By-law Amendment) received January 3, 2022 or later will be subject to the 2022 fee.

All complete applications (inclusive of the Authority Fees paid) as of January 2, 2022, 2021 will be subject to the 2021 fee schedule and additional technical review fee (>3 Technical submissions). All completed applications January 3, 2022 and later will be subject to the additional submission fee (>2 Submissions) of 25% of the total application fee.

Any Planning Act, Conservation Authorities Act, Environmental Assessment Act and Environmental Compliance Approval applications received in 2021 without payment, will not be considered complete applications until the Authority review fee has been received. The required fee will be in accordance with the in force and effect fee schedule at the time of payment.

From: FutureYork <futureyork@york.ca>
Sent: December 1, 2021 1:26 PM
Subject: Draft York Region Official Plan

Good afternoon,

Public engagement for the Draft York Region Official Plan is now underway

The Regional Municipality of York Draft Regional Official Plan (ROP) which outlines the blueprint to manage the Region's growth for the next 30 years is [ready for public feedback](#). The Draft ROP includes policies to build complete communities, promote affordable housing, set growth targets, delineate employment lands and protect natural and agricultural systems.

View and download the Draft York Region Official Plan 2021 and supporting documents:

- [2021 Draft York Region Official Plan](#) (text only) — PDF (13.2MB)
- [2021 Draft York Region Official Plan Maps and Figures](#) — PDF (12.5MB)
- [2021 Draft York Region Official Plan Interactive Maps](#)
- **2021 Draft York Region Official Plan Appendices:**
 - [Appendix 1: Employment Area Zones and Densities](#) — PDF (735KB)
 - [Appendix 2: Major Transit Station Areas \(MTSAs\)](#) — PDF (16.3MB)
 - [Appendix 3: Urban Growth Centres](#) — PDF (2.4MB)

How to stay involved and provide feedback on the Draft ROP:

The Draft ROP will be subject to extensive engagement with partners, stakeholders, Indigenous communities and the public over the remainder of 2021 and into 2022. This will include virtual meetings, a survey and feedback opportunities.

Written feedback is welcome and encouraged. Visit [York.ca/haveyoursay](https://york.ca/haveyoursay) for ways to participate in upcoming public engagement opportunities and provide feedback on the Draft ROP. Comments are requested by March 31, 2022 to provide for comprehensive staff consideration informing an updated Draft ROP. Feedback will continue to be received after March 31, 2022, including at the statutory open house and public meeting.

The statutory public meeting is anticipated to be held in May 2022, where delegations will be heard by Regional Council.

Based on input received, an updated ROP will be presented to Regional Council for adoption anticipated in mid-2022.

Feedback and questions can be sent to futureyork@york.ca or mail via:

The Regional Municipality of York
Attention: Draft Regional Official Plan
17250 Yonge Street
Newmarket, ON
L3Y 6Z1



December 1, 2021

The Honourable Doug Ford, M.P.P.
Premier of Ontario
Legislative Building
Queen's Park
Toronto, ON M7A 1A1

Sent via email: premier@ontario.ca

**Re: National Childcare Program
Our Files:**

Dear Premier Ford,

At its meeting held on November 15, 2021, St. Catharines City Council approved the following motion:

“WHEREAS the province of Ontario has the most expensive childcare in the country, presenting a financial hardship for many families and a barrier for women’s full economic participation; and

WHEREAS the \$34 billion early learning and childcare spending commitment announced this year by the federal government will bring transformative change to childcare by lowering parent fees and expanding the supply of regulated not-for-profit and public childcare in this country; and

WHEREAS the federal government has already reached childcare agreements with BC, Nova Scotia, Manitoba, Saskatchewan, Yukon Territory, PEI, Newfoundland and Labrador and Quebec; and

WHEREAS the provisions of each agreement vary to some degree, but the majority of the jurisdictions have agreed to use the federal funds to:

- (a) lower parent fees by 50 per cent by the end of 2022 and to \$10 a day by 2025-26 or sooner;
- (b) improve the wages and working conditions of early childhood educators, and
- (c) publicly fund the expansion of not-profit and public childcare;

THEREFORE BE IT RESOLVED that the City of St. Catharines request that the provincial government take the necessary steps to work with the federal government on



a bilateral agreement to ensure the new national child care program be made available to Ontarians, and that it focuses on increased access, affordability, quality and responsiveness, all of which are essential to the COVID-19 pandemic response; and

BE IT FURTHER RESOLVED that staff actively monitor federal developments and engage in provincial and regional discussions; and

BE IT FURTHER RESOLVED that City Council request the City Clerk circulate Council's decision to other municipalities in Ontario, the Ontario Municipal Social Services Association and the Association of Municipalities of Ontario.”

If you have any questions, please contact the Office of the City Clerk at extension 1524.

A handwritten signature in blue ink, appearing to read "Bonnie Nistico-Dunk".

Bonnie Nistico-Dunk, City Clerk
Legal and Clerks Services, Office of the City Clerk
:mb

cc: Niagara Area MPPs
Ontario Municipal Social Services Association
Ontario Municipalities
Association of Municipalities of Ontario, amo@amo.on.ca



December 2, 2021

Margaret Prophet, Executive Director
Simcoe County Greenbelt Coalition
Sent via email: margaret@simcoecountygreenbelt.ca

**Re: Correspondence from Simcoe County Greenbelt Coalition regarding
Updates on Bradford Bypass**

Dear Ms. Prophet:

At the last regular meeting of the Council of the Township of Scugog held November 29, 2021, your correspondence dated November 16, 2021, regarding the above captioned matter was received for information.

"THAT the correspondence from Simcoe County Greenbelt Coalition, regarding Updates on Bradford Bypass, be received;

THAT the Township of Scugog Council ask the Impact Assessment Agency of Canada to complete a Federal Impact Assessment for the Bradford Bypass project, and

THAT this resolution be forwarded to All Lake Simcoe Watershed Municipalities."

A copy of the original correspondence is attached for your reference. Should you have any concerns, please do not hesitate to contact Carol Coleman, Director of Public Works and Infrastructure at 905-985-7346 ext. 149

Yours truly,

A handwritten signature in black ink that reads "Becky Jamieson".

Becky Jamieson
Director of Corporate Services/Municipal Clerk

cc: Carol Coleman, Director of Public Works and Infrastructure
Claire Malcolmson, Executive Director, Rescue Lake Simcoe Coalition
rescuelakesimcoecoalition@gmail.com

Town of Aurora clerks@aurora.ca
City of Barrie cityinfo@barrie.ca
Town of Bradford West Gwillimbury - info@townofbwg.com
Town of East Gwillimbury town@eastgwillimbury.ca
Township of Brock - Fernando.lamanna@brock.ca
Regional Municipality of Durham - clerks@durham.ca
Town of Georgina - info@georgina.ca
Town of Innisfil - clerksoffice@innisfil.ca
City of Kawartha Lakes - clerks@kawarthalakes.ca
Township of King - clerks@king.ca
Town of New Tecumseth - clerk@newtecumseth.ca
Town of Newmarket - clerks@newmarket.ca
City of Orillia - clerks@orillia.ca
Township of Oro-Medonte - yaubichon@oro-medonte.ca
Township of Ramara - ramara@ramara.ca
County of Simcoe - clerks@simcoe.ca
Town of Whitchurch-Stouffville - clerks@townofws.ca
Township of Uxbridge - info@uxbridge.ca
Municipality of York - regional.clerk@york.ca



Simcoe County Greenbelt Coalition

November 16, 2021

Scugog Council
Via Clerks mail@scugog.ca

Dear Mayor Drew and Scugog Council,

RE: Updates on Bradford Bypass

As a broad coalition of residents and environmentalists that have strong concerns about the Bradford Bypass and its impacts on our communities, regionally and provincially, we wanted to update you on more issues that have surfaced about the Bypass. The province continues to obfuscate information that is key to ensuring informed consent from surrounding municipalities and today's residents.

The municipal Councils of Brock, Barrie, Georgina, and to some degree Innisfil, asked for greater scrutiny and protection of Lake Simcoe through the Environmental Assessment process for the proposed Bradford Bypass.¹ On October 7th, the province of Ontario did what the Rescue Lake Simcoe Coalition, Simcoe County Greenbelt Coalition and our community partners warned of - they exempted the Bradford Bypass from the Environmental Assessment process.² There will be even less transparency than before and less protection of the environment.

Highlights of our concerns of the exemption to the Environmental Assessment process:

- **Building an interchange before it's determined if the route is technically feasible.** "Early works" permissions allow the proponent to build an interchange on Yonge St. just north of Bradford, before the technical engineering is complete for the 16 km highway over the marsh. Therefore the budget is a total guess.
- **Mitigation / protecting Lake Simcoe.** The decision was made on October 7 to fully approve the early works and the Bradford Bypass before any studies have been released establishing that damage to Lake Simcoe can be mitigated. No agency such

¹ Council resolutions about the Bradford Bypass proposed highway project:

<https://docs.google.com/document/d/1OpmNPe9UhoCe2P6umBZ8sXLe-6Qxx5COxsZ0qgUEYNc/edit?usp=sharing>

² ERO posting exemption <https://ero.ontario.ca/notice/019-1883>

as the Ministry of the Environment, Conservation and Parks will review or approve any reports that may still be done, and none of those reports inform decisions about whether to proceed with the highway. The proponent will evaluate the impacts on the environment, and also choose the criteria for assessment and evaluation of those impacts. (Just like someone writing, taking, and marking their own test.) The Ministry of Environment, Conservation and Parks only makes comments; it is no longer approving anything.

- **Consultation** requirements are limited to First Nations and “interested parties” identified by the project proponent.

Since approval of the EA exemption, four things have happened which further change the landscape of building this highway and the attention it will draw:

1. Public opposition to costly, badly planned highways with little utility to drivers, in a climate crisis, has grown significantly.
2. The Provincial government is campaigning on a platform of building highways which has increased scrutiny provincially and locally of this highway.
3. A new request has been submitted to the Impact Assessment Agency, requesting a Federal Impact Assessment from F.R.O.G.S, The Concerned Citizens of King Township, and Stop the Bradford Bypass.
4. COP26 has set global leaders, including Canada, to commit to reducing greenhouse gas emissions, stop deforestation and limit methane emissions. The Bypass directly contributes to loss of forests, increased carbon and methane emissions.

Our position remains. We are insistent that alternatives to the highway must be properly studied. Much cheaper investments can be made in regional road upgrades, investment in GO transit and regional transit. Unfortunately, the province is not considering alternatives to the highway, nor did they consider the transit investments as a means to reduce congestion in the 1997 EA. This sets up the entire highway project to be another 407 boondoggle.

Understanding that the proposed way forward does not reflect the wishes of Lake Simcoe Councils we are asking your council to consider what level of support you have for this project now.

Will you support our allies’ renewed ask, that the Federal Minister of the Environment and Climate Change designate this project for a Federal Impact Assessment?

Conclusion:

We understand that municipal Councils need to balance many competing and contradictory interests. But your aim should always be to make sure that resources are spent intelligently. Thus, we urge you to request a Federal Impact Assessment in order to stop the half-baked, cloaked in secrecy, irresponsible, future boondoggle highway proposal. It does not address

municipal traffic and routing concerns, it will be bad for Lake Simcoe, and if you support it, it will hang around your neck as an example of a completely foolish and outdated, massively expensive piece of infrastructure that will not fix the problem. This needs a refresh, and that is what a Federal Impact Assessment will allow.

The Federal Impact Assessment agency may approach you for comment. Please contact us to discuss any questions or concerns you may have.

Sincerely,

Claire Malcolmson
Executive Director, Rescue Lake Simcoe Coalition
rescuelakesimcoecoalition@gmail.com

Margaret Prophet
Executive Director, Simcoe County Greenbelt Coalition
margaret@simcoecountygreenbelt.ca

CC All Lake Simcoe watershed municipalities

Appendix 1 - Additional detailed concerns about the project as proposed today:

1. Contrasting MTO's claims to Councils to today's reality

MTO claims to Councils	Today's reality
That they would do the following: The Class EA documentation is a Transportation Environmental Study Report (TESR), which will be prepared and made available for a 30-day public and agency review period at the completion of the Study. The TESR will document the following:	Not following the Class EA process, and not doing a TESR. The project is now self-approval, so no approval is needed from the Ministry of the Environment. No public consultation is required.
The transportation needs, problems and opportunities,	This document has not been released publicly. Problems of local / commuter traffic will not be remedied if it's a toll road. Partial traffic studies that were released indicate <u>worse</u> congestion on Hwys 400 & 404 with the Bypass compared with a 'no Bypass' scenario by 2041. ³
Existing environmental conditions;	The project has been approved through the exemption without this study being completed or released publicly. There is no Ministry of the Environment approval of this report. The report does not have to cover climate change, health impacts of air quality or impacts to Lake Simcoe.
A summary of consultation undertaken throughout the Study	Consultation is now restricted to First Nations, and "interested parties" as defined by the proponent. A summary is still required, though the results of consultation can be ignored.
The generation, assessment and evaluation of alternatives within the Study Area;	The only changes considered are minor alignment changes. This project will go over / through the Holland Marsh provincially significant wetland, and will terminate on the east side at the end of the Carrying Place Trail and Lower Landing, a site of high historic and First Nations cultural

³ Maps contrasting traffic in 2041 with and without the Bradford Bypass shows that this project will not address local traffic issues.

<https://www.bradfordbypass.ca/2021/04/09/5-considerations-for-the-bradford-bypass-project/>

	significance. ⁴
The preferred alternative(s) / recommended plan; and,	There was only one plan considered: building a highway. Regional road improvements, controlling demand, rerouting truck traffic and transit were not considered. The exemption from the Environmental Assessment Act means alternative options will never be considered.
A summary of potential environmental issues and mitigation measures and environmental commitments to be carried forward through future design stages.	The project has been approved through the exemption without this study being completed or released publicly. There is no Ministry of the Environment approval of this report. The report does not have to cover climate change, health impacts of air quality or impacts to Lake Simcoe.
Minister of Transportation and MPP York - Simcoe, Caroline Mulroneu: "On top of that, we are undertaking at least 15 new studies for the Bradford Bypass, which will include an Agricultural Impact Assessment, Air Quality Impact Assessment, and many more." ⁵	It is now up to the proponent whether the 15 studies will be completed, what public consultation if any will occur and whether the impacts are mitigated. No expert agency such as a conservation authority or the Ministry of the Environment approves the quality or completeness of the studies or the adequacy of the mitigation.

2. Bradford Bypass is being planned as a toll road.

Based on Ministry of Transportation documents released through Freedom of Information requests, key staff documents outline the need to create a "business case" for tolling on the Bradford Bypass. Although rates have not been decided, quotes within the FOI documents demonstrate where roughly the implemented toll will fall.

"...include additional toll scenarios that fall between the 407 East and the 407 ETR toll rates because it is likely where ***the implemented one (toll) will fall into.***" (emphasis added)

Using the baseline tolling rates contained in the FOI documents (\$0.29/ km), the average cost for a one way trip from the 400 to the 404 would be \$4.64. Those who use the route daily (5 days/week) for commutes would see their annual transportation costs increase by over \$2300.

⁴

<https://www.bradfordtoday.ca/local-news/historically-significant-holland-river-site-threatened-to-be-destroyed-by-proposed-highway-greenbelt-coalition-4228329>

⁵

<https://www.bradfordtoday.ca/local-news/op-ed-building-bradford-bypass-will-set-community-up-for-success-3877413>

And with tolling, MTO's own calculations demonstrate that truck traffic on the Bypass will reduce by roughly 60% (compared to no tolls). What that means is that the new Bypass, as planned, will divert some truck traffic from Bradford's downtown, but most of it will still go through the core to avoid tolls.

We have seen how tolls have left the 407 and 407 East underutilized. However, the province is not in the position financially to fund this project as a priority without the tolls to re-capture the minimum of \$800 million dollar capital costs.

Recently, advocates trying to remove the tolls on the 412/418 in Durham, were met with the financial reality of MTO's projects. Voters were assured in the last provincial election that these would not be toll roads either.

"Put simply, removing the tolls wholesale would be unaffordable, while shifting the structure would create uncertainty," said Minister of Transportation Caroline Mulroney in a written statement, noting the government relied on projected toll revenue to fund the construction of the highways. The report outlined several different options for changing the toll structures, including removing them altogether, but labelled all as unfeasible. "All these options would lead to significant cost to the taxpayer," Mulroney explained. "We must move cautiously, especially as Ontario juggles competing priorities arising from the COVID-19 pandemic."⁶

It seems the false dichotomy that the province has created is to either build a highway quickly and toll it (which renders it underutilized and won't significantly reduce truck traffic in Bradford) OR build a highway that is untolled but won't be a provincial spending priority for years to come. Either way, the citizens and municipalities who want their traffic issues addressed will pay the price.

Clearly, the decision to build the Bradford Bypass is not based on transparent data and up to date science. The province is willing to court municipal support, but not be completely transparent about the highway and its final form.

3. Toronto Star investigation piece outlined the high influence of developer interests

Similar to the 413 investigation, the recent investigative piece about the Bradford Bypass demonstrated how much developers along the route would benefit from the project being built. Although we are not insinuating anything untoward happened, municipalities can appreciate the pressure that these interests put on the process to realize their profits. The involvement of paid lobbyists, large developer profits and political connections makes the public question the clarity and logic of the government's plans.

⁶ Available at:

https://www.thestar.com/local-whitby/news/2021/04/26/a-slap-in-the-face-no-toll-relief-for-durham-drivers.html?itm_source=parsely-api

Projects such as these become a poisoned well, especially considering the weak environmental oversight and EA exemption that rushes the project without full consideration of public interest or concerns.

You can read the piece here:

<https://www.thestar.com/news/investigations/2021/10/31/bradford-bypass-ford-government-secrecy.html>

4. Municipal concerns unaddressed by the Bradford Bypass plan:

If this highway is really meant to support growth in Bradford and East Gwillimbury, the province would listen to those local Council's concerns. They are not. In addition to the Council resolutions referenced above, the other Council concerns we are aware of are documented below:

East Gwillimbury:

As reported in the Toronto Star on August 4th, 2021,⁷ the Bradford Bypass' proposed "Interchanges are located at Highway 400, County Road 4, Bathurst Street, Leslie Street and Highway 404. Crossings are at 10th Sideroad, Artesian Industrial Parkway, Metrolinx rail corridor, Yonge Street and 2nd Concession Road. The current plan is to cross Yonge Street and 2nd Concession with overpasses and cross Leslie Street with a partial interchange." [East Gwillimbury] "Council had asked the ministry to consider 2nd Concession for an Interchange, as it is a central spine road in the town where a lot of new development is being planned. *But an MTO representative said an interchange at 2nd Concession isn't being considered at this time.*"

Councillor Tara Roy-DiClemente responded, "I think it is a little bit silly to plan a highway that isn't even built when the community that it is to run through is telling you need to revisit the interchange locations."

We also note that there are also important environmental concerns with the Bathurst Street interchange as the location of the interchange is a large wet woodlot that contains sensitive habitat for at-risk species.⁸

⁷

<https://www.thestar.com/local-east-gwillimbury/news/2021/08/04/it-s-silly-east-gwillimbury-council-concerned-about-location-of-proposed-bradford-bypass-interchanges.html>

⁸ Detail on species at risk :

<https://thepointer.com/article/2021-07-02/we-can-t-keep-doing-this-pc-government-speeds-ahead-with-bradford-bypass-advocates-say-process-lacks-proper-scrutiny>

Bradford West Gwillimbury:

Tuesday, April 20, 2021, BWG Council passed a resolution⁹ which included the following:

“That Council requests that the scope of the preliminary design be expanded to include an interchange at Sideroad 10, as identified in the Town’s Official Plan;

That Council advises that the Preferred Option for the southbound ramps of the new freeway interchange with Hwy 400 should provide for access to County Road 88;

That Council commits to continuing to work with the Project Team as it completes the preliminary designs, detailed environmental studies and public consultation programs that are critical in the successful delivery of the Hwy 400 – 404 Freeway Link;...”

⁹ Bradford West Gwillimbury Council Resolution from Tuesday, April 20, 2021 Minutes 2021-133 Leduc/Contois
<https://bradfordwestgwillimbury.civicweb.net/Portal/MeetingInformation.aspx?Org=Cal&Id=2134>

Appendix 2: Press release re Impact Assessment request from F.R.O.G.S, CCKT, and Stop the Bradford Bypass

FOR IMMEDIATE RELEASE

November 10, 2021

Local Citizen Groups Request Federal Government to Conduct Impact Assessment on Bradford Bypass Project

Bradford/East Gwillimbury/King - Three local groups whose communities will be directly impacted by the Bradford Bypass have officially asked the Impact Assessment Agency of Canada to designate the project for further federal study.

Although the Federal government refused to designate the highway project earlier this year, the groups insist that many things have changed since the decision that enables the federal Minister to reconsider.

Bill Foster from Forbid Roads over Greenspaces (FROGS) contends that considerable evidence has come forward that demonstrates this project isn't in the best interest of the public and that the Federal government must step in on issues that have been revealed.

"The last decision stated that the Minister had faith in the provincial process, but since then the provincial government has exempted itself from the Environmental Assessment Act. This means that the province has given itself full approval to build this project without further consideration of endangered species, fish habitat or climate change. The rigorous 15 studies that were promised to many of the municipalities will no longer be done. It's build now, think later. How can anyone have any confidence in that type of process?"

Another area of concern with the highway is its proximity to houses and parks and the impact that will have on air quality. Bradford's population has increased 2.5x since the EA was first completed in 1997 which means the route is closer to homes than when originally conceived. According to MTO's own 1997 studies, the levels of benzene, as one example, would exceed Ontario's air quality standards. Benzene is a known carcinogen and those living near the

highway could have increased risk of disease including childhood leukemia, breathing problems and poor lung development in children.

“Many of our members are women and mothers in Bradford,” says Tricia Hulshof, a member of the STOP the Bradford Bypass. “Based on the MTO’s studies, this highway would directly threaten the health of the children and adults who live along the route. Let’s fix our traffic problems, but not in a way that threatens the health of our children. One child being sick because of supposed time savings is one too many in our opinion.”

The exemption also means that the impacts to Lake Simcoe and climate will not be studied despite many municipalities stating that they wanted to ensure that a fulsome process would be followed to ensure no harm comes to Lake Simcoe or the Holland Marsh Wetland by this project.

“Our group fully supports the Lake Simcoe Protection Plan and the principles upon which it stands,” says Bruce Craig of Concerned Citizens of King Township (CCKT). Our region’s way of life and economy is based on the health of the lake. To see corners being cut, bridges being built before studies are done and no new studies to ensure care of the Lake or climate saddens me. Once we’ve destroyed it, once we’ve paved it over, there’s no going back. There have never been any studies that look at the impacts to Lake Simcoe, the Greenbelt or climate change. While global leaders are making commitments to better protect green spaces, water and reduce GHG emissions, we’re investing in projects that counter those promises.”

Foster states, “Every time we meet new people who are curious about the Bypass we’re reminded of how little information about this highway has been shared with the public. The more people know, the more they don’t like it. No one likes gridlock, but this idea that the only way to deal with it is a highway that recent estimates suggest could cost over \$2B is ludicrous. This highway isn’t a done deal despite what the road signs say. It’s time for people to ask some serious questions and get informed before it’s too late.”

-30-

Additional Resources:

Link to Federal Request Letter:

https://frogs.ca/wp-content/uploads/shared-files/Federal-Impact-Request-for-Bradford-Bypass-November-9-2021-FROGS-STPP-CCKT-digitally-signed_Signed.pdf

FROGS is an organization of East Gwillimbury residents, many of whom are directly impacted by the proposed Bradford Bypass Project. FROGS first came into existence in 1993 to oppose the Bradford Bypass during the environmental assessment process. FROGS has had over 300 local residents as members. In 2021 we began to organize again to oppose the exemption of the Bradford Bypass from environmental assessment and the fast-tracking of the project, and to support environmental organizations seeking more substantial assessment. www.frogs.ca

STOP the Bradford Bypass is an organization composed of residents in Bradford and the surrounding area, many of whom would be directly impacted by the project. STOP the Bradford Bypass is an organization founded in 2021 and run primarily by women who are concerned about the health, environmental and social impacts of the highway.

CCKT has been an active citizen-based group in King Township for 51 years, advocating to conserve important natural heritage systems and features. Over 50% of King Township is within the Lake Simcoe watershed, and the northern tip of King Township lies within the proposed routing of the Bradford-Bypass. CCKT is concerned about the impacts the highway will have on Lake Simcoe, local watersheds and sensitive ecosystems, plus the impact of GHG emissions on community health and climate. www.ckkt.ca

For more information please see:

Archaeology:

<https://www.newmarkettoday.ca/local-news/bradford-bypass-endangers-historically-significant-holland-river-site-says-coalition-4228332>

Tolling:

<https://www.thestar.com/local-oshawa/news/2021/03/30/they-ve-done-diddly-squat-broken-promises-leave-tolls-in-place-on-durham-highways.html>

News / municipal response:

<https://www.thestar.com/news/investigations/2021/10/31/bradford-bypass-ford-government-secrecy.html>

<https://www.nationalobserver.com/2021/06/03/news/two-ontario-communities-shy-away-supporting-bradford-bypass>

<https://www.thestar.com/local-georgina/news/2021/08/16/what-s-the-bradford-bypass-and-why-should-georgina-residents-care.html>

<https://www.bradfordtoday.ca/local-news/environmentalists-protest-bradford-bypass-outside-mulroneys-office-13-photos-4755275>

<https://thepointer.com/article/2021-11-13/will-doug-ford-s-highway-gift-to-developers-cost-him-a-majority-government>

On November 25, 2021 Regional Council made the following decision:

1. Council approve the use of the 2041 planning horizon for the 2022 Development Charges Background Study and Bylaw.
2. Council approve treating stacked townhomes as apartments for the purposes of levying development charges.
3. Council approve charging all development-charge-eligible residential dwellings that are less than 700 square feet, the small apartment rate.
4. Council approve the revisions to existing policies, shown in Attachment 1, that include:
 - a. Removal of four-storey minimum requirement in the “Development Charges Deferral for Purpose-Built Rental Buildings” policy;
 - b. Revisions to align with current legislation in the “ Development Charges Deferral for Office Buildings” and “ Development Charges Deferral for Open Air Motor Vehicle Storage Structures” policies, and;
 - c. The provision of a 14-day grace period under the Region’ s “Development Charge Interest Policy — Under sections 26.1 and 26.2 of the Development Charges Act, 1997”.
5. Council approve the policies, shown as Attachment 2, which codify the existing development charges deferrals for retail buildings and high-rise residential buildings.
6. The Regional Clerk circulate this report to the local municipalities and the Building Industry and Land Development Association – York Chapter (BILD).

The original staff report is attached for your information.

Please contact Edward Hankins, Director, Treasury Office and Deputy Treasurer at 1-877-464-9675 ext. 71644 if you have any questions with respect to this matter.

Regards,

Christopher Raynor | Regional Clerk, Office of the Regional Clerk, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 71300 | christopher.raynor@york.ca | york.ca

Our Mission: **Working together to serve our thriving communities – today and tomorrow**

The Regional Municipality of York

Committee of the Whole
Finance and Administration
November 11, 2021

Report of the Commissioner of Finance

2022 Development Charges Bylaw: Policy Directions

1. Recommendations

1. Council approve the use of the 2041 planning horizon for the 2022 Development Charges Background Study and Bylaw.
2. Council approve treating stacked townhomes as apartments for the purposes of levying development charges.
3. Council approve charging all development-charge-eligible residential dwellings that are less than 700 square feet, the small apartment rate.
4. Council approve the revisions to existing policies, shown in Attachment 1, that include:
 - a. Removal of four-storey minimum requirement in the “Development Charges Deferral for Purpose-Built Rental Buildings” policy;
 - b. Revisions to align with current legislation in the “Development Charges Deferral for Office Buildings” and “Development Charges Deferral for Open Air Motor Vehicle Storage Structures” policies, and;
 - c. The provision of a 14-day grace period under the Region’s “Development Charge Interest Policy — Under sections 26.1 and 26.2 of the *Development Charges Act, 1997*”.
5. Council approve the policies, shown as Attachment 2, which codify the existing development charges deferrals for retail buildings and high-rise residential buildings.
6. The Regional Clerk circulate this report to the local municipalities and the Building Industry and Land Development Association – York Chapter (BILD).

2. Summary

The Region’s 2017 Development Charges Bylaw ([2017-35](#)), as amended (“2017 Bylaw”), expires on June 16, 2022 . This report seeks Council approval of the planning horizon and key

development charges policies, in support of the Region's 2022 Development Charges Bylaw ("2022 Bylaw").

Key Points:

- As required by the *Development Charges Act, 1997* ("Act"), staff are currently preparing a development charges background study ("Background Study") to determine the rates to be set out by the new bylaw
- The update process also includes a review of the Region's development charges policies
- Staff recommend a 2041 planning horizon for the 2022 Bylaw and Background Study
- To better align with the Regional objectives to support a mix and range of housing options, staff recommend treating stacked townhouses as apartments and charging any residential dwelling, less than 700 square feet, the small apartment rate
- In addition, staff recommend removing the minimum four-storey requirement under the Region's 36-month development charges deferral for purpose-built rental buildings to facilitate more rental supply
- Staff also recommend changes to various development charges policies to reflect technical and legislative changes, including the introduction of a 14-day grace period under the Region's [Development Charge Interest Policy — Under sections 26.1 and 26.2 of the Development Charges Act, 1997](#) ("Interest Policy")

3. Background

To continue to collect development charges, the Region must update the 2017 Bylaw prior to its expiration on June 16, 2022

Development charges are the primary funding source for the Region's growth infrastructure, contributing about 60% of the 2021 growth-related 10-year capital plan.

The 2017 Bylaw will expire on June 16, 2022. For the Region to continue to collect development charges, the Act requires that the 2017 Bylaw be updated, and come into effect on, or before, June 17, 2022.

The 2022 Bylaw would be the first bylaw since the Province introduced the new Lands Need Assessment methodology and has been developed concurrently with the update of the Regional Official Plan and infrastructure master plans.

Council endorsed a workplan for the 2022 Bylaw

Staff initiated the bylaw update process in early 2021. This work included establishing an interdepartmental working group to ensure all deliverables necessary to inform the 2022 Bylaw are developed within the required time. Externally, this work involved engaging with stakeholders, including the local municipalities and BILD/the BILD Working Group. The BILD Working Group consists of representatives of low-rise developments, high-rise and

Industrial/Commercial/Institutional (ICI) developments as well as engineering and legal consultants.

On [June 24, 2021](#), Council endorsed the workplan for the 2022 Bylaw and Background Study, outlined in Table 1 below. The timeline included the tabling of the 2022 Bylaw and Background Study in February of 2022 with consideration of approval by Council in May. The dates and elapsed time meet all prescribed timelines under the Act.

Since Council approval of the timeline, staff have engaged Hemson Consulting Limited to provide peer review and advisory services on the 2022 Bylaw.

Table 1
Key Dates in the 2022 Bylaw Process Timeline

Deliverables	Dates	Elapsed Time
2022 Bylaw and Background Study tabled at Committee of the Whole*	February 3, 2022	
And Notice of public meeting published in all local Metroland newspapers**		
Public meeting at Committee of the Whole***	March 3, 2022	
2022 Bylaw to Council for approval	May 26, 2022	
2022 Bylaw and rates in effect	June 17, 2022	

*Note: The Background Study and Bylaw would be available upon publication of the Committee agenda, which is expected to be January 28, 2022

**Note: Authority to publish notice provided in June 2021 Council report

***Note: If a second public meeting is required, it would be held at the April 7 meeting of Committee of the Whole. Notice for the second public meeting would be issued on March 10, giving 28 days between notice and the meeting

4. Analysis

2022 BYLAW - PLANNING HORIZON

The 2022 Bylaw is being updated concurrently with the Regional Official Plan and infrastructure master plans

The Act requires that, through the background study, a municipality demonstrates the need for infrastructure arising from anticipated growth and development over the planning horizon of the bylaw. The Region's 2017 Bylaw uses a planning horizon to 2031.

Currently, the Region's infrastructure master plans are being completed in coordination with the Municipal Comprehensive Review (MCR) using the Council-endorsed principle of aligning growth with infrastructure. These plans build upon previously approved master plans and the Region's capital plan. It is anticipated that the MCR, infrastructure master plans and the update of the 2022 Bylaw will be finalized concurrently in 2022.

The planning horizon of a development charges bylaw may differ from that of an Official Plan. Many of the Region's neighboring municipalities have used a shorter planning horizon for their background studies compared to their official plans.

A 20-year planning horizon for the 2022 Bylaw balances long term infrastructure needs and forecasting accuracy

While the updated Regional Official Plan and infrastructure master plans will contemplate a 30-years planning horizon to 2051, staff are recommending a 20-year planning horizon to 2041 for the 2022 Bylaw. Key considerations underpinning this recommendation are:

- A planning horizon to 2041 (20 years) strikes a balance between capturing long-term infrastructure needs while mitigating the forecasting risks with a 30-year planning horizon
- The master plans that support growth to 2051 are still under development. However, project costs and timing to 2041 have been already reviewed by Council as part of budgets and previously approved master plans
- Neighbouring municipalities have not used a 30-year horizon for their development charges bylaw

Twenty years is the maximum recommended planning horizon for development charge-eligible services for the 2022 Bylaw. Where appropriate, some services may choose to use a horizon to 2031. Through regulations, transit is the only service that is limited to a 10-year planning horizon.

It is anticipated that subsequent bylaw updates could contemplate growth to 2051.

2022 BYLAW – DC POLICIES TO SUPPORT MIX AND RANGE OF HOUSING

Development charges policy updates are proposed to align with Council's housing priorities

As part of the update process, staff have undertaken a detailed review of all development charges policies to ensure that they align with the provincial planning framework, the Regional Official Plan update, the Act, and that they support Council's housing priorities to address a lack of affordable and rental housing options. This work on the 2022 Bylaw continues to build on Council's long history of prioritizing and supporting a mix and range of housing options, which include the following initiatives:

- Implementing a [10-year Housing and Homelessness Plan](#), [Housing Solutions: A place for everyone – Phase 2 2019 to 2023](#), [Making Ends Meet Strategy](#), and [Make Rental Happen Plan](#)
- Providing serviced land for housing supply for just over 221,000 people and a reserve of [4,000 persons to support purpose-built rental](#)
- Establishing [tax ratio of one for multi-residential property class](#)
- Adopting development charges deferral policies for [rental](#) and [affordable rental housing](#)
- [Establishing the Housing Affordability Task Force](#)

Treating stacked townhouses as apartments helps to facilitate more affordable ground-related built forms

Stacked townhouses typically have three or more dwelling units, joined by common sidewalls with dwelling units entirely or partially above another. They are generally more affordable and denser than other ground-related built forms, filling a gap in the spectrum of densities and affordability needed to create complete communities.

The Region's 2017 Bylaw has four categories of residential charges: single and semi-detached dwelling, multiple-unit dwelling, large apartment, and small apartment. The differences in the rates are based on the average anticipated occupancy levels, or persons per unit, for each residential category. Stacked townhouses are charged a multiple unit dwelling rate. Staff is recommending that stacked townhomes be treated as apartments in the 2022 Bylaw for the following reasons.

Firstly, the 2022 Bylaw and Background Study uses Statistics Canada data to forecast persons per unit in each type of dwelling to determine the residential development charges rates. The proposed treatment of stacked townhouses aligns with the Statistics Canada definition of the apartment category which includes stacked townhouses.

Further, a review of over 1,500 stacked townhouses built in the Region since 2016 showed that they are more comparable to large apartments in features and size than to conventional townhouses. The average household occupancy, or persons per unit, in a typical stacked townhouse is also found to more closely resemble a large apartment. Finally, many neighbouring and local municipalities have started to treat stacked townhouses as apartments including: Peel, Toronto, Halton, Hamilton, Ottawa, Richmond Hill, East Gwillimbury, and Whitchurch-Stouffville.

Tiny homes of less than 700 square feet will be charged the small apartment rate to better reflect the size of this affordable built form

Tiny homes are small, self-contained residential units built for year-round use with a living area that includes a kitchen, dining, bathroom and sleeping area. Despite their size, tiny homes must comply with the health and safety requirements of Ontario's Building Code, municipal zoning and other local bylaws. Tiny homes are an emerging, ground-related and affordable

housing option, typically costing less than \$100,000 and, required by the Building Code, must be at least 188 square feet.

Under the 2017 Bylaw, these homes would be assessed at a single-detached dwelling rate. The same would be true under the Region's local municipal DC bylaws. However, based on observed sizes across Ontario, these homes appear to be closer to, if not smaller than, small apartments.

Staff are therefore recommending that, for the 2022 Bylaw, any residential dwelling, less than 700 square feet, be charged the small apartment rate¹.

Removal of the four-storey requirement from the 36-month development charges deferral policy for purpose-built rental buildings could help make more rental happen

In 2017, Council approved a 36-month, interest-free, development charges deferral for purpose-built rental buildings that were a minimum of four storeys above grade. The four-storey requirement in the policy was intended to encourage high-rise purpose-built rental development across the Region.

Since that time, it was brought to staff's attention that there are limitations on building heights in certain locations. For example, developers are prohibited from meeting the minimum four-storey requirement in some heritage districts. Staff have also seen low-rise, purpose-built rental development not proceed due to inability to access the deferral due to the height requirement.

To support more purpose-built rental across the Region of any height, staff recommend removing the four-storey requirement from the 36-month development charges deferral for purpose-built rental buildings (Attachment 1). Staff also propose amending the policy to align with current legislation and other Regional development charges deferral policies and to provide clarification.

Changes to the Act provide further development charges exemptions for additional units in existing and new buildings

Additional residential units, or secondary suites as they are often referred to, is a form of gentle intensification. They help to add to the rental supply and accommodate specific housing needs such as that of multi-generational families.

Bill 108, *More Homes, More Choice Act, 2019* ("Bill 108"), amended the Act by expanding development charges exemptions for additional units in existing and new buildings. Subject to restrictions, the Act now not only provides development charges exemptions for additional

¹ Note: This is similar to what is provided in Mississauga and Ottawa

dwellings in, or ancillary to, existing residential buildings, but also for additional dwellings in, or ancillary to, new residential buildings. These new exemptions will be reflected in the 2022 Bylaw.

The 2022 Bylaw will also reflect other recent legislative changes premised upon facilitating the development of affordable housing options

The 2022 Bylaw will also be updated to incorporate other amendments to the Act, through Bill 108 and its associated regulatory framework, which were largely premised upon facilitating affordable housing options, including rental and non-profit housing developments. Table 2 provides further details pertaining to these changes.

Table 2
Changes to be Reflected in the 2022 Bylaw

Area	Detail
Phased development charges payments*	
Rental and non-profit housing **	Development charges paid in equal annual instalments over five years for rental housing and over 20 years for non-profit housing (payments begin at occupancy)
Exemptions	
Conversions of common areas to new units in existing rental buildings	Common areas in existing rental buildings can be converted into residential units and be exempt. Limited to additional units equivalent to the greater of 1 and 1% of existing units

* Note: The Interest Policy provides for a 5% interest rate on developments that phase in their payments

**Note: Also applies to institutional development

The use of the 700-square-foot threshold to delineate large and small apartments continues to be appropriate

As part of the work on the 2017 Bylaw, Council revised the threshold to delineate large and small apartments, from 650 square feet to 700 square feet. At the time, staff also [committed](#) to reviewing this threshold as part of the work on the next development charges bylaw review.

Staff analysis, using 2016 Census and size data of close to 37,000 apartments, confirmed that a 700-square-foot threshold continues to be appropriate to delineate large and small apartments in York Region for the purposes of the 2022 Bylaw.

As part of the review, staff also examined the implications of raising the delineation point. Any substantial increase in the delineation point would also increase both the large and small

apartment rate as the average occupancy (a key driver for the rates) would be higher for both categories.

Finally, raising the delineation point to a threshold not supported by data (e.g., 850 square feet) would result in a “de facto” conflating of the two apartment categories into one, and indirectly go against precedent in *Hamilton Halton Home Builders’ Association v. The Regional Municipality of Halton*, 2016 ONSC 3807 decision, making the 2022 Bylaw vulnerable to appeal.

Staff also reviewed alternative residential rate structure approaches

Staff reviewed alternative rate structure approaches for the 2022 Bylaw, including, conflating the apartment categories into one and levying a per-square-foot charge. Table 3 summarizes key considerations as to why they are not being proceeded with at this time.

Table 3
Alternative rate structures and considerations

Alternative Structure	Considerations
Single apartment rate	<ul style="list-style-type: none"> • Municipalities will be challenged to use this approach as it goes against Ontario Municipal Board and Divisional Court decision* noting issue of cross-subsidization • Does not reflect different draw on services resulting from significantly different average occupancy in large versus small apartments
Per-square-foot charge	<ul style="list-style-type: none"> • Act requires a clear link between the “increased capital costs” and “increased needs for services” resulting from growth as development charges are a cost recovery tool as opposed to a tax • The relationship between the size of the dwelling and the need for Regional services cannot be established

*Note: *Hamilton Halton Home Builders’ Association v. The Regional Municipality of Halton*, 2016 ONSC 3807

Regional development charges, as a share of new home prices, have remained relatively stable over the last decade

Using 2012 as a base year and compared to 2021, Regional development charges, as a share of new housing prices, have remained almost unchanged, at about 4.5% averaged across all structure types. This indicates that Regional development charges do not materially impact the affordability of new housing despite increases in rates over the years.

OTHER DEVELOPMENT CHARGES POLICIES

Staff recommend technical amendments to the Region’s other development charges deferral policies

In addition to amending the 36-month development charges deferral policy for purpose-built rental buildings, staff are proposing amendments to the Region’s other development charges deferral policies. Table 4 summarizes these changes.

The development charges deferral policy for open air motor vehicle storage structures also includes a requirement to report back on the uptake on this policy as part of the process to update the 2017 Bylaw. Since Council approval in 2018, there have been no development charges deferrals executed under this policy.

Table 4

Summary of Amendments to Other Development Charges Deferral Policies

Deferral Policy	Key Changes	Attachment
Office Buildings	To align with current legislation and other Regional development charges deferral policies and to provide clarification	1
Open Air Motor Vehicle Storage Structures		
Retail Buildings	Codifying existing policy	2
High Rise Residential Buildings		

Staff recommend amending the Interest Policy to provide up to a 14-day grace period

On February 27, 2020, Council approved the [Interest Policy](#), applying to developments that freeze development charges at site plan or zoning bylaw amendment application (Section 26.2 of the Act) or those developments who phase in their development charge payments (under Section 26.1 of the Act). Under the Interest Policy, all interest is compounded annually and accrues from the date of the eligible application until the date the total accrued amount is fully paid (a 365-day calendar year is used for the purposes of prorating).

As the total accrued amount is calculated on a per diem basis, the developer is required to pay the total development charges on the prescribed date for which the interest has been calculated. If the date payable is not met, the interest must be recalculated and a new payment/cheque, with the revised amount payable, would be required.

Feedback from the local municipalities indicated that stakeholders would benefit from a grace period to address this administrative process.

Staff therefore recommend that, for those developments that have indicated they are achieving building permit status, up to a 14-day grace period be provided, for which interest is not charged. If the developer does not pay the applicable amount during that period, then interest would be recalculated to reflect the new payment date (including the number of days in the grace period), and no additional grace period would be provided. These proposed changes are shown in Attachment 1 to this report.

5. Financial

Some of the recommended changes may have financial implications for the Region

Table 5 provides a summary of the financial implications of the recommended development charges policy changes.

Table 5

Financial Implications of the Recommended Policy Changes for the Region

Recommended Changes	Financial Implications
Treat stacked townhouses as apartments	None
Charge all development charges-eligible residential dwellings under 700 sq. ft. the small apartment rate	None
Removal of the four-story requirement from the 36-month deferral policy for purpose-built rental buildings	Possible, dependent on uptake
Technical changes to development charges deferral policies	None
Up to 14-day grace period under the Interest Policy	Possible, dependent on uptake

Note: Legislatively required changes, such as exemptions for additional residential units and conversion of common spaces in rental buildings, could result in financing costs to the Region that would largely depend on uptake

While some of the changes may have financial implications for the Region, they would also help support the Region's objective of providing appropriate housing for all ages and stages of life and help facilitate the creation of new rental units. Staff will be closely monitoring the uptake and impacts of the proposed policy changes. The recommended changes align with the objectives of Vision 2051 and the 2019 to 2023 Strategic Plan.

6. Local Impact

Development charges help fund vital growth-related infrastructure that benefits all local municipalities. The policy recommendations contained herein, which reflect consultation with

local municipal finance and planning staff, benefit all nine municipalities through helping to facilitate a mix and range of housing options and by way of administrative improvements of the Region's other development charges policies.

Regional staff will continue to consult with the local municipalities throughout the process on the 2022 Bylaw and Background Study.

7. Conclusion

This report recommends several development-charges-related policy changes as part of the work on the 2022 Bylaw, Background Study, and associated policies.

The development of the 2022 Bylaw and Background Study will continue, working towards tabling in February 2022 with Council consideration of passage in May 2022. Once approved, the 2022 Bylaw, including the new rates, would come into effect on June 17, 2022.

For more information on this report, please contact Edward Hankins, Director, Treasury Office and Deputy Treasurer at 1-877-464-9675 ext. 71644. Accessible formats or communication supports are available upon request.



Recommended by:

Jason Li, CPA, CA

Acting Commissioner of Finance and Regional Treasurer



Approved for Submission:

Bruce Macgregor

Chief Administrative Officer

October 29, 2021

Attachments (2)

eDOCS# 13146115



Development Charges Deferral for Purpose-Built Rental Buildings - REVISED

Approved By:

Approved On:

Last Reviewed: October 17, 2019

Policy Statement

A policy governing the deferral of Regional development charges and area-specific development charges for purpose-built rental buildings ~~that are a minimum of four (4) storeys that are above grade.~~

~~Upon the date a community benefits charges bylaw is adopted by Regional Council and comes into effect, this policy shall include the deferral of the Regional community benefits charges applicable to purpose-built rental buildings.~~

Application

This policy is available for purpose-built rental buildings in York Region subject to the terms and conditions as set out in this policy. For the purposes of this deferral, the building may be registered as a condominium, but it must be entirely operated as a rental property for a period of not less than 20 years.

Purpose

The purpose of this policy is to incentivize the development of purpose-built rental buildings ~~that are a minimum of 4 storeys and that are above grade.~~ Additional purpose-built rental buildings in the Region could achieve the following outcomes:

- Increased purpose-built rental supply

- More complete communities offering a range of ownership tenure

Definitions

Act: The *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended, revised, re-enacted or consolidated from time to time, and any successor statute

~~**Community Benefits Charges:** The Region's Community Benefits Charges, established by a Community Benefits Charges Bylaw, under Section 37 of the *Planning Act, R.S.O. 1990, c. P. 13*, as amended, revised, re-enacted or consolidated from time to time, and any successor statute~~

Development: The construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or changing the use thereof from non-residential to residential or from residential to non-residential and includes redevelopment

Development Charges: The Region's Development Charges, including any area-specific development charges

Restrictive Covenant: A covenant registered on the title of the land for the proposed development requiring it be developed and entirely operated as a rental building for a period of not less than 20 years

Schedule 'I' Bank: As referenced in subsection 14(1)(a) of the *Bank Act, S.C. 1991, c. 46*. These are domestic banks and are authorized under the *Bank Act* to accept deposits, which may be eligible for deposit insurance provided by the Canadian Deposit Insurance Corporation

~~**Storey:** A storey must be above grade and is the portion of a building:~~

~~(a) That is situated between the top of any floor and the top of the floor next above it, or~~

~~(b) That is situated between the top of the floor and the ceiling above the floor, if there is no floor above it~~

~~**Valuation Date:** This means, for the purposes of Community Benefits Charges, with respect to land that is the subject of development or redevelopment~~

~~a) The day before the day the building permit is issued in respect of the development or redevelopment, or~~

~~b) If more than one building permit is required for the development or redevelopment, the day before the day the first permit is issued~~

Description

1. Development Charges Deferral Agreement

Any developer wishing to defer development charges for a purpose-built rental building ~~(minimum of four (4) storeys)~~ must enter into a development charges deferral agreement with the Region.

A development charges deferral agreement will only be executed by the Region provided that the developer can immediately upon execution of the agreement attain building permit issuance by the local municipality.

~~For greater clarity, all of the foregoing in Term 'A' shall apply to Community Benefits Charges when a Community Benefits Charges bylaw has been adopted and is in effect.~~

2. Duration of the Deferral

- a) Development charges are deferred until 15 business days immediately following the date that is 36 months after the date that the building permit is issued by the local municipality for:
 - i. Applications submitted for approval of a development in a site plan control area under subsection 41 (4) of the Planning Act for a purpose-built rental building prior to January 1, 2020, or
 - ii. Applications submitted for an amendment to a bylaw passed under section 34 of the Planning Act prior to January 1, 2020
- b) Development charges are deferred until 15 business days immediately following the date that is 36 months after the earlier of the date of the issuance of a permit under the *Building Code Act, 1992*, authorizing occupation of the building or the date the building is first occupied for:
 - i. Applications submitted for ~~approval~~ of a development in a site plan control area under subsection 41 (4) of the Planning Act for a purpose-built rental building including and after January 1, 2020, or
 - ii. Applications submitted for an amendment to a bylaw passed under section 34 of the Planning Act including and after January 1, 2020

If the occupation of the building is not authorized by a permit under the *Building Code Act, 1992*, the developer must notify the Region within five business days of the building first being occupied, at which point the deferral period will begin. Failure to notify the Region within five business days of the building first being occupied will constitute a material default of the deferral agreement.

Development charges will be payable prior to the 36-month period should any of the following trigger events occur:

- Change of use from a purpose-built rental building
- Material breach of the restrictive covenant
- Any material default under the terms of the security or guarantees as stipulated in the agreement(s)
- Sale, or transfer of ownership, of the property unless an assumption agreement is entered into
- Any other material default as defined in the agreement(s)

Notification to the owner of the property on the tax roll will occur immediately after the trigger event. The 15 business days will begin with the mailing, by registered mail, of notice.

~~For greater clarity, all of the foregoing in Term 'B' shall apply to Community Benefits Charges, when a Community Benefits Charges bylaw has been adopted and is in effect.~~

3. Development Charges Rates

The Regional development charges rate, or area-specific development charges rate, will be the amount determined under the applicable Regional development charges bylaw, or area-specific development charges bylaw, on:

- a. Day of building permit issuance for:
 - i. Applications submitted for approval of a development in a site plan control area under subsection 41 (4) of the Planning Act for a purpose-built rental building prior to January 1, 2020, or
 - ii. Applications submitted for an amendment to a bylaw passed under section 34 of the Planning Act prior to January 1, 2020

- OR -

b. Day of application for:

- i. Applications submitted for approval of a development in a site plan control area under subsection 41 (4) of the Planning Act for a purpose-built rental building including and after January 1, 2020, or
- ii. Applications submitted for an amendment to a bylaw passed under section 34 of the Planning Act including and after January 1, 2020

For greater clarity, if clause (b(i) or b(ii)) does not apply to a purpose-built rental building that is seeking to defer development charges including and after January 1, 2020, the development charges rate is determined on the day the development charges are payable in accordance with section 26 of the Act.

~~For greater clarity, when a Community Benefits Charges bylaw has been adopted and is in effect, the Community Benefits Charges rate will be set on the day that the building permit is issued for the construction of the purpose-built rental building by the local municipality and shall be capped based on the prescribed percentage at the Valuation Date.~~

4. Development Charges Payable

The amount of the development charges payable to the Region, as required under the Act, will be based on the rates determined under Term '3' of this policy multiplied by the number of dwelling units, which will be determined on the day that the developer enters into a development charges deferral agreement with the Region.

~~For greater clarity, when a Community Benefits Charges bylaw has been adopted and is in effect, the Community Benefits Charges payable shall be set on the day that the building permit is issued for the construction of the purpose-built rental building by the local municipality and shall be capped based on the prescribed percentage at the Valuation Date.~~

5. Interest Waiver

All interest will be calculated using the development charges payable in Term '4' of this policy. The period for the interest calculation will begin on the date of issuance of the building permit for the proposed structure by the local municipality and continue until the date upon which the development charges are fully paid.

All deferred development charges will bear interest at the prime commercial lending rate charged by an agreed upon 'Schedule I' commercial bank on demand loans in

Canadian funds to its most creditworthy customers, plus two per cent per annum. All interest will accrue and be compounded.

The Region will forgive all amounts due and owing on account of interest, provided that the development charges are paid in full to the Region at the time required (within 15 business days immediately following notification of a trigger event as defined in Term '2' of this policy).

In the event unpaid development charges are added to the tax roll (Term '8'), interest will continue to accrue and be compounded until all outstanding charges are fully paid.

~~For greater clarity, all of the foregoing in Term 'E' shall apply to Community Benefits Charges when a Community Benefits Charges bylaw has been adopted and is in effect.~~

6. Restrictive Covenant

A 20-year change-of-use covenant will be registered on the title stipulating that the property will be developed and entirely operated as a rental building for a period expiring 20 years from the date that an occupancy permit is issued for the purpose-built rental building.

The burden of the restrictive covenant will run with the title of the land.

7. Local Participation

The Region will only enter into a development charges deferral agreement if the local municipality has provided a similar, if not better deferral, or other incentives, for the proposed development.

It will be up to the Commissioner of Finance and/or the Chief Administrative Officer, in consultation with the Chief Planner, to decide what constitutes "similar, if not better", but this may be determined by looking at:

- Whether there is a prescribed timeframe for the deferral, and what that is
- Whether interest is waived for any deferral
- Other incentives that may be provided, be them financial or otherwise

~~For greater clarity, all of the foregoing in Term 'G' shall apply to Community Benefits Charges when a Community Benefits Charges bylaw has been adopted and is in effect.~~

8. Unpaid Development Charges

If any development charges (including any interest) are unpaid within 15 business days immediately following notification of a trigger event identified in Term '2' of this policy, or at the end of the development charges deferral timeframe when payment has not been made, those development charges (including interest) will be added to the tax roll and collected in the same manner as taxes (in accordance with section 32 of the Act).

In the event unpaid development charges are added to the tax roll, interest will continue to accrue and be compounded until all outstanding total charges are fully paid (development charges plus interest).

~~For greater clarity, all of the foregoing in Term 'H' shall apply to Community Benefits Charges when a Community Benefits Charges bylaw has been adopted and is in effect.~~

9. Security

A form of security will be taken and registered against the title to the land at the execution of the development charges deferral agreement with the Region. The Region's security interest will always be, at minimum, *pari passu*, or of equal footing, to that of the local municipality offering a similar, if not better, deferral of development charges.

~~For greater clarity, all of the foregoing in Term 'I' shall apply to Community Benefits Charges when a Community Benefits Charges bylaw has been adopted and is in effect.~~

10. Other Agreements Required

To take advantage of this policy, the developer must enter into a development charges deferral agreement with the Region.

In addition, the developer will enter into other agreements as required by the Regional Solicitor. Those include, but are not limited to:

- Charge
- Assignment of Rents
- Restrictive Covenant
- *Pari Passu* Agreement
- General Security Agreement

- Other agreement(s) as deemed necessary

~~For greater clarity, all of the foregoing in Term 'J' shall apply to Community Benefits Charges when a Community Benefits Charges bylaw has been adopted and is in effect.~~

11. Legal Fees

All legal fees of the developer(s) and the Region, including any costs incurred by the Region to prepare any other agreements required by the Regional Solicitor, will be borne by the developer.

12. Mixed-Use Developments

For greater clarity, this policy does not apply to the non-residential development charges due for any mixed-use development, the residential portion of which is a purpose-built rental building.

~~For greater clarity, all of the foregoing in Term 'L' shall apply to Community Benefits Charges when a Community Benefits Charges bylaw has been adopted and is in effect.~~

13. Non-Applicability – Development Charges Deferral for Affordable, Purpose-Built Rental Buildings

For greater clarity, any purpose-built rental building that avails itself of the deferral under this policy is not also eligible for the Region's Development Charges Deferral for Affordable, Purpose-Built Rental Buildings.

14. Section 26.1 of the Act

For greater clarity, any purpose-built rental building to which section 26.1 applies and that opts to pay development charges in instalments in accordance with section 26.1 of the Act, will not be entitled to also avail itself of the deferral under this policy.

~~15. One (1) per cent exemption, Ontario Regulation 82/98~~

~~For greater clarity, any purpose-built rental building that avails itself of the deferral under this policy shall not benefit from the one (1) per cent development charges exemption, for the creation of additional units within other existing residential buildings, under Ontario Regulation 82/98 (upon the date it comes into effect).~~

~~16.~~15. Effective Date

This policy will take effect the day it is passed by Regional Council and may be repealed by the Region at any time.

Responsibilities

Chief Administrative Officer, York Region

- Responsibilities as identified under the Terms of this policy
- Signing of security agreements

Commissioner of Finance and Regional Treasurer, Finance

- Responsibilities as identified under the Terms of this policy
- Signing of security agreements

Regional Solicitor, Legal and Court Services

- Draft and prepare for execution deferral agreement between Region and all parties
- Draft and prepare for execution any additional agreements required including a pari passu agreement
- Registration of restrictive covenant
- Registration of security on title

Chief Planner, Planning and Economic Development, Corporate Services

- Responsibilities as identified under the Terms of this policy

Director, Treasury Office, Finance

- Administer the deferral policy, including assisting stakeholders in determining if they qualify for the policy, the development charges rates to be applied, and the development charges and interest payable
- Enforce the deferral policy
- Collect all development charges when due
- ~~• Collect all Community Benefits Charges when due (when in-effect)~~
- Monitor timing of payment to ensure compliance with Term '5' of the policy

-
- Notify, through the Regional Treasurer, the Treasurer of the local municipality if development charges are not paid/received within the prescribed timeframe and to have said charges added to the tax roll
 - Undertake any additional administrative obligations as determined through the agreements
 - Maintain copies of all executed deferral agreements and other agreements as required

Compliance

Immediately upon the occurrence of any of the trigger events identified in Term '2' of this policy, the **Director, Treasury Office** will notify the owner of the property on the tax roll that development charges are due within 15 business days, the timing of which will begin with the mailing, by registered mail, of notice.

The **Director, Treasury Office** will also monitor the payment of the development charges due ~~(and Community Benefits Charges, when in effect) in order~~ to ensure interest is only forgiven (Term '5' of the policy) when the development charges are paid in full to the Region within 15 business days immediately following notification of a trigger event.

Reference

Legislative and other authorities

- [Bill 108, More Homes, More Choice Act, 2019](#)
- [Development Charges Act, 1997, S.O. 1997, c. 27](#)
- [Ontario Regulation 82/98](#)
- [Planning Act, R.S.O. 1990, c. P.13](#)

Appendices

- [Council Report, Private Market Rental Development Charges Deferral Site Specific Pilot Project in the Town of Newmarket, November 21, 2013](#)
- [Council Report, 2017 Development Charge Bylaw Directions, November 17, 2016](#)

-
- [Council Report, 2017 Development Charge Background Study and Bylaw, May 25, 2017](#)
 - [Council Report, Purpose-Built Rental Housing Incentives, October 17, 2019](#)
 - Council Report, 2022 Development Charges Bylaw: Policy Directions, November 25, 2021 [**Hyperlink to be added**]
 - [The Regional Municipality of York 2017 Development Charge Background Study – FINAL – May 18, 2017](#)

Contact

Director, Treasury Office, Finance, at extension 71644

Approval

Council Date:	Committee Date:
Council Minute Item: <input type="text"/>	Committee Minute Item: <input type="text"/>

#12583306

Accessible formats or communication supports are available upon request.



Development Charges Deferral for Office Buildings - REVISED

Approved By:

Approved On:

Last Reviewed: October 17, 2019

Policy Statement

A policy governing the deferral of Regional development charges and area-specific development charges, for office buildings that are a minimum of four storeys that are above grade.

~~Upon the date a community benefits charges bylaw is adopted by Regional Council and comes into effect, this policy shall include the deferral of the Regional community benefits charges applicable to office buildings.~~

Application

This policy is available for office buildings in York Region subject to the terms and conditions as set out in this policy. To be eligible, the building must be a minimum of four storeys that are above grade.

Purpose

The purpose of this policy is to establish the rules and practices for deferring development charges on office buildings that are a minimum of four storeys and that are above grade.

This policy will also support York Region's goal of building complete communities and will help achieve the following outcomes:

- Encourage 'place-making' through a mix of uses
- Promote live/work
- Make better use of significant infrastructure investments made by the Region and local municipalities, including transit
- Help to grow the Region's property assessment base both from the new office development and from the surrounding complementary development due to land use synergy (both residential and non-residential)
- Help to alleviate north-south congestion on the roads network as residents have increased opportunities to work within the Region

Definitions

Act: The *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended, revised, re-enacted or consolidated from time to time, and any successor statute.

~~**Community Benefits Charges:** The Region's Community Benefits Charges, established by a Community Benefits Charges Bylaw, under Section 37 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, revised, re-enacted or consolidated from time to time, and any successor statute.~~

Development: The construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or changing the use from non-residential to residential or from residential to non-residential and includes redevelopment

Development Charges: The Region's development charges, including any area-specific development charges

~~**Gross Floor Area:** As defined under the Region's Development Charges Bylaw No. 2017-35 as amended by Regional Development Charges Bylaw No. 2018-42 or any successor development charges bylaw~~

Letter of Credit: A form of financial security issued by a financial institution that guarantees payment or performance by one or more counterparties to a beneficiary (the Region). At any time, the beneficiary reserves the right to draw upon the security up to a specified total in the event of default or non-delivery.

Office: As defined under the Region's Development Charges Bylaw No. 2017-35, as amended by Regional Development Charges Bylaw No. 2018-42, or any successor development charges bylaw

Storey: A storey must be above grade and is the portion of a building:

~~(c)~~(a) that is situated between the top of any floor and the top of the floor next above it, or

~~(d)~~(b) that is situated between the top of the floor and the ceiling above the floor, if there is no floor above it

~~**Valuation Date:** This means, for the purposes of Community Benefits Charges, with respect to land that is the subject of development or redevelopment:~~

~~a) The day before the day the building permit is issued in respect of the development or redevelopment, or~~

~~b) If more than one building permit is required for the development or redevelopment, the day before the day the first permit is issued~~

Description

1. Development Charges Deferral Agreement

Upon site plan approval and prior to building permit issuance, any developer(s) wishing to defer development charges for office buildings that are a minimum of four storeys that are above grade must enter into a development charge deferral agreement with the Region and provide the Region with a letter of credit for the development charges owed.

~~For greater clarity, all of the foregoing in Term 'B' shall apply to Community Benefits Charges when a Community Benefits Charges bylaw has been adopted and is in effect.~~

2. Duration of Deferral

The duration of the development charges deferral will vary, dependent on when an application for a site plan or zoning bylaw amendment was submitted:

- a. 18 months from date of building permit issuance by the local municipality for:
 - i. Applications submitted for approval of a development in a site plan control area under subsection 41 (4) of the Planning Act for an office building prior to January 1, 2020, or

-
- ii. Applications submitted for an amendment to a by-law passed under section 34 of the Planning Act prior to January 1, 2020
- b. 18 months from date of the issuance of a permit under the *Building Code Act, 1992* authorizing occupation of the building or the date the building is first occupied for:
- i. Applications submitted for approval of a development in a site plan control area under subsection 41 (4) of the Planning Act for an office building including and after January 1, 2020, or
 - ii. Applications submitted for an amendment to a by-law passed under section 34 of the Planning Act including and after January 1, 2020

If the occupation of the building is not authorized by a permit under the *Building Code Act, 1992*, the developer(s) must notify the Region within five business days of the building first being occupied, whereupon the deferral period will begin.

~~For greater clarity, all of the foregoing in Term 'C' shall apply to Community Benefits Charges, when a Community Benefits Charges bylaw has been adopted and is in effect.~~

3. Development Charges Rates

The development charges rate will be the amount determined under the applicable Regional development charges bylaw, or area-specific development charges bylaw, on:

- a. Day of building permit issuance for:
 - i. Applications submitted for approval of a development in a site plan control area under subsection 41 (4) of the Planning Act for an office building prior to January 1, 2020, or
 - ii. Applications submitted for an amendment to a by-law passed under section 34 of the Planning Act prior to January 1, 2020

- OR -

- b. Day of application for
 - i. Applications submitted for approval of a development in a site plan control area under subsection 41 (4) of the Planning Act for an office building including and after January 1, 2020, or

- ii. Applications submitted for an amendment to a by-law passed under section 34 of the Planning Act including and after January 1, 2020

For greater clarity, if clause b(i) or b(ii) does not apply to an office building that is seeking to defer development charges including and after January 1, 2020, the development charges rate is determined on the day the development charges is payable in accordance with section 26 of the Act.

~~For greater clarity, when a Community Benefits Charges bylaw has been adopted and is in effect, the Community Benefits Charges rate will be set on the day that the building permit is issued for the construction of the office building by the local municipality and shall be capped based on the prescribed percentage at the Valuation Date.~~

4. Development Charges Payable

The amount of the development charges payable to the Region, as required under the Act, will be based on the rates determined under Term '3' of this policy multiplied by the gross floor area of the office building, of which will be determined on the day that the developer(s) enters into a development charges deferral agreement with the Region and provides a letter of credit.

Actual monetary value of the development charges will be received via draw upon the letter of credit.

5. Security - Letter of Credit

The submitted letter of credit must:

- be printed on letterhead from the issuing financial institution
- comply with the International Standby Practices (ISP98) or its successor as published by the International Chamber of Commerce
- be denominated in Canadian dollars in an amount requested by the Region
- include an automatic renewal provision where the agreement is to be in place for more than one year
- indicate that the Region will be given 30 days' notice by registered mail if the counterparty does not intend to renew
- refer to a renewal schedule described in the agreement where the value of any letter of credit renewals or extensions are subject to changes from the original letter of credit amount
- conform to the intent of the standard format provided in Attachment A. Any deviation from the standard format will be subject to review by the Region and may be refused for non-compliance

A letter of guarantee or confirmation may be requested from time to time as evidence of capacity to secure a letter of credit. However, at no time will a letter of guarantee or confirmation serve as an acceptable alternative to a letter of credit. Letters of guarantee or confirmation must indicate that the financial institution is willing to provide a letter of credit in a format and within a time period deemed acceptable to the Region.

For all other details regarding the requirements of the letter of credit, please see the Region's Letter of Credit Policy, as amended, revised, re-enacted or consolidated from time to time.

~~For greater clarity, when a Community Benefits Charges bylaw has been adopted and is in effect, the Community Benefits Charges payable shall be set on the day that the building permit is issued for the construction of the office building by the local municipality and shall be capped based on the prescribed percentage at the Valuation Date.~~

6. Interest Waiver

No interest will be charged as the Region is in receipt of a letter of credit.

7. Mixed-Use Buildings

In the case of a mixed-use building, this policy will apply as follows:

a. Each component of the structure will be deferred in accordance with the applicable policy:

i. If the applicable policy requires a letter of credit, a separate letter of credit will be required, and

ii. A separate development charges deferral agreement will be required, or

b. The entirety of the building may be deferred based on the predominant residential use and in accordance with the applicable residential policy.

8. Effective Date

This policy will take effect the day it is passed by Regional Council and may be repealed by the Region at any time.

Responsibilities

Chief Administrative Officer, York Region

- Signing of agreements

Commissioner of Finance and Regional Treasurer, Finance

- Signing of agreements

Director, Treasury Office, Finance

- Administer and enforce the deferral policy, including assisting stakeholders in determining if they qualify for the policy, the development charges rates to be applied, and the development charges payable
- Collect all development charges when due

Director, Strategy and Transformation, Finance

- Process the draw upon the letter of credit at the point development charges are due (for example, end of deferral period)
- ~~Process the draw upon the letter of credit at the point Community Benefits Charges are due (when in-effect) (for example, at end of deferral period)~~

Compliance

The **Director, Strategy and Transformation** will process the draw upon the letter of credit at the point development charges are due (for example, end of deferral period).

Reference

Legislative and other authorities

- [Development Charges Act, 1997, S.O. 1997, c. 27](#)
- [Ontario Regulation 82/98](#)
- [Planning Act, R.S.O. 1990, c. P.13](#)

Appendices

- Council Report, [Potential Financial Incentives for Office Buildings](#), June 27, 2019
- Council Report, [Large Office Building Development Charge Deferral Pilot Program, October 17, 2019](#)
- Council Report, 2022 Development Charges Bylaw: Policy Directions, November 25, 2021 **[Hyperlink to be added]**
- [Council Report, Letter of Credit Policy, April 18, 2013](#)

-
- [Letter of Credit Policy, April 18, 2013](#)

Contact

- Director, Treasury Office, Finance at extension 71644

Approval

Council Date:	Committee Date:
Council Minute Item: <input type="text"/>	Committee Minute Item: <input type="text"/>

#10709601

Accessible formats or communication supports are available upon request.

ATTACHMENT A

REGION OF YORK
STANDARD DOCUMENTATION FOR LETTERS OF CREDIT

(insert bank letterhead)

LETTER OF CREDIT No. _____

DATE: _____

APPLICANT: _____

IRREVOCABLE LETTER OF CREDIT

BENEFICIARY: The Regional Municipality of York
17250 Yonge Street
Newmarket, Ontario, Canada
L3Y 6Z1

We hereby authorize you to draw on _____
(Bank, Address, Postal Code)

for account of _____
(name of Applicant)

up to an aggregate amount of _____ Dollars (\$_____)

available on demand as follows:

Pursuant to the request of our customer, the said _____,
(name of Applicant)

we _____
(name of Bank)

hereby establish and give to you an Irrevocable Letter of Credit in your favour in the total amount of

_____ DOLLARS (\$_____) CAD

which may be drawn on by you at any time and from time to time upon written demand for payment made upon us by you which demand we will honour without enquiring whether you have a right as between yourself and our said customer to make such demand and without recognizing any claim of our said customer.

Provided, however, that you are to deliver to us at such time as a written demand for payment is made upon us a certificate signed by you agreeing and/or confirming that monies drawn pursuant to this Letter of Credit are to be retained and used to meet obligations in connection with:

CONTRACT NO.	_____	} (as applicable)
MINISTRY SUBDIVISION NO:	_____	
REGION FILE OR APPROVAL NO:	_____	
SITE LOCATION:	_____	
DESCRIPTION OF WORKS:	_____	

The amount of this Letter of Credit will be reduced from time to time as advised by notice in writing given to us from time to time by you.

This Letter of Credit will expire on _____, but will be deemed to be automatically extended without any formal amendment or notice to that effect, from year to year for successive periods of one year each from the present or any future expiration date hereof, unless not less than thirty (30) days prior to the present or any future expiration we will notify you in writing that the bank elects not to renew this Letter of Credit for any such additional period. This notification will be delivered by Registered Mail to the attention of:

Commissioner of Finance & Regional Treasurer
 Regional Municipality of York
 17250 Yonge Street
 4/F, Finance Reception
 Newmarket, Ontario, Canada
 L3Y 6Z1

Upon receipt by you of such notice, you may draw by means of your demand accompanied by your above written certificate.

Partial drawings are permitted.

The drawings under this credit are to state that they are drawn under the

 (Name of Bank, Address)
 LETTER OF CREDIT NO. _____
 (Number)

This Letter of Credit is subject to the rules set out in *International Standby Practices (ISP98)*, International Chamber of Commerce publication No.590 and engages us in accordance with the terms thereof. This Letter of Credit will also be governed by and construed in accordance with the laws of the Province of Ontario and the applicable laws of Canada except to the extent that such laws are inconsistent with the *International Standby Practices (ISP98)*.

 Authorized Signature

 Authorized Signature (For Bank)

Development Charges Deferral for Open Air Motor Vehicle Storage Structures - REVISED

Approved By:

Approved On:

Last Reviewed: May 17, 2018

Policy Statement

A policy governing the deferral of Regional development charges and area-specific development charges for open air motor vehicle storage structures in York Region.

Application

This policy is available for open air motor vehicle storage structures in York Region, subject to the terms and conditions as set out in this policy and/or modified through the required deferral agreement.

For greater clarity, to be eligible, this structure must be open air and applies to:

- conversions of existing surface parking to open air motor vehicle storage structures
- new open air motor vehicle storage structures

The policy does not apply to solely below grade motor vehicle storage structures. If an above-grade open air motor vehicle storage structure includes below grade storage areas, those below grade storage area will not be eligible for this deferral.

Purpose

The purpose of this policy is to establish the rules and practices for deferring development charges on open air motor vehicle storage structures.

This policy will also support the following outcomes:

- Support more compact development, thereby making better use of land
- Support the development and attraction of open air motor vehicle storage structures

Definitions

Act: -The *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended, revised, re-enacted or consolidated from time to time, and any successor statute

Development: The construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or changing the use from non-residential to residential or from residential to non-residential and includes redevelopment

Development Charges: The Region's development charges, including any area-specific development charges

Enclosure/enclosed: Includes the partial and/or complete enclosure of the part of the structure open to natural light and air

Gross Floor Area: As defined under the Region's Development Charges Bylaw No. 2017-35 as amended by Regional Development Charges Bylaw No. 2018-42 or any successor development charges bylaw

Motor vehicle storage: Includes, but is not limited to, the display, storage or warehousing of motor vehicles prior to sale, lease, rental, servicing and includes employee and/or customer parking

Open air motor vehicle storage structure: Includes a building, structure, platform, station, or part of any of the foregoing, standalone or attached to another structure that is open to natural light and air and is used for motor vehicle storage.

Schedule 'I' Bank: As referenced in subsection 14(1)(a) of the *Bank Act*, S.C. 1991, c. 46. These are domestic banks and are authorized under the *Bank Act* to accept deposits, which may be eligible for deposit insurance provided by the Canadian Deposit Insurance Corporation

Description

1. Development Charges Deferral Agreement

Upon site plan approval and prior to building permit issuance, any developer(s) wishing to defer development charges for an open air motor vehicle storage structure must enter into a development charge deferral agreement with the Region.

2. Covenants Included in the Development Charges Deferral Agreement

Every development charge deferral agreement will include covenants, on the part of the developer(s), of which will include, but not be limited to:

- covenant, by the developer(s), that the structure will only be an open air motor vehicle storage structure as defined in this policy
- covenant, by the developer(s), to permit Regional staff to visit and/or inspect the structure from time-to-time, in an agreed upon manner, to ensure the structure has not been enclosed and is being used for the intended purposes (i.e., motor vehicle storage)
- covenant, by the developer(s) that they will inform the Region if the facility is to be enclosed
- covenant, by the developer(s), that if the structure becomes enclosed, is subject to enclosure, or another trigger event occurs, as defined by this policy or accompanying agreement(s), development charges will be made payable (including any interest)
- covenant, by the developer(s), that they will enter into any additional agreement(s), as determined to be required by the Regional Solicitor, to give full force and effect to the deferral agreement

3. Duration of the Deferral

The deferral of development charges for open air motor vehicle storage structures will be until the structure becomes enclosed, as defined in this policy and/or modified through the development charge deferral agreement.

The deferral period will begin on the day of building permit issuance by the local municipality for the open air motor vehicle storage structure.

Development charges will be payable within 15 business days immediately following notification of any of these trigger events:

- enclosure of the structure (as defined in this policy)
- sale, or transfer of ownership, of the property unless an assumption agreement is entered into
- any other material default as defined in the agreement(s)

Notification to the owner of the property on the tax roll will occur immediately after the trigger event. The 15 business days will begin with the mailing, by registered mail, of notice.

4. Development Charges Rates

The development charges rate will be the amount determined under the applicable Regional development charges bylaw, or area-specific development charges bylaw on:

- a. Day of building permit issuance for:
 - i. Applications submitted for approval of a development in a site plan control area under subsection 41 (4) of the Planning Act for an open air motor vehicle storage structure prior to January 1, 2020, or
 - ii. Applications submitted for an amendment to a bylaw passed under section 34 of the Planning Act prior to January 1, 2020

- OR -
- b. Day of application for:
 - i. Applications submitted for approval of a development in a site plan control area under subsection 41 (4) of the Planning Act for an open air motor vehicle storage structure including and after January 1, 2020, or
 - ii. Applications submitted for an amendment to a bylaw passed under section 34 of the Planning Act including and after January 1, 2020

For greater clarity, if clause b(i) or b(ii) does not apply to an open air motor vehicle storage structure that is seeking to defer development charges including and after January 1, 2020, the development charges rate is determined on the day the development charges is payable in accordance with section 26 of the Act.

5. Development Charges Payable

The amount of the development charges payable to the Region as required under the Act, will be based on the rates determined under Term '4' of this policy multiplied by the gross floor area of the open air motor vehicle storage structure, of which will be determined on the day that the developer(s) enters into a development charges deferral agreement with the Region.

6. Interest Waiver

All interest will be calculated using the development charges payable in Term '5' to this policy. The period for the interest calculation will begin on the date of issuance of the building permit for the proposed structure by the local municipality and continue until the date upon which the development charges are fully paid.

All deferred development charges will bear interest at the prime commercial lending rate charged by an agreed upon 'Schedule I' commercial bank on demand loans in Canadian funds to its most creditworthy customers plus two per cent per annum. All interest will accrue and be compounded annually.

The Region will forgive all amounts due and owing on account of interest, provided that the development charges are paid in full to the Region at the time required (within 15 business days immediately following notification of a trigger event as defined in Term '3' of this policy).

In the event unpaid development charges are added to the tax roll (Term '7'), interest will continue to accrue and be compounded until all outstanding charges are fully paid.

7. Unpaid Development Charges

If any development charges (including any interest) are unpaid within 15 business days immediately following notification of a trigger event identified in Term '3' of this policy, those development charges (including interest) will be added to the tax roll and collected in the same manner as taxes (in accordance with section 32 of the Act).

In the event unpaid development charges are added to the tax roll; interest will continue to accrue and be compounded annually until all outstanding total charges are fully paid (development charges plus interest).

8. Redevelopment Credits

In the situation of a redevelopment of a structure covered by a deferral agreement under this policy, no development charge credits will be available and the new structure will be subject to the full development charges on that structure.

9. Local Participation

The Region will only enter into a development charges deferral agreement if the local municipality has provided a similar, if not better, deferral, exemption, or other incentive, for the proposed development.

It will be up to the Commissioner of Finance and/or the Chief Administrative Officer, in consultation with the Chief Planner, to decide what constitutes "similar, if not better", but this may be determined by looking at:

- Whether there is a prescribed timeframe for the deferral
- Whether interest is waived
- Other incentives that may be provided, be them financial or otherwise

10. Security

A form of security will be taken and may be registered against the title to the land, at the execution of the development charges deferral agreement with the Region. The Region's security interest will always be, at minimum, pari passu, or of equal footing, to that of the local municipality offering a similar, if not better, deferral of development charges.

10.11. Other Agreements Required

In addition to the requirement that the developer(s) enter into a development charge deferral agreement with the Region, the developer(s) will enter into any other agreements as required by the Regional Solicitor.

11.12. Legal Fees

All legal fees of the developer(s) and the Region will be borne by the developer(s).

13. Mixed-Use Buildings and Multiple-Use Buildings

This policy does apply to open air motor vehicle storage structure uses in a mixed-use building or a multiple-use building.

However, for greater clarity, this policy does not apply to the non-open air motor vehicle storage structure uses within a mixed-use building or a multiple-use building.

12.14. Report Back to Council

Staff will report back to Council on the number of deferral agreements, and the amounts deferred, executed through this policy, as part of the process to update of the Region's development charge bylaw.

13.15. Effective Date

This policy will take effect the day it is passed by Regional Council and may be repealed by the Region at any time.

Responsibilities

Chief Administrative Officer, York Region

- Responsibilities as identified under the Terms of this policy
- Signing of security agreements

Commissioner of Finance and Regional Treasurer, Finance

- Responsibilities as identified under the Terms of this policy

- Signing of security agreements

Regional Solicitor, Legal and Court Services

- Draft and prepare for execution the deferral agreement between Region and the developer(s)
- Draft and prepare for execution any additional agreements required
- Maintain copies of all executed deferral agreements and other agreements as required
- Registration of security on title

Director, Treasury Office, Finance

- Administer and enforce the deferral policy, including assisting stakeholders in determining if they qualify for the policy, the development charges rates to be applied, and the development charges payable

Director, Strategy and Transformation, Finance

- Collect all development charges when due
- Notify, through the Regional Treasurer, to the treasurer of the local municipality if development charges are not paid/received within the prescribed timeframe and to have said charges added to the tax roll
- Undertake any additional administrative obligations as determined through the agreements
- Maintain copies of all executed deferral agreements and other agreements as required

Compliance

Immediately upon the occurrence of any of the trigger events identified in Term '3' of this policy, the **Director, Treasury Office** will notify the owner of the property on the tax roll that development charges are due within 15 business days, the timing of which will begin with the mailing, by registered mail, of notice.

The **Director, Treasury Office** will also monitor the payment of the development charges due to ensure interest is only forgiven (Term '6' of the policy) when the development

charges are paid in full to the Region within 15 business days immediately following notification of a trigger event.

Reference

Legislative and other authorities

- [Development Charges Act, 1997, S.O. 1997, c. 27](#)
- [Ontario Regulation 82/98](#)
- [Planning Act, R.S.O. 1990, c. P.13](#)

Appendices

- [The Regional Municipality of York - York Region Development Charges Bylaw - No. 2017-35](#)
- [Memorandum to Committee of the Whole, Development charge treatment of structured parking, April 12, 2018](#)
- [Council Report, 2018 Development Charge Background Study and Bylaw Amendment, May 17, 2018](#)
- [The Regional Municipality of York 2018 Development Charge Background Study – Bylaw Amendment, May 17, 2018](#)
- Council Report, 2022 Development Charges Bylaw: Policy Directions, November 25, 2021 **[Hyperlink to be added]**

Contact

- Director, Treasury Office, Finance, at extension 71644

Approval

Council Date:	Committee Date:
Council Minute Item: <input type="text"/>	Committee Minute Item: <input type="text"/>

#10716451

Accessible formats or communication supports are available upon request.

Development Charge Interest Policy – Under sections 26.1 and 26.2 of the *Development Charges Act, 1997* - REVISED

Approved By:

Approved On:

Last Reviewed: February 27, 2020

Policy Statement

A policy governing the charging of interest, as permitted under sections 26.1 and 26.2 of the *Development Charges Act, 1997*.

Application

This policy applies to the charging of interest, as permitted under sections 26.1 and 26.2 of the *Development Charges Act, 1997*. This includes all types of development in York Region:

- That are eligible for instalment payments under section 26.1 of the *Development Charges Act, 1997*
- Under section 26.2 of the *Development Charges Act, 1997*, where an application has been made for:
 - Approval of development in a site plan control area under subsection 41(4) of the *Planning Act, 1990*, or
 - An amendment to a bylaw passed under section 34 of the *Planning Act, 1990*

Purpose

The purpose of this policy is to establish the rules and practices for charging interest, as permitted under sections 26.1 and 26.2 of the *Development Charges Act, 1997*.

This policy will support York Region's ability to build growth-related infrastructure in a way that is fiscally sustainable and will help achieve the following outcomes:

- Good government providing reliable Regional programs and services
- Continued delivery of complete communities in a fiscally sustainable way
- Fair and equitable treatment of all stakeholders involved in delivering housing supply, including residents, businesses, municipalities and developers

Definitions

Act: The *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended, revised, re-enacted or consolidated from time to time, and any successor statute

Development: The construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or changing the use from non-residential to residential or from residential to non-residential and includes redevelopment

Development Charges: The Region's development charges, including any area-specific development charges

Total Accrued Amount: Equal to the total of the development charges and interest which has accrued

Description

1. Legislative Framework

a) Installment Payments under section 26.1 of the Act

Under subsections 26.1(1), (2) and (3) of the Act, development charges will be paid in equal annual instalments, beginning at the earlier of first occupancy or occupancy permit under the *Building Code Act, 1992*, for:

- Rental housing development that is not non-profit housing development
- Institutional development
- Non-profit housing development

b) Interest on Installment Payments under section 26.1 of the Act

Subsection 26.1(7) of the Act allows a municipality to charge interest on the instalments from the date the development charges would have been payable, under section 26 of the Act, to the date the instalment is paid, at a rate not exceeding the prescribed maximum interest rate.

c) Development Charge Freeze under section 26.2 of the Act

Under subsection 26.2(1) of the Act, the total amount of a development charge is determined under the Region's Development Charge Bylaw on:

- i) The day an application for an approval of development under subsection 41(4) of the Planning Act was made, or
- ii) If clause (i) does not apply, the day an application for an amendment to a bylaw passed under section 34 of the Planning Act was made.

d) Interest under section 26.2 of the Act

Under subsection 26.2(3) of the Act, a municipality may charge interest on the development charge, at a rate not exceeding the prescribed maximum interest rate, from the date of the application referred to in clause c(i) or c(ii) to the date the development charge is payable.

e) Maximum Interest Rate under sections 26.1 and 26.2

The Act allows a municipality to charge interest on the development charge at a rate not exceeding the prescribed maximum interest rate.

There is no prescribed maximum interest rate under subsections 26.1 and 26.2 of the Act.

2. Interest Rate Used

- a) An interest rate of 5% will be used.
- b) Notwithstanding clause 2(a), a rate of 0% will be used for payments under section 26.1, beginning at building permit, for developments that have taken advantage of a Regional development charges incentive and/or relief, current or future.

3. Amendment or Revision to Interest Rates:

In the event the interest rate is amended or revised, the new interest rate will apply to the total accrued amount, prorated from the date of the interest rate amendment or revision to:

- The date the total accrued amount is fully paid, or
- A subsequent amendment or revision of the interest rate

4. Interest Rate Publication and Notification

Upon Council approval, this policy and the interest rates being used will be made available on the Region's [development charges website](#).

The interest rates will also be published as part of the Region's development charges pamphlet publication.

5. Compounding and Prorating:

All interest will be compounded annually and will accrue from the date of the applicable application until the date the total accrued amount is fully paid. A 365-day calendar year will be used for the purposes of prorating.

a) Subsequent Application(s)

If a subsequent application(s) is made for a development:

- The date the subsequent application is made will become the new date under which the total amount of the development charge is determined
- All interest that had accrued prior to the subsequent application will be deemed to be zero
- Interest will be compounded annually and begin to accrue from the date the subsequent application is made

b) Interest under section 26.1

If a development was one of the eligible types of development for the instalment payments under section 26.1 of the Act, the total accrued amount will continue to accrue interest from the date of the issuance of a building permit.

During the instalment timeframe, interest will continue to accrue on the outstanding balance. This will continue until the date the total accrued amount has been fully paid.

6. Transition

To allow for a transition period, this policy does not apply to any development where:

a) An application under sections 34 or 41(4) of the Planning Act is not required, but:

- Still qualifies for instalment payments under section 26.1 of the Act, and
- Has been issued a building permit for development by a local municipality prior to July 1, 2020

b) An application under subsection 41(4) of the Planning Act is:

- Made after January 1, 2020, and
 - Has been issued a building permit for development by a local municipality prior to July 1, 2020
- c) An application for an amendment to a bylaw passed under section 34 of the Planning Act is:
- Made after January 1, 2020, and
 - Has been issued a building permit for development by a local municipality prior to July 1, 2020

7. Grace Period

Where the local municipality has provided certification and a grace period for the payment of the total accrued amount payable, the Region may provide a grace period matching that of the local municipality, but not to exceed 14 calendar days.

For greater clarity, this grace period, if provided, would only apply to the total accrued amount payable under section 26.2 of the Act.

In the event a grace period is provided by the Region, and the total accrued amount payable is not paid within this time, the new total accrued amount payable will include the number of days in the grace period and no further grace period will be provided.

7.8. Effective Date

Upon approval by Council, this policy will take effect as at January 1, 2020 at 12 a.m. This policy may be repealed and/or modified by Council at any time.

Responsibilities

Director, Treasury Office, Finance

- Administer this policy, including but not limited to:
 - Assisting stakeholders in determining the total amount of the development charge that would be determined under the bylaw and the applicable interest rate that would apply
 - Ensure the total accrued amount is being charged and collected when due
- Work with local municipalities to ensure the policy is administered correctly

Director, Strategy and Transformation, Finance

- Collect all development charges, including interest, when due and payable

Director, Community Planning and Development Services, Corporate Services

- Confirm, in consultation with local municipality, that a complete application was made for the purposes of determining the total amount of the development charge

Compliance

The **Director, Treasury Office** will monitor all development applications, and in consultation with the **local municipality** ensure the correct amount of the development charge is being used.

The **Director, Treasury Office** will ensure that this policy is being administered correctly.

The **Director, Strategy and Transformation**, in consultation with the **Director, Treasury Office** and the **local municipality**, will ensure the correct amount is being used to determine the total development charge collections, and that the correct amount of interest has been received.

Reference

Legislative and other authorities

- [Bill 108, More Homes, More Choice Act, 2019](#)
- [Bill 138, Plan to Build Ontario Together Act, 2019](#)
- [Development Charges Act, 1997, S.O. 1997, c. 27](#)
- [Ontario Regulation 454/19](#)
- [Ontario Regulation 82/98](#)
- [Planning Act, R.S.O. 1990, c. P.13](#)
- [York Region Development Charges Bylaw No. 2017-35](#)
- [York Region Development Charges Bylaw Amendment No. 2018-42](#)

Appendices

- Council Report, [Potential Development Charge Bylaw Amendment and Interest Policy - Bill 108, More Homes, More Choice Act, 2019](#), February 27, 2020
- Council Report, 2022 Development Charges Bylaw: Policy Directions, November 25, 2021 [**Hyperlink to be added**]

Contact

Director, Treasury Office, Finance, at extension 71644

Director, Community Planning, Corporate Services, at extension 71505

Approval

Council Date:	Committee Date:
Council Minute Item:	Committee Minute Item:

#12777266

Accessible formats or communication supports are available upon request.



Status: Draft

Development Charges Deferral for Retail Buildings

Approved By:

Approved On:

Policy Statement

A policy governing the deferral of Regional development charges and area-specific development charges for retail buildings.

Application

This policy is available for retail buildings in York Region subject to the terms and conditions as set out in this policy.

Purpose

The purpose of this policy is to establish the rules and practices for deferring development charges on retail buildings.

This policy will also support York Region's goal of building complete communities and will help achieve the following outcomes:

- Encourage 'place-making' through a mix of uses
- Promote live/work
- Support the development and attraction of retail businesses

Definitions

Act: The *Development Charges Act*, S.O. 1997, c. 27, as amended, revised, re-enacted or consolidated from time to time, and any successor statute

Development: The construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or changing the use thereof from non-residential to residential or from residential to non-residential and includes redevelopment

Development Charges: The Region's development charges, including any area-specific development charges

Gross Floor Area: As defined under the Region's Development Charges Bylaw No. 2017-35 as amended by Regional Development Charges Bylaw No. 2018-42 or any successor development charges bylaw

Letter of Credit: A form of financial security issued by a financial institution that guarantees payment or performance by one or more counterparties to a beneficiary (the Region). At any time, the beneficiary reserves the right to draw upon the security up to a specified total in the event of default or non-delivery

Retail: As defined under the Region's Development Charges Bylaw No. 2017-35 as amended by Regional Development Charges Bylaw No. 2018-42, or any successor development charges bylaw

Description

1. Development Charges Deferral Agreement

Upon site plan approval and prior to building permit issuance, any developer(s) wishing to defer development charges for a retail building must enter into a development charge deferral agreement with the Region and provide the Region with a letter of credit for the development charges owed.

2. Duration of Deferral

The deferral of development charges for retail buildings will be in accordance with the following schedule:

- First anniversary of building permit issuance: one-third drawn from letter of credit
- Second anniversary of building permit issuance: one-third drawn from letter of credit

- Third anniversary of building permit issuance: one-third drawn from letter of credit

For greater clarity, development charge payments are being deducted from the letter of credit through three equal annual payments beginning on the first anniversary of building permit issuance.

3. Development Charges Rates

The development charges rate will be the amount determined under the applicable Regional development charges bylaw, or area-specific development charges bylaw, on:

- a. Day of building permit issuance for:
 - i. Applications submitted for approval of a development in a site plan control area under subsection 41 (4) of the Planning Act for a retail building prior to January 1, 2020, or
 - ii. Applications submitted for an amendment to a bylaw passed under section 34 of the Planning Act prior to January 1, 2020

- OR -

- b. Day of application for:
 - i. Applications submitted for approval of a development in a site plan control area under subsection 41 (4) of the Planning Act for a retail building including and after January 1, 2020, or
 - ii. Applications submitted for an amendment to a by-law passed under section 34 of the Planning Act including and after January 1, 2020

For greater clarity, if clause b(i) or b(ii) does not apply to a retail building that is seeking to defer development charges including and after January 1, 2020, the development charges rate is determined on the day the development charges is payable in accordance with section 26 of the Act.

4. Development Charges Payable

The amount of the development charges payable to the Region, as required under the Act, will be based on the rates determined under Term '3' of this policy multiplied by the Gross Floor Area of the retail building, of which will be determined on the day that the developer(s) enters into a development charges deferral agreement with the Region-and provides a letter of credit.

Actual monetary value of the development charges will be received via draw upon the letter of credit which will be done in three equal annual installments, beginning on the first anniversary of the building permit issuance, by the local municipality, for the retail building.

5. Security - Letter of Credit

The submitted letter of credit must:

- be printed on letterhead from the issuing financial institution
- comply with the International Standby Practices (ISP98) or its successor as published by the International Chamber of Commerce
- be denominated in Canadian dollars in an amount requested by the Region
- include an automatic renewal provision where the agreement is to be in place for more than one year
- indicate that the Region will be given 30 days' notice by registered mail if the counterparty does not intend to renew
- refer to a renewal schedule described in the agreement where the value of any letter of credit renewals or extensions are subject to changes from the original letter of credit amount
- conform to the intent of the standard format provided in Attachment A. Any deviation from the standard format will be subject to review by the Region and may be refused for non-compliance

A letter of guarantee or confirmation may be requested from time to time as evidence of capacity to secure a letter of credit. However, at no time will a letter of guarantee or confirmation serve as an acceptable alternative to a letter of credit. Letters of guarantee or confirmation must indicate that the financial institution is willing to provide a letter of credit in a format and within a time period deemed acceptable to the Region.

For all other details regarding the requirements of the letter of credit, please see the Region's Letter of Credit Policy, as amended, revised, re-enacted or consolidated from time to time.

6. Interest Waiver

No interest will be charged as the Region is in receipt of a letter of credit.

7. Mixed-Use Buildings

In the case of a mixed-use building, this policy will apply as follows:

- a. Each component of the structure will be deferred in accordance with the applicable policy:
 - i. If the applicable policy requires a letter of credit, a separate letter of credit will be required, and
 - ii. A separate development charges deferral agreement will be required, or
- b. The entirety of the building may be deferred based on the predominant residential use and in accordance with the applicable residential policy.

8. Effective Date

This policy will take effect the day it is passed by Regional Council and may be repealed by the Region at any time.

Responsibilities

Chief Administrative Officer, York Region

- Signing of agreements

Commissioner of Finance and Regional Treasurer, Finance

- Signing of agreements

Director, Treasury Office, Finance

- Administer and enforce the deferral policy, including assisting stakeholders in determining if they qualify for the policy, the development charges rates to be applied, and the development charges payable
- Collect all development charges when due

Director, Strategy and Transformation, Finance

- Process the draw upon the letter of credit at the point development charges are due

Compliance

The **Director, Strategy and Transformation** will process the draw upon the letter of credit at the point development charges are due (for example, in three equal annual installments).

Reference

Legislative and other authorities

- [Bill 108, More Homes, More Choice Act, 2019](#)
- [Development Charges Act, 1997, S.O. 1997, c. 27](#)
- [Ontario Regulation 82/98](#)
- [Planning Act, R.S.O. 1990, c. P.13](#)

Appendices

- Council Report, 2022 Development Charges Bylaw: Policy Directions, November 25, 2021 (**Hyperlink to be added**)
- [Council Report, Letter of Credit Policy, April 18, 2013](#)
- [Letter of Credit Policy, April 18, 2013](#)

Contact

- Director, Treasury Office, Finance, at extension 71644

Approval

Council Date:	Committee Date:
Council Minute Item: <input type="text"/>	Committee Minute Item: <input type="text"/>

#10714263

Accessible formats or communication supports are available upon request.

ATTACHMENT A

**REGION OF YORK
STANDARD DOCUMENTATION FOR LETTERS OF CREDIT**

(insert bank letterhead)

LETTER OF CREDIT NO. _____

DATE: _____

APPLICANT: _____

IRREVOCABLE LETTER OF CREDIT

BENEFICIARY: The Regional Municipality of York
17250 Yonge Street
Newmarket, Ontario, Canada
L3Y 6Z1

We hereby authorize you to draw on _____
(Bank, Address, Postal Code)

for account of _____
(name of Applicant)

up to an aggregate amount of _____ Dollars (\$_____) available on demand as follows:

Pursuant to the request of our customer, the said _____,
(name of Applicant)

we _____
(name of Bank)

hereby establish and give to you an Irrevocable Letter of Credit in your favour in the total amount of _____ DOLLARS (\$_____) CAD

which may be drawn on by you at any time and from time to time upon written demand for payment made upon us by you which demand we will honour without enquiring whether you have a right as between yourself and our said customer to make such demand and without recognizing any claim of our said customer.

Provided, however, that you are to deliver to us at such time as a written demand for payment is made upon us a certificate signed by you agreeing and/or confirming that monies drawn pursuant to this Letter of Credit are to be retained and used to meet obligations in connection with:

CONTRACT NO.	_____	} (as applicable)
MINISTRY SUBDIVISION NO:	_____	
REGION FILE OR APPROVAL NO:	_____	
SITE LOCATION:	_____	
DESCRIPTION OF WORKS:	_____	

The amount of this Letter of Credit will be reduced from time to time as advised by notice in writing given to us from time to time by you.

This Letter of Credit will expire on _____, but will be deemed to be automatically extended without any formal amendment or notice to that effect, from year to year for successive periods of one year each from the present or any future expiration date hereof, unless not less than thirty (30) days prior to the present or any future expiration we will notify you in writing that the bank elects not to renew this Letter of Credit for any such additional period. This notification will be delivered by Registered Mail to the attention of:

Commissioner of Finance & Regional Treasurer
Regional Municipality of York
17250 Yonge Street
4/F, Finance Reception
Newmarket, Ontario, Canada
L3Y 6Z1

Upon receipt by you of such notice, you may draw by means of your demand accompanied by your above written certificate.

Partial drawings are permitted.

The drawings under this credit are to state that they are drawn under the

(Name of Bank, Address)
LETTER OF CREDIT NO. _____
(Number)

This Letter of Credit is subject to the rules set out in *International Standby Practices (ISP98)*, International Chamber of Commerce publication No.590 and engages us in accordance with the terms thereof. This Letter of Credit will also be governed by and construed in accordance with the laws of the Province of Ontario and the applicable laws of Canada except to the extent that such laws are inconsistent with the *International Standby Practices (ISP98)*.

Authorized Signature

Authorized Signature (For Bank)

Development Charges Deferral for High Rise Residential Buildings

Approved By:

Approved On:

Policy Statement

A policy governing the deferral of Regional development charges and area-specific development charges for high rise residential buildings that are a minimum of four storeys that are above grade.

Application

This policy is available for high rise residential buildings in York Region subject to the terms and conditions as set out in this policy. To be eligible, the building must be a minimum of four storeys that are above grade.

Purpose

The purpose of this policy is to establish the rules and practices for deferring development charges on high rise residential buildings that are a minimum of four storeys and that are above grade.

This policy will also support York Region's goal of building complete communities and will help achieve the following outcomes:

- Encourage 'place-making' through a mix of uses
- Encourage higher density residential built forms
- Promote live/work

Definitions

Act: The *Development Charges Act*, S.O. 1997, c. 27, as amended, revised, re-enacted or consolidated from time to time, and any successor statute

Development: The construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or changing the use from non-residential to residential or from residential to non-residential and includes redevelopment

Development Charges: The Region's development charges, including any area-specific development charges

Letter of Credit: A form of financial security issued by a financial institution that guarantees payment or performance by one or more counterparties to a beneficiary (the Region). At any time, the beneficiary reserves the right to draw upon the security up to a specified total in the event of default or non-delivery

High Rise Residential: As defined under the Region's Development Charges Bylaw No. 2017-35 as amended by Regional Development Charges Bylaw No. 2018-42 or any successor development charges bylaw

Storey: A storey must be above grade and is the portion of a building:

- (a) That is situated between the top of any floor and the top of the floor next above it, or
- (b) That is situated between the top of the floor and the ceiling above the floor, if there is no floor above it

Description

1. Development Charges Deferral Agreement

Upon site plan approval and prior to building permit issuance, any developer(s) wishing to defer development charges for high rise residential buildings that are a minimum of four storeys that are above grade must enter into a development charge deferral agreement with the Region and provide the Region with a letter of credit for the development charges owed.

2. Duration of Deferral

The deferral of development charges for high rise residential buildings will be for the earlier of:

- 18 months after building permit issuance for the high rise residential building, or
- When the high rise residential condominium is registered

The deferral period will begin the day of building permit issuance by the local municipality.

3. Development Charges Rates

The development charges rate will be the amount determined under the applicable Regional development charges bylaw, or area-specific development charges bylaw, on:

- c. Day of building permit issuance for:
- iii. Applications submitted for approval of a development in a site plan control area under subsection 41 (4) of the Planning Act for a high rise residential building prior to January 1, 2020, or
 - iv. Applications submitted for an amendment to a bylaw passed under section 34 of the Planning Act prior to January 1, 2020

- OR -

- d. Day of application for:
- iii. Applications submitted for approval of a development in a site plan control area under subsection 41 (4) of the Planning Act for a high rise residential building including and after January 1, 2020, or
 - iv. Applications submitted for an amendment to a bylaw passed under section 34 of the Planning Act including and after January 1, 2020

For greater clarity, if clause b(i) or b(ii) does not apply to a high rise residential building that is seeking to defer development charges including and after January 1, 2020, the development charges rate is determined on the day the development charges is payable in accordance with section 26 of the Act.

4. Development Charges Payable

The amount of the development charges payable to the Region, as required under the Act, will be based on the rates determined under Term '3' of this policy multiplied by the number of dwelling units in the high rise residential building, which will be determined on the day that the developer(s) enters into a development charges deferral agreement with the Region and provides a letter of credit. Actual monetary value of the development charges will be received via draw upon the letter of credit.

5. Security - Letter of Credit

The submitted letter of credit must:

- be printed on letterhead from the issuing financial institution
- comply with the International Standby Practices (ISP98) or its successor as published by the International Chamber of Commerce
- be denominated in Canadian dollars in an amount requested by the Region
- include an automatic renewal provision where the agreement is to be in place for more than one year
- indicate that the Region will be given 30 days' notice by registered mail if the counterparty does not intend to renew
- refer to a renewal schedule described in the agreement where the value of any letter of credit renewals or extensions are subject to changes from the original letter of credit amount
- conform to the intent of the standard format provided in Attachment A. Any deviation from the standard format will be subject to review by the Region and may be refused for non-compliance

A letter of guarantee or confirmation may be requested from time to time as evidence of capacity to secure a letter of credit. However, at no time will a letter of guarantee or confirmation serve as an acceptable alternative to a letter of credit. Letters of guarantee or confirmation must indicate that the financial institution is willing to provide a letter of credit in a format and within a time period deemed acceptable to the Region.

For all other details regarding the requirements of the letter of credit, please see the Region's Letter of Credit Policy, as amended, revised, re-enacted or consolidated from time to time.

6. Interest Waiver

No interest will be charged as the Region is in receipt of a letter of credit.

7. Mixed-Use Buildings

In the case of a mixed-use building, this policy will apply as follows:

- a. Each component of the structure will be deferred in accordance with the applicable policy:
 - i. If the applicable policy requires a letter of credit, a separate letter of credit will be required, and
 - ii. A separate development charges deferral agreement will be required, or
- b. The entirety of the building may be deferred based on the predominant residential use and in accordance with the applicable residential policy.

8. Effective Date

This policy will take effect the day it is passed by Regional Council and may be repealed by the Region at any time.

Responsibilities

Chief Administrative Officer, York Region

- Signing of agreements

Commissioner of Finance and Regional Treasurer, Finance

- Signing of agreements

Director, Treasury Office, Finance

- Administer and enforce the deferral policy, including assisting stakeholders in determining if they qualify for the policy, the development charges rates to be applied, and the development charges payable
- Collect all development charges when due

Director, Strategy and Transformation, Finance

- Process the draw upon the letter of credit at the point development charges are due (for example, end of deferral period)

Compliance

The **Director, Strategy and Transformation** will process the draw upon the letter of credit at the point development charges are due (for example, end of deferral period).

Reference

Legislative and other authorities

- [Bill 108, More Homes, More Choice Act, 2019](#)
- [Development Charges Act, 1997, S.O. 1997, c. 27](#)
- [Ontario Regulation 82/98](#)
- [Planning Act, R.S.O. 1990, c. P.13](#)

Appendices

- Council Report, 2022 Development Charges Bylaw: Policy Directions, November 25, 2021 [**Hyperlink to be added**]
- [Council Report, Letter of Credit Policy, April 18, 2013](#)
- [Letter of Credit Policy, April 18, 2013](#)

Contact

- Director, Treasury Office, Finance, at extension 71644

<p>Approval</p> <p>Council Date:</p> <p>Council Minute Item: <input type="text"/></p>	<p>Committee Date:</p> <p>Committee Minute Item: <input type="text"/></p>
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#10711406

Accessible formats or communication supports are available upon request.

ATTACHMENT A

**REGION OF YORK
STANDARD DOCUMENTATION FOR LETTERS OF CREDIT**

(insert bank letterhead)

LETTER OF CREDIT NO. _____

DATE: _____

APPLICANT: _____

IRREVOCABLE LETTER OF CREDIT

BENEFICIARY: The Regional Municipality of York
17250 Yonge Street
Newmarket, Ontario, Canada
L3Y 6Z1

We hereby authorize you to draw on _____
(Bank, Address, Postal Code)

for account of _____
(name of Applicant)

up to an aggregate amount of _____ Dollars (\$_____) available on demand as follows:

Pursuant to the request of our customer, the said _____,
(name of Applicant)

we _____
(name of Bank)

hereby establish and give to you an Irrevocable Letter of Credit in your favour in the total amount of _____ DOLLARS (\$_____) CAD

which may be drawn on by you at any time and from time to time upon written demand for payment made upon us by you which demand we will honour without enquiring whether you have a right as between yourself and our said customer to make such demand and without recognizing any claim of our said customer.

Provided, however, that you are to deliver to us at such time as a written demand for payment is made upon us a certificate signed by you agreeing and/or confirming that monies drawn pursuant to this Letter of Credit are to be retained and used to meet obligations in connection with:

CONTRACT NO.	_____	} (as applicable)
MINISTRY SUBDIVISION NO:	_____	
REGION FILE OR APPROVAL NO:	_____	
SITE LOCATION:	_____	
DESCRIPTION OF WORKS:	_____	

The amount of this Letter of Credit will be reduced from time to time as advised by notice in writing given to us from time to time by you.

This Letter of Credit will expire on _____, but will be deemed to be automatically extended without any formal amendment or notice to that effect, from year to year for successive periods of one year each from the present or any future expiration date hereof, unless not less than thirty (30) days prior to the present or any future expiration we will notify you in writing that the bank elects not to renew this Letter of Credit for any such additional period. This notification will be delivered by Registered Mail to the attention of:

Commissioner of Finance & Regional Treasurer
Regional Municipality of York
17250 Yonge Street
4/F, Finance Reception
Newmarket, Ontario, Canada
L3Y 6Z1

Upon receipt by you of such notice, you may draw by means of your demand accompanied by your above written certificate.

Partial drawings are permitted.

The drawings under this credit are to state that they are drawn under the

(Name of Bank, Address)
LETTER OF CREDIT NO. _____
(Number)

This Letter of Credit is subject to the rules set out in *International Standby Practices (ISP98)*, International Chamber of Commerce publication No.590 and engages us in accordance with the terms thereof. This Letter of Credit will also be governed by and construed in accordance with the laws of the Province of Ontario and the applicable laws of Canada except to the extent that such laws are inconsistent with the *International Standby Practices (ISP98)*.

Authorized Signature

Authorized Signature (For Bank)

On November 25, 2021 Regional Council made the following decision:

1. The Commissioner of Community and Health Services be directed to develop a 40-year Community Housing Development Master Plan based on the following principles:
 - Putting residents first
 - Appropriate development on available land
 - Readiness for funding opportunities
 - Empower Community Housing providers with support
 - Target an aggressive rate of growth for Community Housing
2. The Regional Clerk forward this report to the Clerks of the local municipalities, the Ministry of Municipal Affairs and Housing, and Canada Mortgage and Housing Corporation.

The original staff report is attached for your information.

Please contact Josh Scholten, Director, Housing Development and Asset Strategy at 1-877-464-9675 ext. 72004 if you have any questions with respect to this matter.

Regards,

Christopher Raynor | Regional Clerk, Regional Clerk's Office, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
O: 1-877-464-9675 ext. 71300 | christopher.raynor@york.ca | york.ca

Our Mission: **Working together to serve our thriving communities – today and tomorrow**

The Regional Municipality of York

Committee of the Whole
Community and Health Services
November 11, 2021

Report of the Commissioner of Community and Health Services

Establishing a Community Housing Development Master Plan

1. Recommendations

1. The Commissioner of Community and Health Services be directed to develop a 40-year Community Housing Development Master Plan based on the following principles:
 - Putting residents first
 - Appropriate development on available land
 - Readiness for funding opportunities
 - Empower Community Housing providers with support
 - Target an aggressive rate of growth for Community Housing
2. The Regional Clerk forward this report to the Clerks of the local municipalities, the Ministry of Municipal Affairs and Housing, and Canada Mortgage and Housing Corporation.

2. Summary

This report recommends principles to guide development of the Region's first Community Housing Development Master Plan. This long-term plan is intended to help increase the supply of Community Housing in the Region. Community Housing provides subsidized and affordable rental housing for households living with low and moderate incomes, owned and operated by non-profit and co-operative housing providers, as well as Housing York Inc. (HYI). Community Housing often includes market rental units to support overall development from a community and financial perspective.

This report also provides an update on the provision of municipal land to support the acceleration of Community Housing in York Region. This update is in response to two motions by Council in February 2021. [Motion I.2](#) requested all lower tier municipalities amend their parkland dedication bylaw to exempt HYI from being required to pay parkland fees.

[Motion I.3](#) asked all local municipalities to pass a resolution to support, in principle, provision of two acres of land over the next five years dedicated to support affordable housing.

Key Points:

- York Region is facing a Housing Affordability Crisis, as declared by Council in [February 2021](#)
- An increased Community Housing rental supply will enhance overall housing stability and help to provide strong, caring and safe communities
- A Portfolio Management Plan was approved by the HYI Board that provides guidance and direction toward future affordable housing development on existing HYI properties
- The Community Housing Development Master Plan will build upon the HYI Portfolio Management Plan by including development sites to be provided by local municipalities, as well as financial support for Community Housing provider development
- The plan will accelerate and increase the number of Community Housing units over 40 years by supporting development of new Community Housing including expansion of the HYI portfolio
- The plan will span from 2022 to 2061 and will identify the total number of Community Housing units, preliminary location of projects by municipality, targeted start and completion years, estimated costs, and potential funding sources. The plan will also consider the future partners including HYI and other Community Housing providers, as well as support advocacy for federal and provincial funding
- Increased and predictable investment will be required by the federal and provincial governments to increase the supply of Community Housing
- The Community Housing Development Master Plan will be presented to Council in spring 2022 for approval

3. Background

It is well established that there is a lack of affordable housing opportunities in York Region

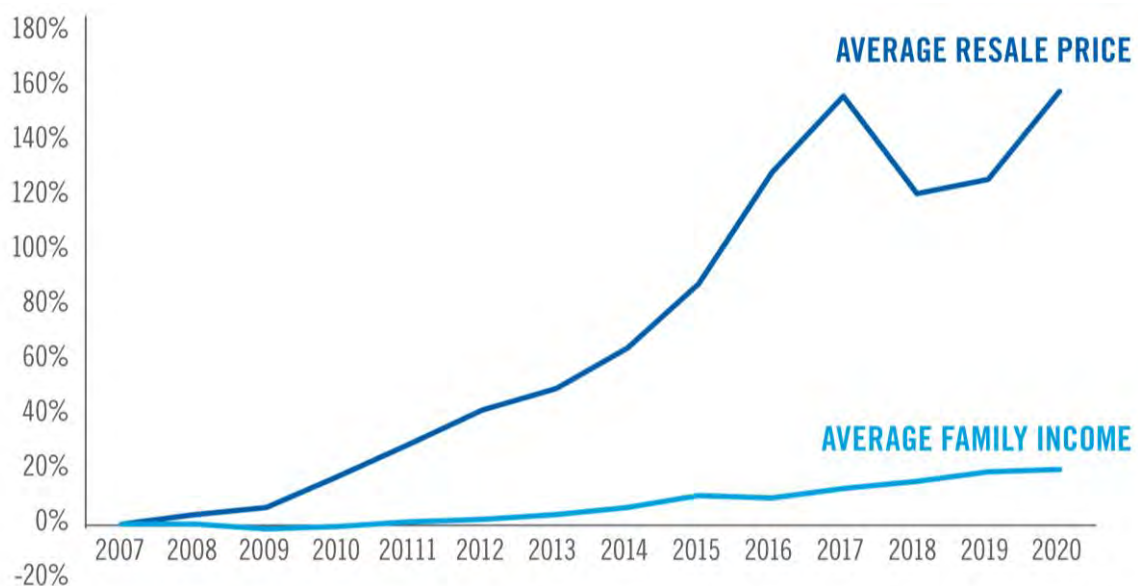
There are three dominate segments to the housing market:

1. Community Housing
2. Private Market Rental Housing
3. Private Market Ownership Housing

Through the Region's 10-year housing and homeless plan, [Housing Solutions: A place for everyone](#), indicators for each of these segments are monitored annually. The indicators show that the cost of ownership housing is out of reach for many households, that private market rental costs continue to increase and that the demand for Community Housing continues to rise.

The most recent affordable housing monitoring exercise was provided to Council in [June 2021](#) and identified that only 8% of new housing in 2020 was affordable (all market segments). One of the reasons for declining affordability is that house price increases have outpaced increases in incomes. Between 2007 and 2020 the average price for a resale home in York Region increased by 155% whereas average family income rose by just under 20%, with most of the increase in incomes concentrated in higher income households (Figure 1).

Figure 1
York Region Average Family Income Compared to Average Resale Prices, 2007 to 2020

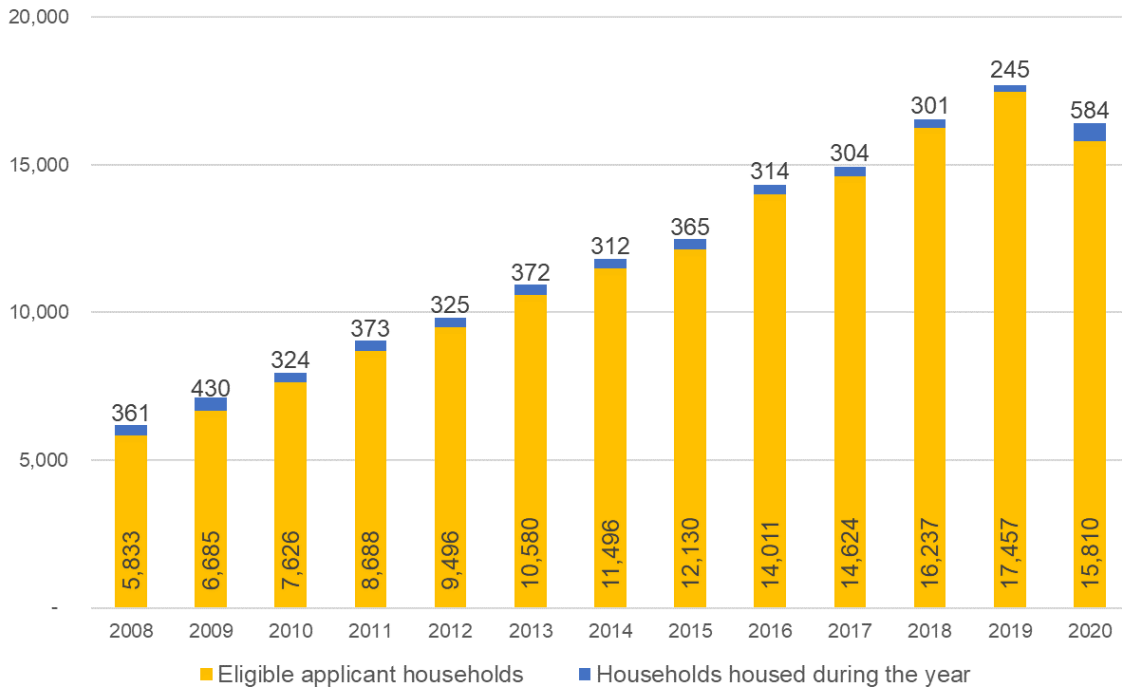


Increasing the supply of Community Housing is a strategic priority for the Region and Housing York Inc.

As outlined in a [March 2020](#) report to Council, the Region has the lowest supply of Community Housing units relative to its population of all municipalities participating in Municipal Benchmarking Network Canada reporting, with 17 units per 1,000 residents, well below the median of 38 units per 1,000.

With over 15,800 households (Figure 2) on the Region's subsidized housing wait list at the end of 2020, and the comparatively limited expansion of available Community Housing, there is a great need for more Community Housing in York Region.

Figure 2:
Subsidized Housing Wait List, 2008 to 2020



Source: Housing Services, Centralized Waiting List Record 2020

Note: the wait list decreased for the first time in 2020 due to the one-time impact of removing 2,428 applicants ineligible for subsidy under the Region's income and asset limits and a higher-than-average number of households housed because of two new portable housing benefit programs.

On average, between 2008 and 2019, about 335 subsidized units became available each year through a combination of tenant turnover and new construction. During the same period, the wait list increased by an average of approximately 1,050 households per year. Wait times for applicants housed in 2020 ranged from just over nine years for families and seniors to almost 12 years for single adults.

In [October 2019](#), Council approved an updated 10-year housing and homelessness plan, [Housing Solutions: A place for everyone – Phase 2 2019 to 2023](#) (Housing Solutions Phase 2) to respond to Region-wide issues of supply of affordable housing, housing stability and sustainability of the housing system. The plan focuses on three goals, with the first goal aimed at increasing the supply of affordable and rental housing.

In [November 2020](#), the HYI Board approved the [Building Better Together: Housing York Inc's 2021 to 2024 Strategic Plan](#), which outlines HYI's strategic directions for 2021 to 2024 and the actions that will be taken to achieve them. A strategic priority within the 2021 to 2024 HYI strategic plan is to expand the housing portfolio, by exploring new and innovative ways of increasing supply of new affordable housing beyond the normal rate of growth.

A comprehensive Portfolio Management Plan was created to inform development potential within the Housing York Inc. portfolio

In response to an action from [Housing York Inc.'s 2017 to 2020 Plan](#), a Portfolio Management Plan was endorsed by the HYI Board in September 2019. This report was considered in private as it relates to the proposed acquisition and disposition of lands. The plan included a comprehensive review of the real estate assets and future development potential of all properties within the HYI portfolio.

A long-term plan is needed to increase the supply of permanent Community Housing for low to moderate income residents

While the Portfolio Management Plan identified development potential for HYI properties, a need remains for a long term approach to developing housing for low to mid-range income residents through expansion of Community Housing beyond what HYI can do on its own. Community Housing is housing owned by non-profit and co-operative organizations that provides affordable and subsidized housing options for residents. HYI is one of 43 Community Housing providers in York Region. The Community Housing Development Master Plan will take a broader look at needs and opportunities to grow this vital community asset.

A long-term plan with a focus on proactive development will help maximize growth potential

Since 2004, the Region has successfully leveraged federal and provincial funding opportunities to build more than 1,200 new affordable housing units, with another 362 set to open by 2023. Nearly all were built in response to a federal or provincial funding opportunity. The Community Housing Development Master Plan will outline an approach that proposes predictable, continuous investment, and contemplates funding sources to achieve this objective.

The upcoming Affordable Private Market Housing Implementation Plan will focus on increasing affordability in the private market housing segments

The Community Housing Development Master Plan will focus on expanding the Community Housing market segment. There is additional need to increase affordable housing options in the private market housing segments. A parallel exercise to this Master Plan is anticipated to be initiated in Q1 of 2022 to work towards an Affordable Private Market Housing Implementation Plan focused on actions, advocacy and partnership opportunities that the Region can pursue to increase affordability in the private market.

The Community Housing Development Master Plan will act as a long-term infrastructure plan to guide investment to increase the supply of Community Housing in the Region for Community Housing providers including HYI.

4. Analysis

Five key principles will help to guide the Community Housing Development Master Plan

To guide development of the plan, and ensure that we are proceeding in a manner aligned with Council and the HYI board, a review of key strategic documents was completed to inform the development of key principles for the plan. Key documents reviewed include:

- [Vision 2051](#)
- [York Region Official Plan](#)
- [2019 to 2023 Strategic Plan: From Vision to Results](#)
- [Housing Solutions: A place for everyone – Phase 2 Plan 2019 to 2023](#)
- [Building Better Together: Housing York Inc's 2021 to 2024 Strategic Plan](#)

The principles proposed for the Community Housing Development Master Plan build on the directions of the above documents.

There are five principles that are considered as a critical foundation for the Community Housing Development Master Plan to ensure the outcome maximizes the quality and quantity of permanent affordable housing in York Region. The five principles are recommended as follows:

1. Putting residents first

Consider the needs of York Region residents through analysis related to location, demographics and socio-economic factors. The provision of housing must also consider the future residents' needs including connection to the existing community, appropriate resident amenities and good quality construction.

2. Appropriate development on available land

Consider Community Housing development opportunities on Regional surplus lands as appropriate, existing HYI sites, and municipally contributed land. This will help to establish a pipeline of projects, and consider the highest and best use of lands in conjunction with Regional and local municipal planning objectives.

3. Readiness for funding opportunities

Having a consistent and predictable pipeline of projects in various states of readiness will allow the Region to respond quickly and confidently when future federal and provincial funding opportunities arise. The Community Housing Development Master Plan will provide an opportunity to advance contemplated projects to a state of readiness in order to quickly respond to programs.

4. Empower Community Housing providers with support

Partnerships with non-profit and cooperative Community Housing providers can support new development at an accelerated rate. The plan will include support for Community Housing providers through feasibility analysis and development concepts, as well as consider predictable capital and operating funding to support the development of new affordable housing units when federal and/or provincial funding is available.

5. Target an aggressive rate of growth for Community Housing

Targeting an aggressive rate of growth for Community Housing units will help to accelerate delivery of units to residents of the Region. The plan will target to double the number of units in planning and development at a stage ready for implementation based on funding. This is further supported by the [Building Better Together: Housing York Inc's 2021 to 2024 Strategic Plan](#), which includes the goal of “Portfolio expansion beyond the normal rate of growth,” with the target to double the number of units from 60 to 120 units on average annually.

Partnerships with municipalities and Community Housing providers are critical to achieving optimal outcomes

Partnerships between the Region and local municipalities continue to be essential for the success of affordable housing developments. The Social Housing Investment Framework approved by Council in [November 2016](#), considers the path to development approvals, including any support from local municipalities to facilitate planning approvals. To better support timely development on available land, continued partnerships with local municipalities, including expedited planning approvals, will be critical.

In York Region, 43 Community Housing providers provide safe and secure affordable housing in over 6,700 units across nine municipalities. This includes HYI. Over the last twenty years, these providers have been faced with serious challenges to increase their supply of Community Housing. Among these challenges is the limited and unpredictable nature of capital funding opportunities available through federal and provincial programs. Partnership with Community Housing providers will be key in creating additional units. This partnership could include the provision of municipal land, capital contributions and operating funding to offset constraints in the creation and managing additional housing units.

Stakeholder consultation to help development of the Community Housing Development Master Plan will begin in early 2022

Consultation with key stakeholders throughout development of the plan will be critical to success. Stakeholders include local municipalities, members of the public, Community Housing providers, HYI residents, Canada Mortgage and Housing Corporation, Ministry of Municipal Affairs and Housing, and the development community. The consultations will seek stakeholder perspectives on how the five principles can be achieved, and to help further refine outcomes of the Community Housing Development Master Plan.

A comprehensive 40-year Community Housing Development Master Plan will be presented to Council in spring 2022

In spring 2022, the Community Housing Development Master Plan will be presented to Council. The plan will span from 2022 to 2061 and will identify the number of Community Housing units, preliminary location of projects by municipality, targeted start and completion years, estimated costs, and potential funding sources. The plan will also consider the future partners including HYI and other Community Housing providers. A 40-year time horizon is important to consider the long-term strategic vision for use of lands and potential redevelopment opportunities of existing sites.

Municipal land donations will support acceleration of Community Housing development

In response to the request from Regional Council in [February 2021](#) to provide two acres of municipal or partner land over the next five years, six local municipalities have made a decision. In addition, six local municipalities have made a decision in response to the request from Regional Council, to amend their parkland dedication bylaw to exempt HYI from paying parkland fees. The decisions of each local municipality to date are set out in Attachment 1. If each local municipality were to respond favourably, the Region would have access to 18 acres of land over the next five years and provide millions in cost avoidance for parkland dedication fees. This would represent a significant contribution in support of accelerating Community Housing development.

The Region will be working with local municipalities to establish a process and provisions for accepting the land that will be made available, with the objective of the Region holding title to the land until it is ready for development.

Suitable municipal lands are required to ensure development will meet the needs of residents

To ensure the land is suitable for development and benefits households in need, acceptance of the land will be guided by the Region's Social Housing Investment Framework. This will ensure investment decisions for affordable housing development are based on a number of critical factors including:

- **Housing Need** - Level of housing need among existing residents in an area
- **Access to Services** - The walkability of the area, including proximity to amenities such as grocery stores, schools, parks and other services
- **Access to Transit** - The availability and frequency of public transportation will reduce additional costs to the end-user in order to access required services, including employment
- **Regional Official Plan Alignment** - Consideration for planned Regional urban structure and will exclude land not currently developable for residential purposes

The principles for the Community Housing Development Master Plan build upon the Social Housing Investment Framework. The factors above specifically complement the proposed principle of “Appropriate development on available land.”

5. Financial

Increased, predicable funding from the federal and provincial governments are essential to support the creation of Community Housing units

Regional funding alone can only support the completion of a few Community Housing projects. Ongoing and sustained federal and provincial investment is required to meet the growing demand for Community Housing. The Region will continue to advocate for the federal and provincial governments to commit to sustained funding. Without increased federal-provincial funding for development as well as rent subsidies and new rental supply, the Region will not be able to sustain or increase the number of households offered housing in future years.

Continued advocacy with the federal and provincial governments, as approved by Council in [June 2021](#), is critical to support the Community Housing Development Master Plan.

Current funding model requires at least a 30% investment from the federal and provincial governments

The current funding model used by the Region is summarized in Table 1.

Table 1

Current Regional Funding Methodology for Affordable Housing Developments

Funding Source	Contribution (%)
Federal and Provincial Governments	30
Development Charge Contribution	11
Debenture or Mortgage (Tenant Funded)	15
York Region Social Housing Development Reserve	44
Total	100

Continued Regional investment will be required to support acceleration of Community Housing units

While federal and provincial funding will provide crucial financial support, these investments can be limited in their scope or ability to fully fund contemplated projects. Every effort will be

made to maximize these third-party investments; however, Regional investment will be required to support the development of units beyond the existing capital plan.

In [December 2020](#), Regional Council approved Recommendations for the End of Community Housing Mortgages, and endorsed in principle that mortgage savings remain in the housing and homelessness sector. As the mortgages of many Community Housing providers come to an end, the Region should realize savings as Community Housing providers will no longer need a mortgage subsidy. In York Region, these reduced mortgage subsidy costs, or “mortgage savings” will be approximately \$1 billion over the next 40 years.

Although a complicated issue and one mandated through provincial legislation, Service Managers, like York Region, may be permitted to retain these mortgage savings and reinvest in local housing and homelessness goals, such as increasing the supply of Community Housing. Should the province permit Service Managers to determine how mortgage savings may be used, after funding capital repairs in existing Community Housing, the Region could redirect up to \$600 million in savings to accelerate the development of new Community Housing units over the next 40 years. The province is expected to address this issue through future regulatory changes, although the timing of such changes is not yet known.

The mortgage savings can help advance the priorities identified in the Corporate Strategic Plan, 10-year housing and homelessness plan, and the Community Housing Development Master Plan.

6. Local Impact

The need and demand for affordable housing remains high across the Region. Community Housing, through HYI and other providers, exists in each of the Region’s nine municipalities. Many of these sites are in established neighbourhoods within urban areas identified as areas suitable for intensification in the Regional Official Plan and all play a role in the fabric of the community. As part of the stakeholder engagement process, staff will consult with the local municipalities to ensure the development parameters are appropriate and achievable.

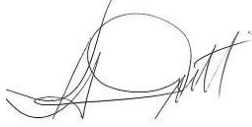
7. Conclusion

York Region has been successful in increasing the supply of Community Housing in response to federal and provincial funding, however, in view of the significant demand for affordable housing more needs to be done.

A Community Housing Development Master Plan will provide guidance and direction towards future affordable housing development for Community Housing, in alignment with the Region’s 10-year housing and homelessness plan, and the 2021 to 2024 strategic plan for HYI.

The principles outlined in the proposed approach will ensure the Community Housing Development Master Plan supports the continuation of building strong, healthy and affordable housing communities throughout York Region.

For more information on this report, please contact Josh Scholten, Director, Housing Development and Asset Strategy at 1-877-464-9675 ext. 72004. Accessible formats or communication supports are available upon request.



Recommended by:

Katherine Chislett

Commissioner of Community and Health Services



Approved for Submission:

Bruce Macgregor

Chief Administrative Officer

October 22, 2021

Attachment (1)

13303954

Local Municipal Responses to Request for Land and Parkland Fee Exemption

Local Municipality	Response Regarding Provision of Land	Response Regarding Parkland Fees
Town of Aurora	Report planned for Aurora Council in November 2021	Report planned for Aurora Council in November 2021
Town of East Gwillimbury (Meeting on June 1, 2021)	Directing the Region's requests to the York Region Mayor's Task Force will ensure an appraised and consistent approach gets taken across all lower tier municipalities in regard to supporting the acceleration of affordable housing through land securement arrangements and Parkland Dedication By-law exemptions	Directing the Region's requests to the York Region Mayor's Task Force will ensure an appraised and consistent approach gets taken across all lower tier municipalities in regard to supporting the acceleration of affordable housing through land securement arrangements and Parkland Dedication By-law exemptions
Town of Georgina (Meeting on June 23, 2021 , recommendations 2 and 5, p.1)	Council supports, in principle, the request by York Region of the provision, either directly or through partnership, of up to two acres of land over the next five years for Housing York Inc. or a not-for-profit or a profit site dedicated to support affordable housing, if such land is or becomes available	Staff be directed to update Parkland Dedication By-law 2001- 0020 to comply with the provisions of the Planning Act and include provisions exempting Housing York Inc. from the requirement for dedication of parkland or payment of cash in-lieu thereof
Township of King (Meeting on May 31, 2021 , item #2, p.3)	Council does not support the donation of King land as requested and highlight that Council supports and see the merit and rationale for the Affordable Housing plan and targets being focused along the commonly referred intensification lands in York Region as the "Inverted T", which is well outside the geographic location of King	Council will determine and respond to any future Housing York Inc. exemption requests of the Parkland Dedication By-law, on a case-by-case basis
City of Markham (Meeting on June 22, 2021)	Staff be directed to address the York Region February 25, 2021 Council resolution requesting lower tier municipalities to support, in principle, the provision of two acres of land by each municipality, either directly or	Staff be directed to assess the York Region February 25, 2021 Council resolution requesting lower tier municipalities amend their parkland dedication by-law to exempt Housing York Inc. from being required to pay

Local Municipality	Response Regarding Provision of Land	Response Regarding Parkland Fees
Town of Newmarket (Meeting on April 19, 2021 , items 9.2.15 and 9.2.16)	through partnership for affordable housing over the next five years through implementation of Action 10 of Housing Choices: Markham's Affordable and Rental Housing Strategy and report back to Development Services Committee	parkland fees through implementation of Action 14 in Housing Choices: Markham's Affordable and Rental Housing Strategy and report back to Development Services Committee
City of Richmond Hill	No response as of October 2021	No response as of October 2021
City of Vaughan (Email response from Vaughan staff on October 18 & 21, 2021)	Unfortunately, the City of Vaughan does not have surplus property at this time, and thus is unable to provide land	The City's Parks Planning staff are currently undertaking a Parkland Dedication Study leading to a bylaw process planned for 2022 that may consider a policy regarding use of cash-in-lieu and exemption requests. The City of Vaughan will deal with these requests on a case by case basis
Town of Whitchurch-Stouffville (Meeting on May 18, 2021 , report DS-019-21)	Council supports in principle, either directly or in partnership, the provision of two acres of land over the next five years for Housing York Inc. or a not-for profit or for profit site dedicated to support affordable housing within the Town	Council supports in principle, the reduction or exemption of parkland dedication fees for Housing York Inc., and directed staff to bring forward proposed amendments to the Town's Parkland Dedication By-law 2002-118-FI, as an outcome of the Leisure and Community Services Master Plan review and update

On November 25, 2021 Regional Council made the following decision:

1. Committee of the Whole recommends receipt of the memorandum from Erin Mahoney, Commissioner of Environmental Services dated October 22, 2021 *and the Regional Clerk circulate the memorandum to the local municipalities for information.*

The original memorandum is attached for your information.

Regards,

Christopher Raynor | Regional Clerk, Regional Clerk's Office, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1

O: 1-877-464-9675 ext. 71300 | christopher.raynor@york.ca | york.ca

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Office of the Commissioner
Environmental Services Department

MEMORANDUM

To: Members of Committee of the Whole

From: Erin Mahoney, M. Eng.
Commissioner of Environmental Services

Date: October 22, 2021

Re: Invasive Moth (*Lymantria dispar dispar*) Outbreak in York Region

York Region experienced a significant invasive moth outbreak in 2021

This memorandum updates Council on the *Lymantria dispar dispar* (LDD) moth outbreak observed across many parts of York Region in 2021, including actions taken to proactively mitigate impacts, and discusses expected LDD moth levels and proposed actions for 2022.

LDD moth, formerly known as European gypsy moth, is a non-native defoliating insect first discovered in Ontario in the 1960s. York Region last experienced a significant LDD outbreak in the 1990s. Outbreaks resulting in heavy to severe tree defoliation typically occur every 7 to 10 years and last 1 – 3 years on average. At outbreak levels, trees can be heavily defoliated resulting in resident concerns regarding the health of their trees and nuisance issues related to caterpillar feeding, including caterpillar droppings and bits of foliage dropped creating a mess on walkways and decks.

Staff monitored tree defoliation levels through spring and summer, noting severely defoliated trees put out new leaves by end of summer

While most healthy trees can withstand several years of defoliation, trees in poor health may have a harder time recovering. Trees in urban areas typically face a number of potential stressors including hot, dry weather, compacted soils, or other pests and diseases which, when coupled with LDD defoliation, may result in tree decline or in extreme cases, mortality. Staff monitored the infestation throughout the spring and summer and its impacts to urban trees and woodlands, noting that severely defoliated trees re-leafed as the season progressed.

Region coordinates surveys and information sharing while implementing integrated pest management approaches to mitigate impacts of LDD

In the fall/winter of 2019 and 2020, LDD egg mass surveys were conducted on a mix of urban and woodland trees including the York Regional Forest to monitor LDD population levels across the Region. Results of the 2020 egg mass surveys indicated the potential for widespread defoliation in 2021.

To effectively communicate to residents, a communications plan was developed including key messages, frequently asked questions, graphics, social media content, signage and multilingual advertisements. Staff shared the communications plan and products with local municipalities and conservation authorities and collaborated to align key messages to residents.

The Region is undertaking an integrated pest management approach to LDD moth impacts by identifying Regional assets at greatest risk and implementing strategies such as manual removal of egg masses, use of burlap bands, treating select high-value street trees with the biological insecticide TreeAzin™, and treating high-risk newly planted trees with ground-based treatment of *Bacillus Thuringiensis Subspecies Kurstaki* (Btk). TreeAzin™ and Btk are biological insecticides and are considered safe when applied properly.

Evidence of naturally occurring virus responsible for collapsing LDD populations observed throughout the Region

LDD is considered a naturalized pest in Ontario, as there are a number of natural controls (diseases and predators) that contribute to the eventual collapse of outbreaks. Squirrels, chipmunks, raccoons, skunks, over 15 species of birds, and several native insects will all help reduce LDD numbers, as will a naturally occurring fungus (*Entomophaga maimaiga*) and virus (*nucleopolyhedrosis*). Signs of the *nucleopolyhedrosis* virus were observed across the Region in 2021 which indicates that the LDD population is beginning to collapse.

Historically, some jurisdictions have undertaken aerial sprays of public lands using Btk, a biological insecticide, to mitigate severe defoliation in specific areas, usually focusing on high-value mature forests or areas of high public use. For example, in 2021, the TRCA conducted limited aerial sprays of select high-use conservation parks where camping and recreational activities such as Treetop Trekking exist.

Biological insecticide treatments do not collapse LDD populations but reduce defoliation, mitigating impacts to tree health, aesthetics and nuisance issues

Biological insecticide treatments (both aerial and ground-based sprays) do not reduce LDD populations over the landscape in the long term especially with the current widespread presence across York Region and southern Ontario. Historically, biological insecticides treatments have been used to reduce defoliation levels in targeted areas in an attempt to mitigate impacts to tree health, maintaining aesthetics and reduce nuisance issues. It should be noted that biological insecticide treatments are non-selective and can impact non-target

caterpillars, who are an important source of food for many birds and other wildlife. Due to the public perception associated with widespread spraying of pesticides, some residents and environmental groups may oppose aerial spraying of biological insecticides or the use of pesticides in general.

The Region has evaluated the possibility of an aerial spray for select parts of the York Regional Forest. Based on the level of defoliation coupled with the natural resiliency observed over the course of the summer, it was determined that an aerial application is not warranted at this time and that focus should remain on individual high-risk and high-value street trees.

On September 10, 2021, staff met with local municipalities, conservation authorities and other agencies to review the LDD outbreak, outreach and control initiatives undertaken in 2021, as well as plans for 2022. At that time, no municipalities or agencies within York Region had committed to aerial spraying of biological insecticides within their respective jurisdictions.

York Region, local municipalities, conservation authorities and private landowners are taking action to manage impacts of LDD

York Region, local municipalities and conservation authorities have taken action to mitigate impacts to street and park trees and public owned forests using an integrated pest management approach. This approach includes egg mass scraping, treatment of select high value trees with pesticides and burlap banding. TRCA completed a limited aerial spray of biological insecticide in high use areas of several conservation parks.

Similar to managing other tree pests such as emerald ash borer, landowners are responsible for protecting trees on their property. Communication efforts have focussed on providing landowners with correct information at the right time to act. In addition, several municipalities provided free burlap banding kits to residents during the spring and summer to capture LDD caterpillars. York Region, local municipalities and conservation authorities are committed to continuing this integrated pest management approach and support for residents in 2022.

Collaboration, coordination and mitigation of LDD impacts will continue in 2022

LDD egg mass surveys are underway to help predict LDD populations for 2022 and results will be shared with the local municipalities, conservation authorities and other partners. Based on previous surveys and historical outbreaks, we expect some amount of heavy-to-severe defoliation in 2022. The presence of the *nucleopolyhedrosis* virus observed in 2021 is promising and combined with the naturally occurring fungus (*entomophaga maimaia*), will contribute to the collapse of LDD populations in York Region.

Staff will update the Region's communications plan incorporating lessons learned from 2021. We will continue to collaborate with the local municipalities, conservation authorities and partners on messaging, information resources, and act as a liaison within York Region and surrounding jurisdictions for a coordinated approach to this pest. The Region will build upon the

integrated pest management approaches already underway, expand public education and awareness in preparation for 2022 and continue to monitor the status of LDD across the Region throughout 2022.



Erin Mahoney, M. Eng.
Commissioner of Environmental Services



Bruce Macgregor
Chief Administrative Officer

eDocs#13249711

On November 25, 2021 Regional Council made the following decision:

1. Council enact the proposed Sewer Use Bylaw as of January 1, 2022, as described in this report and in the form set out in *Attachment 1* (the “Sewer Use Bylaw”).
2. Council approve fees for the Sewer Use Bylaw Enforcement Program as outlined in *Attachment 2*. All new fees will take effect January 1, 2022.
3. Schedule “A” of the fees and charges Bylaw (Bylaw No. 2010-15) be amended to implement the proposed fees as outlined in *Attachment 2*.
4. Council approve the recommended set fines related to existing and newly created offences (*Attachment 3*) under the Sewer Use Bylaw and authorize the Regional Solicitor to submit an application seeking an Order from the Office of the Chief Justice for the Ontario Court of Justice to approve the fines.
5. The Regional Clerk circulate this report to the Clerks of the local municipalities.

The original staff report is attached for your information.

Please contact Elizabeth Weir, Director, Operations, Maintenance and Monitoring at 1-877-464-9675 ext. 75340 if you have any questions with respect to this matter.

Regards,

Christopher Raynor | Regional Clerk, Regional Clerk’s Office, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
O: 1-877-464-9675 ext. 71300 | christopher.raynor@york.ca | york.ca

Our Mission: **Working together to serve our thriving communities – today and tomorrow**

The Regional Municipality of York

Committee of the Whole
Environmental Services
November 11, 2021

Report of the Commissioner of Environmental Services

Proposed Update to Sewer Use Bylaw and Enforcement Program Fees

1. Recommendations

1. Council enact the proposed Sewer Use Bylaw as of January 1, 2022, as described in this report and in the form set out in *Attachment 1* (the “Sewer Use Bylaw”).
2. Council approve fees for the Sewer Use Bylaw Enforcement Program as outlined in *Attachment 2*. All new fees will take effect January 1, 2022.
3. Schedule “A” of the fees and charges Bylaw (Bylaw No. 2010-15) be amended to implement the proposed fees as outlined in *Attachment 2*.
4. Council approve the recommended set fines related to existing and newly created offences (*Attachment 3*) under the Sewer Use Bylaw and authorize the Regional Solicitor to submit an application seeking an Order from the Office of the Chief Justice for the Ontario Court of Justice to approve the fines.
5. The Regional Clerk circulate this report to the Clerks of the local municipalities.

2. Summary

This report seeks Council’s approval to enact the updated Sewer Use Bylaw and associated program fees taking effect on January 1, 2022.

Key Points:

- Updates to bylaw are aligned with other Regional programs, for example, providing rainwater harvesting exemption acknowledges a reduction of municipal water use aligning with Water Conservation plan and program
- New sections added enable the Region to approve limited and special discharges which provide the ability for businesses to appeal orders and to establish the framework for administrative monetary penalties

- Modelling for fees undertaken to align with Council approved 2021 Water and Wastewater User Rate Study assumptions and principles with annual average fee increases capped at 5%

Previous reports to Council on updates to the Bylaw and fees include:

- [Update of Sewer Use Bylaw \(Report No.9, Clause 1 November 17, 2011\)](#)
- [York Region's Sewer Use Bylaw Enforcement Program Update \(Report No.12, Clause 36 June 5, 2014\)](#)
- [Sewer Use Bylaw Services Fees Update \(Report No.14 Clause 9 October 20, 2016\)](#)

3. Background

Sewer use bylaws manage risks to York Region's wastewater collection systems supporting asset management and environmental protection

Sewer use bylaws are a risk management mechanism used to protect regional infrastructure. York Region designs wastewater infrastructure to support conventional residential wastewater, but in some cases industrial, commercial and institutional ("ICI") facilities discharge higher strength sewage. Higher strength discharges can contribute to critical infrastructure failures, premature degradation of equipment and negative operating impacts ranging from higher operation and maintenance costs (energy, chemicals), to failure of biological processes at Water Resource Recovery Facilities. Sewer use bylaws limit or prohibit contaminants that are not treated in York Region wastewater treatment systems, such as mercury, to protect against negative environmental or public health impacts.

York Region Sewer Use Bylaw Enforcement Officers support businesses by sampling and monitoring discharges, performing inspections, managing non compliances, and educating dischargers about their responsibilities under the Bylaw.

The Bylaw sets out several mechanisms for staff to work with businesses to improve their wastewater quality including entering into surcharge agreements, compliance programs or pollution prevention plans.

Surcharge Agreements are created between the industrial discharger and York Region to assist businesses with hard-to-treat biological parameters that are more cost effectively treated by a municipal wastewater system. A Surcharge Agreement allows the business to discharge wastewater above specific organic Bylaw limits or prohibits and ensures that York Region recuperates the higher cost of treating the concentrated wastewater.

The Compliance and Pollution Prevention sections in the Bylaw allow the Region to work with businesses to prevent contaminants from being used or to enable the installation of treatment systems to remove contaminants prior to discharge. The goal of the pollution prevention is for the business to look at their processes and assess whether chemical inputs could be replaced with other non-toxic or non-harmful products. This leads to long term improvements in wastewater quality. If an upstream solution is not viable, the compliance program section enables the time required for a business to install an end of pipe treatment

system. This also leads to long term improvements in wastewater quality. Staff work with industries to limit potential hardship through development of compliance or pollution prevention plans that provide improvement timelines that are realistic and manageable. The Sewer Use Bylaw Enforcement Program focuses on protecting infrastructure, workers, the public and the environment from harmful effects of ICI discharges through delivery of five core program areas:

1. ICI Risk Based Monitoring Program: monitoring and regulation of ICI wastewater discharges
2. Surcharge and Compliance Programs: provide opportunities for ICI dischargers with higher strength discharges to come into compliance with the Bylaw
 - a. Surcharge agreement – agreement between Region and a high strength wastewater discharger where a fee is charged to recover the Region’s treatment costs when no major infrastructure impacts are anticipated
 - b. Compliance program – the ICI agrees to implement mitigation measures at their facility, such as installing treatment systems to ensure Bylaw compliance and the Region gives them time to conduct these measures
3. Hauled Wastewater Receiving Program: provides a service to York Region residents and businesses not connected to a municipal wastewater system and aims to minimize adverse impacts of hauled wastewater
4. Dewatering Discharge Program: regulation of dewatering discharges to storm, sanitary and other Regional infrastructure to protect capacity and ensure quantity and quality standards are met
5. Information Services: responds to requests for information on historical discharges or environmental concerns regarding specific sites (i.e. Freedom of Information or Environmental Site Assessment requests)

Region’s Sewer Use Bylaw Enforcement Program engages business owners to modify practices, protect wastewater infrastructure and prevent pollution at the source

Engagement with businesses through compliance and education regarding risks to wastewater infrastructure from discharges is key for the Sewer Use Bylaw Enforcement Program. Compliance is accomplished through our five core program delivery areas as shown in Table 1. During 2020, some activities were limited by the Sewer Use Bylaw enforcement team because of COVID 19 pandemic. Initially, the York-Durham Laboratory had restricted sample submission to regulatory samples only; all sampling resumed in June

2020. Additionally, on site inspections were limited to high risk site visits to limit exposure of enforcement officers to potential workplace outbreaks.

Table 1
Sewer Use Bylaw Enforcement Program Monitoring Activities

Program Activities	2016*	2017	2018	2019	2020
ICI Risk-Based Monitoring Program					
Sites monitored (sampled)	202	244	322	247	170
Site inspections conducted	416	379	257	333	86
Total sampling events	1243	1276	1584	1761	1338
Violations Identified	112	87	99	59	50
Charges Laid	0	8	12	4	3**
Surcharge Agreements	73	78	80	87	89
Compliance Program Applications	46	37	38	22	12
Hauled Wastewater Program					
Haulers registered: companies	32	34	36	35	34
Haulers registered: trucks	158	162	167	171	154
Hauled wastewater samples	130	159	159	105	0 **
Dewatering Discharge Applications	23	14	20	16	16
Information requests	106	54	22	19	28

**Last report to Council*

***COVID-19 Pandemic –onsite inspections were suspended from March 2020 until October 2021 due to public health measures*

Education is also integral to program success. In recent years, staff have promoted the Bylaw to businesses and the public through a variety of approaches. The <http://www.york.ca/seweruse> website promotes Sewer Use Bylaw services, best practices and enforcement programs to support compliance. The website contains electronic copies of

brochures, forms for businesses seeking Sewer Use Bylaw services and fee information. Other approaches include social media broadcasts, special events, truck decals and partnership communication with local municipalities regarding the proper disposal of fats, oil and grease.

4. Analysis

Update reduces risk to \$5.320B wastewater infrastructure and provides greater clarity and flexibility for the regulated community

Table 2 provides highlights of some of the key modifications and enhancements to the Sewer Use Bylaw in the order appearing within the Bylaw.

Table 2
Summary of Sewer Use Bylaw Updates

Enhancement	Enhancement Overview
Definitions	Revised for clarity with obsolete definitions removed and some new definitions added
Obstruction or restriction in pipes	Clarification and expansion of list of items that can potentially obstruct or restrict sewer pipes (e.g. ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, masks, gloves, feathers, tar, plastic, feminine hygiene products, wood, dental floss, condoms, animal guts or tissues, and wipes)
Rainwater Harvesting	Exemption for discharges into sanitary system for rainwater harvesting systems that replace need for municipal water supply to support water conservation plans and programs
Discharge Approval	Addition of language that allows for limited discharges into sanitary or storm sewer that may be otherwise prohibited. Provides authority in situations such as approvals granted by higher authorities (i.e. the MECP) where Regional bylaw parameters may be exceeded. New language is consistent with other recent municipal Sewer Use Bylaw updates (i.e. City of Hamilton and City of Sarnia)
Grease Interceptors	Provision of application of risk-based approach for grease interceptor requirements where no risk to infrastructure exists from any discharge of fats, oils and grease such as fruit and vegetable washing facilities

Enhancement	Enhancement Overview
Appeal of Order	Introduced to establish formal dispute mechanism for Orders issued under the Sewer Use Bylaw
Administrative Monetary Penalties	New part to allow alignment with future Administrative Monetary Bylaw and program Penalties
Evidence of Documents	Receipt in evidence of official document(s) from an accredited laboratory for a proceeding as statement of fact. Reduces need for laboratory staff to appear in court

Public Consultation on draft Bylaw conducted in June and July 2021

Consultation on the proposed Bylaw was conducted across several channels:

- June 16, 2021 – virtual consultation reviewing revisions to Bylaw with local municipal staff, Durham and Peel Regions and conservation authority staff
- July 7, 2021 – virtual consultation hosted with registered haulers
- June 28 – July 18, 2021 – broad public consultation through webpage involving notification to registered contacts through Sewer Use Bylaw Enforcement Programs and other public consultation databases and signage posted across the Region in visible areas with high industrial population (e.g. Highway 7 corridor in Vaughan and Markham)

During public consultation there were 670 pageviews of the webpage. Social media (i.e. Facebook, Twitter and LinkedIn) generated 26,476 total impressions (number of times social media browsers have been shown the content) and 142 link clicks.

Stakeholders were generally supportive of the update and enhancements. There were nine direct consultation responses received from local municipal staff, consultant, residents, and a Hauled Wastewater client. Minor language changes suggested through consultation were incorporated to provide clarity in some of the definitions.

Reduction of up-front costs for low-risk businesses through alternative service model innovations for sampling and changes to Hauled Wastewater Receiving program fee structure

In low-risk situations, enforcement staff will work with a discharger to permit self-monitoring and sample submission. In this circumstance the responsibility for monthly sampling and analysis is transferred to the business resulting in the reduction of onsite sampling for verification. This allows enforcement staff to dedicate more time to new or more challenging situations. A reduced program fee from \$2,050 to \$675 for annual registration has been proposed for this self-monitoring option given the reduced administrative burden.

The Hauled Wastewater Receiving Program supports the disposal and treatment of wastewater that is not connected to a municipal system (e.g. septic tank pump outs, portable toilets). A review of the program fee structure indicated that a base program registration fee per vehicle would better support smaller companies with fewer vehicles and place more appropriate costs on larger companies with more vehicles requiring registration. This will ensure fairness to all haulers.

Sewer Use Bylaw supports 2019 to 2023 Strategic Plan Sustainable Environment priority of ‘delivering and promoting environmentally sustainable services’

The Sewer Use Bylaw Enforcement Program focuses on protecting infrastructure, workers, the public and the environment from harmful effects of ICI discharges through the delivery of monitoring and enforcement activities and associated programs.

5. Financial

Sewer Use Bylaw Enforcement Program fees offset cost of providing extra wastewater services

Sewer Use Bylaw Enforcement Program costs include program administration, monitoring, treatment costs, enforcement and laboratory expenses that are recovered through two funding mechanisms:

- Wastewater rate revenues - cover costs associated with risk-based monitoring program which helps ensure protection of infrastructure, health and safety as well as the environment
- User fees - costs associated with providing additional wastewater services to ICIs such as surcharge agreements, monitoring and compliance program approvals as examples

Program Fee increases structured for full cost recovery

The Region has committed to full cost recovery through user rates as demonstrated through the water and wastewater user rates approved by Council in September 2021. York Region Council has prioritized the financial sustainability of its water and wastewater systems by phasing in full cost recovery pricing.

While full cost recovery of the Sewer Use Bylaw programs is the goal by 2026, annual program fee increases have been limited to a maximum of 5%, with some fees seeing smaller increases. The fee range protects for volatility of some historic estimates and factors, including program administration, enforcement requirements, increased flows, treatment costs and future asset management needs. The total 2020 revenue for the Sewer Use program (including industrial dischargers and the hauled wastewater program) was about \$3.6 million and covers 138 industrial dischargers and 30 waste haulers. Total revenue is collected based on wastewater discharges from industries that exceed bylaw limits along with revenue from concentrated hauled wastewater. Revenues fluctuate with varying discharge characteristics.

Financial model for Sewer Use Bylaw program fees consistent with assumptions and projections in the Region's Approved 2021 User Rate Study

In 2020, a detailed review was undertaken to examine the Sewer Use Bylaw Enforcement Program finances and recommend new fees to achieve full cost recovery through to 2026. Staff aligned financial model provided by third party with Region's 2021 Water and Wastewater Rate Study assumptions and principles. Proposed Sewer Use Bylaw Enforcement Program fees until 2026 can be found in *Attachment 2*. Moving forward, these fees will be updated at the same time as the User Rate model.

Recommended increases in all program areas are based on detailed treatment cost analysis at York Region's Water Resource Reclamation Facilities (WRRFs) and Duffin Creek Water Pollution Control Plant.

The Surcharge program is the largest program associated with the Bylaw and generates the largest revenue. A heat map is presented in Table 3 shows proposed increased fees are aligned with our neighbouring municipalities for Surcharge Agreement parameters. The green shades represent lower cost, transitioning to yellow/orange with midrange costs and the red scale represents highest cost values.

Table 3

Jurisdictional Comparison of 2020 Fees for Surcharge Parameters

Surcharge Parameter	Municipality							
	York Region	Durham Region	City of Toronto*	City of Ottawa	Niagara Region	City of Orillia	Peel Rate	
Biochemical Oxygen Demand (BOD5)	\$1.04	\$0.53	\$0.64	\$1.66	\$1.55	\$3.18	\$368 per 1000 cubic meters (based on volume and not on loading)	
Phenolic Compounds	\$1.04	\$0.53	\$0.64	\$1.66	\$1.55	n/a		
Total Suspended Solids (TSS)	\$0.97	\$0.53	\$0.70	\$0.88	\$1.55	\$1.51		
Total Phosphorus (TP)	\$3.24	\$0.53	\$2.24	\$2.66	\$1.55	\$4.41		
Total Kjeldahl Nitrogen (TKN)	\$1.21	\$0.53	\$1.43	\$6.60	\$1.55	n/a		

Note: * Surcharge fee is based on highest parameter in excess



The Sewer Use Bylaw protects \$5.32B in wastewater assets with program costs over \$3M equating to 0.06% of overall infrastructure costs.

6. Local Impact

York Region's Sewer Use Bylaw works in collaboration with local municipal Sewer Use Bylaws. Local municipal bylaws are targeted to local infrastructure and Regional bylaw targets regional infrastructure. Together Regional and Local staff address issues through ongoing communication and joint approvals and investigations.

Targeted consultation was conducted with local municipal staff, conservation authorities and other stakeholders (e.g. Durham and Peel Regions). A review of changes to the proposed Bylaw was presented, along with proposed fees, and any questions were addressed in the session. The session was held prior to broad public consultation to ensure any concerns were addressed.

Surcharge program data was reviewed as a proxy for pandemic related impacts to participating businesses as it is the largest program and would impact the most businesses. 2019 and 2020 data were evaluated and upwards of 97% of businesses enrolled in the Surcharge program remained in production during COVID19 pandemic.

A cost impact analysis was conducted based on current program fees and proposed fees to illustrate the change to an average business in the Surcharge program. The average business may incur an annual increase of approximately \$1,000. In 2020, the business types based on the North American Industry Classification System (NAICS) that had the highest billed surcharge invoices included:

- Food manufacturing such as sugar and confectionary product manufacturing or bakeries and tortilla production
- Chemical manufacturers such as pharmaceutical and medicine manufacturers
- Recyclable material merchant wholesalers that operate recycling facilities, and
- Multi-unit buildings with varied tenants such as plaza or a strip mall

7. Conclusion

This report seeks Council approval to enact the Sewer Use Bylaw and endorsement of associated enforcement program fees. It also provides an update on implementation of the Region's Sewer Use Bylaw Enforcement Program and provides rationale for the proposed fee structure to achieve full cost recovery. The Sewer Use Bylaw is vital to protect health and safety, the environment and wastewater infrastructure. The proposed fee increases are

necessary to ensure the Sewer Use Bylaw Enforcement Program recovers costs while continuing to provide a best-in-class program.

For more information on this report, please contact Elizabeth Weir, Director, Operations, Maintenance and Monitoring at 1-877-464-9675 ext. 75340. Accessible formats or communication supports are available upon request.



Recommended by:

Erin Mahoney, M. Eng.
Commissioner of Environmental Services



Approved for Submission:

Bruce Macgregor
Chief Administrative Officer

October 22, 2021
Attachments (3)
eDOCS #13230704

ATTACHMENT 1**THE REGIONAL MUNICIPALITY OF YORK**

BYLAW NO. 2021-XX

A bylaw
to regulate the discharge of sewage, stormwater and land drainage

WHEREAS Section 11(3)4 of the *Municipal Act, 2001*, S.O. 2001, c. 25 permits a municipality to pass bylaws respecting matters concerning public utilities;

AND WHEREAS the Council of The Regional Municipality of York deems it desirable to enact a bylaw to,

- a) maintain and protect the integrity of Regional infrastructure;
- b) control the quality of sewage entering sewage works and the resulting treated effluent; and
- c) prevent adverse effects to persons, property and the natural environment from discharges to Regional infrastructure,

NOW THEREFORE the Council of The Regional Municipality of York enacts as follows:

Part 1
DEFINITIONS AND INTERPRETATION

1.1. In this bylaw,

- a) “accredited laboratory” means any laboratory accredited by an authorized accreditation body in accordance with a standard based on “*ISO/IEC 17025: General Requirements for the Competence of Testing and Calibration Laboratories*” established by the International Organization for Standardization, as amended from time to time, or an equivalent standard that is acceptable to the Region;
- b) “biochemical oxygen demand” or “BOD” means the molecular oxygen utilized in a sample, including sewage, stormwater, uncontaminated water, and any other substance to which this bylaw applies during a 5-day incubation period for the biochemical degradation of organic material (carbonaceous demand), including

the oxygen used to oxidize inorganic material such as sulphides, ferrous iron, and where an inhibiting chemical has been added to prevent ammonia oxidation;

- c) “biosolids” include organic solid material recovered from the sewage treatment process;
- d) “blowdown water” means recirculating water that is discharged from a cooling or heating water system for the purpose of controlling the level of water in the system or for the purpose of discharging from the system materials contained in the system;
- e) “*Building Code Act*” means the *Building Code Act, 1992*, S.O. 1992, c.23, as amended from time to time;
- f) “business day” means a day from Monday to Friday, other than a holiday as defined in section 87 of the *Legislation Act, 2006*, S.O. 2006, c.21, schedule F as amended from time to time;
- g) “Chief Administrative Officer” means the Chief Administrative Officer of The Regional Municipality of York;
- h) “combustible liquid” means any liquid having a flash point at or above 37.8 degrees Celsius and below 93.3 degrees Celsius;
- i) “Commissioner” means the Commissioner of Environmental Services of The Regional Municipality of York and their designated representatives;
- j) “composite sample” means two or more grab samples of a discharge to the sewage works taken at intervals during the sampling that have been combined automatically or manually;
- k) “contact cooling water” means water that is used in an industrial process, for the purpose of removing heat, that comes into contact with any raw material, intermediate product, waste product or finished product, but does not include blowdown water;
- l) “dewatering activity” means a temporary activity that is,
 - (i) taking water from a well or otherwise extracting groundwater;
 - (ii) draining water from a permanent or temporary pond or other surface water body, whether natural or man-made;

- (iii) releasing water previously stored in a tank, tanker truck, vessel, or other means of water storage;
- (iv) the permanent or temporary alteration of a natural or pre-existing drainage pattern; or
- (v) any combination of the above-noted activities,

where the water from such activity would be discharged to a sewage works and such activity is related to a construction, land development, renovation, repair, maintenance or demolition activity at a property;

- m) “Director” means the Director of Operations, Maintenance and Monitoring within the Environmental Services Department of The Regional Municipality of York and their designated representatives;
- n) “discharge” when used as a verb, includes add, deposit, emit, release or leak and, when used as a noun, includes addition, deposit, emission, release or leak;
- o) “discharger” means a person who is the owner, is in occupation of, or has charge, management or control of
 - (i) a site that discharges to a sewage works; or
 - (ii) sewage, stormwater, uncontaminated water or other substance or thing to which this bylaw applies that is capable of being discharged to a sewage works from a site;
- p) “emergency” means a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise;
- q) “emulsifier” means a substance or additive that helps two liquids mix and prevents separation;
- r) “enforcement officer” means a person who has been appointed as such pursuant to section 2.4 of this bylaw, and includes any person previously appointed under Regional bylaw 2011-56;
- s) “*Environmental Protection Act*” means the *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended from time to time;

- t) “*Fisheries Act*” means the *Fisheries Act*, R.S.C. 1985, c. F-14, as amended from time to time;
- u) “flammable liquid” means a liquid having a flash point below 37.8 degrees Celsius and a vapour pressure not more than 275.8 kPa (absolute) at 37.8 degrees Celsius as determined by the American Society for Testing and Materials D323-20a, “Standard Test Method for Vapor Pressure of Petroleum Products (Reid Method)”;
- v) “fuel” includes alcohol, gasoline, naphtha, diesel fuel, fuel oil or any ignitable substance intended for use as a fuel;
- w) “grab sample” means a sample of a discharge into a sewage works;
- x) “groundwater” means subsurface water including water held in soil, in pores, cracks or crevices in rocks or as a free standing body beneath the surface;
- y) “hailed sewage” includes sewage which is removed from a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet, a sewage holding tank or any sewage infrastructure and is transported for discharge, but does not include hauled waste;
- z) “hailed waste” means liquid industrial waste (as this term is defined by Reg. 347) that is transported for discharge and that must be transported with a manifest in accordance with Reg. 347;
- aa) “hauler” means a person who transports or causes or permits the transport of hauled waste or hauled sewage and includes an employee of the person;
- bb) “hazardous waste” includes a waste that is an acute hazardous waste chemical, hazardous industrial waste, hazardous waste chemical, corrosive waste, ignitable waste, pathological waste, reactive waste, radioactive waste, PCB waste, leachate toxic waste or severely toxic waste, or any combination thereof, each as defined by Reg. 347;
- cc) “industrial” means of or pertaining to industry, and includes manufacturing, food cooking, handling, preparation or processing commerce, trade, business, or institutions as distinguished from residential;

- dd) “land drainage works” includes a drain constructed by any means which is owned by The Regional Municipality of York and located within the limits of a public road allowance or other public lands or public land interests held for public utility purposes which may or may not connect to a storm sewer, and a drain constructed by any means that connects directly or indirectly to a Regional storm sewer or any other drainage works;
- ee) “leachate” means the liquid produced by water or other liquids percolating through waste or by liquid in the waste;
- ff) “maintenance access hole” means an access point in a private sewer connection to a municipal sewage works that allows for the observation, monitoring, sampling, flow measurement and other related activities of the sewage, stormwater, uncontaminated water or other substance therein;
- gg) “Ministry” means the Ontario Ministry of the Environment, Conservation and Parks as renamed or reconstituted from time to time;
- hh) “*Municipal Act, 2001*” means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended from time to time;
- ii) “municipal water system” means a Regional drinking water system and includes a local municipal drinking water system within York Region that is connected to a Regional drinking water system;
- jj) “municipality” includes a local board, as that term is defined in the *Municipal Act, 2001*;
- kk) “natural environment” means the air, land and water, or any combination or part thereof;
- ll) “non-contact cooling water” means water that is used in an industrial process, for the purpose of removing heat, that has not come into contact with any raw material, intermediate product, waste product or finished product of the industrial process other than heat, but does not include blowdown water;
- mm) “oil and grease” includes any material recovered as a substance soluble in solvent as described in Standard Methods for oil and grease;

- nn) “*Ontario Water Resources Act*” means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended from time to time;
- oo) “PCBs” means any monochlorinated or polychlorinated biphenyl or any mixture of them or any mixture that contains one or more of them and includes PCB waste as defined by R.R.O. 1990, Reg. 362 (Waste Management – PCBs) made under the *Environmental Protection Act*, as amended from time to time;
- pp) “person” includes an individual, association, organization, partnership, municipality or other corporation and includes an agent or employee of any of them;
- qq) “pesticide” means a pesticide as defined by and regulated under the *Pesticides Act*, R.S.O. 1990, c. P.11, as amended from time to time;
- rr) “pollution prevention” means the use of processes, practices, materials or products that avoid, reduce or control pollution, which may include recycling, treatment, process changes, control mechanisms, efficient use of resources and material substitution;
- ss) “property” means any land, whether vacant or occupied by a building or structure and includes such building or structure or part of a building or structure, and all mobile homes, mobile buildings, mobile structures, outbuildings, fences and erections thereon whether heretofore or hereafter erected and includes a site;
- tt) “rainwater” means stormwater runoff that is collected from a roof or the ground;
- uu) “Reg. 347” means R.R.O. 1990, Reg. 347 (General – Waste Management) made under the *Environmental Protection Act*, as amended from time to time;
- vv) “Region” means The Regional Municipality of York, including enforcement officers and its designated representatives;
- ww) “Regional Solicitor” means the Regional Solicitor for The Regional Municipality of York;
- xx) “sanitary sewer” means any part of the sewage works that is intended to collect and convey sewage to a sewage treatment facility;

- yy) “sewage” means any liquid containing organic, inorganic, chemical, animal, vegetable or mineral matter in solution or in suspension, including floating materials, but does not include stormwater or uncontaminated water alone;
- zz) “sewage works” means any works owned by The Regional Municipality of York used for the collection, transmission, treatment or disposal of sewage, stormwater or uncontaminated water and includes a sanitary sewer, storm sewer, and land drainage works;
- aaa) “site” means a property where an industrial activity takes place that is capable of discharging to a sewage works and includes a property where an industrial activity is not the sole use;
- bbb) “spill” means a discharge of any substance to a sewage works or to the natural environment which is abnormal in quantity or quality in light of all the circumstances of the discharge;
- ccc) “Standard Methods” means:
- (i) a procedure or method set out in “Standard Methods for the Examination of Water and Wastewater” published jointly by the American Public Health Association, American Water Works Association and the Water Environment Federation, as amended from time to time;
 - (ii) methods developed or approved, or both, by the Ministry;
 - (iii) methods developed or approved, or both, by the federal Department of the Environment as renamed or reconstituted from time to time; or
 - (iv) methods developed or approved, or both, by United States. Environmental Protection Agency or International Standards Organizations.
- ddd) “storm sewer” means any part of the sewage works that is intended to collect and convey stormwater, uncontaminated water, surface runoff or drainage from land or from a watercourse or any combination thereof;
- eee) “stormwater” includes water from precipitation or from the melting of snow or ice;
- fff) “substance” means any physical matter, whether solid, liquid or gas;

ggg) “surcharge agreement” means an agreement made under Part Part 7 of this bylaw;

hhh) “uncontaminated water” includes,

- (i) potable water supplied by a municipal water system or
- (ii) any water with a level of quality which is typical of potable water normally supplied by a municipal water system,

to which no substance has been added intentionally or unintentionally, by any person other than the municipality, and does not include water from a dewatering activity; and,

- iii) “waste radioactive prescribed substances” means uranium, thorium, plutonium, neptunium, deuterium, their respective derivatives and compounds and such other substances as the Canadian Nuclear Safety Commission, or its successor, may designate as being capable of releasing atomic energy or as being requisite for the production, use or application of atomic energy.

- 1.2. In this bylaw, any reference to a discharge to a sewage works or any part thereof shall be deemed to include a discharge into a place or thing that typically, or can be reasonably expected to, or does in fact result in a discharge into such sewage works or part thereof.

Part 2 AUTHORITY

- 2.1. The Commissioner may act on behalf of the Region for the purposes of this bylaw.
- 2.2. Subject to section 2.3, the Commissioner may prescribe the form and content of any approval, authorization, permit, form, policy, procedure or other document in relation to the administration of this bylaw and may amend or revise the form and content of such approvals, authorizations, permits, forms, policies, procedures or documents from time to time. The Commissioner may issue any approval, authorization or permit under this bylaw as well as any amendments thereto or revocations thereof, on behalf of the Region.
- 2.3. The Commissioner may prescribe the form and content of any agreement permitted under this bylaw and may amend or revise the form and content of such agreements from time to time provided that the form is satisfactory to the Regional Solicitor. The Commissioner may enter

into and execute such agreements, as well as any amendments thereto, on behalf of the Region.

- 2.4. The Commissioner may appoint and revoke the appointment of employees of the Region to act in the capacity of enforcement officers for the purposes of enforcing this bylaw.
- 2.5. The Commissioner may delegate his or her authority under this bylaw, including actions authorized under this Part, to any other officer or employee of the Region, so long as such delegation is authorized by the Chief Administrative Officer.

Part 3 SANITARY SEWERS

- 3.1. No person shall discharge or cause or permit the discharge of a substance to a sanitary sewer in circumstances where,
 - (a) to do so may cause or result in,
 - (i) a health or safety hazard to a person authorized to inspect, operate, maintain, repair or otherwise work on, in or around a sewage works;
 - (ii) a hazard or other adverse effect, to any person, animal, property, vegetation or the natural environment;
 - (iii) an offence under the *Ontario Water Resources Act* or the *Environmental Protection Act* or any regulation made thereunder;
 - (iv) biosolids from the sewage works to which sewage discharges, failing to meet the requirements set out in the *Nutrient Management Act, 2002* or a regulation thereunder, as amended from time to time;
 - (v) dyes or colouring materials to pass through a sewage works which could discolour the sewage works effluent;
 - (vi) interference with the inspection, operation, maintenance or repair of a sewage works or which may impair or interfere with any sewage treatment process;
 - (vii) an offensive odour to emanate from the sewage works that is detectable within the vicinity of the sewage works, and includes, without limiting the generality of the foregoing,

sewage containing, hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, chlorine, amines or ammonia in such quantities as may cause an offensive odour;

- (viii) damage to a sewage works or any part thereof; or
 - (ix) an obstruction or restriction to the flow in the sanitary sewer including, but not limited to, a discharge containing solid or viscous substances in quantities or of such size as to be capable of causing obstruction to the flow in a sewer such as ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, masks, gloves, feathers, tar, plastic, feminine hygiene products, wood, dental floss, condoms, animal guts or tissues, and wipes;
- (b) the discharge has or exhibits,
- (i) a pH less than 6.00 or greater than 10.50;
 - (ii) two or more separate liquid layers; or
 - (iii) a temperature greater than 60 degrees Celsius; or
- (c) the discharge contains or is likely to contain,
- (i) combustible liquid;
 - (ii) flammable liquid;
 - (iii) fuel;
 - (iv) hauled sewage, except where,
 - (A) the discharger is the hauler of the hauled sewage and is an operator of a waste management system operating under and in accordance with a valid environmental compliance approval or equivalent instrument, approval or order issued or regulation filed under the *Environmental Protection Act* allowing the operation;
 - (B) a copy of the current environmental compliance approval or equivalent instrument, approval or order issued or regulation filed under the *Environmental Protection Act* and any amendment thereto is

- provided to the Region or, where the discharger is claiming an exemption pursuant to a regulation, the discharger has demonstrated to the satisfaction of the Region that the conditions of the exemption are being met;
- (C) the discharger has successfully registered with the Region for the discharge of hauled sewage and the Region has authorized the discharger's access to the sewage works for this purpose;
 - (D) the discharger complies with all terms, conditions and procedures for a discharge in the approvals referenced in (A) and (B) above and in any policies or programs that may be set by the Region from time to time in respect of hauled sewage; and
 - (E) the discharge otherwise complies with this bylaw;
- (v) hauled waste, except where,
- (A) the discharger is the hauler of the hauled waste and is an operator of a waste management system operating under and in accordance with a valid environmental compliance approval or equivalent instrument, approval or order issued or regulation filed under the *Environmental Protection Act* allowing the operation;
 - (B) a copy of the environmental compliance approval or equivalent instrument, approval or order issued or regulation filed under the *Environmental Protection Act* and any amendment thereto is provided to the Region or, where the discharger is claiming an exemption pursuant to a regulation, the discharger has demonstrated to the satisfaction of the Region that the conditions of the exemption are being met;
 - (C) the conditions set out in sections 23(3)(c) and 25(5)(b) of Reg. 347 are met;
 - (D) the discharger has successfully registered with the Region for the discharge of hauled waste and the Region has authorized the discharger's access to the sewage works for this purpose;

- (E) the discharger complies with all terms, conditions and procedures for discharge in the approvals referenced in(A) and (B) above and in any policies or programs that may be set by the Region from time to time in respect of hauled waste; and
 - (F) the discharge otherwise complies with this bylaw;
- (vi) hazardous waste;
 - (vii) PCBs;
 - (viii) a pesticide;
 - (ix) waste radioactive prescribed substances;
 - (x) leachate, except where,
 - (A) the discharge is proceeding in accordance with a valid environmental compliance approval or equivalent instrument, approval or order which has been issued to the discharger or regulation filed under the *Environmental Protection Act* or the *Ontario Water Resources Act* which includes a provision for the disposal of leachate to a sewage works;
 - (B) a copy of the current environmental compliance approval or equivalent instrument, approval or order issued or regulation filed under the *Environmental Protection Act* or the *Ontario Water Resources Act* and any amendment thereto is provided to the Region or, where the discharger is claiming an exemption pursuant to a regulation, the discharger has demonstrated to the satisfaction of the Region that the conditions of the exemption are being met;
 - (C) the discharger has received prior written approval from the Region to discharge the leachate into the sewage works;
 - (D) the discharge otherwise complies with this bylaw; and
 - (E) in circumstances where the leachate is transported by a hauler for discharge, the leachate is deemed

to be hauled waste for the purposes of this bylaw and the discharge to the sewage works may only occur where the conditions of section 3.1(c)(v) of this bylaw have been satisfied;

- (xi) a liquid or material resulting from the pump-out or cleaning of a catch-basin, except where any grit or other contaminants have been removed or reduced to levels acceptable to the Region, and the prior written approval for the discharge has been obtained from the Region; or
- (xii) any contaminant at a concentration that exceeds any one or more of the limits in Table 1 as set out in Schedule "A" of this bylaw, entitled "Limits for Sanitary Sewer Discharge", except where,
 - (A) the discharge is proceeding under and carried out in accordance with and only to the extent expressly permitted by all terms and conditions of a surcharge agreement, compliance program or discharge approval which has been previously authorized or approved in writing by the Region, in its sole discretion, prior to the discharge in accordance with the provisions of this bylaw; or
 - (B) the discharge is hauled sewage or hauled waste and is proceeding under and carried out in accordance with this bylaw and, only to the extent expressly permitted by, all terms, conditions and procedures of any policies or programs permitting the discharge of hauled waste, hauled sewage or leachate to the sewage works.

3.2 No person shall discharge or cause or permit a discharge of water originating from a source other than a municipal water system, including but not limited to stormwater, non-contact cooling water, water from a dewatering activity or uncontaminated water from outside a municipal water system to a sanitary sewer, except where,

- (a) the Region has given prior written approval for the discharge in accordance with section 3.3 of this bylaw; or
- (b) the discharge is requested as a result of a situation that the Region, in its sole discretion, considers to be an emergency and the Region has provided prior verbal or written approval for the discharge.

- 3.3 The Region, in its sole discretion, may approve a discharge described in section 3.23.2 on such terms and conditions as it may deem appropriate, including terms and conditions in respect of protecting the sewage works, other infrastructure and the natural environment, compensating the Region for costs related to the operation or repair of the sewage works, treatment or monitoring of the discharge and facilitating administration of the approval. Without limiting section 3.9, to assess a proposed discharge under section 3.2(a), the Region must be provided with,
- (a) written request to the Region for the proposed discharge which includes,
 - (i) the volume and quality of water to be discharged;
 - (ii) the location of the water source;
 - (iii) the address of the property where the water is being used and from which it is being discharged; and
 - (iv) the details of the proposed discharge in a plan of discharge that is satisfactory to the Region;
 - (b) a copy of a valid Permit to Take Water under the *Ontario Water Resources Act* or equivalent instrument, approval or order issued or regulation filed under the *Environmental Protection Act* and any amendment thereto is provided to the Region in respect of the taking of the water that would be discharged, where such Permit to Take Water or equivalent is required; and
 - (c) payment for any application fees for reviewing a request for a discharge under this section that may be imposed by the Region from time to time.
- 3.4 Despite section 3.2, a quantity of rainwater that is free of solids that is used to replace the same quantity of water originating from a municipal water system source may be discharged to the sanitary sewer.
- 3.5 The Region, in its sole discretion, may approve a discharge that would otherwise be prohibited by section 3.1(b) or would exceed any one or more of the limits in Table 1 as set out in Schedule “A” of this bylaw, entitled “Limits for Sanitary Sewer Discharge” on such terms and conditions as it may deem appropriate, including, but not limited to, terms and conditions in respect of protecting the sewage works, other infrastructure and the natural environment, compensating the Region for

costs related to the operation or repair of the sewage works, treatment or monitoring of the discharge and facilitating administration of the approval.

- 3.6 Without limiting section 3.9 to assess a proposed discharge under section 3.5, the Region must be provided with a written request for the proposed discharge which includes,
- (a) the volume and proposed flow rate of sewage to be discharged;
 - (b) the quality of the discharge as per parameters selected by the Region;
 - (c) the location of the water source;
 - (d) the address of the property where the water is being used and from which sewage is being discharged;
 - (e) the details of the proposed discharge in a plan of discharge to the satisfaction of the Region;
 - (f) the details of the proposed treatment and monitoring of the discharge; and
 - (g) payment for any applicable fees for reviewing a request for a discharge under this section that may be imposed by the Region from time to time.
- 3.7 A discharge authorized under an approval issued under section 3.2 or 3.5 is only authorized in the amount and to the extent set out in the approval and where the person is complying with all terms and conditions of the approval.
- 3.8 The Region may terminate an approval issued under section 3.5 by giving written notice to the approval holder,
- (a) at any time and for any reason whatsoever regardless of the state of compliance with the approval upon a minimum of 30 days written notice to the approval holder;
 - (b) at any time where, in the opinion of the Region, there is an immediate threat or danger to any person, animal, the natural environment, property, or vegetation, in which case the termination shall be effective immediately upon receipt of the written notice of termination;

- (c) at any time where, in the opinion of the Region, a discharge in accordance with the discharge approval causes or may cause an adverse effect to the sewage works, in which case the termination shall be effective immediately upon receipt of the written notice of termination; or
- (d) at any time where, in the opinion of the Region, the approval holder fails or neglects to implement or pursue implementation of the actions required under the discharge approval or otherwise fails to comply with the terms and conditions of an approval, in which case the termination shall be effective immediately upon receipt of the written notice of termination.

3.9 For the purposes of this Part, the Region may require a person to provide the Region with plans, specifications, reports, studies, data, analytical results, financial information, documentation or other information to the satisfaction of the Region that would enable the Region to assess the need for an approval request or to assess whether or not an actual or potential discharge may or could contravene Part 3 of this bylaw.

Part 4 PROHIBITION OF DILUTION

4.1 No person shall discharge or cause or permit the discharge of a substance into a sewage works in circumstances where water has been added to the discharge for the purposes of dilution such that after dilution the discharge does not contravene Part 3 or Part 5 of this bylaw.

Part 5 STORM SEWERS

- 5.1 No person shall discharge or cause or permit the discharge of a substance to a storm sewer or to land drainage works in circumstances where,
- (a) The discharge is not stormwater or uncontaminated water discharged in accordance with this bylaw;
 - (b) to do so may cause or result in,
 - (i) interference with the proper operation of a storm sewer or land drainage works;
 - (ii) an obstruction or restriction to a storm sewer or land drainage works or the flow therein;

- (iii) damage to the storm sewer or land drainage works;
 - (iv) a hazard or other adverse effect to any person, animal, property, vegetation or the natural environment;
 - (v) impairment of the quality of any water including water in any well, aquifer, lake, river, pond, spring, stream, reservoir or other watercourse; or
 - (vi) an offence under the *Ontario Water Resources Act*, the *Environmental Protection Act* or the *Fisheries Act* with respect to the storm sewer or land drainage works and/or the direct or indirect discharge from the storm sewer or land drainage works into any watercourse;
- (c) the discharge has or exhibits,
- (i) two or more separate liquid layers;
 - (ii) a visible film, sheen or discoloration;
 - (iii) a temperature greater than 40 degrees Celsius; or
 - (iv) a pH less than 6.00 or greater than 9.00; or
- (d) the discharge contains, or is likely to contain,
- (i) blowdown water;
 - (ii) non-contact cooling water;
 - (iii) contact cooling water;
 - (iv) water from a dewatering activity;
 - (v) combustible liquid;
 - (vi) flammable liquid;
 - (vii) floating debris;
 - (viii) fuel;
 - (ix) oil and/or grease;
 - (x) hauled sewage;

- (xi) hauled waste;
- (xii) hazardous waste;
- (xiii) PCBs, except where the discharge is proceeding in accordance with a valid approval or equivalent legal instrument, permission or order which has been issued to the person by a federal authority and/or Ontario ministry or regulatory body expressly authorizing the discharge to the Region's satisfaction and the person is complying with all terms and conditions;
- (xiv) pesticides;
- (xv) sewage;
- (xvi) waste radioactive prescribed substances;
- (xvii) leachate;
- (xviii) a substance from raw materials, intermediate or final materials, used or produced in, through or from an industrial process;
- (xix) a substance used in the operation or maintenance of a site;
- (xx) any contaminant at a concentration that exceeds any one or more of the limits in Table 2 as set out in Schedule "A" of this bylaw, entitled "Limits for Storm Sewer/Land Drainage Works Discharge"; or
- (xxi) a liquid or material resulting from the pump-out or cleaning of a catch-basin, except where any grit or other contaminants have been removed or reduced to levels acceptable to the Region, and the prior written approval for the discharge has been obtained from the Region.

5.2 The Region, in its sole discretion, may provide a written approval for a discharge of,

- (a) water from a dewatering activity; or
- (b) non-contact cooling water,

- otherwise prohibited by sections 5.1(a), 5.1(d)(ii) or 5.1(d)(iv) to a storm sewer or land drainage works on such terms and conditions as it may deem appropriate including but not limited to terms and conditions in respect of protecting the sewage works, other infrastructure and the natural environment, standards for parameters in the discharge, volume of the discharge and facilitating administration of the approval.
- 5.3 The Region, in its sole discretion, may provide a written approval for a discharge of water from a dewatering activity otherwise prohibited by section 5.1(d)(xx) to a storm sewer or land drainage works on such terms and conditions as it may deem appropriate including but not limited to terms and conditions in respect of protecting the sewage works, other infrastructure and the natural environment, standards for parameters in the discharge, volume of the discharge and facilitating administration of the approval where:
- (a) the discharge is proceeding in accordance with a valid approval or equivalent legal instrument, permission or order which has been issued to the person by a federal authority and/or Ontario ministry or regulatory body expressly authorizing the discharge; and
 - (b) the person has provided the Region with any information required under sections 5.4 and 5.5 of this bylaw and copy of the instrument in section 5.3(a).
- 5.4 Without limiting section 5.5, to assess a proposed discharge under section 5.2 or 5.3, the Region must be provided with,
- (a) written request to the Region for the proposed discharge which includes,
 - (i) the volume and quality of water to be discharged;
 - (ii) the location of the water source;
 - (iii) the address of the property where the water is being used and from which it is being discharged; and
 - (iv) the details of the proposed discharge in a plan of discharge that is satisfactory to the Region;
 - (b) a copy of a valid Permit to Take Water under the *Ontario Water Resources Act* or equivalent instrument, approval or order issued or regulation filed under the *Environmental Protection Act* and any amendment thereto is provided to the Region in respect of the taking of the water that would be discharged, where such Permit to Take Water or equivalent is required; and

- (c) payment for any application fees for reviewing a request for a discharge under this section that may be imposed by the Region from time to time.

5.5 Where the Region has given prior written approval for a discharge in accordance with:

- (a) section 5.2 a person may discharge non-contact cooling water or water from a dewatering activity; or
- (b) section 5.3 a person may discharge water from a dewatering activity to a storm sewer or land drainage works

only to the extent permitted by and where the person is complying with all terms and conditions of the prior written approval.

5.6 For the purposes of this Part the Region may require the person to provide the Region with plans, drawings, specifications, reports, studies, data, analytical results, documentation or other information to the satisfaction of the Region that would enable the Region to assess whether or not the actual or potential discharge could contravene Part 5 of this bylaw.

Part 6 NOTIFICATION AND REPORTING REQUIREMENTS

- 6.1 A discharger shall complete a Discharger Information Report form provided by the Region and submit it to the Region within 30 days of written notification by the Region that such report is required.
- 6.2 Where a discharger or potential discharger will be discharging sewage or causing or permitting the discharge of sewage to a sanitary sewer from a site from which the discharger was not discharging or causing or permitting a discharge of sewage before the date this bylaw was enacted the discharger or potential discharger shall notify the Region in accordance with each of the following requirements:
 - (a) Notification shall be submitted to and received by the Region a minimum of 30 days prior to the commencement of the discharger's operations.
 - (b) Notification shall be in the form of a completed Discharger Information Report.

- (c) The discharger shall provide any additional information related to the discharge as the Region may indicate in writing it requires within 15 days of receiving such written notification.
- 6.3 Where a discharger is required by the Region to complete a Discharger Information Report, the discharger shall provide written notice of any change in the information requested in the report a minimum of 30 days prior to the effective date of such change. Such notice shall include pertinent details of any change to the operation, process, or wastewater treatment facilities, and shall include any analysis of the sewage and any other information related to the discharge as may be required by the Region.

Part 7 SURCHARGE AGREEMENT

- 7.1 The Region, in its sole discretion, may enter into a surcharge agreement in accordance with this Part with a discharger to permit the discharge of sewage into a sanitary sewer that would otherwise be prohibited by this bylaw, to the extent permitted by the surcharge agreement.
- 7.2 A surcharge agreement referred to in section 7.1 may only be made with respect to the following parameters in sewage: biochemical oxygen demand (BOD), total kjeldahl nitrogen, phosphorus (total), phenolic compounds (4AAP), suspended solids (total) or any combination thereof.
- 7.3 The Region may include whatever terms and conditions it deems appropriate in a surcharge agreement, including but not limited to terms and conditions in respect of protecting the sewage works and other infrastructure, verifying the average concentration of any parameter permitted by section 7.2, verifying volumes of a discharge, to refine a surcharge fee based on a flow differential, facilitating the administration of the surcharge agreement and compensation to the Region for the additional costs related to a surcharge agreement and associated discharges, including costs related to administering the agreement and costs related to additional inspection, monitoring, sampling and analysis and treatment of the discharge and related to operation and repair of the sewage works.
- 7.4 Without restricting the generality of the foregoing, the surcharge fees payable by a discharger under a surcharge agreement shall be calculated by the following formula for each parameter subject to the surcharge agreement:

$$S_p = (C_p - L_p) \times V \times R_p \div 1000$$

where,

- S_p = the surcharge fee payable for a parameter during a given time period [\$]
- C_p = the average concentration of the parameter in discharges during the time period [mg/L]
- L_p = the concentration limit of the parameter listed in Table 1 of Schedule "A" [mg/L]
- V = the volume of discharge during the time period [m³]
- R_p = the applicable surcharge rate for the parameter [\$/kg]
- 1000 = a conversion factor

- 7.5 Notwithstanding section 6.3, where a discharger has entered into a surcharge agreement, any change in the information provided to the Region in the Discharger Information Report shall be submitted to the Region a minimum of 30 days prior to the change to allow sufficient assessment of the impact of the change on the surcharge agreement.
- 7.6 A surcharge agreement shall not be assignable or transferrable by the discharger without the express written approval of the Region.
- 7.7 Any surcharge agreement that was executed by the Region before the day this bylaw is enacted and has not expired will continue to remain in force unless the agreement is terminated by the Region in accordance with section 7.8 of this bylaw or by the discharger in accordance with the appropriate provisions of the surcharge agreement.
- 7.8 The Region may terminate a surcharge agreement by giving written notice to the discharger,
- (a) at any time and for any reason whatsoever regardless of the state of compliance with the surcharge agreement upon a minimum of 90 days written notice to the discharger;
 - (b) at any time where, in the opinion of the Region, there is an immediate threat or danger to any person, animal, the natural environment, property or vegetation, in which case the termination shall be effective immediately upon receipt of the written notice of termination;

- (c) at any time where, in the opinion of the Region, a discharge in accordance with the agreement causes or may cause an adverse effect to the sewage works, in which case the termination shall be effective immediately upon receipt of written notice of termination; or
- (d) as may be further provided for in a surcharge agreement.

Part 8 COMPLIANCE PROGRAM

- 8.1 A discharger may submit to the Region, or submit and resubmit where required by the Region, a proposed compliance program to prevent, reduce or control a discharge of sewage which does not comply with the requirements of this bylaw from the discharger's site into a sewage works.
- 8.2 Upon receipt and review of a proposed compliance program pursuant to section 8.1 the Region, at its sole discretion, may issue a compliance program approval with such terms and conditions the Region deems to be appropriate for any discharge which would otherwise not comply with this bylaw. A non-compliant discharge authorized under an approval is only authorized in the amount and to the extent set out in the approval, during the planning, design, construction and installation of facilities or works necessary to implement the approved compliance program.
- 8.3 The compliance program shall include, but is not limited to, the following conditions or requirements:
 - (a) the term of the compliance program shall be for a specified length of time during which time the discharger shall implement the corrective or remedial actions set out in the compliance program to eliminate non-compliance.
 - (b) corrective or remedial actions to be implemented by the discharger to prevent, reduce or control a discharge shall be specific, including the dates of commencement and completion of such actions, and the materials or other characteristics of the subject to which it relates.
 - (c) the final action completion date shall not be later than the final compliance date in the compliance program.
 - (d) a progress reporting requirement to the Region within a specified period of time of the scheduled completion date of each action listed in the compliance program.

- 8.4 The Region may terminate the compliance program by giving written notice to the discharger,
- (a) at any time and for any reason whatsoever regardless of the state of compliance with the approved compliance program upon a minimum of 30 days written notice to the discharger;
 - (b) at any time where, in the opinion of the Region, there is an immediate threat or danger to any person, animal, the natural environment, property, vegetation, in which case the termination shall be effective immediately upon receipt of the written notice of termination;
 - (c) at any time where, in the opinion of the Region, a discharge in accordance with the approved compliance program causes or may cause an adverse effect to the sewage works, in which case the termination shall be effective immediately upon receipt of the written notice of termination; or
 - (d) at any time where, in the opinion of the Region, the discharger fails or neglects to implement or pursue implementation of the actions required under the approved compliance program or otherwise fails to comply with the terms and conditions of an approval, in which case the termination shall be effective immediately upon receipt of the written notice of termination.
- 8.5 Where required by the Region pursuant to an approved compliance program, the discharger shall install at the site, and prior to the sampling point, a wastewater pretreatment facility at the discharger's expense and shall ensure,
- (a) the design, installation, operation and maintenance of the pretreatment facility achieves the treatment objectives established by the approved compliance program and is in accordance with the manufacturer's guidance and recommendations;
 - (b) any waste products from the pretreatment facility are disposed of in a manner which is safe and in accordance with all applicable laws; and
 - (c) all documentation pertaining to the pretreatment facility and waste disposal shall be made available to an enforcement officer, and upon request, copies are provided in the requested manner and format at no charge to the Region. This documentation shall be kept on site for,

- (i) a minimum of two years, in the case of operational and maintenance documents or records, documents relating to waste disposal, records of sampling and analysis results; and
 - (ii) permanently, in the case of all up to date plans, drawings or operational manuals relating to the facility and documents pertaining to any modifications made to the facility.
- 8.6 A discharger who is the subject of an approved compliance program in accordance with this Part shall not be prosecuted for a contravention under Part 3 of this bylaw for the discharge of sewage to the extent set out in the approved compliance program during the term of the approved compliance program, provided that such discharge is in compliance with the approved compliance program.

Part 9 SAMPLING AND ANALYTICAL REQUIREMENTS

- 9.1 A discharger, at the discharger's expense, shall install or ensure there is installed a maintenance access hole for each direct or indirect connection from its site to a sewage works for the purpose of observation, sampling and measurement of the flow of discharges therein in accordance with the requirements of this Part.
- 9.2 Notwithstanding section 9.1, where the installation of a maintenance access hole is not possible or is not acceptable to the Region, an alternative device or facility may be substituted with the prior written approval of the Region.
- 9.3 A discharger, at the discharger's expense, shall maintain in good repair each maintenance access hole, alternative device or facility for the purposes of section 9.1 and, when necessary, shall replace a maintenance access hole, alternative device or facility.
- 9.4 The maintenance access hole, alternative device or facility shall be,
- (a) located on the site of the discharger, unless the Region provides written approval for a different location;
 - (b) designed and constructed in accordance with good engineering practice, in a manner acceptable to the Region; and

- (c) accessible at any time to the Region for the purpose of observation, sampling and measurement of the flow of discharges therein.
- 9.5 The Region by written notice may require a discharger, at the discharger's expense, to monitor, sample and/or analyze one or more discharges from a site or to establish and implement an ongoing wastewater monitoring, analysis, and result reporting program. The Region may set out the frequency and method of the sampling and reporting of results to the Region. The sampling must be in accordance with the procedures and methods set out in standard methods and analyzed by an accredited laboratory.
- 9.6 The Region may establish non-compliance with this bylaw on the basis of a grab sample or a composite sample of a discharge, which may contain additives for its preservation, that may be collected manually or by using an automatic sampling device, and analyzed in accordance with the procedures and methods set out in standard methods.
- 9.7 For each of the metals whose concentration is limited in Table 1 or Table 2 of Schedule "A", the analysis shall be for the quantity of total metal, which includes all metal both dissolved and particulate.

Part 10 SPILLS

- 10.1 In the event of a spill to a sewage works, the person with charge, management or control of the substance spilled or the person who caused or permitted the spill shall immediately notify the Region, provide any information with respect to the spill which the Region advises it requires and complete any work the Region may require to mitigate the spill.
- 10.2 Notwithstanding section 10.1, the person who gave notice under that section shall do everything possible to stop and contain the spill, protect the health and safety of the public and adjacent occupants, minimize damage to property, protect the natural environment, mitigate actual and potential impacts, clean-up the spill and remediate and restore the affected area to its condition prior to the spill event.
- 10.3 Within 5 days after the first notification of the spill, the person who gave notice under section 10.1 shall provide a written report on the spill to the Region containing information to the best of the person's knowledge including,
- (a) location where the spill occurred;

- (b) name and phone number of the person who reported the spill and location where such person can be contacted;
 - (c) date and time of spill;
 - (d) substance that was spilled;
 - (e) physical and chemical characteristics of the spilled substance;
 - (f) volume of the substance spilled;
 - (g) duration of spill event;
 - (h) any relevant information regarding the cause of the spill or the circumstances surrounding the spill event;
 - (i) work completed, in progress and/or to be undertaken to mitigate the spill;
 - (j) preventative actions being taken to ensure the situation does not occur again; and
 - (k) any other information the Region may indicate it requires in relation to the spill.
- 10.4 If a person to whom this Part applies is not able to provide or otherwise does not provide all of the information required by sections 10.1 and 10.3, the person shall take all reasonable steps to ascertain the missing information and provide it immediately to the Region.
- 10.5 If a person to whom this Part applies becomes aware that any information provided to the Region pursuant to sections 10.1 and 10.3 was inaccurate or is no longer accurate, the person shall immediately notify the Region of the inaccuracy and provide corrected information.
- 10.6 The spill reporting requirements set out in this Part are in addition to and do not replace any other reporting obligations imposed upon a person by federal or provincial legislation.

Part 11 POLLUTION PREVENTION PLAN

- 11.1 The Region may, by written notice, require a discharger to develop a pollution prevention plan for the discharge of one or more of any of the parameters listed in Table 1 as set out in Schedule "A" of this bylaw or

any other parameter that may be designated by the Region with respect to the site from which the discharge occurs, where,

- (a) the discharger is or has been out of compliance with Part 3 (Sanitary Sewers);
 - (b) the discharger is or has been out of compliance with Part 5 (Storm Sewers);
 - (c) the discharger is or has been in an approved compliance program with the Region; or
 - (d) the discharger is or has been responsible for one or more spill(s) to a sewage works.
- 11.2 A pollution prevention plan shall comply with any guidelines that the Region may establish from time to time.
- 11.3 A pollution prevention plan shall be completed by the discharger and submitted to the Region for approval within 6 months of notification by the Region that a pollution prevent plan is required.
- 11.4 The discharger shall keep a copy of the most current approved pollution prevention plan at the site in respect of which it was prepared and shall make the approved pollution prevention plan available for review by an enforcement officer and, upon request, shall provide a copy of the approved pollution prevention plan in the requested manner and format at no charge to the Region.
- 11.5 The Region may exempt a discharger from the requirements to develop a pollution prevention plan where the discharger has implemented and maintains a currently registered ISO 14001 Program which is accredited by the Standards Council of Canada or the Registrar Accreditation Board and which is currently accredited by a third party auditor. If such an exemption is granted, the discharger shall keep a copy of the registered ISO 14001 Program at the site and shall make it available for review by an enforcement officer and, upon request, shall provide a copy in the requested manner and format, at no charge to the Region.

Part 12

CONFIDENTIAL INFORMATION

- 12.1 Except where otherwise provided in this section, all information submitted to and collected by the Region under the authority of this bylaw, including but not limited to information in or obtained through Discharger Information Reports, pollution prevention plans, discharge

approvals, compliance programs, surcharge agreements, applications, inspection, monitoring or sampling activities will be available for disclosure to the public in accordance with the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56* ("MFIPPA").

- 12.2 Any person submitting information, in any form, to the Region as required under this bylaw where such information is confidential or proprietary or otherwise may be exempt from disclosure under MFIPPA shall identify that information upon its submission to the Region and shall provide sufficient details as to the reason for its purported exemption from disclosure.

Part 13

DENTAL WASTE AMALGAM SEPARATORS

- 13.1 Every person who owns or operates a dental practice shall comply with the *Dentistry Act, 1991, S.O. 1991, c. 24*, and the regulations made thereunder, as amended from time to time, for the management and disposal of amalgam waste.
- 13.2 Every person who owns or operates a dental practice shall make a maintenance schedule and record of maintenance available for review by an enforcement officer and, upon request, a copy shall be provided to an enforcement officer in the manner and format requested, at no charge to the Region, for each dental amalgam separator installed.
- 13.3 Every person who owns or operates a dental practice shall provide a record of inspection and any documentation evidencing the installation of a dental amalgam separator to an enforcement officer upon request and, upon request, a copy of the documentation shall be provided in the requested manner and format at no charge to the Region.

Part 14

FOOD RELATED OIL AND GREASE INTERCEPTORS

- 14.1 Every discharger whose site is, or contains, a restaurant or other industrial premises where food is cooked, processed or prepared shall take all necessary measures to ensure that oil and grease are prevented from discharging to,
- (a) a sanitary sewer in excess of the limits in Table 1 as set out in Schedule "A" of this bylaw; or
 - (b) a storm sewer or land drainage works.

- 14.2 The Region may provide notice to require a discharger to whom section 14.1 applies to install, operate, and properly maintain an oil and grease interceptor and the discharger shall install, operate and properly maintain, in accordance with the requirements of this Part an oil and grease interceptor in any piping system at its site that connects directly or indirectly to a sewage works.
- 14.3 The installation and operation of each oil and grease interceptor shall be,
- (a) in compliance with the most current requirements of the *Building Code Act* and its regulations; and
 - (b) in accordance with the requirements of the Canadian Standards Association national standard CAN/CSA B481, as amended from time to time.
- 14.4 The discharger shall ensure all oil and grease interceptors are maintained in good working order, including the requirements that every oil and grease interceptor shall,
- (a) be tested and maintained in accordance with the requirements of CAN/CSA B481, as amended from time to time;
 - (b) have the maintenance requirements posted at the site in a conspicuous location in proximity to the oil and grease interceptor; and
 - (c) be cleaned before the thickness of the organic material and solids residuals becomes greater than twenty-five percent of the available volume, with a cleaning frequency of at least once every four weeks.
- 14.5 The discharger must provide the maintenance schedule and record of maintenance for each oil and grease interceptor to an enforcement officer upon request and, upon request, a copy shall be provided to an enforcement officer in the manner and format requested at no charge to the Region, and must keep documentation of proof of interceptor clean-out and oil and grease disposal at the site for a minimum of two years.
- 14.6 Where a discharger fails to adequately maintain the oil and grease interceptor to the satisfaction of the Region, the Region may require an alarmed monitoring device or such other device to be installed at the site, which the discharger shall then install at its expense, in accordance with specifications of CAN/CSA B481, as amended from time to time.

- 14.7 No discharger shall discharge or cause or permit the discharge of emulsifier to a sewage works to which this Part applies.
- 14.8 No discharger shall use or cause or permit the use of enzymes, bacteria, solvents, hot water or other agents to facilitate the passage of oil and grease through an interceptor to which this Part applies.

Part 15

VEHICLE AND EQUIPMENT SERVICE OIL AND GREASE INTERCEPTORS

- 15.1 Every discharger whose site is a vehicle or equipment service station, repair shop, garage or other industrial premises where motor vehicles are repaired, lubricated, washed or maintained shall take all necessary measures to ensure that oil and grease are prevented from discharging to,
- (a) a sanitary sewer in excess of the limits in Table 1 as set out in Schedule "A" of this bylaw; or
 - (b) a storm sewer or land drainage works.
- 15.2 The Region may provide notice to require a discharger to whom section 15.1 applies to install, operate and properly maintain an oil and grease interceptor and the discharger shall install, operate and properly maintain, in accordance with the requirements of this Part, an oil and grease interceptor in any piping system at its site that connects directly or indirectly to a sewage works.
- 15.3 Each oil and grease interceptor required to be installed under this Part shall be installed in compliance with the most current requirements of the *Building Code Act* and its regulations.
- 15.4 The discharger shall ensure all oil and grease interceptors are maintained in good working order, including the requirements that every oil and grease interceptor shall,
- (a) be maintained as recommended by the Canadian Fuels Association and in accordance with the manufacturer's guidance and recommendations;
 - (b) be inspected regularly to ensure performance is maintained and to ensure the surface oil, grease and sediment levels do not exceed the recommended level; and
 - (c) have the maintenance requirements posted at the site in a conspicuous location in proximity to the oil and grease interceptor.

- 15.5 The discharger must provide the maintenance schedule and record of maintenance for each oil and grease interceptor to an enforcement officer upon request and, upon request, a copy shall be provided to an enforcement officer in the manner and format requested at no charge to the Region, and must keep documentation of proof of interceptor clean-out and oil and grease disposal at the site for a minimum of two years.
- 15.6 Where a discharger fails to adequately maintain the oil and grease interceptor to the satisfaction of the Region, the Region may require an alarmed monitoring device or such other device be installed at the expense of the discharger and every discharger shall comply with such an order.
- 15.7 No discharger shall discharge or cause or permit the discharge of emulsifier to a sewage works to which this Part applies.
- 15.8 No discharger shall use or cause or permit the use of enzymes, bacteria, solvents, hot water or other agents to facilitate the passage of oil and grease through an interceptor to which this Part applies.

Part 16 SEDIMENT INTERCEPTORS

- 16.1 Where sediment may be discharged to a sewage works from the site of a discharger, including but not limited to sites using a ramp drain or area drain and vehicle wash establishments, the discharger shall take all necessary measures to ensure that such sediment is prevented from discharging to a drain or a sewage works in excess of the limits in Table 1 as set out in Schedule "A" of this bylaw.
- 16.2 A discharger shall ensure any catch-basin installed on its site for the purpose of collecting stormwater and carrying it into a storm sewer or land drainage works is equipped with a sediment interceptor and the installation of each catch-basin shall comply with the Region's standard construction specifications and drawings.
- 16.3 A discharger shall ensure that all sediment interceptors are maintained in good working order, including the requirements that every sediment interceptor shall be,
- (a) maintained in accordance with the manufacturer's guidance and recommendations; and
 - (b) inspected regularly to ensure performance is maintained to the manufacturer's specifications.

- 16.4 The discharger must provide the maintenance schedule and record of maintenance for each sediment interceptor to an enforcement officer upon request and, upon request, a copy shall be provided to an enforcement officer in the manner and format requested at no charge to the Region, and must keep documentation of interceptor clean-out and sediment disposal at the site for a minimum of two years.

Part 17 PROTECTION OF SEWAGE WORKS

- 17.1 No person shall alter, damage, tamper with, move, remove, destroy or deface, or cause or permit the altering, damaging, tampering with, moving, removal, destroying or defacing, of any part of the sewage works or any permanent or temporary equipment,

- (a) installed in any part of a sewage works; or
- (b) installed in or around any maintenance access hole, device or facility with a connection into the maintenance access hole, device or facility

without the prior written permission of the Region.

- 17.2 Any person discharging or causing or permitting the discharge of a substance to the sewage works shall be responsible for ensuring that the discharge complies with the provisions of this bylaw and shall be liable for any damage or expense arising out of the failure to properly check and control the discharge, including the cost of repairing or replacing any part of the sewage works damaged thereby and for any damage or injury to any person or property caused by such discharge.
- 17.3 No person shall enter the sewage works unless specifically authorized by the Region in writing.
- 17.4 No person shall remove or tamper with, or cause or permit the removal of or tampering with, any maintenance access hole cover or other opening into the sewage works unless specifically authorized by the Region in writing.

Part 18 REBUTTABLE PRESUMPTION

- 18.1 In a prosecution by the Region for a contravention of this bylaw, unless rebutted by evidence to the contrary on a balance of probabilities, a person who owns, is in occupation of or who has charge management or

control of a property from which a discharge occurs or who has charge, management or control of sewage, stormwater, uncontaminated water or other substance regulated by this bylaw shall be presumed to have discharged or caused or permitted a discharge.

Part 19 SERVICE

- 19.1 Where a notice, document, record or other information is required to be provided or given under this bylaw any document given or served under this bylaw is sufficiently given or served by a party when,
- (a) delivered personally or by courier;
 - (b) sent by ordinary, prepaid mail addressed to the last known address for the person appearing on the records of the Region or the local municipality, as the case may be; or
 - (c) sent by e-mail or facsimile transmission.
- 19.2 An order issued under Part 20 may be served personally by courier, by email, by facsimile transmission or by sending it by ordinary, prepaid mail to the last known address, email address or facsimile number of,
- (a) the person to whom the order is issued; or
 - (b) where the identity of the person cannot be ascertained, to the property of the discharger.
- 19.3 If the person to whom the notice, order, document, record or other information is required to be provided or given under this bylaw is a corporation, service under section 19.1 or 19.2 shall be effected,
- (a) in the case of a municipal corporation by,
 - (i) delivering the notice, order, document, record or other information personally to the mayor, warden, reeve or other chief officer of the corporation or to the clerk of the municipal corporation;
 - (ii) mailing the notice, order, document, record or other information by registered mail, or by couriating it to the municipal corporation at an address held out by it to be its address; or

- (iii) by email or facsimile transmission to such email or facsimile number as held out by the corporation
 - (b) in the case of any corporation, other than a municipal corporation, incorporated or continued by or under applicable legislation by,
 - (i) delivering the notice, order, document, record or other information personally to the manager, secretary or other senior officer of the corporation or person apparently in charge of a branch office of the corporation;
 - (ii) mailing the notice, order, document, record or other information by registered mail, or by couriating it to the corporation at an address held out by it to be its address; or
 - (iii) by email or facsimile transmission to such email or facsimile number as held out by the corporation
 - (c) in the case of corporation not incorporated or continued by or under applicable legislation by,
 - (i) a method provided under section 19.3(b),
 - (ii) delivering the notice, order, document, record or other information personally to the corporation's resident agent or agent for service or to any other representative of the corporation in Ontario, or
 - (iii) mailing the notice, order, document, record or other information by registered mail or by couriating it to a person referred to in clause (ii) or to an address outside Ontario, including outside Canada, held out by the corporation to be its address, or
 - (iv) by email or facsimile transmission to such email or facsimile number as held out by the corporation
- 19.4 Service under sections 19.1, 19.2 and 19.3, or an appeal under Part 21 is deemed to be effected as follows:
- (a) If service is by courier, the next business day after the day the courier received the document from the person giving or serving it.
 - (b) If service is by ordinary, prepaid mail, the fifth business day after the day of mailing.

- (c) If by e-mail or facsimile transmission, on the business day the document is sent unless the transmission is made on a day other than a business day or if it is sent after 4:30 p.m. on any day, in which case service will be deemed to be effected on the next business day
- 19.5 Despite section 19.4, deemed service may be rebutted by the person deemed served by proving, on a balance of probabilities, that the person did not receive the notice, document, record or other information until a date other than the deemed service date or not at all due to a cause beyond the person's control.

Part 20 ENFORCEMENT OFFICER ORDERS

- 20.1 Where an enforcement officer has reason to believe that a contravention of this bylaw has occurred, the enforcement officer may issue and serve an order requiring the person who has contravened the bylaw or who has caused or permitted the contravention or the owner or occupier of the property on which contravention of the bylaw occurred to discontinue the contravening activity.
- 20.2 Where an enforcement officer has reason to believe that a contravention of this bylaw has occurred, the enforcement officer may issue and serve an order requiring the person who has contravened the bylaw or who has caused or permitted the contravention or the owner or occupier of the property on which contravention of the bylaw occurred to do work to correct the contravention.
- 20.3 Where a person is issued an order described under section 20.1 or 20.2 and in the opinion of the Region fails to do any work required by the order by the date specified in the order, the Region may cause the work, set out in the order to be done at the person's expense.
- 20.4 For the purpose of doing any work under section 20.3, employees of the Region and any contractor, consultant or other person authorized by the Region may enter upon the property referred to in the order at any reasonable time to perform the work required by the order.
- 20.5 In accordance with section 446 of the *Municipal Act, 2001* the Region may recover the cost of doing the work under section 20.3 from the person directed or required by order to do the work by action or by requesting the costs be added to the tax roll of the applicable local municipality and that such costs be collected in the same manner as property taxes.

- 20.6 In addition to the methods of service in Part 19 the enforcement officer may place a placard containing the terms of the order in a conspicuous place at the property and the placing of the placard shall be deemed to be sufficient service of the order on the person or persons to whom it is directed.
- 20.7 The power of an enforcement officer to issue an order under this Part includes the power to amend or revoke such orders.

Part 21
APPEAL OF ORDER TO THE DIRECTOR

- 21.1 A person who considers themselves aggrieved by an order under Part 20 may appeal the order to the Director within 20 days after the date on which the order is deemed served. The appeal shall be made in writing and shall contain the person's name, address, email address, phone number and details concerning the reason for appealing the order, whether a stay of the order is requested pending the disposition of the appeal and the remedy being requested.
- 21.2 An appeal shall be served by prepaid ordinary or registered mail, courier, email or facsimile transmission addressed to the attention of the Director at the municipal street address, email address or facsimile number posted on the Region's website at www.york.ca.
- 21.3 The appeal shall be heard in writing. The Director may also arrange for an oral hearing to be held if the Director, in their sole and absolute discretion, considers it necessary to do so.
- 21.4 Submission of an appeal does not stay the operation of the order unless the Director issues a written notice indicating the order is stayed.
- 21.5 On an appeal, the Director may request and require production of any further documents, reports and information from the person appealing the order, from the enforcement officer who issued the order, and from any other person who may have knowledge or information relevant to the order. The Director may consider any issue relevant to the issuance of the order, including legal issues and interpretation of the bylaw, and may consult with legal counsel in determining the validity of the order.
- 21.6 The Director may affirm, vary or rescind the order and take any other action that the Director considers the person ought to take in accordance with this bylaw and for those purposes, the Director may substitute their opinion for that of the enforcement officer. A decision of the Director to affirm or vary an order is enforceable under the Bylaw as if it were an order issued under Part 20.

- 21.7 The Director shall serve a written decision on the appeal, by any of the methods set out under Part 19 of the bylaw, to the person appealing the order with a copy to the enforcement officer who issued the order.

Part 22 OFFENCES

- 22.1 Every person who contravenes any provision of this bylaw is guilty of an offence and upon conviction is liable to a fine as provided for by the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended.
- 22.2 Every person who fails to comply with an order issued under Part 20 of this bylaw or as varied by the Director under Part 21 is guilty of an offence and upon conviction is liable to a fine as provided for by the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended.

Part 23 PENALTIES

- 23.1 If an order has been issued under Part 20 of this bylaw, and the order has not been complied with, the contravention of the order shall be deemed to be a continuing offence for each day or part of a day that the order is not complied with.
- 23.2 Pursuant to the authority established under s. 429 of the *Municipal Act, 2001*, S.O. 2001, c.25, every person who contravenes any provision of this bylaw, including any order issued under Part 20 of this bylaw or as varied by the Director under Part 21 is guilty of an offence and upon conviction shall be subject to the following penalties:
- (a) on a first conviction, to a fine in an amount of not more than \$25,000;
 - (b) on any subsequent conviction, to a fine of not more than \$50,000;
 - (c) upon conviction for a continuing offence, to a fine of not more than \$10,000 for each day or part of a day that the offence continues, however the total of the daily fines is not limited to \$50,000; and
 - (d) upon conviction for a multiple offence, for each offence included in the multiple offence, to a fine of not more than \$10,000, however the total of all fines for each included offence is not limited to \$50,000.

- 23.3 If the person convicted of an offence under this bylaw is a corporation, then the corporation is liable,
- (a) on a first conviction, to a fine in an amount of not more than \$50,000;
 - (b) on any subsequent conviction, to a fine of not more than \$100,000;
 - (c) upon conviction for a continuing offence, to a fine of not more than \$10,000 for each day or part of a day that the offence continues, however the total of the daily fines is not limited to \$100,000; and
 - (d) upon conviction for a multiple offence, for each offence included in the multiple offence, to a fine of not more than \$10,000, however the total of all fines for each included offence is not limited to \$100,000.
- 23.4 In this bylaw, “multiple offence” means an offence in respect of two or more acts or omissions each of which separately constitutes an offence and is a contravention of the same provision of this bylaw.
- 23.5 In this bylaw, “subsequent conviction” means a conviction for an offence where the offence occurs after the date of conviction for an earlier offence under this bylaw, Bylaw 2011-56, Bylaw S-0064-2005-009 or Bylaw S-057-92-155.

Part 24 ADMINISTRATIVE PENALTIES

- 24.1 Instead of laying a charge under the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended, for a breach of any provision of this bylaw, an enforcement officer may issue an administrative penalty to the person who has contravened this bylaw.
- 24.2 The enforcement officer has the discretion to either proceed by way of an administrative penalty or a charge laid under the *Provincial Offences Act*, R.S.O. 1990, c. P.33. If a person is required by a municipality to pay an administrative penalty under section 24.1 in respect of a contravention, the person shall not be charged with an offence in respect of the same contravention.
- 24.3 The amount of the administrative penalty for a breach of a provision of this bylaw, issued under this bylaw, is fixed as set out in the Region’s Administrative Penalty Bylaw, as amended, or any successor bylaw.

- 24.4 A person who is issued an administrative penalty shall be subject to the procedures as provided for in the Region's Administrative Penalty Bylaw, as amended, or any successor bylaw.
- 24.5 An administrative penalty imposed on a person pursuant to this bylaw that is not paid within 15 days after the day it becomes due and payable, constitutes a debt of the person to the Region and the Region may request the penalty be added to a municipal tax roll of the applicable local municipality where an agreement between the Region and the municipality exists and collected in the same manner as municipal taxes.

Part 25
POWER OF ENTRY, INSPECTION AND ENFORCEMENT

- 25.1 The Region may enter upon any part of a property at any reasonable time, to inspect the discharge of any substance into the sewage works and may conduct tests and take samples of the discharge.
- 25.2 The Region's power of entry described in this Part may be exercised by an employee, officer or agent of the Region, including an enforcement officer.
- 25.3 Enforcement officers may enter upon any part of a property at any reasonable time, to carry out inspections in order to determine compliance with and/or enforce,
- (a) this bylaw;
 - (b) a surcharge agreement, compliance program, discharge approval, pollution prevention plan approved or authorized under this bylaw;
 - (c) an order issued under this bylaw;
 - (d) any other approval or authorization issued by the Region under Part 3 or Part 5 of this bylaw to permit the discharge of a substance that would otherwise be prohibited by this bylaw; or
 - (e) an order made under section 431 of the *Municipal Act, 2001*.
- 25.4 An enforcement officer may enter any part of a property at any reasonable time to undertake an inspection pursuant to an order issued under section 438 of the *Municipal Act, 2001*.
- 25.5 When entering a property in accordance with Part 20 or sections 25.1 or 25.3 of this bylaw the person exercising the power of entry,

- (a) shall provide identification to any person requesting identification during the course of the inspection;
 - (b) may be accompanied by a person or persons under his or her direction; and
 - (c) shall not enter or remain in any room or place actually used as a dwelling unless one of the conditions set out in section 437 of the *Municipal Act, 2001* are met.
- 25.6 When entering a property in accordance with Part 20 or sections 25.1, 25.3 or 25.4 of this bylaw the exercise of such powers shall be limited to reasonable times, unless an emergency situation requires otherwise.
- 25.7 For the purposes of an inspection to determine compliance with this bylaw or any order issued under this bylaw or to otherwise enforce this bylaw an enforcement officer may,
- (a) access or require any person being inspected to provide access to any drain pipe, maintenance access hole, catch-basin or other discharge point connecting, directly or indirectly, to the sewage works, whether owned privately or by a municipality, including by making or requiring necessary excavations;
 - (b) require that any thing be operated, used or set in motion under conditions specified by an enforcement officer;
 - (c) sample, collect, test or measure any substance, thing, parameter or discharge, and install, test, use, read and maintain any equipment or device for such purpose;
 - (d) make and record observations, such as by taking photographs, notes, video recordings and sound recordings;
 - (e) require any person to respond to reasonable inquiries concerning a matter related to the inspection, orally or in writing including providing their full legal name and position in the corporation or business;
 - (f) require any person to produce for inspection any documents or things relevant to the inspection;
 - (g) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts; and

- (h) do such other things that are reasonably necessary for an enforcement officer to effectively carry out the inspection.
- 25.8 A demand by an enforcement officer to respond to reasonable inquiries under section 25.7(e) or to produce documents or things under section 25.7(f) may be made by telephone, letter or e-mail and such demand shall be deemed to be made in the course of an inspection.
- 25.9 The Region shall restore the property to its original condition in so far as is practicable and shall provide compensation for any damages caused by the entry or by anything done on the land, except where the entry is pursuant to section 20.4 of this bylaw.
- 25.10 No person shall refuse or neglect to give, produce or deliver any access, information, document or other thing that is requested by an enforcement officer carrying out an inspection.
- 25.11 No person shall hinder or obstruct or attempt to hinder or obstruct the Region, its enforcement officers, employees or agents from carrying out any powers or duties under this bylaw.

Part 26 EVIDENCE OF DOCUMENTS

- 26.1 In this Part, “official document” means,
- (a) a certificate or report as to the analysis, description, ingredients, quality, quantity or temperature of any solid, liquid, or gas or any combination of any of them;
 - (b) a certificate or report as to the analysis, description, quality or quantity of any odour, temperature, sound, radiation or any combination of them; and
 - (c) a certificate or report as to the custody of any solid, liquid or gas or any combination of any of them.
- 26.2 An official document that is produced by an accredited laboratory shall be received in evidence in any proceeding as proof, in the absence of evidence to the contrary, of the facts stated in the official document without proof of the signature or position of the person appearing to have signed the official document.

Part 27 LIMITATION

- 27.1 Nothing in this bylaw shall be so construed as to permit anything, which by the provisions of any applicable Act, Regulation or bylaw is otherwise prohibited.
- 27.2 This bylaw shall not apply to discharges, activities or matters undertaken by the Region.

**Part 28
SEVERABILITY**

- 28.1 If any provision of this bylaw or the application thereof to any person or circumstance is held to be invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of the bylaw which can be given effect without the invalid provision or application, and to this end the provisions of this bylaw are severable.

**Part 29
SCHEDULES**

- 29.1 Schedule "A" forms part of this bylaw.

**Part 30
REPEAL**

- 30.1 This bylaw will take effect on January 1, 2022, and will repeal and replace Bylaw No. 2011-56, as amended.
- 31.1 Notwithstanding the repeal of bylaw 2011-56, that bylaw shall continue to apply to any acts, omissions or occurrences, and to any offences and prosecutions that took place prior to the enactment of this bylaw.
- 31.2 Any enforcement officers previously appointed under bylaw 2011-56 shall be grandfathered and continue to be appointed as enforcement officers under this bylaw.

**Part 32
SHORT TITLE**

- 32.1 The short title of this bylaw is the "Sewer Use Bylaw".

ENACTED AND PASSED on MONTH DATE, YEAR

Regional Clerk

Regional Chair

Authorized by Item __ of the Committee of the Whole of [insert date], adopted by Regional Council at its meeting on MONTH DATE, YEAR.

SCHEDULE "A"**Table 1 - Limits for Sanitary Sewer Discharge**

Type of Parameter	Parameter	Limit
Conventional	Biochemical Oxygen Demand (BOD)	300 mg/L
	Total Kjeldahl Nitrogen	100 mg/L
	Oil and Grease – Mineral / Synthetic	15 mg/L
	Oil and Grease – Animal /Vegetable	150 mg/L
	Phenolics (4AAP)	1 mg/L
	Phosphorous (Total)	10 mg/L
	Suspended Solids (Total)	350 mg/L
	Other	Cyanide (Total)
Fluoride		10 mg/L
Sulphate		1500 mg/L
Metals	Aluminum (Total)	50 mg/L
	Antimony (Total)	5 mg/L
	Arsenic (Total)	1 mg/L
	Cadmium (Total)	0.7 mg/L
	Chromium (Total)	2 mg/L
	Cobalt (Total)	5 mg/L
	Copper (Total)	3 mg/L
	Lead (Total)	1 mg/L
	Manganese (Total)	5 mg/L
	Mercury (Total)	0.01 mg/L
	Molybdenum (Total)	5 mg/L
	Nickel (Total)	2 mg/L
	Selenium (Total)	1 mg/L
	Silver (Total)	5 mg/L
	Tin (Total)	5 mg/L
Titanium (Total)	5 mg/L	
Zinc (Total)	2 mg/L	
Organics	Benzene	10 ug/L
	Chloroform	40 ug/L
	1,2 –dichlorobenzene	50 ug/L
	1,4 –dichlorobenzene	80 ug/L

	Cis-1,2 –dichloroethylene	4,000 ug/L
	Trans- 1,3 – dichloropropylene	140 ug/L
	Ethylbenzene	160 ug/L
	Methylene chloride	2,000 ug/L
	1,1,2,2 –tetrachloroethane	1,400 ug/L
	Tetrachloroethylene	1,000 ug/L
	Toluene	270 ug/L
	Trichloroethylene	400 ug/L
	Xylenes (Total)	1,400 ug/L
	Di-n-butyl phthalate	80 ug/L
	Bis (2-ethylhexyl) phthalate	12 ug/L
	PCBs	1 ug/L
	Methyl Ethyl Ketone	8000 ug/L
	Styrene	200 ug/L
	Nonylphenols	20 ug/L
	Nonylphenol ethoxylates	200 ug/L

Table 2 - Limits for Storm Sewer/Land Drainage Works Discharge

Type of Parameter	Parameter	Limit	
Conventional	Biochemical Oxygen Demand (BOD)	15 mg/L	
	Total Kjeldahl Nitrogen	1 mg/L	
	Phenolics (4AAP)	0.008 mg/L	
	Phosphorous (Total)	0.400 mg/L	
	Suspended Solids (Total)	15 mg/L	
	Cyanide (Total)	0.020 mg/L	
	Metals	Arsenic (Total)	0.020 mg/L
Cadmium (Total)		0.008 mg/L	
Chromium (Total)		0.080 mg/L	
Copper (Total)		0.050 mg/L	
Lead (Total)		0.120 mg/L	
Manganese (Total)		0.150 mg/L	
Mercury (Total)		0.0004 mg/L	
Nickel (Total)		0.080 mg/L	
Selenium (Total)		0.020 mg/L	
Silver (Total)		0.120 mg/L	
Zinc (Total)		0.040 mg/L	
Organics		Benzene	2.0 ug/L
		Chloroform	2.0 ug/L
	1,2 –dichlorobenzene	5.6 ug/L	
	1,4 –dichlorobenzene	6.8 ug/L	
	Cis-1,2 –dichloroethylene	5.6 ug/L	
	Trans- 1,3 – dichloropropylene	5.6 ug/L	
	Ethylbenzene	2.0 ug/L	
	Methylene chloride	5.2 ug/L	
	1,1,2,2 –tetrachloroethane	17.0 ug/L	
	Tetrachloroethylene	4.4 ug/L	
	Toluene	2.0 ug/L	
Trichloroethylene	8.0 ug/L		

	Xylenes (Total)	4.4 ug/L
	Di-n-butyl phthalate	15.0 ug/L
	Bis (2-ethylhexyl) phthalate	8.8 ug/L
	PCBs	0.4 ug/L

ENACTED AND PASSED on MONTH DATE, YEAR.

Regional Clerk

Regional Chair

*Authorized by Item ___ of the Committee of the Whole of [insert date],
adopted by Regional Council at its meeting on MONTH DATE, YEAR*

ATTACHMENT 2**Proposed Sewer Use Bylaw Enforcement Program Fees**

Proposed Fee Schedule - Surcharge Program								
	2021	Average Annual Increase Since 2016	2022	2023	2024	2025	2026	Average Annual Increase After 2021
New Agreement Fee	\$385	0%	\$400	\$415	\$430	\$445	\$460	3.6%
Maintenance Fee - Region Monitoring	\$2,050	7.9%	\$2,050	\$2,090	\$2,130	\$2,170	\$2,210	1.5%
Maintenance Fee – Self-Monitoring			\$675	\$690	\$705	\$720	\$735	2.2%
Surcharge Program - Parameters								
Biochemical Oxygen Demand (BOD5)	\$1.11/ kg	3.6%	\$1.11	\$1.11	\$1.11	\$1.11	\$1.11	0%
Phenolic Compounds	\$1.11/ kg	3.6%	\$1.18	\$1.18	\$1.18	\$1.18	\$1.18	1.2%
Total Suspended Solids (TSS)	\$1.03/ kg	7.1%	\$1.03	\$1.03	\$1.05	\$1.08	\$1.11	1.5%
Total Phosphorus (TP)	\$3.44/ kg	3.5%	\$3.61	\$3.79	\$3.98	\$4.17	\$4.29	4.5%
Total Kjeldahl Nitrogen (TKN)	\$1.28/ kg	6.4%	\$1.34	\$1.41	\$1.48	\$1.55	\$1.63	5.0%

Proposed Fee Schedule - Hauled Wastewater Program									
	2021	Average Annual Increase Since 2016	2022	2023	2024	2025	2026	Average Annual Increase After 2021	
Annual Registration Fee (unlimited # vehicles)	\$450	18%	<i>Discontinued - New fee structure</i>						
Annual Registration Fee (includes one vehicle)	N/A		\$300	\$305	\$310	\$315	\$320	1.6%	
Magnetic Access Device Fee	\$50	0%	\$60	\$60	\$60	\$60	\$60	* 3.7% initial increase, no annual increase	
Annual Registration Fee (each additional vehicle)	N/A		\$30	\$30	\$30	\$30	\$30	0%	
Hauled Sewage Disposal Fee (per m3)	\$23.93	0%	\$24.24	\$24.55	\$24.87	\$25.19	\$25.51	1.3%	

Proposed Fee Schedule for Compliance Program								
	2021	Average Annual Increase Since 2016	2022	2023	2024	2025	2026	Average Annual Increase After 2021
Application Fee	\$1340	28%	\$1,410	\$1,480	\$1,550	\$1,630	\$1,710	5.0%
Extension / Amendment Fee	\$1,215	50%	\$1,275	\$1,335	\$1,405	\$1,475	\$1,545	4.9%
Monthly Compliance Fee	\$120	4.7%	\$130	\$135	\$140	\$145	\$150	4.6%

Proposed Fee Schedule for Dewatering Program								
	2021	Average Annual Increase Since 2016	2022	2023	2024	2025	2026	Average Annual Increase After 2021
Dewatering Monthly Compliance Fee, Primary - Storm & Sanitary Discharge	\$115	47%	\$120	\$125	\$130	\$135	\$140	4.0%
Dewatering Permit Application Fees								
Flowrate > 5 L/s - Sanitary Discharge, Primary	\$2,030	7.7%	\$2,130	\$2,230	\$2,330	\$2,430	\$2,530	4.5%
Flowrate = < 5 L/s - Sanitary Discharge, Primary	\$1,800	17%	\$1,880	\$1,960	\$2,040	\$2,120	\$2,200	4.1%
Storm Discharge, Primary	\$2,600	13%	\$2,725	\$2,850	\$2,975	\$3,100	\$3,225	4.4%
Dewatering Amendment/Extension Fee								
Dewatering Extension/Amendment Fee - Sanitary Discharge, Primary	\$1,250	50%	<i>Discontinued - New Fee Structure</i>					
Dewatering Extension/Amendment Fee - Storm Discharge, Primary	\$1,150	46%						
Dewatering Extension/Amendment Fee - Storm & Sanitary Discharge, Primary			\$1,200	\$1,260	\$1,320	\$1,380	\$1,440	4.7%

Proposed Fee Schedule for ESA Information Requests								
	2021	Average Annual Increase Since 2016	2022	2023	2024	2025	2026	Average Annual Increase After 2021
ESA Information Request Fee	\$150	0%	\$160	\$170	\$175	\$180	\$185	4.3%

ATTACHMENT 3**The Regional Municipality of York****PART I OF THE *PROVINCIAL OFFENCES ACT***

**Bylaw No. [to be updated]:
A Bylaw to regulate the discharge of
sewage, stormwater and land drainage**

Item	Short Form Wording	Provision creating or defining offence	Set Fine \$
1	Discharge or cause or permit discharge of a substance – may discolour effluent	3.1(a)(v)	400
2	Discharge or cause or permit discharge of a substance – interference with inspection	3.1(a)(vi)	600
3	Discharge or cause or permit discharge of a substance – interference with operation	3.1(a)(vi)	600
4	Discharge or cause or permit discharge of a substance – interference with maintenance or repair	3.1(a)(vi)	600
5	Discharge or cause or permit discharge of a substance– impair or interfere with sewage treatment process	3.1(a)(vi)	600
6	Discharge or cause or permit discharge of a substance where offensive odour emanates	3.1(a)(vii)	600
7	Discharge or cause or permit discharge of a substance - damage to the sewage works	3.1(a)(viii)	600
8	Discharge or cause or permit discharge of a substance - obstruction or restriction to the flow	3.1(a)(ix)	350
9	Discharge or cause or permit discharge of a substance – pH less than 6.00 or greater than 10.50	3.1(b)(i)	500
10	Discharge or cause or permit discharge of a substance - two or more separate liquid layers	3.1(b)(ii)	100
11	Discharge or cause or permit discharge of a substance - temperature greater than 60°C	3.1(b)(iii)	100
12	Discharge or cause or permit discharge of a substance – hauled sewage	3.1(c)(iv)	750

Item	Short Form Wording	Provision creating or defining offence	Set Fine \$
13	Discharge or cause or permit discharge of a substance – hauled waste	3.1(c)(v)	750
14	Discharge or cause or permit discharge of a substance – exceed prescribed limits in Table	3.1(c)(xii)	500
15	Discharge or cause or permit discharge of water from unauthorized source to sanitary sewer	3.2	400
16	Discharge or cause or permit discharge of a substance that is not stormwater or uncontaminated water	5.1(a)	400
17	Discharge or cause or permit discharge of a substance - interference with operation	5.1(b)(i)	300
18	Discharge or cause or permit discharge of a substance - obstruction or restriction to the flow	5.1(b)(ii)	300
19	Discharge or cause or permit discharge of a substance - damage to the sewage works	5.1(b)(iii)	400
20	Discharge or cause or permit discharge of a substance - two or more separate liquid layers	5.1(c)(i)	400
21	Discharge or cause or permit discharge of a substance - visible film, sheen or discoloration	5.1(c)(ii)	400
22	Discharge or cause or permit discharge of a substance - temperature greater than 40°C	5.1(c)(iii)	400
23	Discharge or cause or permit discharge of a substance - pH less than 6.00 or greater than 9.00	5.1(c)(iv)	500
24	Discharge or cause or permit discharge of a substance – water from a dewatering activity	5.1(d)(iv)	500
25	Discharge or cause or permit discharge of a substance – floating debris	5.1(d)(vii)	300
26	Discharge or cause or permit discharge of a substance – hauled sewage	5.1(d)(x)	750
27	Discharge or cause or permit discharge of a substance – hauled waste	5.1(d)(xi)	750
28	Discharge or cause or permit discharge of a substance – sewage	5.1(d)(xv)	750
29	Discharge or cause or permit discharge of a substance – exceed prescribed limits in Table 2	5.1(d)(xx)	500

Item	Short Form Wording	Provision creating or defining offence	Set Fine \$
30	Failure to submit a complete Discharger Information Report within 30 days	6.1	100
31	Failure to notify the Region of new discharge 30 days prior to operation	6.2(a)	100
32	Failure to provide additional information in relation to new discharge of sewage within 15 days	6.2(c)	100
33	Failure to provide written notice of change in information requested in Discharger Information Report 30 days prior to the change	6.3	100
34	Failure to install a wastewater pretreatment facility	8.5	300
35	Failure to provide pretreatment facility documentation	8.5(c)	100
36	Failure to install, ensure there is installed, a maintenance access hole for each connection to the sewage works	9.1	300
37	Failure to maintain in good repair or replace a maintenance access hole or alternative device or facility	9.3	300
38	Failure to have a maintenance access hole or alternative device or facility accessible to the Region	9.4(c)	200
39	Failure to immediately notify the Region of a spill	10.1	400
40	Failure to complete work required to mitigate a spill	10.1	600
41	Failure to stop and contain a spill	10.2	600
42	Failure to clean-up a spill and remediate and restore affected area	10.2	600
43	Failure to provide a complete written spill report to the Region within 5 days of notification of the spill	10.3	300
44	Failure to provide missing information in spill report to Region	10.4	100
45	Failure to provide corrected information in spill report to Region	10.5	100
46	Failure to submit pollution prevention plan within 6 months of notification	11.3	200
47	Failure to keep a copy of pollution prevention plan at site and make it available for review	11.4	200

Item	Short Form Wording	Provision creating or defining offence	Set Fine \$
48	Failure to submit a maintenance schedule or record of maintenance for a dental amalgam separator	13.2	100
49	Failure to submit record of inspection or evidence of installation for a dental amalgam separator	13.3	100
50	Failure to ensure that oil and grease discharging to a sanitary sewer do not exceed prescribed limits in Table 1	14.1(a)	500
51	Failure to ensure that oil and grease do not discharge to a storm sewer or land drainage works	14.1(b)	300
52	Failure to install, operate or maintain an oil and grease interceptor	14.2	100
53	Failure to conspicuously post interceptor maintenance requirements	14.4(b)	100
54	Failure to clean oil and grease interceptor – material/solid residuals greater than 25 percent	14.4(c)	100
55	Failure to clean oil and grease interceptor – frequency exceeds 4 weeks	14.4(c)	100
56	Failure to provide interceptor maintenance schedule	14.5	100
57	Failure to provide record of interceptor maintenance	14.5	100
58	Failure to keep proof of interceptor clean-out on-site for two years	14.5	100
59	Failure to install an alarmed monitoring device	14.6	100
60	Discharge of emulsifiers to sewage works	14.7	100
61	Use of enzymes to facilitate the passage of oil and grease through an interceptor	14.8	100
62	Use of bacteria to facilitate the passage of oil and grease through an interceptor	14.8	100
63	Use of solvents to facilitate the passage of oil and grease through an interceptor	14.8	100
64	Use of hot water to facilitate the passage of oil and grease through an interceptor	14.8	100
65	Use of other agents to facilitate the passage of oil and grease through an interceptor	14.8	100

Item	Short Form Wording	Provision creating or defining offence	Set Fine \$
66	Failure to ensure that oil and grease discharging to a sanitary sewer do not exceed prescribed limits in Table 1	15.1(a)	500
67	Failure to ensure that oil and grease do not discharge to a storm sewer or land drainage works	15.1(b)	300
68	Failure to install, operate or maintain an oil and grease interceptor	15.2	100
69	Failure to conspicuously post interceptor maintenance requirements	15.4(c)	100
70	Failure to provide interceptor maintenance schedule	15.5	100
71	Failure to provide record of interceptor maintenance	15.5	100
72	Failure to keep proof of interceptor clean-out for two years	15.5	100
73	Failure to install an alarmed monitoring device	15.6	100
74	Discharge or cause or permit discharge of emulsifiers to sewage works	15.7	100
75	Use or cause or permit use of enzymes to facilitate the passage of oil and grease through an interceptor	15.8	100
76	Use or cause or permit use of bacteria to facilitate the passage of oil and grease through an interceptor	15.8	100
77	Use or cause or permit use of solvents to facilitate the passage of oil and grease through an interceptor	15.8	100
78	Use or cause or permit use of hot water to facilitate the passage of oil and grease through an interceptor	15.8	100
79	Use or cause or permit use of other agents to facilitate the passage of oil and grease through an interceptor	15.8	100
80	Failure to ensure that sediment discharging to a sanitary sewer do not exceed prescribed limits in Table 1	16.1	100
81	Failure to equip catch-basin with a sediment interceptor	16.2	100
82	Failure to maintain sediment interceptors in accordance with manufacturer's recommendations	16.3(a)	100
83	Failure to provide interceptor maintenance schedule	16.4	100
84	Failure to provide record of interceptor maintenance	16.4	100

Item	Short Form Wording	Provision creating or defining offence	Set Fine \$
85	Failure to keep proof of sediment interceptor clean-out on-site for 2 years	16.4	100
86	Alter or cause or permit the altering – equipment installed in sewage works	17.1(a)	750
87	Damage or cause or permit the damage – equipment installed in sewage works	17.1(a)	750
88	Tamper with or cause or permit the tampering with – equipment installed in sewage works	17.1(a)	750
89	Remove or cause or permit the removal – equipment installed in sewage works	17.1(a)	750
90	Move or cause or permit the moving – equipment installed in sewage works	17.1(a)	750
91	Deface or cause or permit the defacement – equipment installed in sewage works	17.1(a)	750
92	Alter or cause or permit the altering – equipment installed in or around a maintenance access hole or an alternative device or facility	17.1(b)	750
93	Damage or cause or permit the damage – equipment installed in or around a maintenance access hole or an alternative device or facility	17.1(b)	750
94	Tamper with or cause or permit the tampering with – equipment installed in or around a maintenance access hole or an alternative device or facility	17.1(b)	750
95	Remove or cause or permit the removal – equipment installed in or around a maintenance access hole an alternative device or facility	17.1(b)	750
96	Move or cause or permit the moving – equipment installed in or around a maintenance access hole or an alternative device or facility	17.1(b)	750
97	Deface or cause or permit the defacement – equipment installed in or around a maintenance access hole or an alternative device or facility	17.1(b)	750
98	Unauthorized entry to sewage works	17.3	750
99	Remove or cause or permit the removal any manhole cover or other opening into a sewage works – unauthorized	17.4	750

Item	Short Form Wording	Provision creating or defining offence	Set Fine \$
100	Tamper with or cause or permit the tampering with any manhole cover or other opening into a sewage works – unauthorized	17.4	750
101	Refuse to give, produce or deliver - access, information, document or other thing requested	25.10	750
102	Neglect to give, produce or deliver - access, information, document or other thing requested	25.10	750
103	Hindering or attempting to hinder an enforcement officer from carrying out any of his or her powers or duties under the Bylaw	25.11	750
104	Obstructing or attempting to obstruct an enforcement officer from carrying out any of his or her powers or duties under the Bylaw	25.11	750

NOTE: the general penalty provisions for the offences listed above is section 22.1 of bylaw- to be updated, a certified copy of which has been filed, and s. 61 of the *Provincial Offences Act*.

On November 25, 2021 Regional Council made the following decision:

1. Regional Council approve the renewed Vision document.
2. The Regional Clerk circulate this report to local municipalities for their information.

The original staff report is attached for your information.

Please contact Krista South, Executive Manager, Office of the Chief Administrative Officer at 1-877-464-9675 ext. 71208 if you have any questions with respect to this matter.

Regards,

Christopher Raynor | Regional Clerk, Office of the Regional Clerk, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 71300 | christopher.raynor@york.ca | york.ca

Our Mission: **Working together to serve our thriving communities – today and tomorrow**

The Regional Municipality of York

Committee of the Whole
Finance and Administration
November 11, 2021

Report of the Chief Administrative Officer

Renewing York Region's Vision: *Strong, Caring, Safe Communities* – Final Report

1. Recommendations

1. Regional Council approve the renewed Vision document.
2. The Regional Clerk circulate this report to local municipalities for their information.

2. Summary

This report presents the updated Vision document (Attachment 1).

Key Points:

- Vision reaffirms Regional Council's commitment to strong, caring, safe communities
- Vision serves as the guiding star for the Region's corporate activities, ensuring all York Region staff are similarly inspired, regardless of their role or function within the organization
- Consultation identified a desire for a simplified Vision document while maintaining key components of Vision 2051, including the Vision Statement of *Strong, Caring, Safe Communities* and support of four areas of focus: Economic Vitality, Healthy Communities, Sustainable Environment and Good Government
- Community indicators will be reported to each term of Council to inform Council, the community and staff how York Region is tracking in sustaining strong, caring and safe communities

3. Background

Regional Council is committed to strong, caring, safe communities

Vision outlines Council's commitment to strong, caring, safe communities. Vision represents the entire York Region population, with multiple partners involved in achieving the aspirational objectives set out in Vision.

The previous Vision, [Vision 2051](#), was endorsed [May 2012](#) and carried forward the Vision Statement of *Strong, Caring, Safe Communities* from Vision 2026.

A draft Vision was delivered to Council in [May 2021](#) with validation activities occurring over the balance of the year to finalize the Vision Document. Validation activities included information sharing with local municipal Chief Administrative Officers, a community indicator workshop and ongoing coordination with York Regional Police.

The Region’s Corporate Strategic Plan, Multi-Year Budget and other plans align with Vision

Vision serves as the guiding star for all of the Region’s corporate activities. It ensures all York Region staff work in the same direction regardless of their role or function within the organization. York Region’s Corporate Performance Management Framework (Figure 1) ensures consistent, corporate-wide application and alignment with our Vision.

To maintain organizational focus on Vision, the Region sets priorities over each four-year term of Council through the Corporate Strategic Plan, in alignment with the four areas of focus: Economic Vitality, Healthy Communities, Sustainable Environment and Good Government. The Corporate Strategic Plan is integrated with the Region’s Multi-Year Budget and provides direction to Departmental Plans and Individual Performance Plans.

Vision also serves as a guiding document for the Region’s provincially mandated plans such as the Regional Official Plan and the Community Safety and Wellbeing Plan.

Figure 1
Corporate Performance Management Framework

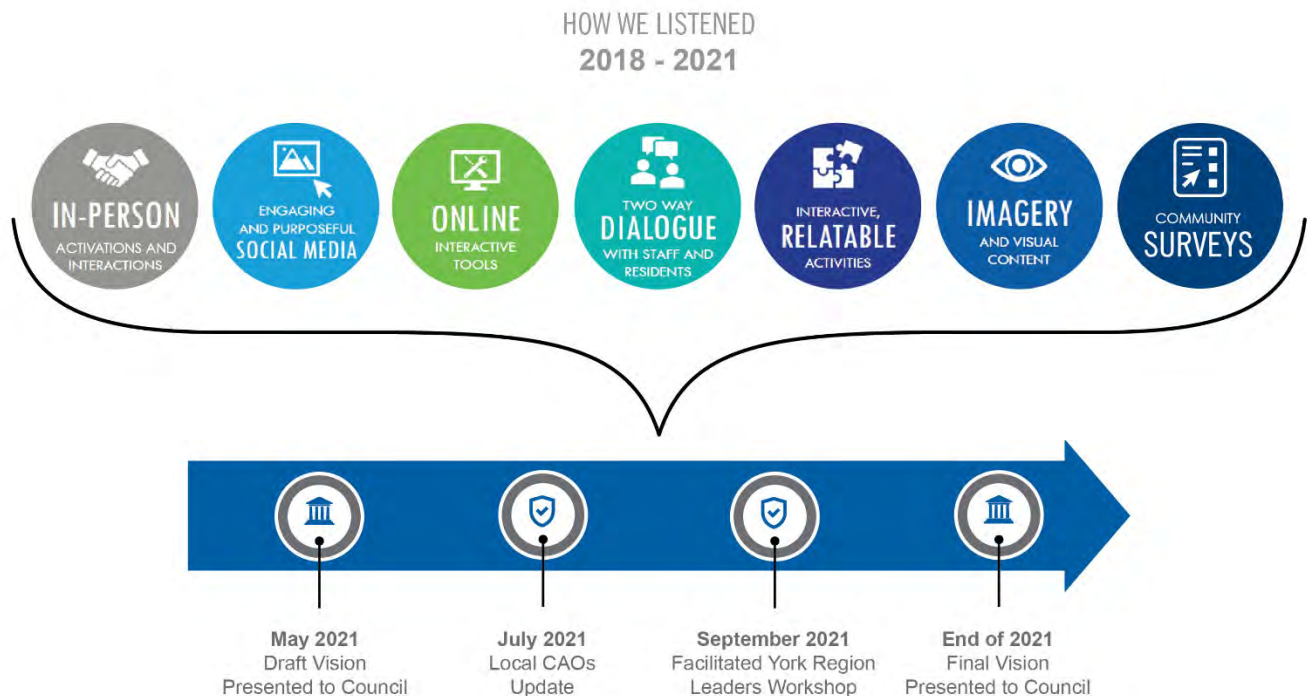


4. Analysis

Engagement with the community and stakeholders identified what York Region residents envision now for a better future

Community consultations since 2018 informed the renewal of the Vision Document (Figure 2). Consultations included outreach to every household in York Region through the Region's print publication, York Region Matters, along with nearly 4,000 direct engagements with stakeholders. Community members came together in person prior to the COVID-19 pandemic to enjoy walk and talks with the Chief Planner, York Region's social agencies and police services came together for consultations, and futurist and planning sessions were held with Council and senior management engaging renowned experts in the field. Statistically significant resident surveys also helped validate areas of focus and aspiration, highlighting areas residents enjoy about York Region while also flagging areas of concern.

Figure 2
Community consultation for Vision has been ongoing since 2018



Feedback provided valuable insight about the kind of place residents want York Region to be. Most residents feel the overall quality of life in York Region is very high and communities are safe. Residents also shared top-of-mind issues, which included those of housing affordability and the need for more robust transportation options. In addition, there is continued and growing interest in concepts such as embracing innovation and digital approaches, connectivity, inclusivity, resiliency, equity, social cohesion and prosperity. COVID-19 and public health concerns were new areas captured in recent surveys with corresponding impacts on how people live and work.

With regards to the Vision document, consultation identified the desire for a simplified document while maintaining key components, including the Vision Statement of *Strong, Caring, Safe Communities* and support for four areas of focus: Economic Vitality, Healthy Communities, Sustainable Environment and Good Government. These insights are reflected in the renewed Vision.

Meaningful feedback representative of the community informs Vision

York Region's history of community polling helps Council understand and respond to resident preferences, needs, opinions and satisfaction levels. York Region's annual community surveys are statistically representative of the make up of the Region's population according to the latest Census data. Feedback and input received helps internal decision-making through informing program and policy decisions. Ongoing consultation has been especially important to validate the renewed Vision considering the impact of the COVID-19 pandemic. Surveying the York Region Accessibility Advisory Committee when finalizing Vision further ensured the renewed Vision reflects the many diverse perspectives in the Region's communities.

York Region is a place of Economic Vitality, Sustainable Environment, Healthy Communities and Good Government, now and in the future

While York Region's Vision documents have evolved and matured over time, the overall objectives and goals remained stable and could be similarly streamlined according to four areas of focus.

In staying true to the request for the refreshed Vision Document to be higher-level and more aspirational, the renewed Vision is rooted in Economic Vitality, Sustainable Environment, Healthy Communities and Good Government as areas of aspirational focus, while the Strategic Plan and Departmental Plans will identify action items moving forward, allowing staff to be flexible and responsive to residents' changing needs.

Community indicators will show how York Region is doing in achieving Vision

Community indicators will be reported to each term of Council to show how York Region is doing in achieving Council's Vision of strong, caring, safe communities. Community indicators are key to making the Vision credible and tangible.

Vision's community indicators were selected after thorough environmental scanning and assessed in alignment with existing global and national standards, such as the [United Nations Sustainable Development Goals](#) and [Canadian Index of Wellbeing](#). Many of the community indicators are also [social determinants of health](#), such as those relating to income, employment and housing, recognizing social and economic factors are key to ensuring positive health and wellness outcomes for York Region residents.

Indicators were prioritized through consultation with leaders from across the organization. The community indicators in the Vision Document were selected for aligning most with the Vision Statement of *Strong, Caring, Safe Communities*.

Vision is enduring and timeless

With the approval of the refreshed Vision, staff will deliver a Vision Report to Council with every term of Council. The Vision Report will provide Regional Council with updates on community indicators and highlight some of the community activity taking place to ensure Vision is being fulfilled.

The Corporate Strategic Plan, which sets priorities over each four-year term of Council to achieve Vision, will continue to be reported on annually to Council using performance measures to track how well core services are working towards contributing to our communities' wellbeing.

5. Financial

The development of the updated Vision was completed using existing Regional staff complement and within approved business plans and budgets.

6. Local Impact

Local municipalities are key stakeholders in achieving Regional Council's Vision of strong, caring, safe communities for York Region. Staff conducted environmental scans of local municipal strategic plans, and confirmed Vision is consistent with and complementary to local municipal plans. The local Chief Administrative Officers group was also consulted as part of the Vision validation process.

Staff recommend this report be circulated to local municipalities for their information.

7. Conclusion

Vision is Regional Council's commitment to strong, caring, safe communities. Vision serves as the guiding star for all of the Region's corporate activities and ensures all York Region staff work are similarly inspired, regardless of their role or function within the organization.

Consultations identified a desire for a simplified Vision Document while maintaining key components, including Council's Vision Statement of *Strong, Caring, Safe Communities* and support of four areas of focus: Economic Vitality, Healthy Communities, Sustainable Environment and Good Government.

Regular analysis will ensure ongoing alignment with Vision. Regional Council will receive a fulsome report each term of Council outlining the progress towards achieving Vision.

For more information on this report, please contact Krista South, Executive Manager, Office of the Chief Administrative Officer at 1-877-464-9675 ext. 71208. Accessible formats or communication supports are available upon request.



Approved for Submission:

Bruce Macgregor

Chief Administrative Officer

October 29, 2021

Attachments (1)

eDOCS #13208099

VISION

Strong, Caring, Safe Communities



FINAL DRAFT
October 2021



Chairman & CEO
Wayne Emmerson



Mayor
Frank Scarpitti
Markham



Regional Councillor
Don Hamilton
Markham



Regional Councillor
Jack Heath
Markham



Regional Councillor
Joe Li
Markham



Regional Councillor
Jim Jones
Markham



Mayor
John Taylor
Newmarket



Regional Councillor
Tom Vegh
Newmarket



Acting Mayor
Joe DiPaola
Richmond Hill



Regional Councillor
Carmine Perrelli
Richmond Hill



Acting Regional Councillor
Godwin Chan
Richmond Hill



Mayor
Maurizio Bevilacqua
Vaughan



Regional Councillor
Mario Ferri
Vaughan



Regional Councillor
Gino Rosati
Vaughan



Regional Councillor
Linda Jackson
Vaughan



Mayor
Margaret Quirk
Georgina



Regional Councillor
Robert Grossi
Georgina



Mayor
Tom Mrakas
Aurora



Mayor
Virginia Hackson
East Gwillimbury



Mayor
Steve Pellegrini
King



Mayor
Iain Lovatt
Whitchurch-Stouffville

Message from York Region Chairman and CEO and Members of Regional Council

York Regional Council is committed to
strong, caring, safe communities.

Vision documents our commitment to York Region. It is the outcome of more than two years of outreach and engagement with residents, partners and staff, listening closely to ensure we truly understood and captured what residents wanted and needed, today and tomorrow.

Vision is also a recognition of our accountability to the community. It is the north star that aligns the work we do and guides the practices of our ambitious and productive workforce. From Vision flows the actions and measurements captured in our Corporate Strategic Plan, departmental plans and, ultimately, the performance plans of each of our staff members.

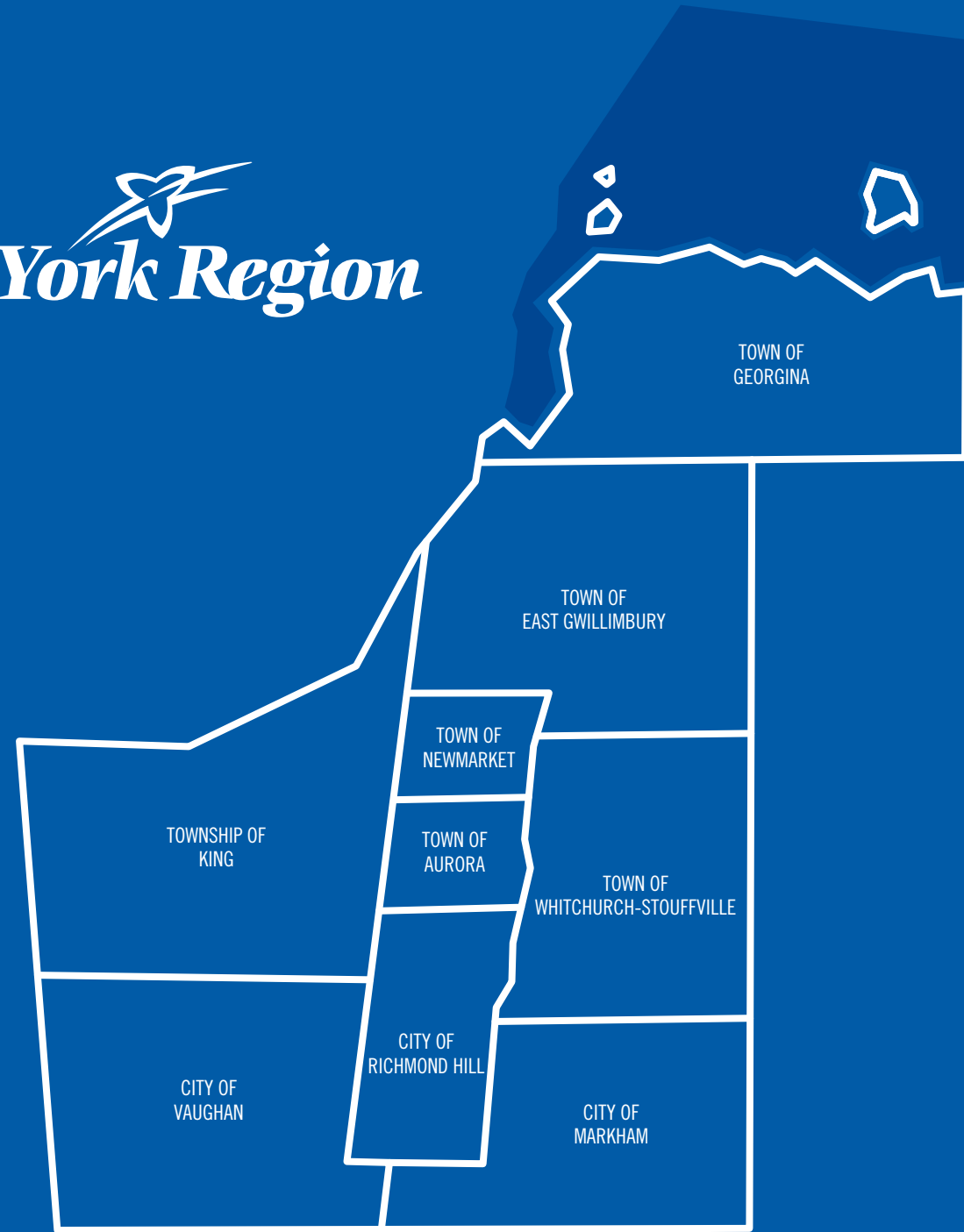
We acknowledge York Region is located on the traditional territory of many Indigenous peoples such as the Huron-Wendat First Nation, the Haudenosaunee and the Anishinaabe peoples and the treaty territories

of the Chippewas of Georgina Island First Nation and the Mississaugas of the Credit First Nation. York Region falls under Treaty 13 with the Mississaugas of the Credit First Nation and the Williams Treaties with the Chippewas of Beausoleil, Georgina Island and Rama First Nations and the Mississaugas of Alderville, Curve Lake, Hiawatha and Scugog Island First Nations. There are also other land claims and treaty rights involving portions of York Region that have not been definitively resolved. The Chippewas of Georgina Island First Nation is the closest First Nation community to York Region. We thank these and other Indigenous peoples for sharing their land with us.

With great mindfulness of the past and great hope for the future, we are proud to share our Vision with you and invite you to join us in achieving this Vision for the future.



York Region



VISION

We envision

**strong,
caring,
safe communities**

through our mission of

**working together to serve our thriving
communities— today and tomorrow**

by relying on our values of

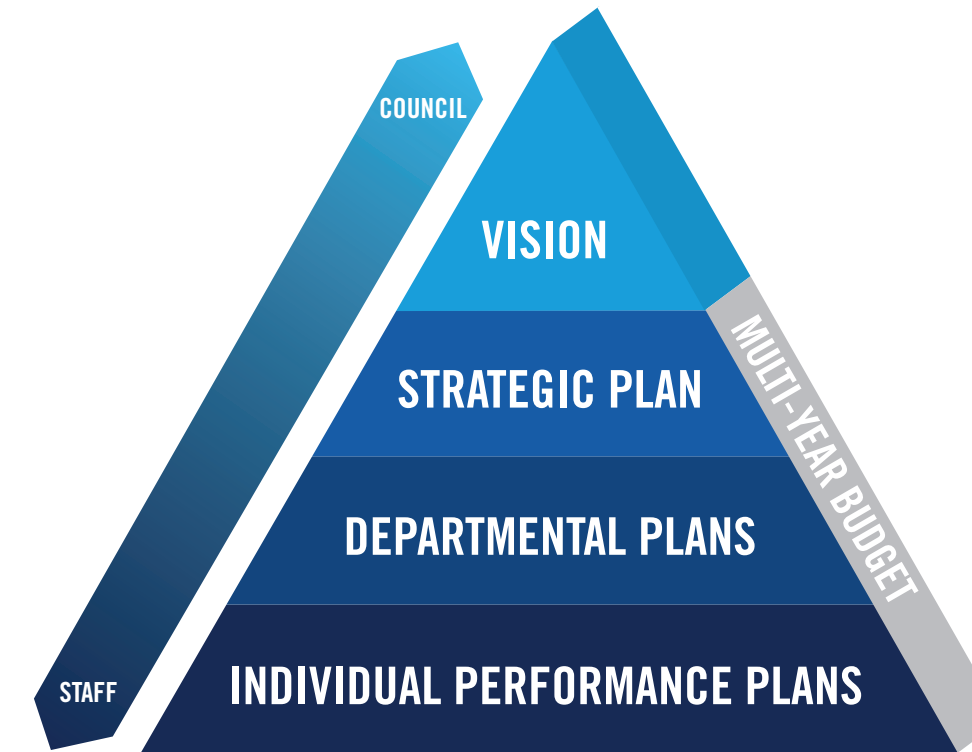
**Integrity
Commitment
Accountability
Respect
Excellence**

York Region's Vision

**STRONG
CARING
SAFE
COMMUNITIES**

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This diagram illustrates York Region's accountability framework and shows how Vision guides all corporate plans.

York Region's Vision expresses Council's commitment to *strong, caring, safe communities*. It is ambitious, optimistic and aspirational.

Vision serves as the guiding star for the Region's corporate planning activities. It ensures all York Region staff are working in the same direction, regardless of their role or function within the organization. It guides Regional Council's decision making towards achieving the kinds of communities York Region residents envision now for the future.

Vision has a long-term outlook well beyond the time frames of the Region's more time-bound documents, such as the four-year Corporate Strategic Plan and Multi-Year Budgets, and the Region's statutory obligations to plan for population and employment growth with a 30-year outlook. In contrast to these documents and plans, Vision looks well into the future to set the direction today for the kinds of communities in which we aspire to create, work and live.

We Listen

York Regional Council and staff are committed to listening to our community and our partners.

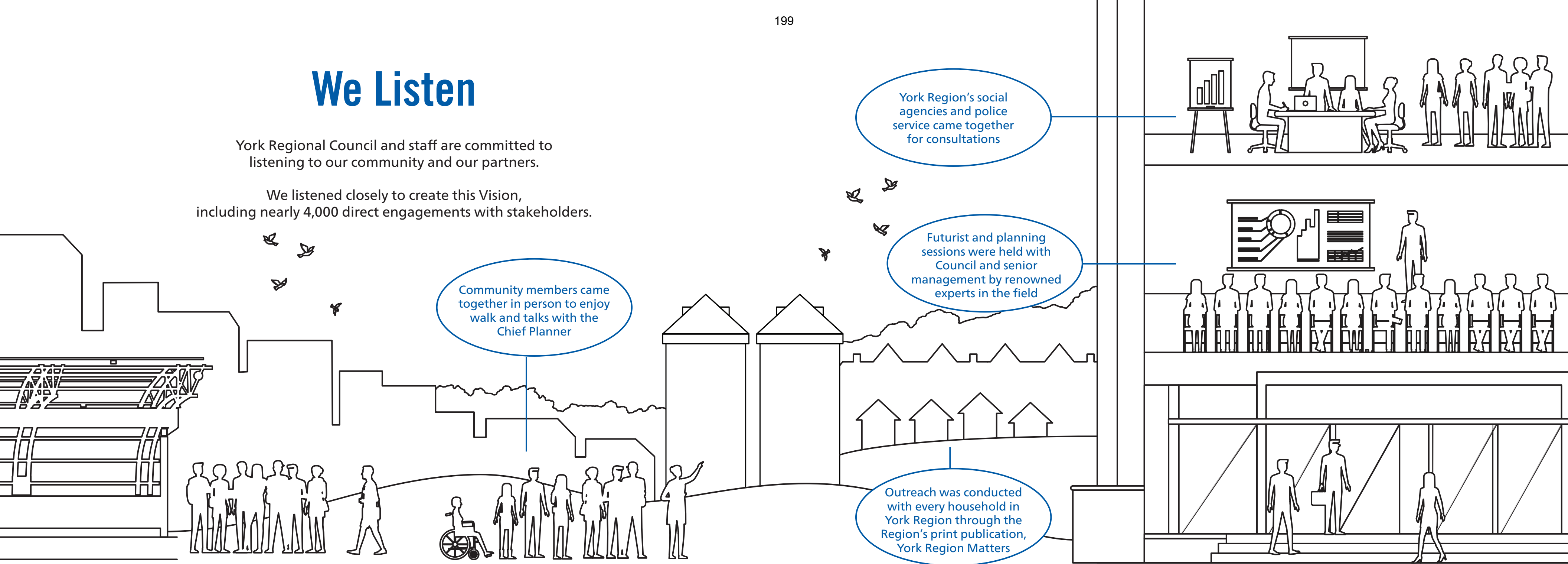
We listened closely to create this Vision, including nearly 4,000 direct engagements with stakeholders.

Community members came together in person to enjoy walk and talks with the Chief Planner

York Region's social agencies and police service came together for consultations

Futurist and planning sessions were held with Council and senior management by renowned experts in the field

Outreach was conducted with every household in York Region through the Region's print publication, York Region Matters



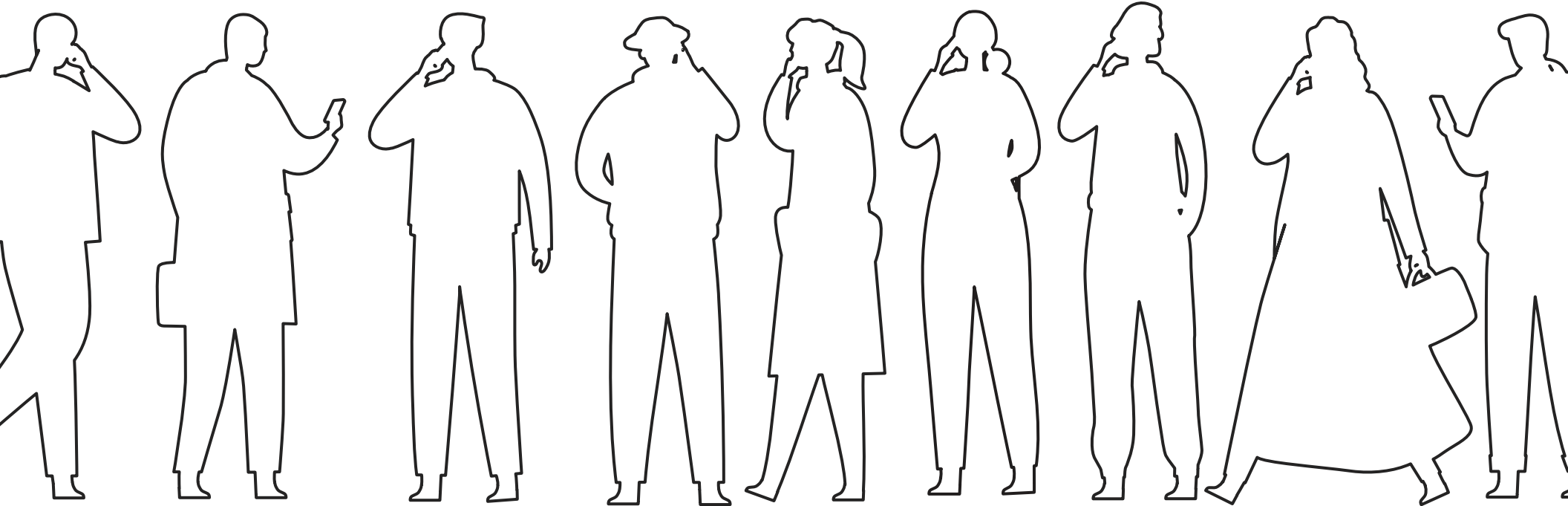
We Survey Residents

York Region has a long history of surveying residents, which is a testament to Council's commitment to understanding resident preferences, needs, opinions and satisfaction levels.

Annual community surveys are statistically representative of the make up of York Region's population, all the way from age, gender and education to diversity.

We surveyed residents and learned that residents felt we are living up to our Vision statement of *Strong, Caring, Safe Communities*, and most residents felt the quality of life here in York Region was very high and safe.

We commit to continuing our surveying of residents, asking questions to ensure Vision resonates with all members of the community and no part of the community is left behind.



84% of residents feel York Region is living up to its Vision of **STRONG, CARING, SAFE COMMUNITIES**

Source: Community Opinion Polling, 2020





We learn about the type of life residents envision now for a better future.

Residents shared their Vision of York Region. In this Vision...

York Region has a knowledge-based economy. It has smart cities, interesting and exciting places to live, work and play, robust services and infrastructure, and a seamless network for mobility of goods, services and people. It is a place of abundant economic opportunity for all.

York Region is renowned for healthy living. It is a place where vulnerable populations can live and thrive as much as others and all have equal access to social services and support for health. York Region is safe and welcoming with accessible opportunities for recreation and affordable housing.

York Region protects its natural environment with a focus on sustainable building and living to reduce our ecological impact.

York Region is renowned for its openness and engagement of community in decision making. It is a place of social inclusion and support that promotes and protects social cohesion for all.

We will continually strive to make this Vision a reality and commit to continuously learning about the type of life residents envision now for a better future.



YOUR community
YOUR ideas
YOUR future



We Evolve

The Vision you hold in your hands is the next step in a long history of visioning by York Region.

Like the Visions that came before, this Vision was developed with a great mindfulness of the past along with a great deal of conversation with the community.

Though York Region's Vision has evolved and matured over time, the overall goals of the Region have remained consistent. These goals align with the Region's areas of focus identified in the following pages – the four overarching conditions of well-being for our communities: Economic Vitality, Healthy Communities, Sustainable Environment and Good Government.

These areas of aspirational focus are at the heart and soul of our work and cascade through our entire organization. They are captured and reported on in the Corporate Strategic Plan and supported by the Region's Multi-Year Budget.



ACTION
 WITHOUT **vision** IS
 ONLY PASSING **time**,
VISION
 WITHOUT **action** IS
 MERELY DAY DREAMING,
 but **VISION with ACTION**
CAN CHANGE
THE WORLD

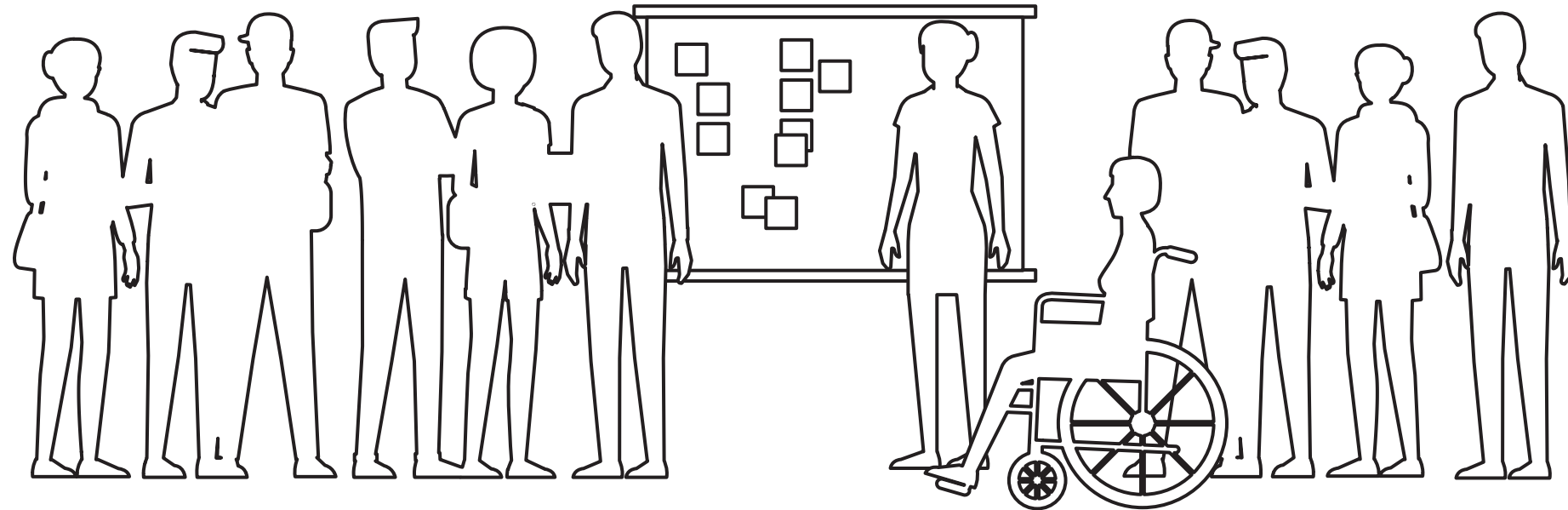
Nelson Mandela

We Aspire

York Region’s action towards Vision occurs through the corporate strategic planning and multi-year budget process.





Community indicators will also be reported to each term of Council to show how we are doing in achieving *strong, caring, safe communities*. These indicators are important to provide integrity to Vision. They are the final steps towards making Vision credible and tangible.

In 2020, more than 80 per cent of residents agreed that York Region was living up to its Vision. It is our goal to improve this belief, along with the results of the rest of the community indicators in this document, as we continue our journey towards achieving Vision.



York Region
is a place of ...
Economic
VITALITY
Healthy
COMMUNITIES
Sustainable
ENVIRONMENT
Good
GOVERNMENT
... now and in
the future.

Core Components of Vision

VISION STATEMENT: STRONG, CARING, SAFE COMMUNITIES	
<p>AREAS OF FOCUS for the wellbeing of our communities</p>	<p>COMMUNITY INDICATORS show how we are doing in achieving our Vision. Community indicators represent the entire York Region population. Multiple partners are involved in improving results of community indicators towards realizing Vision.</p>
 <p>ECONOMIC VITALITY focuses on what is needed to encourage and sustain economic growth and vitality of the Region.</p>	<ul style="list-style-type: none"> • Median Household Income • % of York Region residents living in persistent low-income (6 years or longer) • Labour Force Participation Rate • % of population with access to Internet service • # of businesses per 100,000 population
 <p>HEALTHY COMMUNITIES focuses on the livability, health, safety and social well-being of our communities.</p>	<ul style="list-style-type: none"> • % of population that rates their mental health as very good or excellent • % of households spending 30 per cent or more of income on housing cost • % of population that rates their overall health as very good or excellent • Total crime rate per 100,000 population • Immunization rate for elementary school aged children
 <p>SUSTAINABLE ENVIRONMENT focuses on the need to protect and sustain the natural and built environment and reduce our ecological impact.</p>	<ul style="list-style-type: none"> • % of commuters using a travel mode to work other than a personal vehicle • Greenhouse gas emissions measured in tonnes per capita • Average residential water demand (litres/capita/day) • Hectares of green space per 100,000 population • % solid waste diverted from landfill (including energy-from-waste)
 <p>GOOD GOVERNMENT focuses on a sense of community as one that is democratic, accessible, equitable and reliable, where civic engagement and participation is welcomed from all.</p>	<ul style="list-style-type: none"> • Survey respondents’ level of community engagement • % of the population aged 12 and older who reported “very strong” or “somewhat strong” sense of community belonging • % of survey respondents who would recommend York Region as a place to live • % of survey respondents who feel York Region is living up to its Vision • Voter participation in last municipal election (as a percentage of eligible voters)

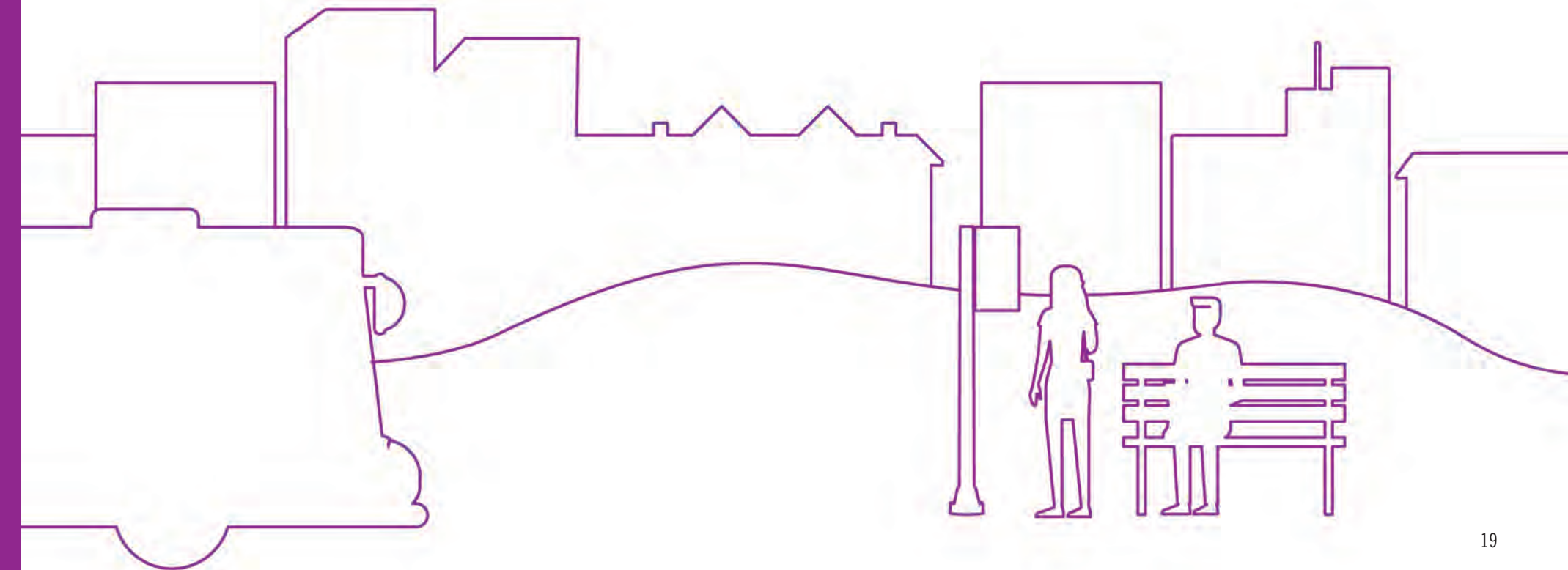


Economic VITALITY

Focuses on what is needed to encourage and sustain economic growth and vitality of the Region.

HOW IS IT measured?

- Median Household Income
- % of York Region residents living in persistent low-income (6 years or longer)
- Labour Force Participation Rate
- % of population with access to Internet service
- # of businesses per 100,000 population



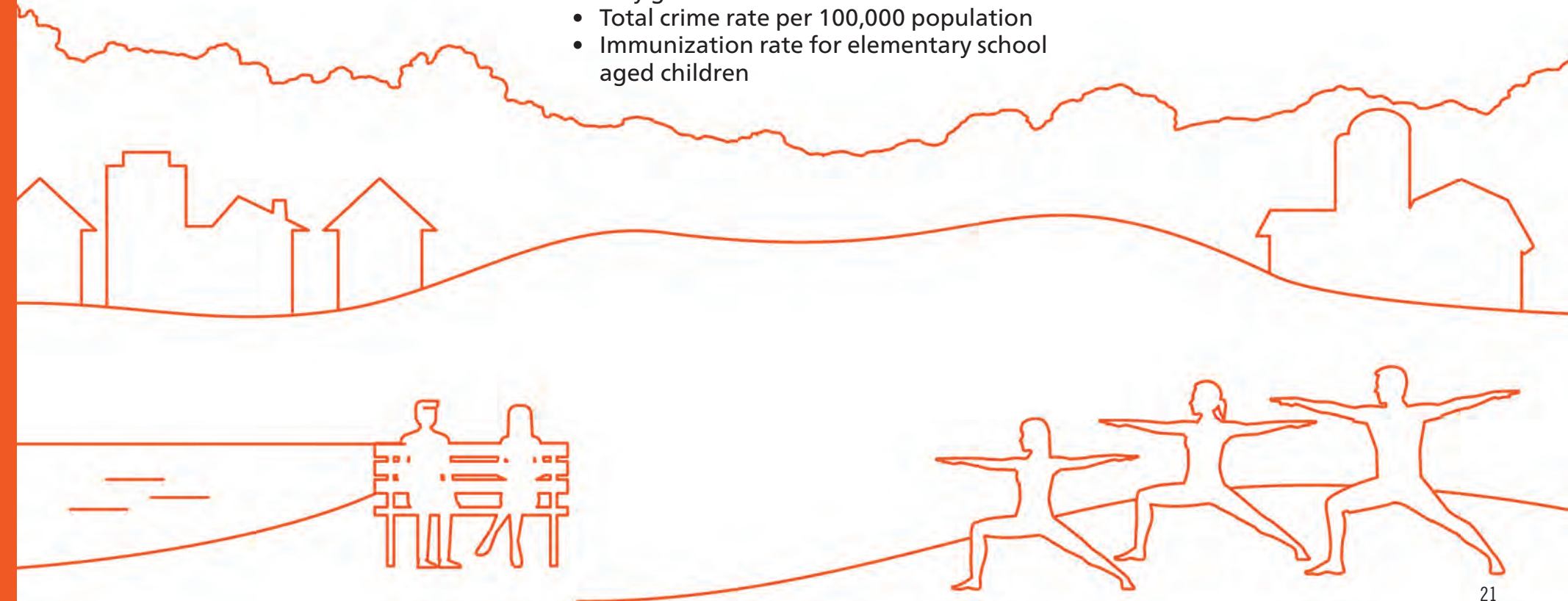


Healthy COMMUNITIES

Focuses on the
livability, health,
safety and social
well-being of our
communities.

HOW IS IT measured?

- % of population that rates their mental health as very good or excellent
- % of households spending 30 per cent or more of income on housing cost
- % of population that rates their overall health as very good or excellent
- Total crime rate per 100,000 population
- Immunization rate for elementary school aged children

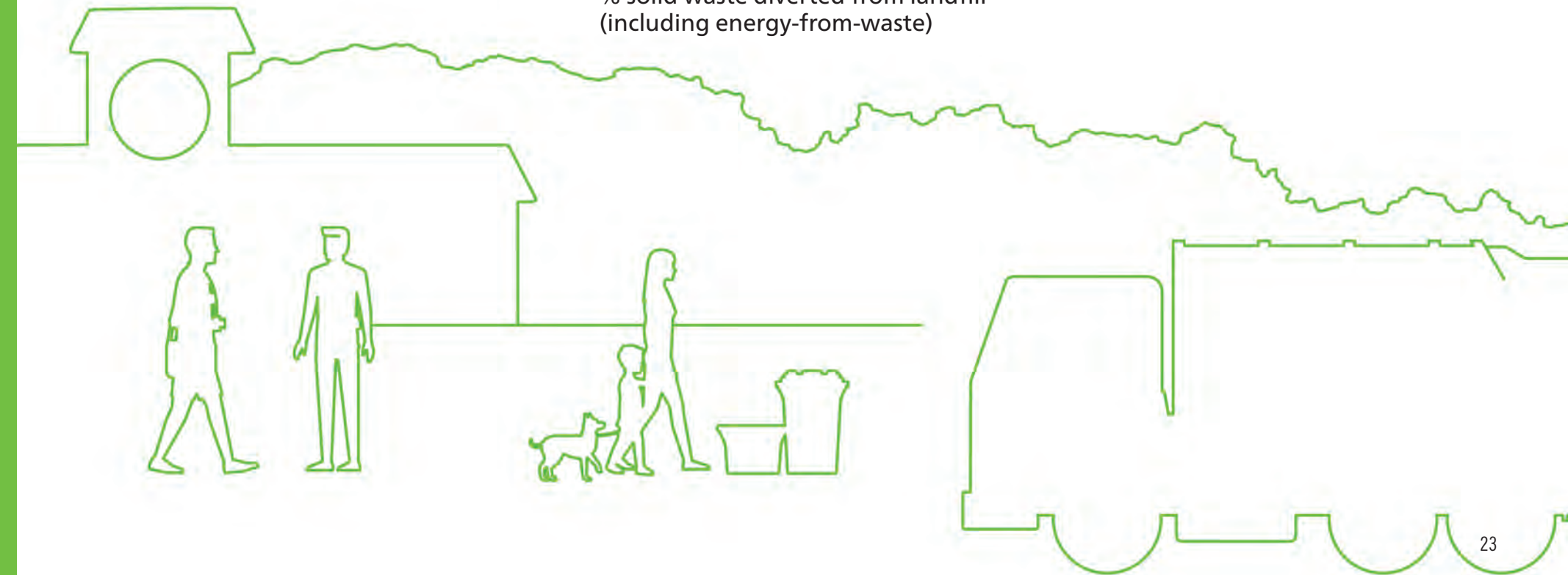


Sustainable ENVIRONMENT

Focuses on the need to protect and sustain the natural and built environment and reduce our ecological impact.

HOW IS IT measured?

- % of commuters using a travel mode to work other than a personal vehicle
- Greenhouse gas emissions measured in tonnes per capita
- Average residential water demand (litres/capita/day)
- Hectares of green space per 100,000 population
- % solid waste diverted from landfill (including energy-from-waste)



Good GOVERNMENT

Focuses on a sense of community as one that is democratic, accessible, equitable and reliable, where civic engagement and participation is welcomed from all.

HOW IS IT measured?

- Survey respondents' level of community engagement
- % of the population aged 12 and older who reported "very strong" or "somewhat strong" sense of community belonging
- % of survey respondents who would recommend York Region as a place to live
- % of survey respondents who feel York Region is living up to its Vision
- Voter participation in last municipal election (as a percentage of eligible voters)



THE REGIONAL MUNICIPALITY OF YORK

VISION



On November 25, 2021 Regional Council made the following decision:

1. The Regional Clerk circulate this report to the Clerks of the local municipalities, conservation authorities (Toronto and Region and Lake Simcoe Region Conservation Authorities) and the Director of the Central Region Office, Ministry of the Environment, Conservation and Parks.

The original staff report is attached for your information.

Please contact Wendy Kemp, Acting Director, Infrastructure Asset Management at 1-877-464-9675 ext.75141 if you have any questions with respect to this matter.

Regards,

Christopher Raynor | Regional Clerk, Regional Clerk's Office, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
O: 1-877-464-9675 ext. 71300 | christopher.raynor@york.ca | york.ca

Our Mission: **Working together to serve our thriving communities – today and tomorrow**

The Regional Municipality of York

Committee of the Whole
Environmental Services
November 11, 2021

Report of the Commissioner of Environmental Services

Water and Wastewater Master Plan Update Draft Infrastructure Plan

1. Recommendations

The Regional Clerk circulate this report to the Clerks of the local municipalities, conservation authorities (Toronto and Region and Lake Simcoe Region Conservation Authorities) and the Director of the Central Region Office, Ministry of the Environment, Conservation and Parks.

2. Summary

This report provides the draft infrastructure plan for the Water and Wastewater Master Plan that supports growth to 2051 including consultation and engagement activities.

Key Points:

- The Water and Wastewater Master Plan is a long-term servicing plan that identifies infrastructure and programs required to support projected growth to 2051 as envisioned in the Regional Official Plan
- The Master Plan Update is expected to be completed in early 2022
- Work is being coordinated with the Municipal Comprehensive Review (MCR), Transportation Master Plan and Development Charges Bylaw Update
- Infrastructure projects identified in the 2016 Master Plan have been recalibrated to reflect updated costs and timing. \$4.3 billion in new and expanded water and wastewater infrastructure and supporting programs is required to service growth to 2051
- The 2016 Plan continues to be valid to meet the needs of York Region's growing communities and to support greater resilience in the overall water and wastewater systems by using One Water principles that integrate needs, infirstretch to maximize capacity and apply an innovation lens to guide decision-making
- Extensive consultation and engagement with a variety of participants continue to inform the Master Plan Update

3. Background

This Water and Wastewater Master Plan Update identifies Region wide critical infrastructure to support growth to 2051

York Region has completed regular updates to the Water and Wastewater Master Plan for over two decades to ensure that long-term strategies reflect evolving needs that cross municipal boundaries. The last update was completed and endorsed by Regional Council in 2016.

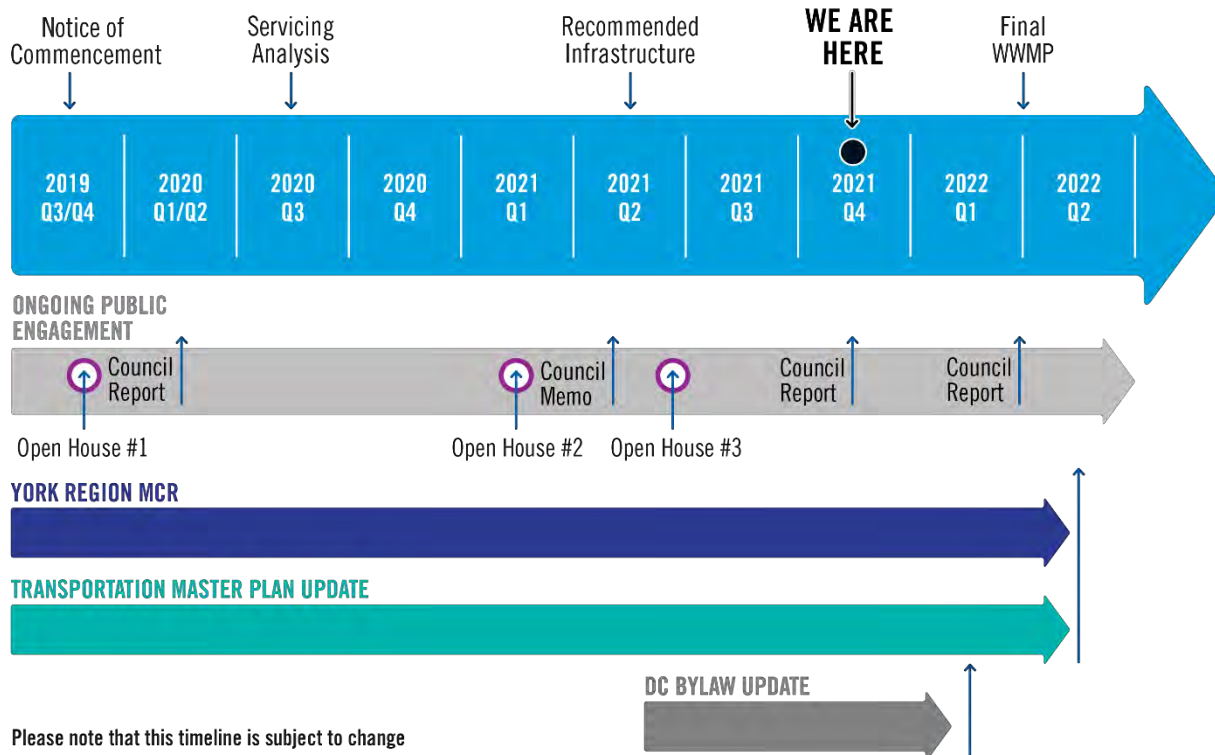
The 2021 Master Plan Update was introduced in the [March 2020](#) report to Regional Council and an update on engagement activities was provided in [June 2021](#). This report provides a progress update on the Master Plan Update including draft water and wastewater infrastructure and associated costs required to support growth to 2051 as part of the Municipal Comprehensive Review. As outlined in the Growth Plan, York Region is projected to grow to 2.02 million residents and employment is projected to grow to 990,000 jobs.

As reported in the [2021 Servicing Capacity Assignment Status Update](#) there is sufficient capacity assigned within the York Durham Sewage System to support growth for 178,132 persons, about six years of capacity based on annual market growth trends.

The Master Plan Update is being completed in coordination with the Municipal Comprehensive Review and Transportation Master Plan using the Council-endorsed principle to align growth with infrastructure, and is based on the March 2021 MCR [Proposed 2051 Forecast and Land Needs Assessment report](#). Infrastructure costs and timing inform the Development Charges Bylaw update which will be brought to Council in 2022.

Figure 1 highlights key activities that have occurred since 2019 as part of this Master Plan Update as well as activities required to finalize this Master Plan in early 2022.

Figure 1
Integrated Growth Planning Timeline



The 1997 York Durham Sewage System (YDSS) Master Plan first identified the need for a wastewater project to service growth in Aurora, East Gwillimbury and Newmarket

In 2004, less than 10 years after downloading the York Durham Sewage System to York and Durham Regions, the Province of Ontario issued an unprecedented letter to York Region mandating that specific infrastructure expansion projects were required to undergo Individual Environmental Assessments. Upper York Sewage Solutions was one of those mandated projects forcing the Region into this unprecedented level of assessment for an infrastructure project required to support already approved growth. In 2009, the Individual Environmental Assessment was publicly launched and in 2010, the Province of Ontario directed York Region to consider innovative wastewater treatment technologies located within York Region as a possible servicing solution. After more than five years of extensive scientific study and consultation with Indigenous communities, government agencies and the public, York Region submitted the project's Environmental Assessment report to the Province for approval in July 2014.

Now, after more than seven years since submission of the Upper York Sewage Solutions Individual Environmental Assessment, the Province enacted the [York Region Wastewater Act, 2021](#). This legislation puts an indefinite hold on any decision by the Minister of the Environment, Conservation and Parks on the Upper York Sewage Solutions Environmental Assessment, prevents any further action being taken by York Region to advance this project

and seeks to limit the Province's liability for taking these steps. The Province has also announced creation of an expert advisory panel to provide advice on options to address wastewater servicing capacity needs in York Region and future growth in both York Region and Durham Region. York Region is extremely disappointed with the measures taken by the Ontario government and has maintained its position that the Province needs to make a decision on the Upper York Sewage Solutions Environmental Assessment.

The 2021 Master Plan continues to consider the Upper York Sewage Solutions Water Reclamation Centre as a key component of long-term servicing. This commitment to the Lake Simcoe solution was affirmed by Regional Council at their [January 2021](#) meeting. Consideration of alternative servicing options for the Upper York service area are outside the scope of this Master Plan update. Should the Province issue further direction, additional assessment will be undertaken beyond the timelines of the current growth management work plan.

Master Plan details comprehensive, cost-efficient, and resilient infrastructure plan for water and wastewater services

In alignment with the 2019-2023 Strategic Plan and 2021 Fiscal Strategy, the goal of the Water and Wastewater Master Plan is to develop a long-term servicing strategy that is environmentally sustainable and provides cost-effective and reliable service. To achieve this goal, two key objectives were identified through the Master Plan Update process:

- Develop a cost-effective, resilient water and wastewater infrastructure plan to service future growth to 2051 and beyond, and
- Develop an integrated, long-term approach to provide sustainable water and wastewater services

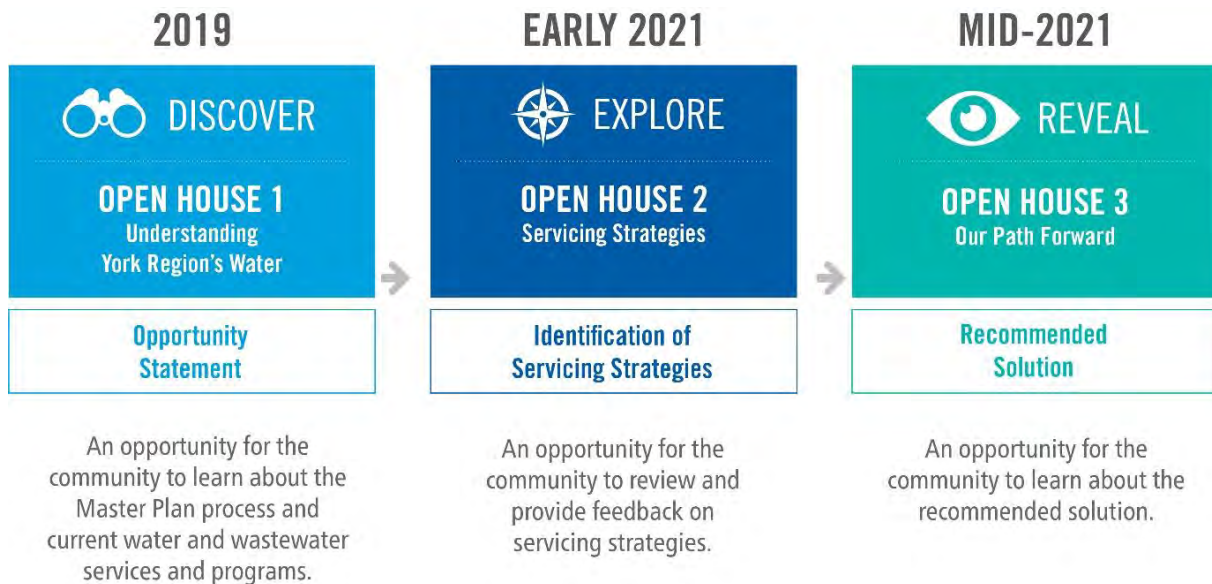
Three guiding principles have been adopted to guide the decision-making process of the Master Plan and the development of strategies to achieve the above objectives:

- Integration - Integrate Master Plan with demand management and asset management initiatives to create synergy and increase efficiency
- Innovation - Practice and explore innovative new concepts and ideas through the development of the Master Plan and continue the same throughout capital planning and delivery processes to promote cost-efficiency and environmental sustainability
- Infrastrretching - Maximize useful capacity and useful life of built infrastructure with the benefit of minimizing and/or deferring capital investment

Comprehensive consultation and engagement extended to wide range of participants; final round of engagement focused on draft infrastructure plan

Engagement is an integral component in developing the future infrastructure needs to support growth to 2051. Over the course of the Master Plan Update, three rounds of project engagement occurred to share information and provide opportunities for feedback. The general consultation and engagement approach for the Master Plan Update was presented to Council in [June 2021](#). Engagement milestones are illustrated in Figure 2.

Figure 2
Engagement Milestones for Master Plan Update



Engagement activities on the draft infrastructure plan have been carried out with a variety of stakeholders, partners and Indigenous communities. In keeping with requirements of the Municipal Class Environmental Assessment Process, project information was shared with interested stakeholders and partners. York Region remains committed to effective engagement and consultation, providing opportunities to those expressing interest to meet and discuss as needed. Feedback received from all participants has been addressed and has informed the Water and Wastewater Master Plan Update.

Engagement throughout the project has occurred using a variety of tactics:

- One on one meetings with the local municipalities and regional servicing partners (Region of Durham, Peel Region, and the City of Toronto)
- Meetings with Indigenous communities and the Building Industry and Land Development Association coordinated with the Municipal Comprehensive Review and Transportation Master Plan
- Meetings and correspondence with Ministry of Environment, Conservation and Parks and Toronto and Region Conservation Authority and Lake Simcoe Region Conservation Authority Engagement
- Three public open houses

Public Open Houses held throughout the project offer opportunity for feedback on the draft Plan

Feedback received informs the Master Plan Update and is shared with other water and wastewater business areas. Details of Open Houses 1 and 2 were reported to Council in

[March 2020](#) and [June 2021](#). The third Open House, hosted virtually from June 24 to July 8, 2021, highlighted the draft recommended water and wastewater infrastructure plans (Attachments 1 and 2). It also provided participants an opportunity to learn more about current water and wastewater services and programs and provide feedback.

Feedback collected through this most recent public open house indicates:

- Participants appreciate the opportunity to learn about Regional water and wastewater services and the proactive planning that occurs to enable and sustain future growth
- Responsible resource management for future generations is a priority and participants recommended further enhancing demand management initiatives with innovative water uses such as rainwater harvesting and piped water reuse
- There is strong support for timely delivery of water and wastewater services

4. Analysis

Master Plan Update confirms 2016 servicing strategies continue to be valid

Detailed analysis found that the high-level servicing strategies from the 2016 Master Plan continue to be valid to meet the needs of York Region's growing communities:

- 2010 Intra-basin Transfer approval provides sufficient access to Lake Ontario sourced water to support 2051 planning horizon
- Water supply needs can be met through existing sources and the water supply agreements in place with Toronto and Peel
- Although additional wastewater capacity is needed, wastewater treatment will continue to be provided through agreements with Peel and Durham, the Water Reclamation Centre (WRC) proposed by the Upper York Sewage Solutions Individual Environmental Assessment, as well as through stand-alone treatment facilities

Using the Municipal Class Environmental Assessment framework, the evaluation of servicing strategy alternatives confirmed that the strategy set out in the 2016 Master Plan continues to be recommended today. This recommended strategy will not only service planned growth but will also benefit system resiliency, reduce water age, lower energy consumption, and improve water balance.

Long-term servicing will continue to leverage the existing water and wastewater system and established servicing agreements

The Master Plan Update emphasizes the principle of infrastretching by making best use of the existing system and established long-term servicing agreements. The Master Plan builds upon the 2016 servicing strategy and focuses on recalibrating infrastructure components to accommodate the updated growth forecast.

The 2021 Master Plan Update has identified a long-term strategy to service growth in York Region communities as follows:

- Continued supply of drinking water to the Cities of Markham, Richmond Hill and Vaughan and part of the Township of King with Lake Ontario water and return of the wastewater flows generated in these communities via the York Durham Sewage System and Peel Diversion
- Continued supply to the Towns of Aurora, Newmarket and the community of Stouffville using groundwater and Lake Ontario water, with return of wastewater flows via the York Durham Sewage System. A portion of wastewater flows from Newmarket will be treated at the proposed Upper York Water Reclamation Centre
- Continued water supply to East Gwillimbury using groundwater and Lake Ontario water will also include a future connection from the Lake Simcoe system to supplement water supply to the York Water System. While not yet approved, the Upper York Sewage Solutions project continues to be considered the preferred wastewater servicing solution for growth in the northern communities of East Gwillimbury and a portion of flows from Newmarket
- Continued supply to the Town of Georgina using Lake Simcoe water with wastewater flows returned via the Keswick and Sutton water resource recovery facilities
- Continued water supply to stand-alone communities using groundwater with return of wastewater flows to individual water resource recovery facilities in those communities. Continued implementation of demand management programs like water conservation and inflow and infiltration reduction influence the available capacity by stretching the infrastructure and extending the time for when new infrastructure is needed

Approximately 80% of the water and wastewater \$4.3 billion infrastructure plan to 2051 is not contingent of the provincial approval of the Upper York Servicing Solutions project and can proceed through implementation in the capital plan.

2021 updated infrastructure program is a recalibration of previous Master Plans

This servicing strategy provides the high-level direction for how servicing is planned to be delivered; implementation of the strategy is undertaken through infrastructure projects and supporting programs.

Infrastructure projects identified in the 2016 Master Plan are recalibrated in this update to consider the 2051 planning horizon and to provide greater system resilience. Most growth infrastructure projects identified in previous plans continue to be needed to support growth in York Region communities. Adjustments have been made to sizing, timing and estimated costs in the updated plan. The plan also details additional infrastructure needed to accommodate the growth anticipated by 2051.

Infrastructure identified in the Master Plan Update includes:

- 19 new water facilities, 6 water facility expansions, and approximately 75 kilometers of watermain
- 3 new wastewater facilities, 17 facility expansions, and approximately 65 kilometers of sewer

Attachment 1 and Attachment 2 highlight the full suite of updated and new projects identified. Table 1 summarizes some of the key growth-related water and wastewater infrastructure that have been updated from the 2016 Master Plan.

Table 1
Growth-related infrastructure projects updated from 2016 Master Plan

Infrastructure Projects	Planned Timing	Cost Estimates
<p>Northeast and West Vaughan Servicing Projects</p> <p>Water and wastewater projects will connect urban expansion lands in Northeast Vaughan and West Vaughan to the existing Regional systems</p>	2021-2030	\$682 million
<p>North Markham Servicing Projects</p> <p>New infrastructure will connect key development areas in North Markham to the existing Regional systems</p>	2031-2040	\$156 million
<p>Primary Trunk Sewer Twinning and Upgrades at Duffin Creek Plant</p> <p>Various projects to improve and expand capacity of the Duffin Creek Plant and York Durham Sewage System in Durham</p>	2021-2030	\$243 million
<p>Upper York Sewage Solutions Water Reclamation Centre and Expansion</p> <p>The Water Reclamation Centre remains a key component of the servicing strategy and in the long-term, will require a future expansion of the facility (subject to future studies and approvals)</p>	<p>WRC construction 2028*</p> <p>Expected future expansion 2041*</p>	\$765 million
<p>Introduction of Lake Simcoe Water Supply to York Water System</p> <p>Infrastructure to connect Lake Simcoe-based water supply to north end of the York Water System to supplement existing water sources is needed to service planned growth and maintain water balance between the Lake Ontario and Lake Simcoe watersheds. This project also supports improved system resiliency</p>	2031-2040	\$50 million

Infrastructure Projects	Planned Timing	Cost Estimates
<p>Other Water Servicing</p> <p>Projects supporting additional water supply including cost-shared water supply agreements with Toronto and Peel Region, as well as Nobleton and Georgina system upgrades. Improvements and expansion of water storage facilities, pipe network and pumping stations in various locations</p>	Various	\$479 million
<p>Other Wastewater Servicing</p> <p>Increased wastewater treatment capacity including expansion of Keswick and Sutton Water Resource Recovery Facilities and Nobleton Wastewater Servicing. Upgrades to the trunk sewer pipe network and pumping stations in various locations</p>	Various	\$590 million

*Construction timing of the initial phase of the Water Reclamation Centre is based on receiving Provincial approval in 2021

Table 2 summarizes the additional growth-related infrastructure projects identified in the current Master Plan update that are needed to support the updated growth forecast.

Table 2

Additional growth-related infrastructure to support updated growth forecast

Infrastructure Projects	Planned Timing	Cost Estimate
<p>Expansion of Duffin Creek Plant</p> <p>To receive higher flows to 2051, the Duffin Creek Plant will require additional upgrades which are expected to be phased and will be further defined through future planning studies coordinated with Durham Region</p>	Various between 2031- 2051	\$757 million
<p>Expansion of YDSS Conveyance System</p> <p>Trunk sewer upgrades to increase the capacity of the YDSS sewer network</p>	Various	\$325 million
<p>York East Water System Expansion</p> <p>New infrastructure to bring additional Lake Ontario water supply into York Region's northern communities on the east side of the York Water System. This project will accommodate growth in Aurora, Newmarket and</p>	2031-2040	\$148 million

Infrastructure Projects	Planned Timing	Cost Estimate
East Gwillimbury and support a more robust system to service these communities		
King City Wastewater System Upgrades Phased upgrades to increase the capacity of the King City Wastewater System in line with planned growth	Initial Phase 2021-2030 Second Phase 2041-2051	\$48 million
Other Water Servicing Various upgrades and expansion of water system network	Various	\$24 million
Other Wastewater Servicing Various upgrades and expansion of wastewater system network	Various	\$7 million

Draft infrastructure plan supports revised phased 50-55% intensification scenario recommended by Municipal Comprehensive Review

Council has recently approved the staff recommended phased 50-55% intensification scenario, which can be accommodated without major shifts in infrastructure planning and timing.

Also, at its October 21, 2021 Special Council meeting, Council approved four motions that have implications for planning and servicing growth to 2051. Staff will be considering potential impacts arising from these motions on timing and servicing details for King Township, Whitchurch-Stouffville, East Gwillimbury and Markham as we work to finalize the Master Plan.

In the next 30 years, there will be numerous opportunities to recalibrate the long-term water and wastewater servicing plan given that several Municipal Comprehensive Reviews, Master Plan updates and Development Charge Bylaw updates are anticipated between now and 2051. As growth projections are realized, infrastructure timing can be adjusted within the fiscal framework during the 30 year planning horizon. Identifying the remaining Whitebelt lands as “Future Urban” beyond 2051 acknowledges the reality of future long-term function of these lands and allows long-term planning for infrastructure in advance of subsequent municipal comprehensive reviews.

Implementing the Master Plan Update will involve annual monitoring and recalibration of the capital plan as needed

This Master Plan provides a high-level roadmap for delivering servicing over the long term by establishing future infrastructure project needs. The Master Plan Update has been created with the best available information and understanding. Over time assumptions need to be

monitored. Updates and course corrections will happen as things change, or better information becomes available. A more agile approach to managing growth that phases new infrastructure in line with actual growth and development charge collections will make it easier for the Region to maintain financial sustainability.

The Master Plan identifies projects that will be implemented through the 10-year Capital Plan and sets out sequencing of projects/programs to meet growth and asset management needs. The Capital Plan is reviewed annually in conjunction with the annual budget; this process provides an opportunity each year to recalibrate near-term plans to reflect changing circumstances. Shifting circumstances considered in Capital Plan updates include financial constraints, changes to timing or costs of projects in implementation, shifting asset management needs informed by ongoing condition assessments and coordination with other projects.

Close monitoring of capacity utilization in the infrastructure system and development activity enables the Region to coordinate servicing capacity with growth/development. Demand management programs, which target water conservation and reduction of inflow and infiltration, monitor system flows on an ongoing basis and contribute to capacity available in the Regional system. A variety of ongoing programs, plans, analysis, and activities support this, illustrated in Figure 3.

Figure 3
Integrated Approach to Water and Wastewater Service Delivery



Regional Council looking to the Province for opportunities to provide servicing to support local municipal requests

Requests for regional servicing solutions have been received for areas that are restricted by Provincial policies as shown in Table 3.

Table 3
Areas affected by Provincial policy restrictions

Provincial policy	Affected area
Growth Plan Greenbelt Plan	Nobleton
Growth Plan Greenbelt Plan Oak Ridges Moraine Conservation Plan	Ballantrae Gormley Vandorf
Greenbelt Plan Oak Ridges Moraine Conservation Plan	Hwy 404 Employment Lands

Long-term options are necessary as communities continue to grow and expand into areas that make Great Lake based services a viable and sustainable option for these isolated and strategic communities. Based on recent Council decisions, staff will work to document servicing implications and costs for these affected areas and include that information in an appendix to the Master Plan.

Master Plan Report will be brought to Council for endorsement in 2022

This Master Plan Update is scheduled for completion in Q1/Q2 2022. Key activities in the next few months include:

- Review public input and finalize master plan report
- Complete presentations to Local Municipal Councils on findings of the Master Plan Update
- Report to Council in Q1/Q2 2022 for endorsement of the Master Plan Update
- Submit Master Plan Update Report to Ministry of Environment, Conservation and Parks
- Support activities leading to the Regional Official Plan update
- Support activities leading to the Development Charge Bylaw Update including the preparation of the Development Charge Background Study

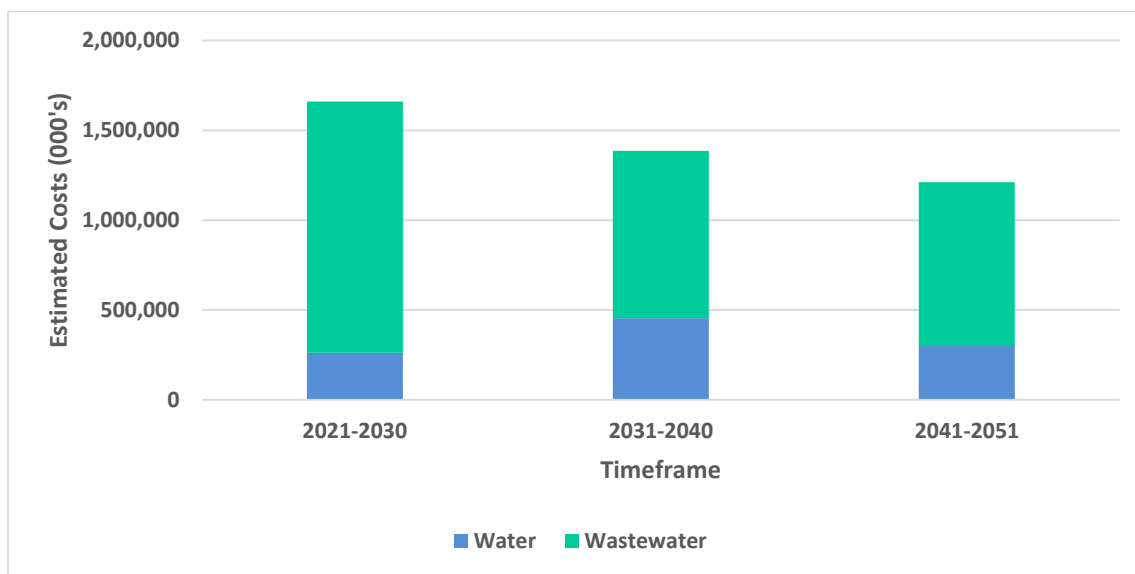
5. Financial

Estimated cost of water and wastewater infrastructure to support growth to 2051 is \$4.3 billion

Subject to final adjustments based on engineering analysis to be completed over the next few months, the total cost of projects and supporting programs required to support growth to 2051 identified under this Master Plan is \$4.3 billion, which includes an additional \$1.4 billion in new water and wastewater infrastructure compared to the 2016 Master Plan. The capital cost of the first 10 years of the draft infrastructure is in alignment with the 2021 10-year capital plan. The annual budget process provides an opportunity to recalibrate capital costs as required.

A breakdown of the estimated capital costs to implement the water and wastewater projects identified in the Master Plan is provided in Figure 4.

Figure 4
Growth Related Capital Infrastructure Costs for water and wastewater



The majority of the \$4.3 billion in growth-related capital costs is eligible for Development Charges funding. Staff are currently updating the Region's Development Charge Bylaw, which is expected to be tabled in Q1 2022.

Maintaining financial sustainability requires careful alignment of growth planning and infrastructure

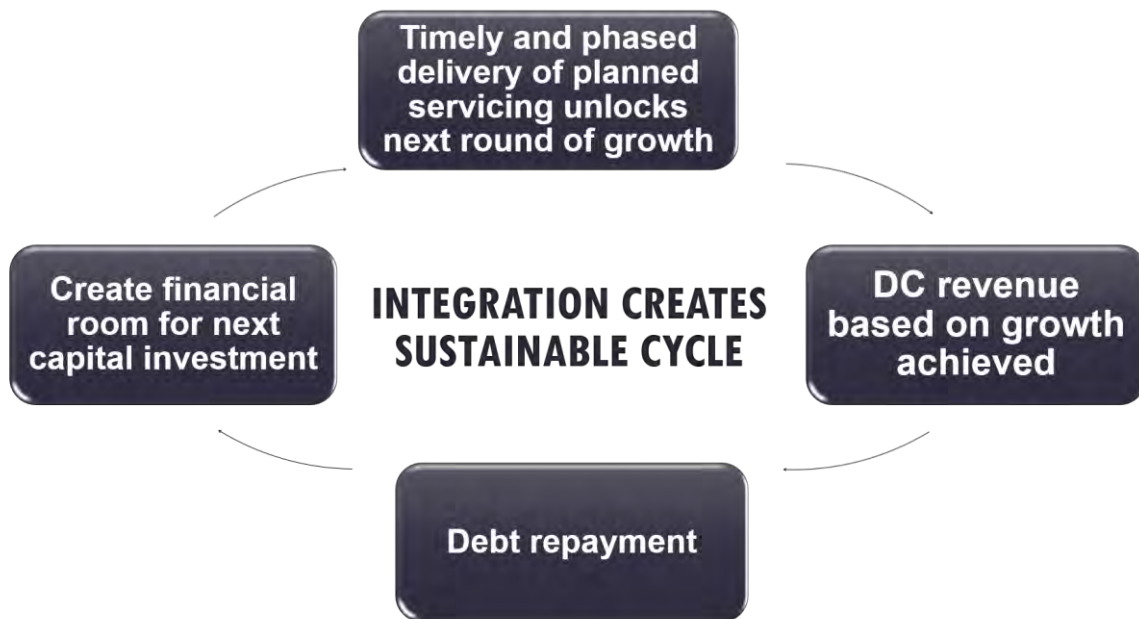
To support growth to 2051, an integrated approach to land use planning will continue to be required to manage the capital plan in line with objectives of the Council approved Fiscal Strategy. As [reported to Council](#) throughout the Municipal Comprehensive Review process, aligning planning for growth with infrastructure and financial planning is of paramount importance to ensure the Region delivers complete communities supported by Regional

infrastructure delivered and operated in a financially sustainable way. A more agile approach to managing growth that phases new infrastructure in line with actual growth and development charge collections will make it easier for the Region to maintain financial sustainability.

Capital investments will need to be closely aligned with timing and location of actual growth as well as with collection of development charges revenues to provide sufficient debt capacity to finance those infrastructure investments. Prioritization and staging of capital investments will be required to align with actual population growth achieved rather than by set timelines based on the Region's growth forecasts. This financially sustainable approach is based on the actual timing and location of future development in the Region.

A number of factors can disrupt the financial sustainability cycle as shown in Figure 5, including infrastructure delays, taking on too much debt at once, slower than anticipated growth, or actual growth misaligned with forecasted growth and planned infrastructure. Aligning the growth and infrastructure timing can help mitigate financial risks associated with planning for growth and help manage and reduce the Region's debt ensuring growth can be accommodated in a financially sustainable way.

Figure 5
The Financial Sustainability Cycle



6. Local Impact

Local municipal engagement continues throughout the project

The Master Plan is being completed in consultation with local municipal staff and Councils. Regional infrastructure projects identified through the Master Plan Update will provide input to local municipal master planning and servicing studies. Throughout the past summer months, Regional staff met with staff from each local municipality to review and discuss the draft infrastructure program. Local municipal staff reinforced the need for timely, well-paced and coordinated infrastructure delivery of resilient and robust services.

Active participation of local municipalities in the ongoing long-term water conservation and infiltration and inflow reduction initiatives continues to be essential to ensure the provision of reliable, sustainable, and cost-effective water and wastewater services over the long-term.

Presentations to Local Municipal Councils are currently underway and should be completed by the end of November 2021. Feedback received from this final step of engagement and direction resulting from the October 21, 2021 Special Council meeting will inform the final Water and Wastewater Master Plan Update report in 2022.

7. Conclusion

The Master Plan Update supports the Region's Municipal Comprehensive Review process to update the Region's Official Plan in alignment with the provincial growth target for York Region, and provides input to the 2022 Development Charges Bylaw.

The draft infrastructure plan outlines \$4.3 billion dollars for water and wastewater projects to enable growth to 2051. Since June 2021, this draft plan has been under review with extensive consultation, including public stakeholders, Indigenous communities, Municipal councils and staff. Feedback received from all participants has been considered and will inform the final Water and Wastewater Master Plan Update. The final draft is anticipated for Council endorsement in Q1/Q2 2022.

For more information on this report, please contact Wendy Kemp, Acting Director, Infrastructure Asset Management at 1-877-464-9675 ext.75141. Accessible formats or communication supports are available upon request.



Recommended by:

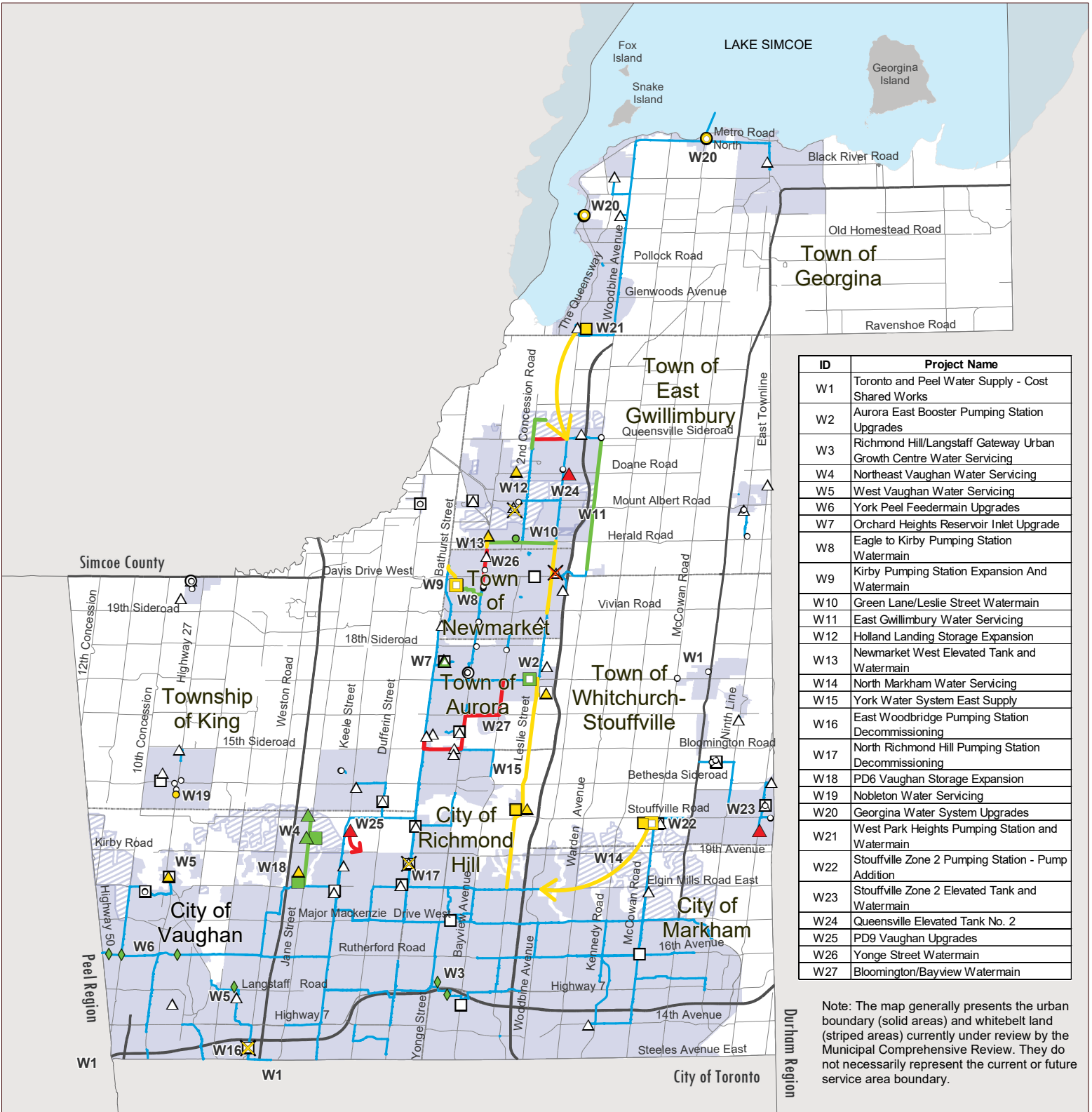
Erin Mahoney, M. Eng.
Commissioner of Environmental Services



Approved for Submission:

Bruce Macgregor
Chief Administrative Officer

October 22, 2021
Attachments (2)
eDOCS # 13323678

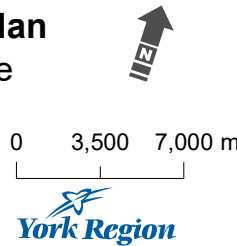


ID	Project Name
W1	Toronto and Peel Water Supply - Cost Shared Works
W2	Aurora East Booster Pumping Station Upgrades
W3	Richmond Hill/Langstaff Gateway Urban Growth Centre Water Servicing
W4	Northeast Vaughan Water Servicing
W5	West Vaughan Water Servicing
W6	York Peel Feedermain Upgrades
W7	Orchard Heights Reservoir Inlet Upgrade
W8	Eagle to Kirby Pumping Station Watermain
W9	Kirby Pumping Station Expansion And Watermain
W10	Green Lane/Leslie Street Watermain
W11	East Gwillimbury Water Servicing
W12	Holland Landing Storage Expansion
W13	Newmarket West Elevated Tank and Watermain
W14	North Markham Water Servicing
W15	York Water System East Supply
W16	East Woodbridge Pumping Station Decommissioning
W17	North Richmond Hill Pumping Station Decommissioning
W18	PD6 Vaughan Storage Expansion
W19	Nobleton Water Servicing
W20	Georgina Water System Upgrades
W21	West Park Heights Pumping Station and Watermain
W22	Stouffville Zone 2 Pumping Station - Pump Addition
W23	Stouffville Zone 2 Elevated Tank and Watermain
W24	Queensville Elevated Tank No. 2
W25	PD9 Vaughan Upgrades
W26	Yonge Street Watermain
W27	Bloomington/Bayview Watermain

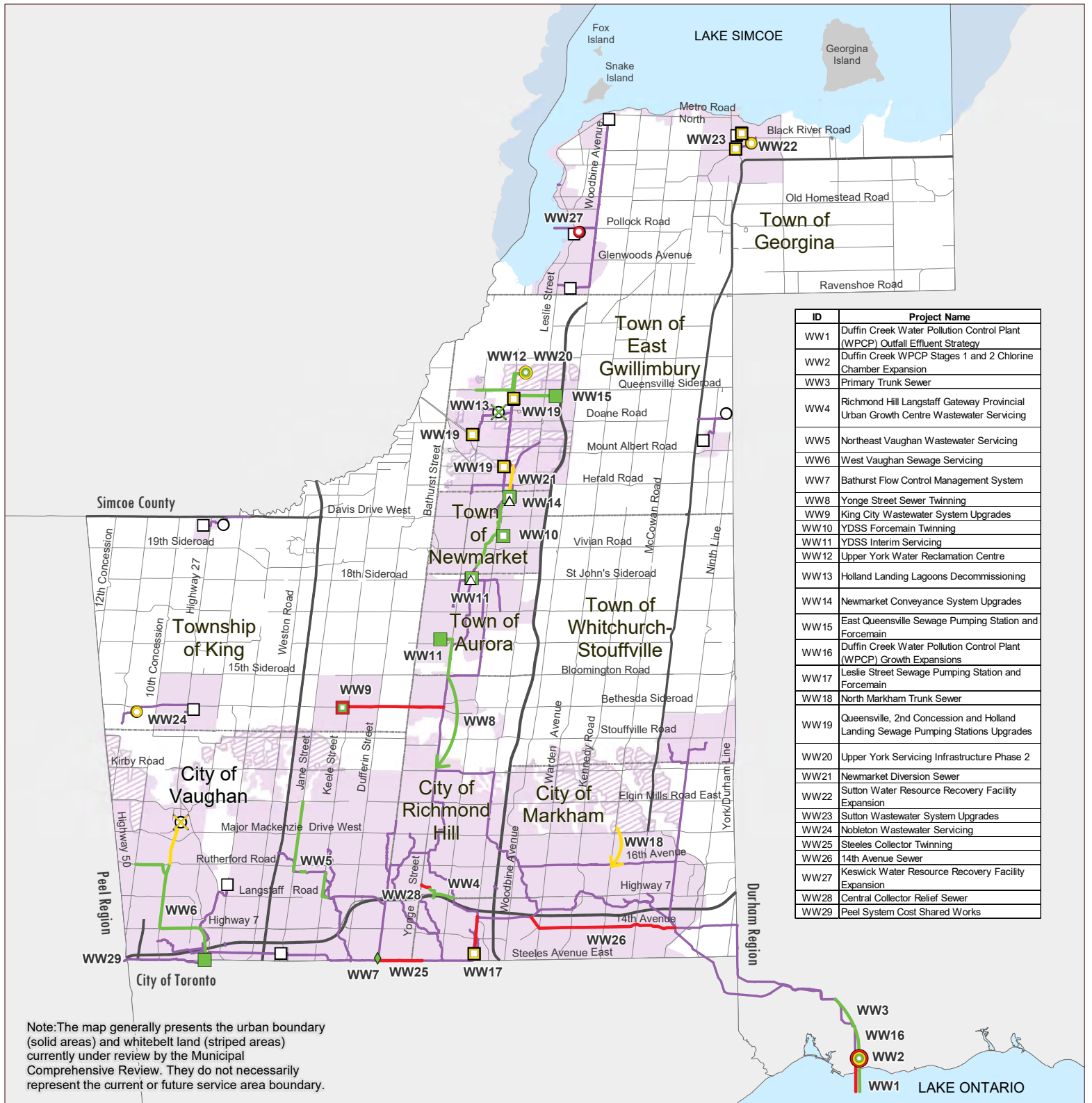
Note: The map generally presents the urban boundary (solid areas) and whitebelt land (striped areas) currently under review by the Municipal Comprehensive Review. They do not necessarily represent the current or future service area boundary.

Draft Long Term Water Infrastructure Plan
Water and Wastewater Master Plan Update
Draft Infrastructure Plan November 11, 2021

Produced by: The Regional Municipality of York
 Infrastructure Asset Management Branch,
 Environmental Services Department, August 2021
 Data Sources:
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- ▲ ◆ ● Projects 2021 - 2030
- ▲ ◆ ● Projects 2031 - 2040
- ▲ ◆ ● Projects 2041 - 2051
- Road
- Highway
- Municipal Boundary
- Regional Boundary
- Existing Watermain
- Pumping Station
- △ Storage
- Water Treatment Plant
- Well
- ✕ Decommission
- ◇ Interconnection / Pressure Improvement



ID	Project Name
WW1	Duffin Creek Water Pollution Control Plant (WPCP) Outfall Effluent Strategy
WW2	Duffin Creek WPCP Stages 1 and 2 Chlorine Chamber Expansion
WW3	Primary Trunk Sewer
WW4	Richmond Hill Langstaff Gateway Provincial Urban Growth Centre Wastewater Servicing
WW5	Northeast Vaughan Wastewater Servicing
WW6	West Vaughan Sewage Servicing
WW7	Bathurst Flow Control Management System
WW8	Yonge Street Sewer Twinning
WW9	King City Wastewater System Upgrades
WW10	YDSS Forcemain Twinning
WW11	YDSS Interim Servicing
WW12	Upper York Water Reclamation Centre
WW13	Holland Landing Lagoons Decommissioning
WW14	Newmarket Conveyance System Upgrades
WW15	East Queensville Sewage Pumping Station and Forcemain
WW16	Duffin Creek Water Pollution Control Plant (WPCP) Growth Expansions
WW17	Leslie Street Sewage Pumping Station and Forcemain
WW18	North Markham Trunk Sewer
WW19	Queensville, 2nd Concession and Holland Landing Sewage Pumping Stations Upgrades
WW20	Upper York Servicing Infrastructure Phase 2
WW21	Newmarket Diversion Sewer
WW22	Sutton Water Resource Recovery Facility Expansion
WW23	Sutton Wastewater System Upgrades
WW24	Nobleton Wastewater Servicing
WW25	Steeles Collector Twinning
WW26	14th Avenue Sewer
WW27	Keewick Water Resource Recovery Facility Expansion
WW28	Central Collector Relief Sewer
WW29	Peel System Cost Shared Works

Note: The map generally presents the urban boundary (solid areas) and whitebelt land (striped areas) currently under review by the Municipal Comprehensive Review. They do not necessarily represent the current or future service area boundary.

Draft Long Term Wastewater Infrastructure Plan

Water and Wastewater Master Plan Update

Draft Infrastructure Plan November 11, 2021

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- ▲ ◆ ● Projects 2021 - 2030
- ▲ ◆ ● Projects 2031 - 2040
- ▲ ◆ ● Projects 2041 - 2051
- Road
- Highway
- Municipal Boundary
- Regional Boundary
- Existing Wastewater Main
- △ Equalization Tank
- Water Resource Recovery Facility
- ✕ Decommission
- ◇ Flow Control Gate

On November 25, 2021 Regional Council made the following decision:

1. The Regional Clerk circulate this report to:
 - a. Local Members of Parliament
 - b. Metrolinx and the Ministries of Transportation, Infrastructure, and Municipal Affairs and Housing
 - c. Local Members of Provincial Parliament
 - d. The local municipalities
 - e. The Building Industry and Land Development Association (BILD) – York Chapter

The original staff report is attached for your information.

Please contact Edward Hankins, Director, Treasury Office and Deputy Treasurer at 1-877-464-9675 ext. 71644 if you have any questions with respect to this matter.

Regards,

Christopher Raynor | Regional Clerk, Office of the Regional Clerk, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 71300 | christopher.raynor@york.ca | york.ca

Our Mission: **Working together to serve our thriving communities – today and tomorrow**

The Regional Municipality of York

Committee of the Whole
Finance and Administration
November 11, 2021

Report of the Commissioner of Finance

Yonge North Subway Extension – Funding Considerations

1. Recommendations

1. The Regional Clerk circulate this report to:
 - a. Local Members of Parliament
 - b. Metrolinx and the Ministries of Transportation, Infrastructure, and Municipal Affairs and Housing
 - c. Local Members of Provincial Parliament
 - d. The local municipalities
 - e. The Building Industry and Land Development Association (BILD) – York Chapter

2. Summary

This report is to update Council on some of the funding implications of the Yonge North Subway Extension (YNSE) project, describe key financial pressures and outline the major financial implications for the Region.

Key Points:

- There have been several YNSE developments since the 2020 signing of the [“Ontario-York Region Transit Partnership Preliminary Agreement”](#) (“Preliminary Agreement”) with many details still to be negotiated
- The Region’s share of the project is expected to be funded using development charges and property taxes
- The Region’s contribution to the YNSE would need to be managed carefully to avoid impairing Council’s commitment to the Region’s fiscal strategy and the Region’s long-term sustainability
- York Region Rapid Transit Board has recommended to Council the establishment of a 1 per cent annual tax levy surcharge commencing in 2022 for the next three years to help fund rapid transit priorities aligned with the Region's growth plan

- The Board also recommended that Council direct Regional staff to report back as part of the 2023 Budget deliberations process regarding the continuance of the annual surcharge based on the finalization of the financial framework with the Province of Ontario

3. Background

The YNSE is a major financial commitment for the Region but many project details are still to be determined

Based on currently available information, it is estimated that the YNSE will have a construction cost of approximately \$5.6 billion of which the Region's share will be \$1.12 billion to be funded from development charges and the tax levy. The \$5.6 billion cost estimate was first released as part of the 2019 Ontario Budget and the [Preliminary Agreement](#) confirmed that the Region is expected to contribute its pro rata share of the municipal contribution. The \$5.6 billion estimate includes stations at Steeles, Clark, Bridge and High Tech but does not include any additional neighbourhood stations, such as Royal Orchard.

The \$1.12 billion contribution is a significant Regional undertaking and, as a point of reference, it represents about one-third of Transportation Services' 2021 10-year capital plan. As the YNSE moves towards procurement, project details about the Region's share of construction cost and the timing of these payments will become clearer.

The Preliminary Agreement with the Province was executed in May 2020

On May 28, 2020, Regional Council authorized the execution of the [Preliminary Agreement](#) with the Province to work towards delivering the YNSE. While the formal contribution agreement has yet to be negotiated, staff are working with the province towards a Contribution Agreement.

The Royal Orchard Station could add \$400 million or more to the project's cost

In June 2021, the [City of Markham](#) and the [City of Vaughan](#) advocated for the inclusion of additional neighbourhood stations located within York Region. The addition of Royal Orchard Station would be considered a scope addition that could add \$400 million or more to the project cost. This cost estimate can be found in the [Yonge North Subway Extension Initial Business Case](#) that was released in March 2021 by Metrolinx. As part of the funding agreement, the Region may be asked to fund some or all the additional cost.

Staff will report back to Council as additional developments are known.

The Province has announced two Transit Oriented Communities at Bridge and High-Tech Stations

The Transit Oriented Community Program (TOC), as led by the Province pursuant to [legislation enacted in 2020](#), is currently underway at Bridge and High-Tech stations. The TOCs should align with municipal plans and vision to the greatest extent possible. Development of the financial framework to support the TOC's is also underway and the potential impact to the Region and local municipalities is still unclear.

A Preliminary Design Business Case is expected in summer of 2022

Metrolinx is expected to release the Preliminary Design Business Case for the YNSE in summer of 2022. The Preliminary Design Business Case would provide updates on the additional planning and design work that have taken place since the release of the Initial Business Case in 2021. In addition, construction of the YNSE is currently in the pre-procurement phase and is expected to move towards contract award in the summer of 2023.

The YNSE project will be included as part of the Region's 2022 Budget and its 2022 Development Charges Bylaw

A \$1.12 billion contribution towards the YNSE project will be included as part of the 2022 Budget. This will allow staff to better integrate the impact of the YNSE with the Region's other capital priorities.

The work to update the Region's Development Charges Bylaw ("Bylaw") continues, working towards tabling in February 2022 with Council consideration of passage in May 2022. Once approved, the Bylaw, including the new rates, would come into effect on June 17, 2022.

Proposed amendments to the *Development Charges Act, 1997*, if passed, will be incorporated in the Bylaw

On October 7, 2021, the Province introduced changes to the *Development Charges Act, 1997* ("Act") through the tabling of Bill 13, *Supporting People and Businesses Act, 2021* ("Bill 13"). Bill 13 is an omnibus bill intended to support post-pandemic recovery. The proposed amendments include Council's previous request to treat the YNSE as a discrete service, extending the planning horizon from 10 to 20 years, with a forward-looking planned level of service. Staff have previously informed Committee of the Whole of these proposed changes through an October [memorandum](#) of the Acting Commissioner of Finance.

The proposed amendments to the Act will help to accelerate the recovery of the YNSE costs through development charges and would, if passed, inform the Bylaw.

However, Bill 13 did not address Council's request to repeal the freezing provision from the Act or exempt the YNSE from it. While the removal of the freezing provisions would further speed up cost recovery for the development charges funded share of the YNSE, staff assumed the freezing provisions would remain in place when modeling the forecasted impact on the inclusion of the YNSE on the Region's financial sustainability.

The York Region Rapid Transit Corporation Board has recommended the establishment of a 1% annual tax levy surcharge

On September 23, 2021, the YRRTC Board recommended to Council that the Region “establish a 1% annual tax levy surcharge commencing in 2022 for the next three years to help fund Regional rapid transit priorities aligned with the Region’s growth plan”. Council received the correspondence from YRRTC’s and referred it to staff. As a result, the tax levy surcharge has been incorporated into the 2022 Budget deliberations.

The Board also recommended that Council direct Regional staff to report back as part of the 2023 Budget deliberations process regarding the continuance of the annual surcharge based on the finalization of the financial framework for the YNSE with the Province of Ontario.

4. Analysis

The Region’s share of the YNSE will need to be funded through development charges and property taxes

With its currently available funding sources, the Region needs to plan for the possibility that funding for the YNSE is only sourced from development charges and property taxes.

Development charges can only be used to fund the growth-related component of the subway costs. The *Act* requires that any benefits afforded to existing population and employment must be deducted from the development charge rate calculation. This requirement is consistent with the growth paying for growth principle.

The portion of YNSE costs that is eligible for development charge recovery will be determined through the Bylaw update process, which is under way. This methodology considers population, employment, the capacity of the subway, and ridership growth forecasted by the Regional Travel Demand Forecasting model. This model is a key input to the Region’s Transportation Master Plan, which supports the need for the YNSE.

All remaining costs would need to be funded through property taxes.

Funding the Region’s contribution to the YNSE will need to be carefully managed

The Region would need to fund the YNSE with development charges and property taxes. The development charge funded portion of the project would likely be debt-financed, where the debt repayments would be repaid from future development charges.

The YNSE is expected to require a substantial amount of external debt financing. A higher level of outstanding debt heightens the risk that future development charges collections may be insufficient to cover the cost of servicing the DC-funded debt. A shortfall in development charges collections could mean that Council may have to consider the deferral of other growth-related projects that are in the capital plan.

Without any other capital deferrals, the Region’s \$1.12 billion contribution to the YNSE could bring its net debt outstanding to over \$3.4 billion by 2028. This will likely adversely impact the

Region's credit rating with both Moody's and S&P Global, which may increase the cost of debt and present a challenge to the principle that debt be kept at manageable levels.

The inclusion of Royal Orchard Station may lead to an even higher level of outstanding debt, unless significant deferrals of some projects within the capital plan are made, or another funding or revenue source can be secured.

The timing of contributions needed for YNSE will impact the ability to fund from reserves alone

Based on a targeted opening date in 2030, it has been assumed that the cash flow requirements for the YNSE will be spread out between 2022-2030, and that funding will be contributed on a "pay-as-you-go" basis. However, the timing of those cash flows would have a major impact on the Region's reserve management strategy. If more money is required earlier than currently estimated, such as in the case of milestone payments, then tax levy supported debt issuance or temporary borrowing from other reserves may be needed.

Using existing reserves alone to fund the YNSE would impact the Region's long-term fiscal sustainability

Depending on the final DC-tax-levy split, the tax levy portion of the YNSE could be up to \$450 million of the expected total contribution of \$1.12 billion.

Funding the entire tax levy requirement of the YNSE from currently planned reserves would impact the Region's long-term fiscal sustainability. Strong reserve balances are an indication of liquidity and financial flexibility and is viewed as an important credit strength by the Region's rating agencies.

Successive Councils have approved growing the Region's reserves for specific purposes including funding actuarial liabilities. To redirect those funds towards the YNSE would leave gaps in the Region's ability to fund other Council priorities that are already in the budget - such as funding for roads, YRP infrastructure and social housing. Redirecting existing reserves to fund the YNSE would likely lead to the deferral of some of these projects.

Fiscal sustainability also means setting money aside for the rehabilitation and replacement of the Region's assets. The Region has \$7.7 billion dollars of assets that are currently supported by the tax levy¹ and is forecasted to add another \$2.7 billion² more over the next 10 years. The current balance in the asset management reserves of \$1.3 billion³, plus planned contributions, is required to replace and/or rehabilitate those assets as they reach the end of useful life.

¹ Based on figures from York Region 2019 State of Infrastructure Report

² Based on 2021 Approved Budget

³ Expected balance at the end of 2021

A dedicated Rapid Transit Infrastructure Levy will be tabled for consideration in the 2022 budget

To help fund the tax levy capital requirements of the YNSE, Council could consider a tax levy surcharge dedicated to the YNSE. The inclusion of this surcharge will be presented to Council as part of the 2022 Budget deliberations.

An incremental 1% Rapid Transit Infrastructure Levy would translate to approximately \$12 million per year which would be built into the tax base in the subsequent years. At least three years of a 1% increase would be needed to fund the minimum the tax levy requirements of the expected YNSE costs. The additional cost of the Royal Orchard station may require the duration of the tax increase to extend beyond three years.

The impact of a 1% tax levy surcharge in 2022 on an average household in the Region would generate approximately \$12 million, or an additional \$26 on the average residential property tax bill.

Many municipalities have implemented an infrastructure levy to meet their capital needs, including Toronto, Ottawa and many of the local municipalities in York Region. Although the Province allows municipalities to create area-specific tax levies, those municipalities which implemented additional levies as a general levy applied it to the entire tax base.

In the event of further unforeseen costs, additional funding may be necessary

As part of previous budgets, Council has set aside funds for ‘future infrastructure’ – specifically \$14.1 million in 2020 and \$17.4 million in 2021. While these amounts would be insufficient to fund the YNSE on their own, they could be available to help offset unforeseen costs related to the subway, if it goes beyond the currently committed \$1.12 billion.

The Region’s contribution towards the operating and maintenance cost of the YNSE is still to be determined

The City of Toronto/Toronto Transit Commission will be responsible for the day-to-day operations of the YNSE; however, it is expected that the Region will be asked to contribute to a share of its operating cost. Responsibility for day-to-day operations of bus terminals and the associated costs of bus terminals and other assets constructed in York Region continues to be developed.

The [Preliminary Agreement](#) states that the Province, in partnership with the Region, intends to develop an operating funding agreement for the YNSE that will specify the ongoing operating contribution required from the Region.

This may increase the annual cost of providing transit in York Region.

YNSE-related costs incurred by YRRTC and the Region will also have to be considered

In addition, there may be costs incurred by York Region Rapid Transit Corporation such as legal or administrative costs; to represent the Region's interests in the YNSE. Funding for these costs will need to be determined through negotiations with Metrolinx.

The Rapid Transit Infrastructure Levy could be used for other purposes once the construction of the YNSE is completed

Once the construction of the YNSE is complete, the proceeds from the Rapid Transit Capital Levy could be repurposed towards future Council priorities which may include the funding of any potential Regional operating contributions to the YNSE, or towards the completion of the Region's Bus Rapid Transit network.

5. Financial

A 1% dedicated Rapid Transit Infrastructure Levy starting in 2022 would generate approximately \$12.2 million of tax revenue a year.

Through the Bylaw update, staff are conducting the technical work to determine the specific DC rate impact.

6. Local Impact

The YNSE is a major priority project for the Region and its local municipalities. Any fiscal pressures that may result from the timing delivery, maintenance and enhancement of this infrastructure must be monitored and managed.

7. Conclusion

This report provides an update on the status of the YNSE and the funding and financing implications for the Region.

For more information on this report, please contact Edward Hankins, Director, Treasury Office and Deputy Treasurer at 1-877-464-9675 ext. 71644. Accessible formats or communication supports are available upon request.



Recommended by:

Jason Li, CPA, CA

Acting Commissioner of Finance and Regional Treasurer



Approved for Submission:

Bruce Macgregor

Chief Administrative Officer

October 29, 2021

eDOCS# 13170021



December 8, 2021

The Honourable Doug Ford
Premier of Ontario
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

Sent via email to: premier@ontario.ca

Dear Premier:

Re: Correspondence received from the Region of Durham regarding Bus Stop Dead End Roads

At the last regular General Purpose and Administration Committee meeting of the Council of the Township of Scugog held December 6, 2021, Council received and endorsed correspondence from the Region of Durham dated November 24, 2021 with respect to Bus Stop Dead End Roads. Attached please find a copy of the Region of Durham's correspondence dated November 24, 2021.

Please be advised that Committee approved the following recommendation:

"THAT correspondence received from the Region of Durham regarding Bus Stop Dead End Roads, be endorsed."

Please note that all recommendations made by the Committee are subject to ratification at the next Council meeting of the Township of Scugog, scheduled to take place on December 20, 2021.

Should you have any concerns, please do not hesitate to contact Carol Coleman, Director of Public Works and Infrastructure at 905-985-7346 ext. 149.

Yours truly,

A handwritten signature in black ink that reads "Becky Jamieson".

Becky Jamieson
Director of Corporate Services/Municipal Clerk

Attachments: News Story Overview Safer Ontario Busing for Dead End Road Kids
Municipal Support Letters in response to Township of Scugog Dead-End
Road Resolution
Region of Durham's correspondence dated November 24, 2021

cc: Carol Coleman, Director of Public Works and Infrastructure
Ralph Walton, Regional Clerk/Director of Legislative Services, Region of Durham
The Honourable Stephen Lecce, Minister of Education
The Honourable Caroline Mulroney, Minister of Transportation
Nadiya Viyiv, Durham Student Transportation Services
Durham Catholic District School Board
Durham District School Board
Kawartha Pine Ridge District School Board
Peterborough, Victoria, Northumberland and Clarington Catholic District School
Board
Conseil Scolaire Catholique MonAvenir
Conseil Scolaire Viamonde
Rod Phillips, MPP Ajax
Lindsey Park, MPP Durham
Laurie Scott, MPP Haliburton/Kawartha Lakes/Brock
David Piccini, MPP Northumberland/Peterborough South
Jennifer French, MPP Oshawa
Peter Bethlenfalvy, MPP Pickering/Uxbridge
Lorne Coe, MPP Whitby
All Ontario Municipalities
Rural Ontario Municipal Association (ROMA)
Ontario Good Roads Association (OGRA)
Association of Municipalities of Ontario (AMO)
S. Siopis, Durham Region, Commissioner of Works



November 24, 2021

The Honourable Doug Ford
 Premier of Ontario
 Room 281
 Legislative Building, Queen's Park
 Toronto, ON M7A 1A1

Dear Premier Ford:

RE: Bus Stop Dead End Roads, Our File: T02

Council of the Region of Durham, at its meeting held on November 24, 2021, adopted the following resolution:

“Whereas Dead-End Road delegations have been received from parents in attached correspondence, website www.durhamdeadendroadkids.ca and video www.youtube.com/watch?v=_pCVNLsUKk&t=18s noting approximately 386 Durham Region kids and families remain in crisis walking kilometres daily to wait on highspeed roadway shoulders with winter dark coming;

And whereas the Ontario Ministry of Transportation has responded and now amended their Policy to allow and provide guidelines for reversing a school bus on a dead end road <https://www.ontario.ca/document/official-ministry-transportation-mto-bus-handbook/special-safety-precautions-school-bus-drivers> which is in keeping with the previous historic practice of using smaller buses, doing 3-point turns and using a spotter in rural areas;

And whereas to date 10 municipalities across Ontario have passed a resolution endorsing Scugog's bus stops on dead end roads Resolutions CR-2021-086 (April 26, 2021) and CR-2021-175 (June 28, 2021), given family safety challenges exist on dead-end roads throughout the province;

And whereas Report PWIS-2021-022, Williams Point Road and Beacock Road School Bus Turnarounds, be received noting municipal cost for construction of school bus turnarounds is prohibitive with 178 dead end roads now not accessed by Durham District School Board alone not including hundreds of roads around province, and any funds invested in turnarounds would not be consistent with asset management priorities promoted by the Province of Ontario;

The Regional
 Municipality
 of Durham

Corporate Services
 Department
 Legislative Services

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durham.ca

Don Beaton, BCom, M.P.A.
 Commissioner of Corporate
 Services

And whereas to date Durham Student Transportation Services have not re-considered the previous motions or adjusted their policies, citing Ontario Ministry of Transportation policy changes are “guidelines” only, <https://www.durhamregion.com/news-story/10445254-mto-tweaks-unlikely-to-reverse-scugog-route-changes-dsts/> are not “direction to school boards” <https://www.durhamregion.com/news-story/10445254-mto-tweaks-unlikely-to-reverse-scugog-route-changes-dsts/> , maintaining far-distanced highspeed roadside common stops are safer;

Now therefore be it resolved:

That Council request the Ministry of Education and the Province of Ontario to amend policies requiring Student Transportation Services and School Boards around the Province work with parents to facilitate the use of smaller buses, spotters, and 3-point turns or backing up where necessary, to provide safer service to dead-end and private road children and prevent the need for additional turnarounds to be constructed on municipal roads; and

That a copy of this motion and the staff report from the Township of Scugog be forwarded to Premier Doug Ford, Honorable Stephen Lecce (Minister of Education), Honorable Caroline Mulroney (Minister of Transport), Durham Student Transportation Services, all school boards serving Durham Region, Haliburton-Kawartha Lakes-Brock MPP Laurie Scott, all Durham MPPs, all Ontario Municipalities, Rural Ontario Municipal Association (ROMA), Ontario Good Roads Association (OGRA), and Association of Municipalities of Ontario (AMO).”

Please find enclosed a copy of Report #PWIS-2021-022, from the Township of Scugog, for your information.

Ralph Walton

Ralph Walton,
Regional Clerk/Director of Legislative Services

RW/ks

Attachment

c: The Honourable Stephen Lecce, Minister of Education
The Honourable Caroline Mulroney, Minister of Transport
Nadiya Viyiv, Durham Student Transportation Services

Durham Catholic District School Board
Durham District School Board
Kawartha Pine Ridge District School Board
Peterborough, Victoria, Northumberland and Clarington Catholic
District School Board
Conseil Scolaire Catholique MonAvenir
Conseil Scolaire Viamonde
Rod Phillips, MPP (Ajax)
Lindsey Park, MPP (Durham)
Laurie Scott, MPP (Haliburton/Kawartha Lakes/Brock)
David Piccini, MPP (Northumberland/Peterborough South)
Jennifer French, MPP (Oshawa)
Peter Bethlenfalvy, MPP (Pickering/Uxbridge)
Lorne Coe, MPP (Whitby)
All Ontario Municipalities
Rural Ontario Municipal Association (ROMA)
Ontario Good Roads Association (OGRA)
Association of Municipalities of Ontario (AMO)
S. Siopis, Commissioner of Works



DURHAM DEADEND ROAD KIDS:

Will YOU Help Parents give Safer Dead End Road Bus Stops, Keeping Kids Off Highways?

- Durham District School Board (DDSB) says "[DSTS Transportation Policy governs all transportation for the Board.](#)"
- But Durham Student Transportation Service (DSTS) policy says "[A Governance Committee comprised of Trustee and Senior Administration representatives from each Board oversee the activities of the DSTS consortium.](#)"
- Chair of Governance Committee (Scugog Trustee) emailed, "can't change decisions made by DSTS CAO".
- Then DDSB advised they're enacting Ministry of Transportation Policies.
- But when **MTO changed policy to allow buses to back up/do 3 point turns on dead end roads**, DSTS CAO says, these are "guidelines" and "not direction to school boards".
- So parents like Grandfather of 4-Year-Old whose bus stop moved from dead end road to intersection of 80km highway get DSTS letter stating, "[As noted in the DSTS Transportation Policy, the decision of the Governance Committee is final and not subject to further consideration... no further action will be taken on this matter...](#)"
- Scugog Ward 4 Councillor Deborah Kiezebrink & Regional Councillor Wilma Wotten agree, "[It's buck passing... We've been going around in circles.](#)"
- Scugog Mayor Bobbie Drew: "[I'm very disappointed because \(DSTS\) is putting kids in a dangerous situation... the stops they want the kids to go to are not safe](#)".
 - Durham Dead End Road Kids' Website: <https://durhamdeadendroadkids.ca/>
 - Families Tell Story in Video: <https://www.youtube.com/watch?v=pCVNLsUKk>

Ontario Municipalities Endorsing Scugog's Motion: <https://durhamdeadendroadkids.ca/municipal-endorsements>

- | | |
|---|---|
| 1. Township of Addington Highlands | 2. Township of Armour |
| 3. Township of Brock | 4. Municipality of Calvin |
| 5. Township of Casey | 6. Municipality of Dutton Dunwich |
| 7. Township of Harley | 8. Township of Kerns |
| 9. Loyalist Township | 10. Municipality of Southwest-Middlesex |
| 11. Uxbridge also advocating on matter. | |

WEBSITE LINKS TO NEWS STORIES:

'Ticking time-bomb': Dead-End road bus policy sparks safety concerns Sept. 8/21

<https://www.therecord.com/local-oshawa/news/2021/09/08/ticking-time-bomb-dead-end-road-bus-policy-sparks-safety-concerns.html>

MTO tweaks unlikely to reverse Scugog route changes: DSTS Aug 5/21

<https://www.durhamregion.com/news-story/10445254-mto-tweaks-unlikely-to-reverse-scugog-route-changes-dsts/>

No bus stops on Dead-End roads a matter of safety: DSTS. New guidelines from MTO won't change affected stops July 27/21

https://www.thestar.com/local-oshawa/news/2021/07/27/no-bus-stops-on-dead-end-roads-a-matter-of-safety-dsts.html?itm_source=parsely-api
<https://www.durhamregion.com/news-story/10442560-no-bus-stops-on-dead-end-roads-a-matter-of-safety-dsts/>

Child hit by car at new bus stop bottom of hill still in hospital: "Shea has now spent two hundred twelve days in the hospital...She has overcome many broken bones and is recovering from serious neuro-trauma (brain) injuries." Jul 3/21

https://www.gofundme.com/f/support-the-kerin-family?fbclid=IwAR0gBO1KqpyjGYh8UG73Sz37m_UOPUo1-cleHb8xzdyYGevMFXdgufYgHmA

"This could easily come back and bite us here in Brock": Brock councillors call for change to school bus transportation policy May 20/21

<https://www.toronto.com/news-story/10392322--this-could-easily-come-back-and-bite-us-here-in-brock/>

"This is unacceptable situation": Scugog calls for bus policy change May 13/21

<https://www.niagarafallsreview.ca/local-port-perry/news/2021/05/13/this-is-an-unacceptable-situation-scugog-calls-for-bus-policy-change.html>

Scugog wants help with championing Dead End road kids May 6/21

<https://www.niagarafallsreview.ca/local-port-perry/news/2021/05/13/this-is-an-unacceptable-situation-scugog-calls-for-bus-policy-change.html>

Horrific Collision Kills 12-Year-Old Child – His 10-Year-Old Sister Airlifted to Toronto Hospital (bus stop moved from side street to main road base of hill) Dec 2/20

<https://todaysnorthumberland.ca/2020/12/02/horrific-collision-kills-12-year-old-child-his-10-year-old-sister-airlifted-to-toronto-hospital/>

Twenty years after Adam Ranger’s death, family still fighting dangerous drivers: 5-year-old Adam Ranger was killed by a truck that ignored a school bus’ flashing lights Feb 11/20

<https://www.cbc.ca/news/canada/sudbury/adam-ranger-reflections-1.5458486>

“The worst nightmare of your life”: 20 years later Ranger’s legacy lives on Feb 11/20

<https://northernontario.ctvnews.ca/the-worst-nightmare-of-your-life-20-years-later-adam-ranger-s-legacy-lives-on-1.4807473?cache=yes%3FclipId%3D89926>

Canadian School Board (DSTS) Refuses to Move A Bus Stop 160 Feet To Accommodate A Disabled Student Jan 30/20

<https://www.inquisitr.com/5864228/canada-school-bus-stop-disabled-boy/>

School Board (DSTS) Refuses to move bus stop 50 metres to accommodate double amputee student Jan 29/20

<https://toronto.ctvnews.ca/school-board-refuses-to-move-bus-stop-50-metres-to-accommodate-double-amputee-student-1.4789657>

Video: transport blows by stopped school bus on Highway 11 Dec 20/19

<https://www.baytoday.ca/local-news/video-transport-blows-by-stopped-school-bus-on-highway-11-1976725>

Parents seek solution to dangerous Lake of Bays school bus stop: Parent tells council his daughter has had “10 opportunities to be killed” in past year getting off bus on Highway 60 (bus stop moved from Dead End road) Dec 19/19

<https://www.muskokaregion.com/news-story/9780804-parents-seek-solution-to-dangerous-lake-of-bays-school-bus-stop/>

Concerned Peterborough County mom happy “dangerous’ bus stop moved (back to Dead End road from highway) May 11, 2019

<https://www.thepeterboroughexaminer.com/news/peterborough-region/2019/12/01/concerned-peterborough-county-mom-happy-dangerous-bus-stop-moved.html>

Tractor trailer driver charged with careless driving following accident involving school bus (At least 25 children were inside bus when hit on highway, 22 Caesarea children still on highway) Sep 19/18

<https://thereview.ca/2018/09/19/all-children-reported-to-be-safe-following-accident-involving-school-bus/>

It’s official: BC bus stop “wins” award for being worst in North America (dangerous bus stop conditions same for Durham children) Sep 14/18

<https://dailyhive.com/vancouver/vancouver-bus-stop-worst-north-america-2018>

EXCLUSIVE: Durham Region mother pulls daughter out of school to fight “unsafe” bus stop location (moved from Dead End road) Mar 16/18

<https://globalnews.ca/news/4088287/exclusive-durham-region-mother-pulls-daughter-out-of-school-to-fight-unsafe-bus-stop-location/>

Appeal to Durham Transportation in Focus Magazine: Mother Viktoria begs DSTS to pick up kids as bus drives by house instead of 40-minute walk 4 times a day Jan Issue/ 17

<https://durhamdeadendroadkids.ca/dsts-letters-to-parents>

Parents maintain Kawartha Lakes school bus stop is unsafe: Video shot by father shows one vehicle almost not stop for school bus picking up his children on Little Britain Road Jan 19/16

<https://www.youtube.com/watch?v=egjgMMgGntk>

Parents make Video to show Trillium Lakelands District School Board new dangerous bus stop on S-Bend Highway where daughter nearly hit by car: police report filed Jan 8/16

<https://www.toronto.com/news-story/6238564-parents-maintain-kawartha-lakes-school-bus-stop-is-unsafe/>

Mother wins fight to move school bus stop closer to home: Halton District School Board settles case that landed at Ontario Human Rights Tribunal Oct 19/13

<https://www.cbc.ca/news/canada/toronto/mother-wins-fight-to-move-school-bus-stop-closer-to-home-1.2127015>

Young (Huntsville) family faces dangerous walk to bus stop (moved from private road) Oct 2/13

<https://www.toronto.com/news-story/4135525-young-family-faces-dangerous-walk-to-bus-stop/>

For More Information Contact:

Councillor Deborah Kiezebrink (Scugog Ward 4) dkiezebrink@scugog.ca OR Regional Councillor Wilma Wotten wwotten@scugog.ca

Letters of Support to the Township of Scugog's Dead-End Road Resolution

1. [Township of Addington Highlands](#)
2. [Township of Armour](#)
3. [Township of Brock](#)
4. [Municipality of Calvin](#)
5. [Township of Casey](#)
6. [Municipality of Dutton Dunwich](#)
7. [Township of Harley](#)
8. [Township of Kerns](#)
9. [Loyalist Township](#)
10. [Municipality of Southwest-Middlesex](#)
11. [Township of Uxbridge](#) has also advocated on this matter.



Township of Addington Highlands

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May 10, 2021

The Township of Scugog 181
Perry St.
P.O. Box 780
Port Perry, ON L9L 1A7
e-mailed to: kcox@scugog.ca

Re: Bus Stops on Dead End Roads

To Whom It May Concern,

Please be advised that at their May 4th, 2021 meeting, the Council of the Corporation of the Township of Addington Highlands resolved to endorse your municipality's resolution requesting that changes be made to current policies and practices related to bus stops on dead end roads.

I trust you will find this letter of support satisfactory.

Sincerely,

Christine Reed

Christine Reed
CAO/Clerk-Treasurer

cc. The Honourable Doug Ford, Premier – premier@ontario.ca
The Honourable Stephen Lecce, Minister of Education – minister.edu@ontario.ca
The Honourable Caroline Mulroney, Minister of Transportation – minister.mto@ontario.ca
Daryl Kramp, MPP Hastings-Lennox and Addington – daryl.kramp@pc.ola.org

**DISTRICT OF PARRY SOUND**

56 ONTARIO STREET
PO BOX 533
BURK'S FALLS, ON
POA 1C0

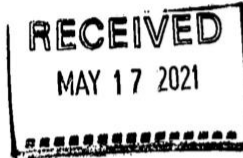
(705) 382-3332

(705) 382-2954

Fax: (705) 382-2068

Email: info@armourtownship.ca

Website: www.armourtownship.ca



May 12, 2021

Township of Scugog

181 Perry Street
PO Box 780
Port Perry, ON
L9L 1A7

Re: Support Resolution

At its meeting held on May 11, 2021, the Township of Armour passed Resolution #11 approving the request from the Township of Scugog.

A copy of Council's Resolution #11 dated May 11, 2021 is attached for your consideration.

Sincerely,

Danika Hammond
Administrative Assistant
(Enclosed)



CORPORATION OF THE TOWNSHIP OF ARMOUR

RESOLUTION

Date: May 11, 2021

Motion # 11

That the Council of the Township of Armour supports the Township of Scugog in requesting that the Province make dead end roads safer for students being bused by legislating the following:

- Exceptions to allow 3-point turns or backing up where necessary, to provide safer service to dead-end and private road kids, that policies be amended to reflect when not possible;
- Exceptions to allow indemnification agreements to access private land for bus turnarounds to keep bus stops safer and closer to prescribed 800m distance when not possible;
- "Bus Stop Ahead" warning signage be required to notify oncoming traffic, prior to Student Transportation Services moving a common stop to a main roadway;
- That Student Transportation Services be comprised of solutions like mini-buses, vans, taxis, or public transit, worked into funding formula which does not negatively impact Student Transportation Services funding statistics;
- That Kid "Key Performance Indicator" be included for Ministry "Effectiveness & Efficiency Follow Up Reviews", establishing benchmarks for responsive-problem-solving for kids & parents' busing concerns, and this be a Student Transportation Services factor to receive funding;
- That the Province provide a "Parent Portal" for ongoing busing feedback of their Student Transportation Services, so families and kids can review/provide comments, especially during Ministry Student Transportation Services reviews and revisions to funding; and
- That the Province have GPS tracking software to notify parents when children are picked up/dropped off.

Moved by:	Blakelock, Rod	<input type="checkbox"/>	Seconded by:	Blakelock, Rod	<input checked="" type="checkbox"/>
	Brandt, Jerry	<input checked="" type="checkbox"/>		Brandt, Jerry	<input type="checkbox"/>
	MacPhail, Bob	<input type="checkbox"/>		MacPhail, Bob	<input type="checkbox"/>
	Ward, Rod	<input type="checkbox"/>		Ward, Rod	<input type="checkbox"/>
	Whitwell, Wendy	<input type="checkbox"/>		Whitwell, Wendy	<input type="checkbox"/>

Carried
 Defeated

[Signature]

Declaration of Pecuniary Interest by: _____

Recorded vote requested by: _____

<u>Recorded Vote:</u>	For	Opposed
Blakelock, Rod	<input type="checkbox"/>	<input type="checkbox"/>
Brandt, Jerry	<input type="checkbox"/>	<input type="checkbox"/>
MacPhail, Bob	<input type="checkbox"/>	<input type="checkbox"/>
Ward, Rod	<input type="checkbox"/>	<input type="checkbox"/>
Whitwell, Wendy	<input type="checkbox"/>	<input type="checkbox"/>



The Corporation of
The Township of Brock
1 Cameron St. E., P.O. Box 10
Cannington, ON L0E 1E0
705-432-2355

[BACK TO TOP](#)

May 19, 2021

Premier Doug Ford
Queen's Park,
Toronto, ON M7A
1A1

Sent via email: doug.fordco@pc.ola.org

Dear Honourable Sir:

Re: Durham Dead-End Road Kids

Please be advised that the Committee of the Whole of the Township of Brock received a delegation at their meeting held on May 10, 2021 and adopted the following resolution:

Resolution Number 05-6

MOVED by Lynn Campbell

That Dead-End Road delegations be received from parents, video, site www.durhamdeadendroadkids.ca and attached correspondence and;

Whereas Dead-End Road Kids (cul-de-sacs, private roads) busing is being moved from longtime residential pick ups; percentages of 830,000 Ontario bused students impacted as Student Transportation Services (STS) citing buses shouldn't access private roads, do 3point turns, or back ups; kids are expected to walk 1-2 km twice daily (caregivers 4x) in the morning dark or narrow road shoulders, and with no "bus stop ahead" warning signage;

Whereas parents report employment/housing is at risk as they must leave work to drop off/pick up children to avoid safety hazards of kids walking on highways unsupervised; secondary school youth reporting education at risk as missing class/affecting grades; children with disabilities are not helped (eg. double amputee who needs bus stop moved 160 ft and parents were told it's their "responsibility to get kids to bus safely");

Whereas parents are being told busing policy is schoolboard's, but schoolboard say its STS, who say it is the Governance Committee of Ministry of Transportation, but Ministry of Education say it's "transportation consortia who administer the policy"; and trustee, governance say cannot change policies, so parents appealing to police, press and Councils

with respect to the dangers; and that an oncoming car killed 12 year old Cormac and injured his sister while waiting at a newly relocated bus stop at the base of a hill, and;

Whereas STS have advised road improvements are the responsibility of municipalities, yet municipalities do not own the needed land, nor have millions of dollars to create 77m bus turnarounds, and;

Whereas Ontario Transportation Funding is \$1 billion: Jan 27/20 Ministry said they'd improve student transportation, review funding formula; and given STS gets their funding by scoring well in reviews, and given Ministry establishing "Student Transportation Advisory Group" to hear STS sector expertise experience, and ideas;

Now Therefore Be it Resolved that the Corporation of the Township of Brock requests;

1. Exceptions to allow 3-point turns or backing up where necessary, to provide safer service to dead-end and private road kids, that policies be amended to reflect; and when not possible,
2. Exceptions to allow indemnification agreements to access private land for bus turnarounds to keep bus stops safer and closer to prescribed 800m distance; and when not possible,
3. "Bus Stop Ahead" warning signage be required to notify oncoming traffic, prior to STS moving common stops to main roadway and,
4. STS be comprised of solutions like mini-buses, vans, taxis or public transit worked into funding formulas so that it does not negatively impact STS funding stats; and,
5. Kid Key Performance Indicator (KPI) be included for Ministry "Effectiveness & Efficiency Follow Up Reviews", establishing benchmarks for responsive problem solving for kids & parents' busing concerns, and that this be an STS factor to receive funding; and,
6. That the Province provide a "Parent Portal" for ongoing busing feedback of their STS, so families and kids can review/provide comments, especially during Ministry STS reviews and revisions to funding; and,
7. That the Province have GPS tracking software to notify parents when children picked up/dropped off, and;

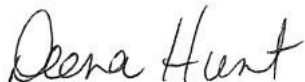
That this Motion be distributed to Premier Doug Ford; Honourable Stephen Lecce, Minister of Education; Honourable Caroline Mulroney, Minister of Transportation; Durham MPP Lindsey Park; Haliburton-Kawartha Lakes-Brock MPP Laurie Scott; all Durham MPP's; Durham Region; all Ontario Municipalities; Rural Ontario Municipal Association (ROMA); Ontario Good Roads Association (OGRA); and Association of Municipalities of Ontario (AMO)

MOTION CARRIED

Should you have any concerns please do not hesitate to contact the Clerk's Department, clerks@brock.ca.

Yours truly,

THE TOWNSHIP OF BROCK



Deena Hunt, Deputy Clerk



The Corporation of
The Township of Brock
1 Cameron St. E., P.O. Box 10
Cannington, ON L0E 1E0
705-432-2355

DH:ss

cc. The Honourable Stephen Lecce, Minister of Education, Ontario –
stephen.lecce@pc.ola.org
The Honourable Caroline Mulroney, Minister of Transportation –
caroline.mulroney@pc.ola.org
Lindsey Park, MPP, Durham – lindsey.park@pc.ola.org
The Honourable Laurie Scott, MPP, Haliburton-Kawartha Lakes-Brock -
laurie.scottco@pc.ola.org
All Durham MPP'S
Ralph Walton, Regional Clerk, Durham Region – clerks@durham.ca All
Ontario Municipalities
Rural Ontario Municipal Association – roma@roma.on.ca
Ontario Good Roads Association - thomas@ogra.org
Association of Municipalities of Ontario – amopresident@amo.on.ca

CORPORATION OF THE MUNICIPALITY OF CALVINResolutionDATE: May 25, 2021 NO. 2021-137MOVED BY Christine ShippamSECONDED BY Sandy Cross

"That Dead-End Road delegations be received from parents, video, site www.durhamdeadendroadkids.ca and attached correspondence and;

Whereas Dead-End Road Kids (cul-de-sacs, private roads) busing is being moved from long-time residential pick-ups; percentages of 830,000 Ontario bused students impacted as Student Transportation Services (STS) citing buses shouldn't access private roads, do 3-point turns, or backups; kids are expected to walk 1-2 km twice daily (caregivers 4x) in the morning dark or narrow road shoulders, and with no "bus stop ahead" warning signage;

Whereas parents report employment/housing is at risk as they must leave work to drop off/pick up children to avoid safety hazards of kids walking on highways unsupervised; secondary school youth reporting education at risk as missing class/affecting grades; children with disabilities are not helped (e.g. double amputee who needs bus stop moved 160 ft. and parents were told it's their "responsibility to get kids to bus safely");

Whereas parents are being told busing policy is schoolboard's, but schoolboard say its STS, who say it is the Governance Committee of Ministry of Transportation, but Ministry of Education say it's "transportation consortia who administer the policy"; and trustee, governance say cannot change policies, so parents appealing to police, press and Councils with respect to the dangers; and that an oncoming car killed 12 year old Cormac and injured his sister while waiting at a newly relocated bus stop at the base of a hill, and;

Whereas STS have advised road improvements are the responsibility of municipalities, yet municipalities do not own the needed land, nor have millions of dollars to create 77m bus turnarounds, and;

Whereas Ontario Transportation Funding is \$1 billion: Jan 27/20 Ministry said they'd improve student transportation, review funding formula; and given STS gets their funding by scoring well in reviews, and given Ministry establishing "Student Transportation Advisory Group" to hear STS sector expertise experience, and ideas;

Now Therefore Be it Resolved that the Corporation of the Municipality of Calvin requests;

1. Exceptions to allow 3-point turns or backing up where necessary, to provide safer service to dead-end and private road kids, that policies be amended to reflect; and when not possible,
2. Exceptions to allow indemnification agreements to access private land for bus turnarounds to keep bus stops safer and closer to prescribed 800m distance; and when not possible,

3. "Bus Stop Ahead" warning signage be required to notify oncoming traffic, prior to STS moving common stops to main roadway and,
4. STS be comprised of solutions like mini-buses, vans, taxis or public transit worked into funding formulas so that it does not negatively impact STS funding stats; and,
5. Kid Key Performance Indicator (KPI) be included for Ministry "Effectiveness & Efficiency Follow Up Reviews", establishing benchmarks for responsive problem solving for kids & parents' busing concerns, and that this be an STS factor to receive funding; and,
6. That the Province provide a "Parent Portal" for ongoing busing feedback of their STS, so families and kids can review/provide comments, especially during Ministry STS reviews and revisions to funding; and,
7. That the Province have GPS tracking software to notify parents when children picked up/dropped off, and;

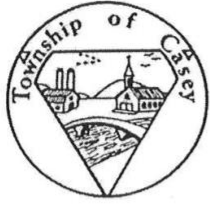
That this Motion be distributed to Premier Doug Ford; Honourable Stephen Lecce, Minister of Education; Honourable Caroline Mulroney, Minister of Transportation; Honourable Vic Fedeli, MPP; Honourable Anthony Rota, MP; all Ontario Municipalities; Rural Ontario Municipal Association (ROMA); Ontario Good Roads Association (OGRA); and Association of Municipalities of Ontario (AMO).



CARRIED _____

DIVISION VOTE

<u>NAME OF MEMBER OF COUNCIL</u>	<u>YEA</u>	<u>NAY</u>
Coun Cross	<u> X </u>	<u> </u>
Coun Maxwell	<u> X </u>	<u> </u>
Coun Olmstead	<u> X </u>	<u> </u>
Coun Shippam	<u> X </u>	<u> </u>
Mayor Pennell	<u> X </u>	<u> </u>



Office of the Clerk-Treasurer
Township of Casey
 903303 Hanbury Rd
 New Liskeard ON P0J 1P0
 Tel: 705-647-5439 Fax: 705-647-6373
 Email: admin@casey.ca

May 14th, 2021

Township of Scugog
 181 Perry St., PO Box 780
 Port Perry ON
 L9L 1A7

Fax: 905-985-9914

Your correspondence dated April 28th, 2021 was received by Casey Township Council at their meeting of May 12th, 2021 and the following resolution was passed:

Resolution No. 2021-075

That we, the Council of the Township of Casey do hereby support the Township of Scugog's resolution as follows:

That exceptions to allow 3-point turns or backing up where necessary, to provide safer service to dead-end and private road kids, that policies be amended to reflect; when not possible;

That exceptions to allow indemnification agreements to access private land for bus turnarounds to keep bus stops safer and closer to prescribed 800m distance; when not possible;

That "Bus Stop Ahead" warning signage be required to notify oncoming traffic, prior to Student Transportation Services (STS) moving common stop to main roadway;

That STS be comprised of solutions like mini-buses, vans, taxis, or public transit, worked into funding formula so doesn't negatively impact STS funding stats;

That Kid KPI "Key Performance Indicator" be included for Ministry "Effectiveness & Efficiency Follow Up Reviews", establishing benchmarks for responsive-problem-solving for kids & parents' busing concerns, and this be an STS factor to receive funding;

That Province provide "Parent Portal" for ongoing busing feedback of their STS, so families and kids can review/provide comments, especially during Ministry STS reviews and revisions to funding;

That Province have GPS tracking software to notify parents when children picked up/dropped off, and

That this motion be distributed to the Township of Scugog.
"CARRIED"

Yours truly,

A handwritten signature in black ink, appearing to read "Jordan Kemp". The signature is written in a cursive style with a large, sweeping initial "J".

Jordan Kemp
Clerk-Treasurer
Township of Casey

JMK/lp



COUNCIL RESOLUTION



Res: 2021.13. 36

Wednesday, July 14, 2021

Moved by: _____ Drouillard _____

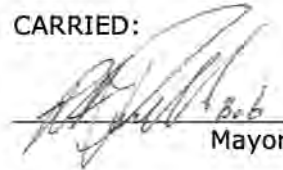
Seconded by: _____ Corneil _____

THAT the Council of the Municipality of Dutton Dunwich supports the resolution of the Township of Scugog calling on the Province of Ontario to consider policies to allow 3-point turns or backing up where necessary, to provide safer service to dead-end and private road children and prevent the need for additional turnarounds to be constructed on municipal roads; and

THAT a copy of this resolution be forwarded to Jeff Yurek, MPP, Karen Vecchio, MP and the Township of Scugog.

Recorded Vote	Yeas	Nays
P. Corneil	<u> x </u>	<u> </u>
A. Drouillard	<u> x </u>	<u> </u>
K. Loveland	<u> x </u>	<u> </u>
M. Hentz	<u> x </u>	<u> </u>
B. Purcell – Mayor	<u> x </u>	<u> </u>

CARRIED:



 Mayor

DEFEATED:

 Mayor

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CORPORATION OF THE
TOWNSHIP OF HARLEY

903303 Hanbury Rd.
New Liskeard, ON POJ 1P0
tel: 705-647-5439 fax: 705-647-6373

May 12th, 2021

Township of Scugog
181 Perry St., PO Box 780
Port Perry ON
L9L 1A7

Fax: 905-985-9914

Your correspondence dated April 28th, 2021 was received by Harley Township Council at their meeting of May 11th, 2021 and the following resolution was passed:

Resolution No. 2021-083

That we, the Council of the Township of Harley do hereby support the Township of Scugog's resolution as follows:

That exceptions to allow 3-point turns or backing up where necessary, to provide safer service to dead-end and private road kids, that policies be amended to reflect; when not possible;

That exceptions to allow indemnification agreements to access private land for bus turnarounds to keep bus stops safer and closer to prescribed 800m distance; when not possible;

That "Bus Stop Ahead" warning signage be required to notify oncoming traffic, prior to Student Transportation Services (STS) moving common stop to main roadway;

That STS be comprised of solutions like mini-buses, vans, taxis, or public transit, worked into funding formula so doesn't negatively impact STS funding stats;

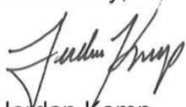
That Kid KPI "Key Performance Indicator" be included for Ministry "Effectiveness & Efficiency Follow Up Reviews", establishing benchmarks for responsive-problem-solving for kids & parents' busing concerns, and this be an STS factor to receive funding;

That Province provide "Parent Portal" for ongoing busing feedback of their STS, so families and kids can review/provide comments, especially during Ministry STS reviews and revisions to funding;

That Province have GPS tracking software to notify parents when children picked up/dropped off, and

That this motion be distributed to the Township of Scugog.
"CARRIED"

Yours truly,

A handwritten signature in black ink, appearing to read "Jordan Kemp". The signature is written in a cursive style with a large initial "J".

Jordan Kemp
Clerk-Treasurer
Township of Harley

JMK/lp



CORPORATION OF THE
TOWNSHIP OF KERNS
 R.R.#2, 903303 Hanbury Rd.
 New Liskeard, ON POJ 1P0
 tel: 705-647-5439 fax: 705-647-6373



May 5th, 2021

Township of Scugog
 181 Perry St., PO Box 780
 Port Perry ON
 L9L 1A7

Fax: 905-985-9914

Your correspondence dated April 28th, 2021 was received by Kerns Township Council at their meeting of May 4th, 2021 and the following resolution was passed:

Resolution No. 2021-075

That we, the Council of the Township of Kerns do hereby support the Township of Scugog's resolution as follows:

That exceptions to allow 3-point turns or backing up where necessary, to provide safer service to dead-end and private road kids, that policies be amended to reflect; when not possible;

That exceptions to allow indemnification agreements to access private land for bus turnarounds to keep bus stops safer and closer to prescribed 800m distance; when not possible;

That "Bus Stop Ahead" warning signage be required to notify oncoming traffic, prior to Student Transportation Services (STS) moving common stop to main roadway;

That STS be comprised of solutions like mini-buses, vans, taxis, or public transit, worked into funding formula so doesn't negatively impact STS funding stats;

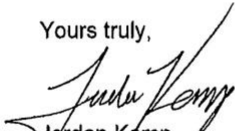
That Kid KPI "Key Performance Indicator" be included for Ministry "Effectiveness & Efficiency Follow Up Reviews", establishing benchmarks for responsive-problem-solving for kids & parents' busing concerns, and this be an STS factor to receive funding;

That Province provide "Parent Portal" for ongoing busing feedback of their STS, so families and kids can review/provide comments, especially during Ministry STS reviews and revisions to funding;

That Province have GPS tracking software to notify parents when children picked up/dropped off, and

That this motion be distributed to the Township of Scugog.
"CARRIED"

Yours truly,



Jordan Kemp
Clerk-Treasurer
Township of Kerns

JMK/lp



The Corporation of Loyalist Township
P.O. Box 70, 263 Main Street, Odessa, ON K0H 2H0
t: 613-386-7351 f: 613-386-3833 www.loyalist.ca

July 15, 2021

[BACK TO TOP](#)

Via email only

Honorable Doug Ford, Premier of Ontario
Honorable Stephen Lecce, Minister of Education
Honorable Caroline Mulroney, Minister of Transport

Re: School Bus Turnarounds

Please be advised that Council of Loyalist Township, at its meeting held on Monday, June 12, 2021 passed the following resolution:

Resolution - #2021.51.19.

“That the correspondence received from Township of Scugog re: School Bus Turnarounds”, be received and supported.

Should you have any questions, please do not hesitate to contact this office.

Regards,

Cindy

Cindy Handley
Administrative Assistant, Corporate Services
Loyalist Township
Box 70, 263 Main Street
Odessa, ON K0H 2H0 613-386-7351
Ext: 107 chandley@loyalist.ca
www.loyalist.ca

cc: Becky Jamieson, Director of Corporate Services/Municipal Clerk
Association of Municipalities of Ontario (AMO)
Derek Sloan, MP, Hastings – Lennox and Addington
Daryl Kramp, MPP, Hastings – Lennox and Addington



Municipality of Southwest Middlesex

#2021-130

Moved by Councillor McGill

Seconded by Councillor Cowell

THAT the resolution from the Township of Scugog regarding Bus Stops on Dead End Roads be supported and endorsed by the Council of Southwest Middlesex.

At the last regular Council meeting of the Township of Scugog held April 26, 2021, the above captioned matter was discussed and I wish to advise that the following resolution was passed:

That Dead-End Road delegations be received: from parents, video, site www.durhamdeadendroadkids.ca and attached correspondence and;

Whereas Dead-End Road kids (cul-de-sacs, private roads) busing being moved from long-time residential to highspeed (some 80km) common stop pickups; percentage of 830,000 Ontario bused students impacted as Student Transportation Services (STS) citing buses shouldn't access private roads, do 3-point-turns, or back up; kids expected to walk 1-2km twice daily (caregivers 4x) in morning dark, on narrow road shoulders, with no "bus stop ahead" warning signage;

Whereas Parents report employment/housing at risk. Must leave work to drop off/pick up children to avoid safety hazards of kids walking on highways unsupervised; secondary school youth reporting education at risk as missing class/affecting grades; children with disabilities not helped like double amputee who needs stop moved 160ft; parents told it's their "responsibility to get kids to bus safely";

Whereas Parents being told busing policy is schoolboard's, but they say it's STS's, who say it's Governance Committee or Ministry of Transportation, but Ministry of Education say it's "transportation consortia who administer policy"; and trustee, governance say cannot change policies, so parents appealing to police, press, & councils re dangers then; oncoming car killed 12-yr-old Cormac and injured sister while waiting at newly relocated bus stop at the base of a hill;

Whereas STS have advised road improvements are responsibility of municipalities, yet municipalities don't own needed land, nor have \$ millions to create 77m bus turnarounds, meanwhile;

Whereas Ontario Transportation Funding is \$1 billion; Jan 27/20 Ministry said they'd improve student transportation, review funding formula; and given STS gets their funding by scoring well in reviews, and given Ministry establishing "Student Transportation Advisory Group" to hear STS sector expertise, experience and ideas;

Now therefore be it resolved that the Municipality of Scugog requests:

THAT exceptions to allow 3-point turns or backing up where necessary, to provide safer service to dead-end and private road kids, that policies be amended to reflect; when not possible;

THAT exceptions to allow indemnification agreements to access private land for bus turnarounds to keep bus stops safer and closer to prescribed 800m distance; when not possible;

THAT "Bus Stop Ahead" warning signage be required to notify oncoming traffic, prior to STS moving common stop to main roadway;
THAT STS be comprised of solutions like mini-buses, vans, taxis, or public transit, worked into funding formula so doesn't negatively impact STS funding stats;
THAT Kid KPI "Key Performance Indicator" be included for Ministry "Effectiveness & Efficiency Follow Up Reviews", establishing benchmarks for responsive-problem-solving for kids & parents' busing concerns, and this be an STS factor to receive funding;
THAT Province provide "Parent Portal" for ongoing busing feedback of their STS, so families and kids can review/provide comments, especially during Ministry STS reviews and revisions to funding;
THAT Province have GPS tracking software to notify parents when children picked up/dropped off, and
THAT this motion be distributed to Premier Doug Ford, Honorable Stephen Lecce (Minister of Education), Honorable Caroline Mulroney (Minister of Transport), Durham MPP Lindsey Park, Haliburton-Kawartha Lakes-Brock MPP Laurie Scott, all Durham MPPs, Durham Region, all Ontario Municipalities, Rural Ontario Municipal Association (ROMA), Ontario Good Roads Association (OGRA), and Association of Municipalities of Ontario (AMO).

Municipality of Southwest Middlesex Resolution #2021-130

Carried


Deputy Clerk June 1, 2021



Jaclyn Grossi
Legislative Coordinator
Town of Newmarket
395 Mulock Drive
P.O. Box 328 Station Main
Newmarket, ON L3Y 4X7
Email: jgrossi@newmarket.ca
Tel: 905-953-5300 ext. 2207
Fax: 905-953-5100

December 10, 2021

Sent to: [REDACTED]

Dear Jason Grossman:

RE: Proclamation Request – January 27 - International Holocaust Remembrance Day (IHRD)

I am writing to advise that your proclamation request has been approved in accordance with the Council-approved [Proclamation, Lighting Request and Community Flag Raising Policy](#), and the Riverwalk Commons and Fred A. Lundy Bridge located on Water Street will be illuminated in yellow on January 27, 2022 to recognize International Holocaust Remembrance Day (IHRD). Please note that the lighting will occur from sunset until 11:00 PM.

Your proclamation request will be communicated on the Town's Twitter account, and on the Town's website on the Proclamation and Lighting Request page.

If you have any questions regarding the above, please feel free to contact the undersigned.

Yours sincerely,

A handwritten signature in black ink that reads "JGrossi".

Jaclyn Grossi

Legislative Coordinator



Jaclyn Grossi
Legislative Coordinator
Town of Newmarket
395 Mulock Drive
P.O. Box 328 Station Main
Newmarket, ON L3Y 4X7
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Tel: 905-953-5300 ext. 2207
Fax: 905-953-5100

December 10, 2021

Sent to: [REDACTED]

Dear Cassandra Estrade:

RE: Proclamation Request – February 11 – 211 Day

I am writing to advise that your proclamation request has been approved in accordance with the Council-approved [Proclamation, Lighting Request and Community Flag Raising Policy](#), the Riverwalk Commons and Fred A. Lundy Bridge located on Water Street will be illuminated in red on February 11, 2022 to recognize 211 Day. Please note that the lighting will occur from sunset until 11:00 PM. Your lighting request will be communicated on the Town's Twitter account, and on the Town's website on the Proclamation and Lighting Request page.

If you have any questions regarding the above, please feel free to contact the undersigned.

Yours sincerely,

A handwritten signature in black ink that reads "JGrossi".

Jaclyn Grossi

Legislative Coordinator