

Clause 9 in Report No. 17 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on November 17, 2016.

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## Sutton Prepaid Development Charge Credit Agreement Amendment

Committee of the Whole recommends adoption of the following recommendation contained in the report dated October 26, 2016 from the Commissioner of Finance:

1. The Regional Chair and the Regional Clerk be authorized to amend the Sutton Prepaid Development Charge Credit Agreement to include the lands owned by Ballymore Homes, known as Ainslie Hill 1, as indicated in Attachment 1.

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Report dated October 26, 2016 from the Commissioner of Finance now follows:

### 1. Recommendations

It is recommended that:

1. The Regional Chair and the Regional Clerk be authorized to amend the Sutton Prepaid Development Charge Credit Agreement to include the lands owned by Ballymore Homes, known as Ainslie Hill 1, as indicated in Attachment 1.

### 2. Purpose

The purpose of this report is to obtain approval to amend the Sutton Prepaid Development Charge Credit Agreement to include additional lands owned by Ballymore Homes to the Agreement, and transfer wastewater development charge credits from one parcel of land owned by Ballymore Homes to these lands.

### 3. Background and Any Previous Council Direction

A Prepaid Development Charge Credit Agreement advanced the construction of the Sutton Water Resource Recovery Facility

To proceed with the build-out of subdivisions in the Sutton Community, construction of the Sutton Water Resource Recovery Facility was required. On May 30, 2001, a Prepaid Development Charge Credit Agreement for the construction of the Sutton Water Resource Recovery Facility was executed with the Sutton Community Developer Group. The capacity created by the Sutton Water Resource Recovery Facility was assigned to the lands included in the

Agreement (see Attachment 1). Landowners who are party to the Agreement are eligible for development charge credits to be applied against the wastewater component of Regional development charges at the time of registration of their plans of subdivision.

Ballymore Homes is developing a 910 unit subdivision in the Sutton Community

Ballymore Homes is planning to develop a subdivision in Sutton (see Attachment 1). The subdivision consists of two parcels of land known as the Ainslie Hill 1 and Ainslie Hill 2 lands. The lands will be developed in two phases: phase 1 consists of 196 units and phase 2 consists of 725 units.

Town of Georgina staff have indicated that they support the phasing plan proposed by Ballymore Homes.

### 4. Analysis and Implications

Wastewater development charge credits are available only to the Ainslie Hill 2 part of the development

In accordance with Section 8 (iii) of the Agreement, "credit shall only be available with respect to the Regional Development Charges imposed upon development of the lands subject to this Agreement, and not to any other lands owned by the Owners or any one of them." Ainslie Hill 2 lands are included in the Agreement.

The Ainslie Hill 1 lands are not included in the Agreement. Therefore, the developer is not eligible to apply wastewater development charge credits to these lands.

## Sutton Prepaid Development Charge Credit Agreement

Ballymore Homes is requesting an amendment to the Agreement to include the additional lands

According to the Agreement, Ainslie Hill 2 is entitled to 358 units of wastewater development charge credits. As Ainslie Hill 2 is included in the Agreement, Ballymore Homes is eligible to receive sewer allocation from the Town of Georgina for these units.

To develop both phases of the subdivision, additional sewer capacity is needed. This will require an upgrade to the Sutton Water Resource Recovery Facility. As the timing for the plant upgrade is currently unknown, Ballymore Homes has requested that they be permitted to proceed with phase 1 of their plan of subdivision, consisting of the 185 units located on the Ainslie Hill 1 lands. Development of Ainslie Hill 1 can be completed without any additional capacity. The Town of Georgina has confirmed that they will provide servicing allocation for the Ainslie Hill 1 lands.

Ballymore Homes, as the parent company of both Ainslie Hill 1 and Ainslie Hill 2 properties, has requested that the wastewater development charge credits available to Ainslie Hill 2 lands be applied to the Ainslie Hill 1 lands.

An amendment to the Agreement requires the approval of the participating landowners and Regional Council

According to Section 9 (ii) of the Agreement, the Owners of the land included in the Agreement may negotiate with non-participating landowners to include them in the Agreement with the approval of Regional Council and an amendment to the Agreement. The participating seven landowners must all agree to amend the Agreement.

With the approval of the landowners included in the Agreement, Regional Council may make an amendment to the Agreement to include Ainslie Hill 1. Upon amendment of the Agreement, Ballymore Homes will be entitled to apply the wastewater development charge credits to the Ainslie Hill 1 lands. Ballymore Homes is currently seeking agreement from the landowners to amend the agreement.

Link to key Council-approved plans

The collection of Development Charges in accordance with the policies of the Development Charge Bylaw is an indicator of success for York Region's *2015 to 2019 Strategic Plan* objective to practice sound fiscal management.

## 5. Financial Implications

The Sutton Community Developer Group provided financing to advance the construction timing of the Sutton Water Resource Recovery Facility.

The total wastewater development charge credits cannot exceed the amount contributed by each owner. According to the Agreement, Ballymore Homes – Ainslie Hill 2 lands are entitled to credits for 358 units. The proposed amendment will not increase the total wastewater development charge credits for which Ballymore Homes is eligible.

## 6. Local Municipal Impact

The proposed amendment to the DC credit agreement permits phase 1 of Ballymore Homes to proceed. It is the responsibility of the Town of Georgina to allocate sewer capacity to the Sutton Community.

## 7. Conclusion

This report outlines the proposed amendment to the Sutton Prepaid Development Charge Credit Agreement between the Regional Municipality of York and the Sutton Community Developer Group. The proposed amendment is to permit the lands known as Ainslie Hill 1 in the Agreement to proceed and allow Ballymore Homes to achieve wastewater development charge credits on these lands at the time of subdivision registration.

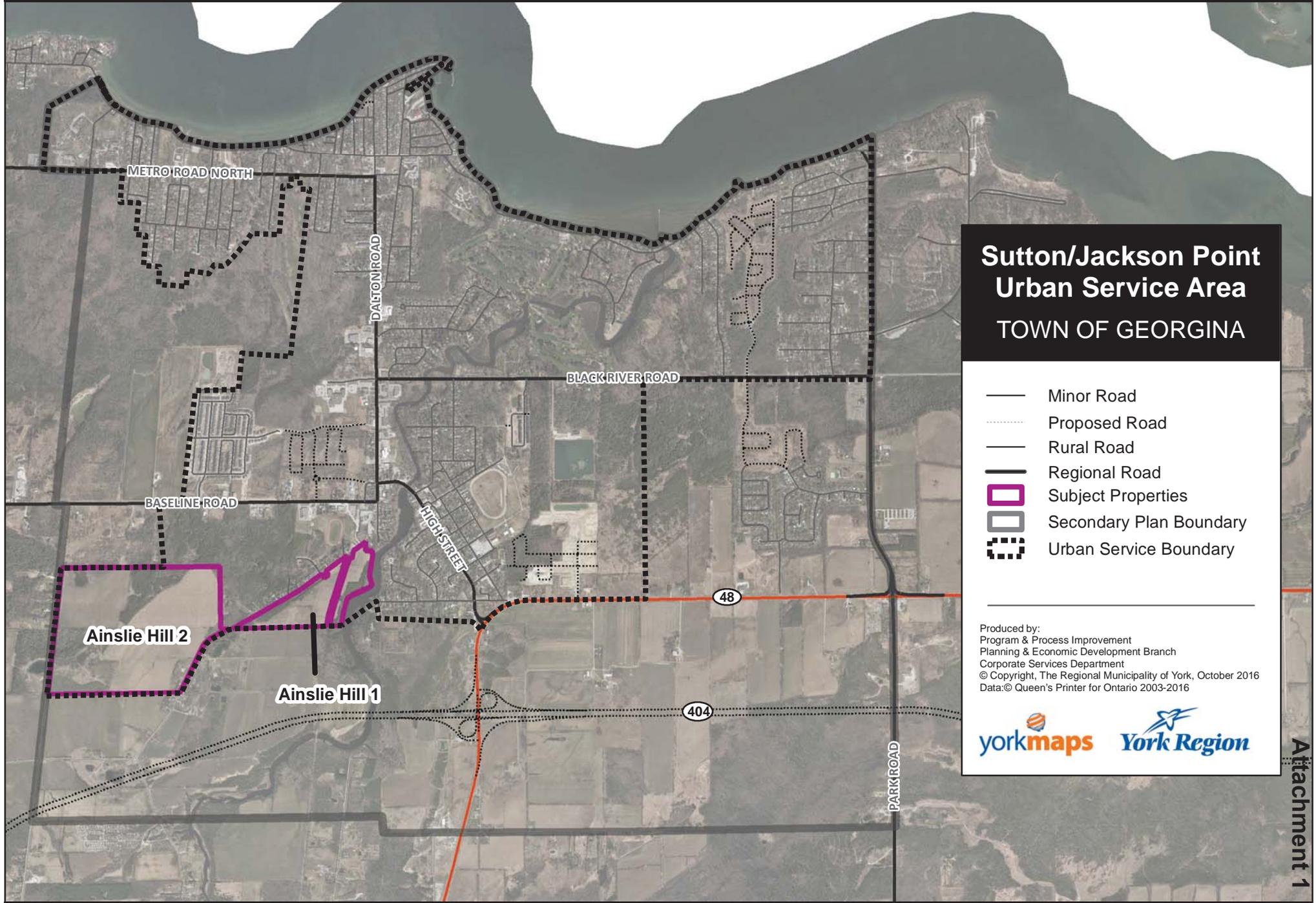
For more information on this report, please contact Warren Marshall, Director, Controllershship Office, at ext. 71601.

The Senior Management Group has reviewed this report. October 26, 2016

Attachments (1)

eDOCS# 7099546

Accessible formats or communication supports are available upon request



**Sutton/Jackson Point  
Urban Service Area  
TOWN OF GEORGINA**

- Minor Road
- ⋯ Proposed Road
- Rural Road
- Regional Road
- ▭ Subject Properties
- ▭ Secondary Plan Boundary
- ⋯ Urban Service Boundary

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