



# Community Benefits Charge Strategy

Town of Aurora

August 11, 2022

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## List of Acronyms and Abbreviations

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



# Report



# Chapter 1

## Introduction



# 1. Introduction

## 1.1 Purpose of this Document

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

The Town retained Watson & Associates Economists Ltd. (Watson), to undertake the C.B.C. strategy process beginning in January 2022. Watson worked with Town staff preparing the C.B.C. analysis and policy recommendations contained within this strategy.

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

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

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

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

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



## 1.2 Legislative Context

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

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

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

#### **D.C.A. Amendments:**

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

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



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

### **C.B.C. Amendments:**

As per section 37 (5) of the *Planning Act, 1990*, a C.B.C. may be imposed for services that do not conflict with services or projects provided under a municipality's D.C. by-law or Parkland dedication by-law. Hence, the service provided under the C.B.C. would be defined as follows:

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

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

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



- not-for-profit housing.

O. Reg. 509/20 specifies that a maximum charge of 4% of the value of land at the time of building permit issuance may be imposed. Prior to adopting a C.B.C. by-law the municipality must undertake a C.B.C. strategy report and follow the required public procedure. The C.B.C. by-law is appealable to the Ontario Land Tribunal (O.L.T.) within 40 days of the by-law passage.

### **1.2.2 Bill 109 – More Homes for Everyone Act, 2022**

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

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

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

## **1.3 Current Policies**

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The Town has occasionally utilized the former section 37 of the Planning Act (known as bonus zoning for increased height and density in the past) to secure public benefits in exchange for permitting additional height and density through the re-zoning process and subsequent bonusing agreements. Agreements have included in-kind contributions, as well as cash payments intended to serve the immediate existing community around the development and the new development itself. The public benefits that section 37 funds could be used for are documented in the Town's Official Plan and are summarized as follows:

- Assisted housing;
- Non-profit community, cultural, social recreational, and institutional facilities;
- Preservation of heritage, community identity or natural environments;



- Public spaces;
- Trails and linkages;
- Pedestrian and bicycling connections;
- Public landscaping and streetscaping;
- Special facilities;
- Transit amenities;
- General administration;
- Regional community and health facilities; and
- Other local improvements.

It is noted that the public benefits to be achieved through collections under the former Section 37 are in addition and separate from those identified in this C.B.C. Strategy.

## 1.4 Summary of the Process

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Prior to passing a C.B.C. by-law, the *Planning Act*, section 37 (10) requires the Town to consult with the public and such persons and public bodies as the Town considers appropriate. As such, the Town released a notice on August 4, 2022 to hold a public consultation meeting. The public consultation meeting has been set for August 17, 2022 with the development community and the general public to allow for feedback on the strategy. The meeting is also being held to answer any questions regarding the strategy's purpose, approach, and proposed C.B.C. by-law. The feedback received during the public consultation will be reported back to Council during a meeting scheduled for September 13, 2022. Subsequent to the public meeting, the C.B.C. by-law will be presented to Council on September 20, 2022 for consideration.

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



Figure 1-1  
Town of Aurora  
Schedule of Key Dates in the C.B.C. Strategy Process

Item	Date
1. Data collection, land valuation analysis, growth forecast development, capital needs assessment, staff review, C.B.C. calculations and policy work.	January to July 2022
2. Notice of the Public Consultation Meeting	August 4, 2022
3. Release of the C.B.C. Strategy and draft by-law	August 11, 2022
4. Public Consultation Meeting with the Development Community and General Public in order to present the C.B.C. Strategy and proposed by-law and receive feedback.	August 17, 2022
5. Meeting of Council to present the C.B.C. Strategy and proposed by-law	September 13, 2022
6. Council considers adoption of C.B.C. strategy and passage of by-law	September 20, 2022
7. Notice given of by-law passage	No later than 20 days after passage
8. Last day for by-law appeal	40 days after passage



# Chapter 2

## Anticipated Development in the Town of Aurora



## 2. Anticipated Development

### 2.1 Requirement of the Act

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The growth forecast contained in this chapter (with supplemental tables in Appendix A) provides for the anticipated development for which the Town will be required to provide services over a 2022 to 2031 time horizon.

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

### 2.2 Basis of Population, Household and Employment Forecast

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

- Town of Aurora Development Charges Background Report, January 24, 2019, and Development Charges Update Study, April 22, 2021, by Watson & Associates Economists Ltd.;
- 2006, 2011, 2016 and 2021 population and household Census data;
- 2006, 2011 and 2016 employment Census data;
- Historical residential building permit data over the 2012 to 2021 period;
- Residential supply opportunities as identified by Town staff; and
- Discussions with Town staff regarding anticipated residential development in the Town.

### 2.3 Summary of Growth Forecast

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A detailed analysis of the residential and non-residential growth forecasts is provided in Appendix A and the methodology employed is illustrated in Figure 2-1. The discussion

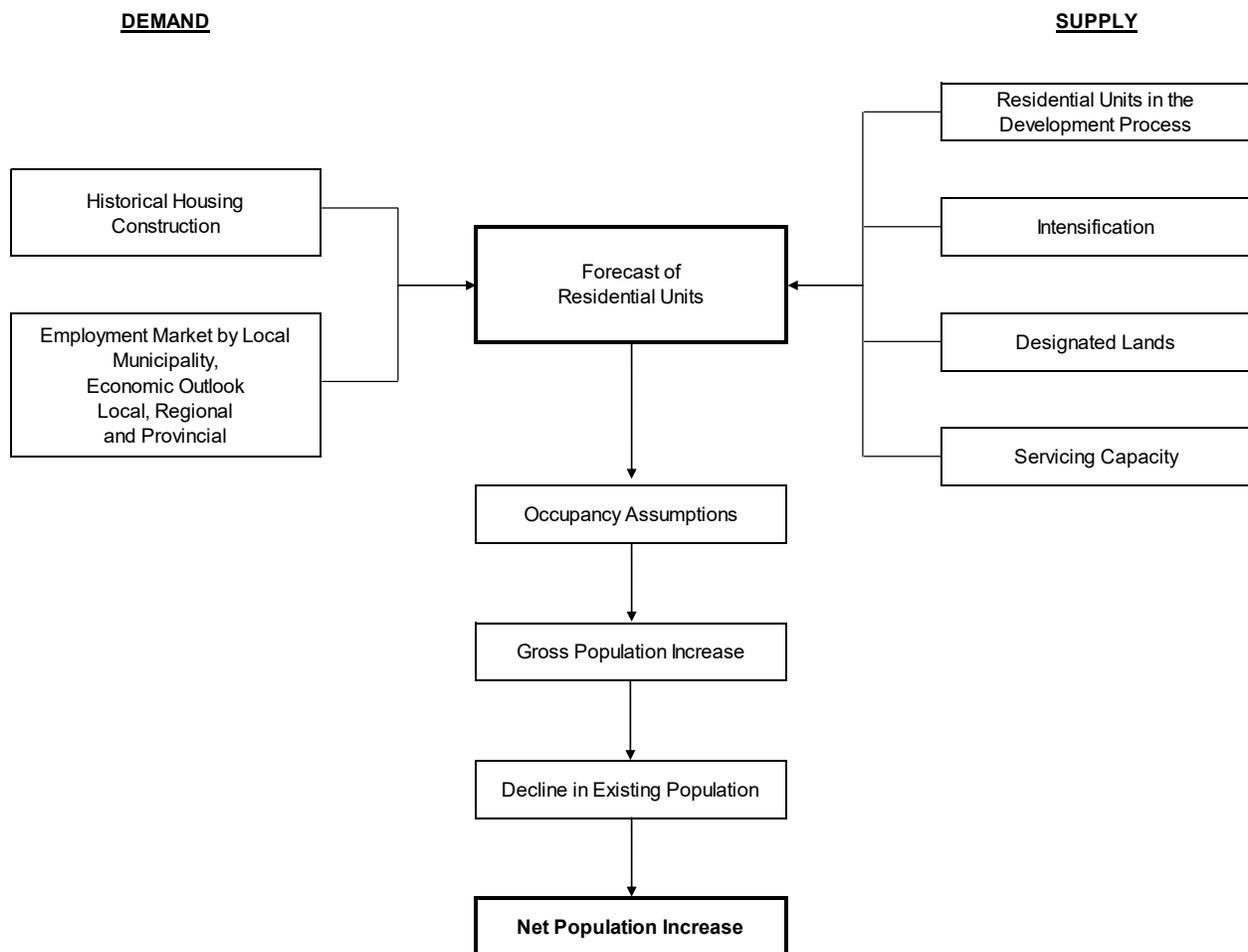
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provided herein summarizes the anticipated growth for the Town and describes the basis for the forecast. The results of the residential growth forecast analysis are summarized in Table 2-1 below, and Schedule 1 in Appendix A.

As identified in Table 2-1 and Schedule 1, the Town's population is anticipated to reach approximately 72,590 by mid-2031, resulting in an increase of 8,310 persons, over the 2022 to 2031 forecast period.<sup>[1]</sup>

Figure 2-1  
Approach to Population and Housing Forecast



<sup>[1]</sup> The population figures used in the calculation of the 2022 C.B.C. exclude the net Census undercount, which is estimated at approximately 3.2%.



**Table 2-1  
Town of Aurora  
Residential Growth Forecast Summary**

	Year	Population (Including Census Undercount) <sup>1</sup>	Excluding Census Undercount			Housing Units					Person Per Unit (P.P.U.): Total Population/ Total Households
			Population	Institutional Population	Population Excluding Institutional Population	Singles & Semi- Detached	Multiple Dwellings <sup>2</sup>	Apartments <sup>3</sup>	Other	Total Households	
Historical	<i>Mid 2011</i>	54,900	53,203	818	52,385	12,305	3,565	1,810	11	17,691	3.007
	<i>Mid 2016</i>	57,210	55,445	740	54,705	12,770	3,975	2,100	10	18,855	2.941
	<i>Mid 2021</i>	65,230	63,214	844	62,370	14,470	4,280	2,740	10	21,500	2.940
Forecast	<i>Mid 2022</i>	66,330	64,277	857	63,420	14,672	4,280	2,901	10	21,863	2.940
	<i>Mid 2031</i>	74,900	72,589	969	71,620	15,892	5,454	4,059	10	25,415	2.856
Incremental	<b>Mid 2006 - Mid 2011</b>	<b>5,750</b>	<b>5,574</b>	<b>79</b>	<b>5,495</b>	<b>1,510</b>	<b>375</b>	<b>145</b>	<b>6</b>	<b>2,036</b>	
	<b>Mid 2011 - Mid 2016</b>	<b>2,310</b>	<b>2,242</b>	<b>-78</b>	<b>2,320</b>	<b>465</b>	<b>410</b>	<b>290</b>	<b>-1</b>	<b>1,164</b>	
	<b>Mid 2016 - Mid 2021</b>	<b>8,020</b>	<b>7,769</b>	<b>104</b>	<b>7,665</b>	<b>1,700</b>	<b>305</b>	<b>640</b>	<b>0</b>	<b>2,645</b>	
	<b>Mid 2021 - Mid 2022</b>	<b>1,100</b>	<b>1,063</b>	<b>13</b>	<b>1,050</b>	<b>202</b>	<b>0</b>	<b>161</b>	<b>0</b>	<b>363</b>	
	<b>Mid 2022 - Mid 2031</b>	<b>8,570</b>	<b>8,312</b>	<b>112</b>	<b>8,200</b>	<b>1,220</b>	<b>1,174</b>	<b>1,158</b>	<b>0</b>	<b>3,552</b>	

<sup>(1)</sup> Census undercount estimated at approximately 3.2%.

<sup>(2)</sup> Includes townhouses and apartments in duplexes.

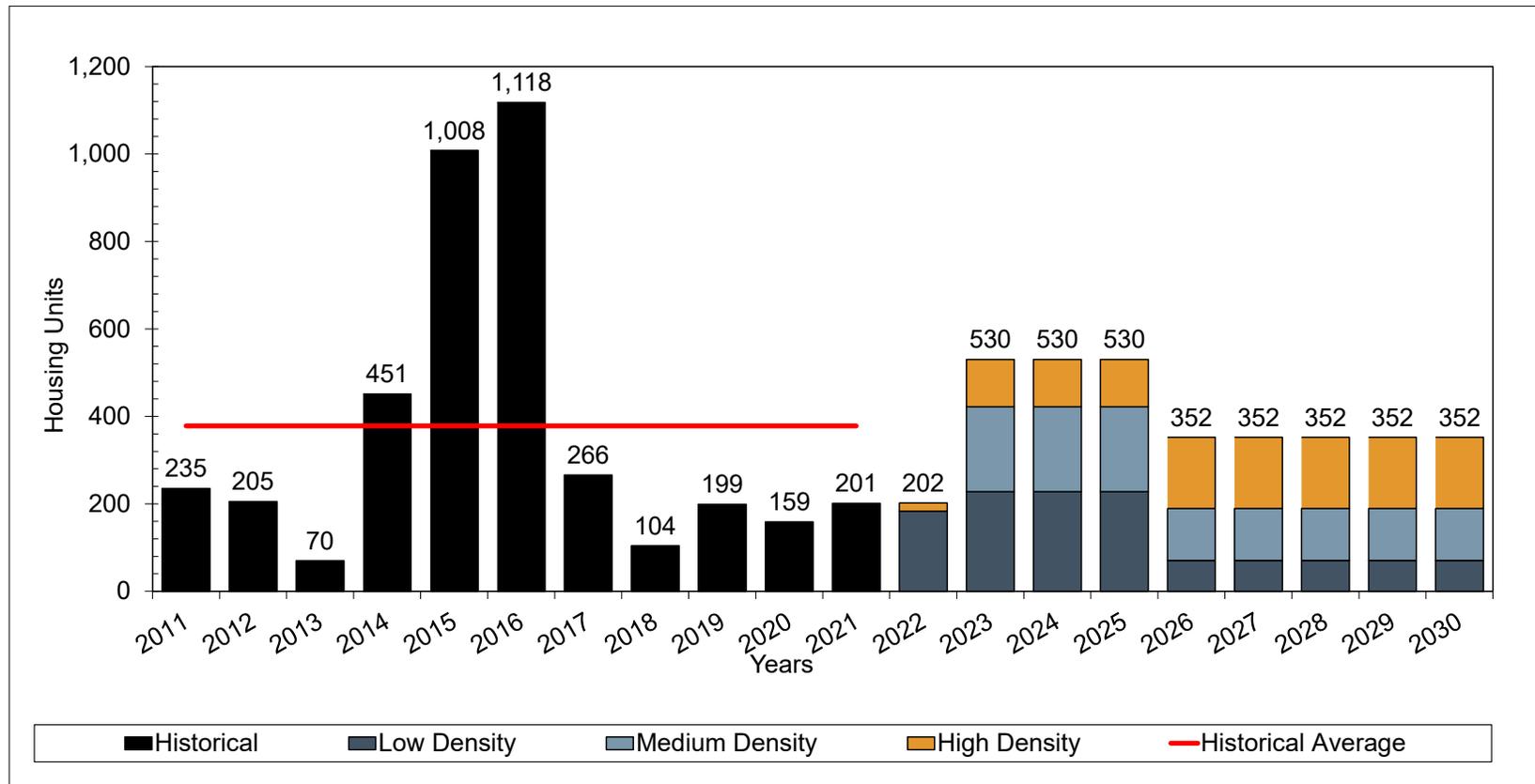
<sup>(3)</sup> Includes bachelor, 1-bedroom, and 2-bedroom+ apartment units.

Note: Population including the Census undercount has been rounded.

Source: Derived from Town of Aurora Development Charges Background Report, January 24, 2019, and Development Charges Update Study, April 22, 2021, by Watson & Associates Economists Ltd.



Figure 2-2  
Town of Aurora  
Annual Housing Forecast<sup>[1]</sup>



[1] Growth forecast represents calendar year.

Source: Historical housing activity (2011-2020) based on Town of Aurora building permit data, and 2021 from Statistics Canada building permit data, by Watson & Associates Economists Ltd.



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

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

- The housing unit mix for the Town was derived from the Town of Aurora 2019 Development Charges Background Study, a detailed review of historical development activity (as per Schedule 6), as well as active residential development applications (as per Schedule 5) and discussions with Town staff regarding anticipated development trends for Aurora.
- Based on the above indicators, the 2022 to 2031 household growth forecast for the Town is comprised of a unit mix of 34% low density units (single detached and semi-detached), 33% medium density (multiples except apartments) and 33% high density (accessory units, bachelor, 1-bedroom and 2+ bedroom apartments) units.

## 2. C.B.C.-Eligible Units

- Subsection 37 (4) of the Planning Act establishes the criteria for a development to be C.B.C. eligible. A C.B.C. may be imposed if:
  - Development of a proposed building or structure has five or more storeys at or above ground and has 10 or more residential units;
  - Redevelopment of an existing building or structure that will have 5 or more storeys at or above ground after redevelopment and proposes to add 10 or more residential units to an existing building or structure; or
  - Such types of development or redevelopment as prescribed. 2020, c. 18, Sched. 17, section 1.
- The C.B.C.-eligible unit forecast is derived based on the established criteria above and a detailed review of historical Census housing trends, historical development activity (as per Schedule 6), active residential development applications (as per Schedule 5) and discussions with Town staff regarding anticipated C.B.C.-eligible developments.
- Based on the above indicators, the Town is forecast to accommodate 1,020 C.B.C.-eligible household units over the 2022 to 2031 forecast period. This translates to 88% of all high-density units, including accessory units, being C.B.C. eligible from 2022 to 2031. Schedule 2



summarizes the anticipated amount, type, and location of development for the Town by location.

### 3. Geographic Location of C.B.C.-Eligible Residential Development (Appendix A – Schedule 2)

- Schedule 2 summarizes the anticipated amount, type, and location of C.B.C.-eligible development by area for the Town.
- In accordance with forecast demand and available land supply, the amount and percentage of forecast C.B.C.-eligible housing growth between 2022 and 2031 by development location is summarized in Table 2-2.
- The development locations are Yonge/Promenade Corridor and Bayview/Leslie Corridor.



Table 2-2  
Town of Aurora  
Residential High-Density Growth by Development Area

Development Location	High-Density Housing Growth, 2022 to 2031 <sup>[1]</sup>	C.B.C.- Eligible Share (%)	C.B.C.- Eligible Housing Growth, 2022 to 2031
Town-Wide Total	1,160	88%	1,020

<sup>[1]</sup> High density includes accessory apartments, bachelor, 1-bedroom and 2-bedroom+ apartments. Note: With respect to C.B.C. eligible units in the Town of Aurora, it is estimated that approximately 75% of the units will be in the Yonge/Promenade Corridor and approximately 25% will be in the Bayview/Leslie Corridor.

Source: Watson & Associates Economists Ltd.

#### 4. Planning Period

- For the purpose of this study, a 2022 to 2031 planning horizon has been assumed which aligns with the Town's capital budget.

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

- The number of housing units to be constructed by 2031 in the Town over the forecast period is presented in Figure 2-2. Over the 2022 to 2031 forecast period, the Town is anticipated to average approximately 520 new housing units per year.
- Institutional population<sup>[1]</sup> is anticipated to increase by approximately 110 people between 2022 to 2031.
- Population in new units is derived from Schedules 3 and 4 which incorporate historical development activity, anticipated units (see unit mix discussion) and average persons per unit (P.P.U.) by dwelling type for new units.

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



- Schedule 7 summarizes the average P.P.U. assumed for new housing units by age and type of dwelling based on Statistics Canada 2016 custom Census data for the Town of Aurora. The total calculated P.P.U. for all density types has been adjusted accordingly to account for the P.P.U. trends which has been recently experienced in both new and older units. Forecast 15-year average P.P.U.s by dwelling type are as follows:
  - Low density: 3.570
  - Medium density: 2.654
  - High density:<sup>[1]</sup> 1.837

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

- Existing households for mid-2022 are based on 2021 Census households, plus estimated residential units constructed between mid-2021 to the beginning of the growth forecast period, assuming a six-month lag between construction and occupancy (see Schedule 3).
- The change in average occupancy levels for existing housing units is calculated in Schedules 3 and 4, by aging the existing population over the forecast period. The forecast population change in existing households over the 2022 to 2031 forecast period is approximately 1,400.

## 7. Employment (Appendix A – Schedule 8)

- The employment projections provided herein are largely based on the activity rate method, which is defined as the number of jobs in the Town divided by the number of residents.
- 2016 employment data for the Town is outlined in Schedule 8. In accordance with Statistics Canada Census data, the Town's 2016 employment base including work at home and no fixed place of work (N.F.P.O.W.) is 28,160.<sup>[2]</sup>
- Total employment, including work at home and N.F.P.O.W. for the Town is anticipated to reach approximately 37,000 by mid-2031. This represents

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<sup>[1]</sup> Includes accessory units, bachelor, 1-bedroom and 2-or-more-bedroom apartments.

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



an employment increase of approximately 4,430 over the 2022 to 2031 forecast period.

- Schedule 8, Appendix A, summarizes the employment forecast, excluding work at home employment and N.F.P.O.W. employment, which is the basis for the C.B.C. employment forecast. The impact on municipal services from work at home employees has already been included in the population forecast. The need for municipal services related to N.F.P.O.W. employees has largely been included in the employment forecast by usual place of work (i.e., employment and gross floor area generated from N.F.P.O.W. construction employment).
- Total employment for the Town (excluding work at home and N.F.P.O.W. employment) is anticipated to reach approximately 29,430 by mid-2031. This represents an employment increase of approximately 3,680 for the 2022 to 2031 forecast period.

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

- Of the services to be provided, most service costs will be allocated a 69% residential share (Table 2-3);
- Of the residential portion of the costs, 22% of the population is forecasted to reside in high-density residential units (Table 2-4); and
- Of those whose reside in high density residential units, 88% are forecasted to reside in units to which the C.B.C. may be imposed (Table 2-5).



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

<b>Residential Population and Non-Residential Employment</b>	<b>Net Population/ Employment</b>	<b>Residential/ Non- Residential %</b>
Residential Net Population	8,312	69%
Employment (net of Work at Home & N.F.P.O.W.)	3,684	31%
<b>Total Population &amp; Employment</b>	<b>11,996</b>	<b>100%</b>

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

<b>Residential Density</b>	<b>Gross Residential Population</b>	<b>% of Gross Population in New Units</b>
Low/Medium Density	7,472	78%
High Density	2,127	22%
<b>Total Residential Forecast</b>	<b>9,599</b>	<b>100%</b>



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

<b>Residential High Density</b>	<b>Residential Population</b>	<b>% of Gross Population in High Density Units</b>
Eligible High Density	1,874	88%
Ineligible High Density	253	12%
<b>Total Residential High Density Forecast</b>	<b>2,127</b>	<b>100%</b>

## 2.4 Land Valuation

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

KPMG undertook land value estimates on behalf of the Town to assist with the implementation of this C.B.C. strategy. The land valuations were based on high density residential lands within the Town that are anticipated to be developed into buildings with five storeys or more and a minimum of 10 residential units. The appraisal document identified an average land valuation of \$4,138,000 per acre, which is based on high density residential land within heavily travelled arterial corridors. This land value has been applied to the growth within both the Yonge/Promenade Corridor as well as the Bayview/Leslie Corridor.

## 2.5 Land Analysis

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Based on the information provided in Table 2-2, it is estimated that approximately 75% of the Town's eligible high-density units will be in the Yonge/Promenade Corridor and



approximately 25% is located in the Bayview/Leslie Corridor. The breakdown of these units is presented in Table 2-6.

Table 2-6  
Summary of Eligible High-Density Growth in the Planning Process by Area

Area	Total C.B.C. Eligible Units
Yonge/Promenade Corridor	769
Bayview/Leslie Corridor	251
<b>Total</b>	<b>1,020</b>

Using the average land valuation identified in section 2.4 and the eligible high-density units anticipated to develop over the forecast period, the total land value is calculated for each area by converting the units to estimated total acres.

To undertake this conversion, the average eligible high-density units per acre have been estimated by area based on current applications in the development process. The high-density growth identified in the Yonge/Promenade Corridor provides for an average of 99 units per acre, whereas the Bayview/Leslie Corridor provides for an average of 57 units per acre.

Once the eligible units have been converted to acres of land (by area), the acres are multiplied by the land values to determine a total land value which will be used as the denominator in the C.B.C. calculations. Table 2-7 provides for these calculations. An estimated 12.2 acres of eligible high-density growth is anticipated over the 10-year forecast period with the total land value estimated at approximately \$50.37 million.

Table 2-7  
Summary of Eligible High-Density Growth and Total Land Value by Area

Area	Total C.B.C. Eligible Units	Average Units Per Acre	Estimated Total Acres	Total Land Value
Yonge/Promenade Corridor	769	99	7.8	\$32,143,000
Bayview/Leslie Corridor	251	57	4.4	\$18,222,000
<b>Total</b>	<b>1,020</b>		<b>12.2</b>	<b>\$50,365,000</b>



# Chapter 3

## Approach to the Calculation

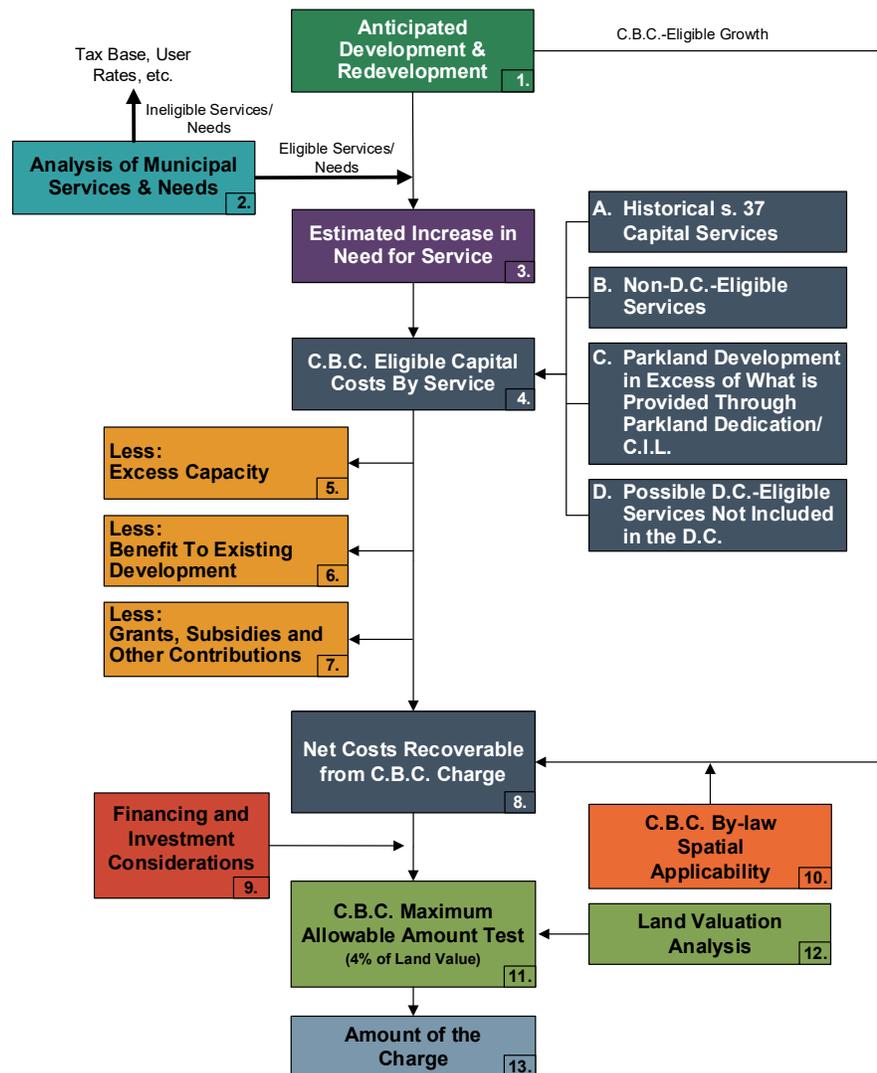


# 3. The Approach to the Calculation of the Charge

## 3.1 Introduction

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

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





## 3.2 Anticipated Development and Redevelopment

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The anticipated development and redevelopment forecast is provided in chapter 2 (with supplemental tables in Appendix A). This chapter provides for the anticipated overall growth within the Town over a 10-year (2022 to 2031) time horizon and then estimates the residential units eligible to be considered as per section 37 (4) of the *Planning Act*.

## 3.3 Services Potentially Involved

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

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

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

## 3.4 Increase in the Need for Service

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Similar to a D.C., the C.B.C. calculation commences with an estimate of “the increase in the need for service attributable to the anticipated development,” for eligible services to be covered by the by-law. There must be some form of link or attribution between the anticipated development and the estimated increase in the need for service. While the need could potentially be expressed generally in terms of units of capacity, a project-specific expression of need would appear to be most appropriate. This is suggested by the requirement of section 2 (e) of O. Reg. 509/20 which provides “include estimates of the capital costs necessary to provide the facilities, services and matters referred to in



clause 2 (b).” As noted, this is a similar consideration provided when undertaking a D.C. calculation.

## 3.5 Capital Forecast

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

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

## 3.6 Deductions

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

- excess capacity;
- benefit to existing development; and



- anticipated grants, subsidies, and other contributions.

The requirements behind each of these reductions are addressed below.

### **3.6.1 Reduction for Excess Capacity**

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

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

### **3.6.2 Reduction for Benefit to Existing Development**

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

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

Where existing development has an adequate service level which will not be tangibly increased by an increase in service, no benefit would appear to be involved. For example, where expanding existing garbage collection vehicles simply replicates what existing residents are receiving, they receive very limited (or no) benefit as a result. On



the other hand, where a clear existing service problem is to be remedied, a deduction should be made accordingly.

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

### ***3.6.3 Reduction for Anticipated Grants, Subsidies and Other Contributions***

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

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

## **3.7 Municipal-wide vs. Area Rating**

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

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

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

### **3.8 Land Valuation Analysis**

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

### **3.9 Calculation of the Community Benefit Charge**

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

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



# Chapter 4

## C.B.C.-Eligible Cost Analysis



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

### 4.1 Introduction

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

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

### 4.2 Allocation of Costs to Eligible High-Density Growth

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

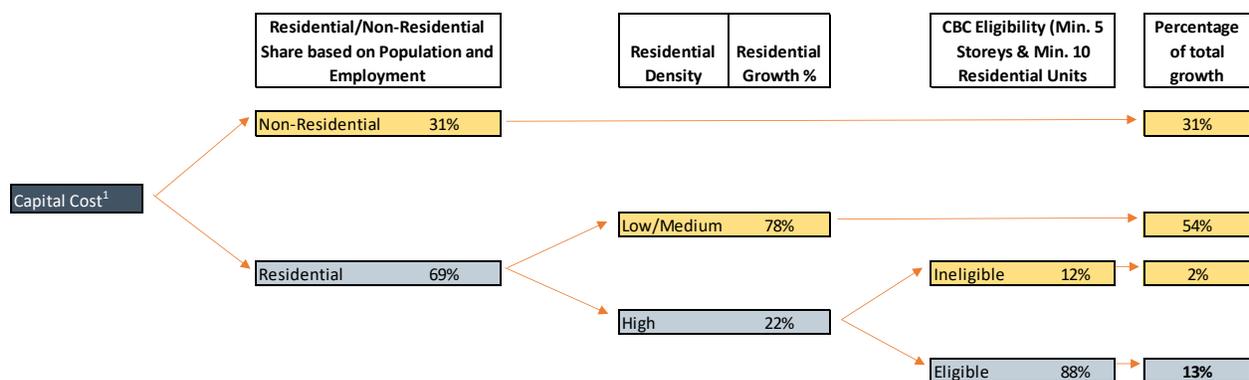
- The first step is to allocate the net costs between residential and non-residential growth based on the following:
  - Net costs for certain services (municipal parking, planning studies, information technology projects, etc.) were apportioned between residential and non-residential growth (Table 2-3) based upon the relation between population and employment.
  - Similar to the Town's D.C. background study, parks, recreation, and culture projects were apportioned 95% residential and 5% non-residential.
  - The costs related to undertaking the C.B.C. Strategy have been assigned as 100% residential and fully attributable to the eligible C.B.C. growth.



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

As noted above, similar to the calculations undertaken in the Town's D.C. study, some services are shared between residential and non-residential growth based on the incremental population and employment for the forecast period. Based on the C.B.C. 10-year forecast, this would result in an allocation of 69% residential/31% non-residential. Figure 4-1 provides a flowchart of the shares that would be assigned to services such as municipal parking. Based on Tables 2-3 through 2-5, the allocations between the total growth anticipated over the forecast period would result in 13% of net growth-related costs being eligible for recovery through the C.B.C. Table 4-1 provides for the capital project listing and associated growth shares for Town-wide services.

Figure 4-1  
Growth Shares for Town-Wide Services



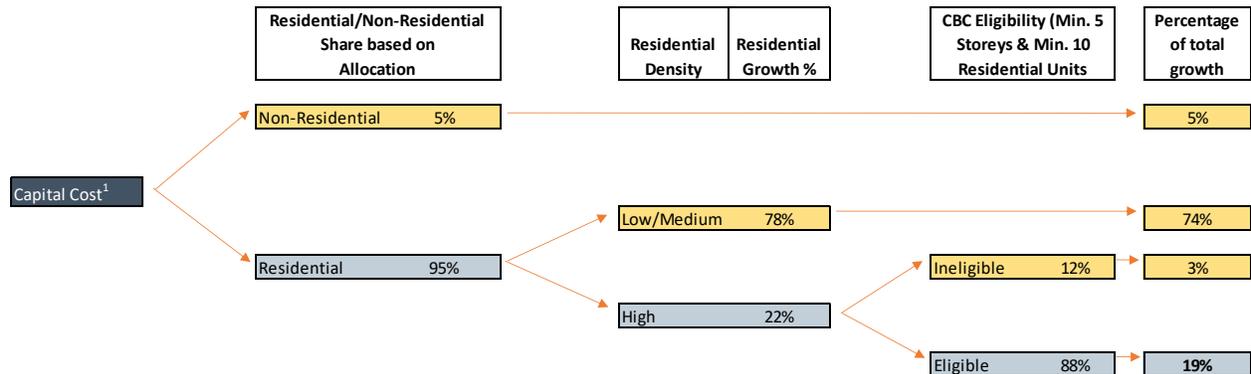
<sup>1</sup> Capital Cost is net of deductions for Benefit to existing, excess capacity, grants, subsidies, and other contributions, etc.

As the predominant users of parks, recreation, and culture services tend to be residents of the Town, the forecast growth-related costs have been allocated 95% to residential and 5% to non-residential, similar to the allocations provided for in the Town's D.C. study for these types of services. Figure 4-2 provides a flowchart of the shares that would be assigned to services such as parks, recreation, and culture. Therefore, for these services, the total growth anticipated over the forecast period would result in 19% of net growth-related costs being eligible for recovery through the C.B.C. Table 4-2



provides for the capital project listing and associated growth shares for parks, recreation and culture services.

Figure 4-2  
Growth Shares for Parks, Recreation, and Culture Services



<sup>1</sup> Capital Cost is net of deductions for Benefit to existing, excess capacity, grants, subsidies, and other contributions, etc.

For the costs related to undertaking the C.B.C. Strategy, 100% is attributable to the eligible high-density growth as the C.B.C. is not applicable to other forms of development (see Table 4-3).

### 4.3 C.B.C. Eligible Cost Analysis

This section provides for the evaluation of development-related capital requirements over a 10-year planning horizon. The projects include municipal parking, planning studies, I.T. projects, general administration, parks, recreation, culture, and the C.B.C. study.

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



Based on the calculations and allocations to eligible high-density growth, the Town has identified approximately \$4.42 million in eligible net growth-related costs to be included within the C.B.C. calculations.



**Table 4-1  
Capital Infrastructure Needs to be Recovered through C.B.C.s for Town-Wide Services**

Prj. No.	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Costs Less Deductions				Allocations Between Residential and Non-Residential Growth		Allocation Between Residential Growth by Density		Allocation Between Eligible and Ineligible High Density Growth	
			Gross Capital Cost (2022\$)	Less:		Net Growth-Related Cost	Total Non-Residential Share	Total Residential Share	Low/Medium Density Residential	Total High Density Residential	Ineligible High Density Residential	Eligible High Density Residential
				Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development							
2022-2031												
1	New Resident Experience Plan	2023-2025	338,700	169,400		169,300	52,500	116,800	90,900	25,900	3,100	22,800
2	Wireless Upgrades and Enhancements	2023	24,000	20,400		3,600	1,100	2,500	1,900	600	100	500
3	Outdoor Wi-Fi Implementation	2023	100,000	85,000		15,000	4,700	10,300	8,000	2,300	300	2,000
4	Green Bin and Road Occupancy Permit	2023	30,000	25,500		4,500	1,400	3,100	2,400	700	100	600
5	AMPS Implementation	2023	50,000	42,500		7,500	2,300	5,200	4,000	1,200	100	1,100
6	Electric Vehicle (EV) Charging Stations at Aurora Town Square	2023	13,800	11,700		2,100	700	1,400	1,100	300	-	300
7	Electric Vehicle Charging Infrastructure	2023	180,000	153,000		27,000	8,400	18,600	14,500	4,100	500	3,600
8	Electric Vehicle Charging Infrastructure	2023	60,000	51,000		9,000	2,800	6,200	4,800	1,400	200	1,200
9	Expansion of AV Equipment for Combined Virtual/In-Person Programming	2023	11,700	5,900		5,800	1,800	4,000	3,100	900	100	800
10	Information Technology Strategic Plan Implementation - Studies and Other	2023-2024	105,400	52,700		52,700	16,300	36,400	28,300	8,100	1,000	7,100
11	Asset Management Plan Update - Phase 3	2023	70,000	35,000		35,000	10,900	24,100	18,800	5,300	600	4,700
12	Climate Change Adaptation Plan	2023	100,000	85,000		15,000	4,700	10,300	8,000	2,300	300	2,000
13	Energy Conservation Demand Management Plan (ECDMP) - 2023	2023	50,000	25,000		25,000	7,800	17,200	13,400	3,800	500	3,300
14	Energy Retrofit Program Business Case	2023	100,000	50,000		50,000	15,500	34,500	26,900	7,600	900	6,700
15	Zoning By Law Update	2023-2024	202,000	50,500		151,500	47,000	104,500	81,300	23,200	2,800	20,400
16	Economic Development Strategic Plan	2023-2032	300,000	150,000		150,000	46,500	103,500	80,600	22,900	2,700	20,200
17	Parking Lot Expansion - Yonge Street	2026	600,000	-		600,000	186,000	414,000	322,300	91,700	10,900	80,800
	<b>Total</b>		<b>2,335,600</b>	<b>1,012,600</b>	<b>-</b>	<b>1,323,000</b>	<b>410,400</b>	<b>912,600</b>	<b>710,300</b>	<b>202,300</b>	<b>24,200</b>	<b>178,100</b>



**Table 4-2**  
**Capital Infrastructure Needs to be Recovered through C.B.C.s for Parks, Recreation, and Culture Services**

Prj. No.	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Costs Less Deductions				Allocations Between Residential and Non-Residential Growth		Allocation Between Residential Growth by Density		Allocation Between Eligible and Ineligible High Density Growth	
			Gross Capital Cost (2022\$)	Less:		Net Growth-Related Cost	Total Non-Residential Share	Total Residential Share	Low/Medium Density Residential	Total High Density Residential	Ineligible High Density Residential	Eligible High Density Residential
				Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development							
	2022-2031											
1	Arboretum Development	2023	100,000	-		100,000	5,000	95,000	74,000	21,000	2,500	18,500
2	Pet Cemetary Fencing	2023	100,000	50,000		50,000	2,500	47,500	37,000	10,500	1,200	9,300
3	Cultural Services Master Plan	2023	180,000	90,000		90,000	4,500	85,500	66,600	18,900	2,200	16,700
4	Snoezelen Room/Sensory Room	2023	29,300	25,000		4,300	200	4,100	3,200	900	100	800
5	Bandshell Enhancements	2023	46,800	23,000		23,800	1,200	22,600	17,600	5,000	600	4,400
6	Cultural Action Plan Implementation	2024-2030	350,000	175,000		175,000	8,800	166,200	129,400	36,800	4,400	32,400
7	Aurora Promenade Streetscape Design & Implementation Plan Capital Works - Cultural	2023	445,300	223,000		222,300	11,100	211,200	164,400	46,800	5,600	41,200
8	Aurora Town Square - Cultural Facilities	2023-2032	43,600,000	21,800,000		21,800,000	1,090,000	20,710,000	16,121,400	4,588,600	545,800	4,042,800
9	LED Sports Light Conversion	2023	60,000	51,000		9,000	500	8,500	6,600	1,900	200	1,700
10	Urban Forestry Study	2023	15,000	4,000		11,000	600	10,400	8,100	2,300	300	2,000
11	Recreation Needs Assessment for Persons with Disabilities	2023	80,000	40,000		40,000	2,000	38,000	29,600	8,400	1,000	7,400
	<b>Total</b>		<b>45,006,400</b>	<b>22,481,000</b>	<b>-</b>	<b>22,525,400</b>	<b>1,126,400</b>	<b>21,399,000</b>	<b>16,657,900</b>	<b>4,741,100</b>	<b>563,900</b>	<b>4,177,200</b>



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

Prj. No.	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Costs Less Deductions				Allocations Between Residential and Non-Residential Growth		Allocation Between Residential Growth by Density		Allocation Between Eligible and Ineligible High Density Growth	
			Gross Capital Cost (2022\$)	Less:		Net Growth-Related Cost	Total Non-Residential Share	Total Residential Share	Low/Medium Density Residential	Total High Density Residential	Ineligible High Density Residential	Eligible High Density Residential
				Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development							
2022-2031												
1	Community Benefits Strategy	2022	30,000	-		30,000	-	30,000	-	30,000	-	30,000
2	Community Benefits Strategy	2027	30,000	-		30,000	-	30,000	-	30,000	-	30,000
	<b>Total</b>		<b>60,000</b>	<b>-</b>	<b>-</b>	<b>60,000</b>	<b>-</b>	<b>60,000</b>	<b>-</b>	<b>60,000</b>	<b>-</b>	<b>60,000</b>



# Chapter 5

## C.B.C. Calculation



## 5. C.B.C. Calculation

### 5.1 Anticipated Funding Recovery

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

- 1) **Anticipated Development:** As presented in Chapter 2, the 10-year growth forecast provides for 1,020 eligible high-density units (i.e., in buildings containing a minimum of five storeys and a minimum of 10 residential units).
- 2) **Land Valuation:** The Town engaged a land appraiser to provide average land valuations for properties anticipated for eligible high-density development (refer to Chapter 2).
- 3) **Identification of Services:** A number of services were identified including municipal parking, planning studies, I.T. projects, general administration, parks, recreation, culture, and the C.B.C. strategy itself.
- 4) **C.B.C. Eligible Costs:** Capital needs related to the identified services were provided by Town staff. Gross costs of the capital projects were assessed for the portion of the projects that would benefit the existing community vs. the future growth. The growth-costs were then allocated amongst all types of growth to calculate the amount that is associated with eligible high-density units.
- 5) **Total Land Value:** Based on the growth forecast, density assumptions, and land valuation assessment, the total land value for eligible high density was calculated to equal approximately \$50.37 million.
- 6) **Maximum C.B.C.:** As per the Planning Act, the maximum a municipality can impose for a C.B.C. is equal to 4% of the land value of a property, the day before building permit issuance. Based on the total land value, the estimated potential C.B.C. recovery for the Town equates to approximately \$2.01 million for the 10-year forecast period (see Table 5-1).



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

Area	Total C.B.C. Eligible Units	Average Units Per Acre	Estimated Total Acres	Total Land Value	C.B.C. %	Potential C.B.C. Revenue
Yonge/Promenade Corridor	769	99	7.8	\$32,143,000		
Bayview/Leslie Corridor	251	57	4.4	\$18,222,000		
<b>Total</b>	<b>1,020</b>		<b>12.2</b>	<b>\$50,365,000</b>	<b>4%</b>	<b>\$2,014,600</b>

The Town has identified capital costs attributable to eligible high-density growth in the amount of \$4.42 million (as per Tables 4-1 through 4-3), which is in excess of the maximum allowable amount of approximately \$2.01 million. Therefore, the Town has provided herein that the maximum C.B.C. of 4% may be considered to be imposed on eligible forms of development. It is noted that available C.B.C. funding will not provide funding for all projects on the capital projects list, and hence Town Council will have to consider the highest capital priorities to be funded through C.B.C. revenue during the annual budget process. Table 5-2 provides a summary of the growth capital costs by service.

Table 5-2  
Summary of Growth Capital Costs

Service	Gross Cost	Deductions		Net Growth-Related Cost	Eligible High Density Residential
		Benefit to Existing Development	Grants, Subsidies and Other Contributions		
C.B.C. Strategies	60,000	-	-	60,000	60,000
Town-Wide Services	2,335,600	1,012,600	-	1,323,000	178,100
Parks, Recreation & Culture	45,006,400	22,481,000	-	22,525,400	4,177,200
<b>Total</b>	<b>47,402,000</b>	<b>23,493,600</b>	<b>-</b>	<b>23,908,400</b>	<b>4,415,300</b>
<b>Total Land Value</b>					<b>50,365,000</b>
<b>Calculated Percentage to Recover all Costs Identified</b>					<b>8.8%</b>



# Chapter 6

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



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

### 6.1 C.B.C. Policies

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

### 6.2 C.B.C. By-law Rules

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#### 6.2.1 *Payment in any Particular Case*

In accordance with the *Planning Act*, subsection 37 (3), a C.B.C. may be imposed only with respect to development or redevelopment that requires one of the following:

- (a) “the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*;
- (b) the approval of a minor variance under section 45 of the *Planning Act*;
- (c) a conveyance of land to which a by-law passed under subsection 50 (7) of the *Planning Act* applies;
- (d) the approval of a plan of subdivision under section 51 of the *Planning Act*;
- (e) a consent under section 53 of the *Planning Act*;
- (f) the approval of a description under section 9 of the *Condominium Act, 1998*; or
- (g) the issuing of a permit under the *Building Code Act, 1992* in relation to a building or structure.”



## **6.2.2 Maximum Amount of the Community Benefit Charge**

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

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

## **6.2.3 Exemptions (full or partial)**

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

- Development of a proposed building or structure with fewer than five storeys at or above ground;
- Development of a proposed building or structure with fewer than 10 residential units;
- Redevelopment of an existing building or structure that will have fewer than five storeys at or above ground after the redevelopment;
- Redevelopment that proposes to add fewer than 10 residential units to an existing building or structure;
- Such types of development or redevelopment as are prescribed:
  - Development or redevelopment of a building or structure intended for use as a long-term care home within the meaning of subsection 2 (1) of the *Fixing Long-Term Care Act, 2021*.
  - Development or redevelopment of a building or structure intended for use as a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*.
  - Development or redevelopment of a building or structure intended for use by any of the following post-secondary institutions for the objects of the institution:
    - i. a university in Ontario that receives direct, regular and ongoing operating funding from the Government of Ontario,
    - ii. a college or university federated or affiliated with a university described in subparagraph i,
    - iii. an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*.



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

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

#### **6.2.4 Timing of Collection**

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

#### **6.2.5 In-kind Contributions**

A municipality that has passed a C.B.C. by-law may allow the landowner to provide to the municipality: facilities, services, or matters required because of development or redevelopment in the area to which the by-law applies. The Town may permit in-kind contributions at its sole discretion.

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



## **6.2.6 The Applicable Areas**

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

## **6.2.7 Special Account**

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

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

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

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



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

### **6.2.8 Credits**

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

### **6.2.9 By-law In-Force Date**

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

## **6.3 Recommendations**

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### **It is recommended that Council:**

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

Approve the capital project listing set out in Chapter 4 of the C.B.C. Strategy dated August 11, 2022, subject to further annual review during the capital budget process;

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

Approve the C.B.C. Strategy dated August 11, 2022, as amended (if applicable);

Determine that no further public consultation is required; and

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



# Chapter 7

## By-law Implementation



## 7. By-law Implementation

### 7.1 Introduction

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

### 7.2 Public Consultation Process

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#### 7.2.1 Required Consultation

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

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

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

#### 7.2.2 Interested Parties to Consult

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

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



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

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

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

### **7.3 Anticipated Impact of the Charge on Development**

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



## 7.4 Implementation Requirements

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### 7.4.1 Introduction

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

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

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

### 7.4.2 Notice of Passage

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

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

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

### 7.4.3 Appeals

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



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

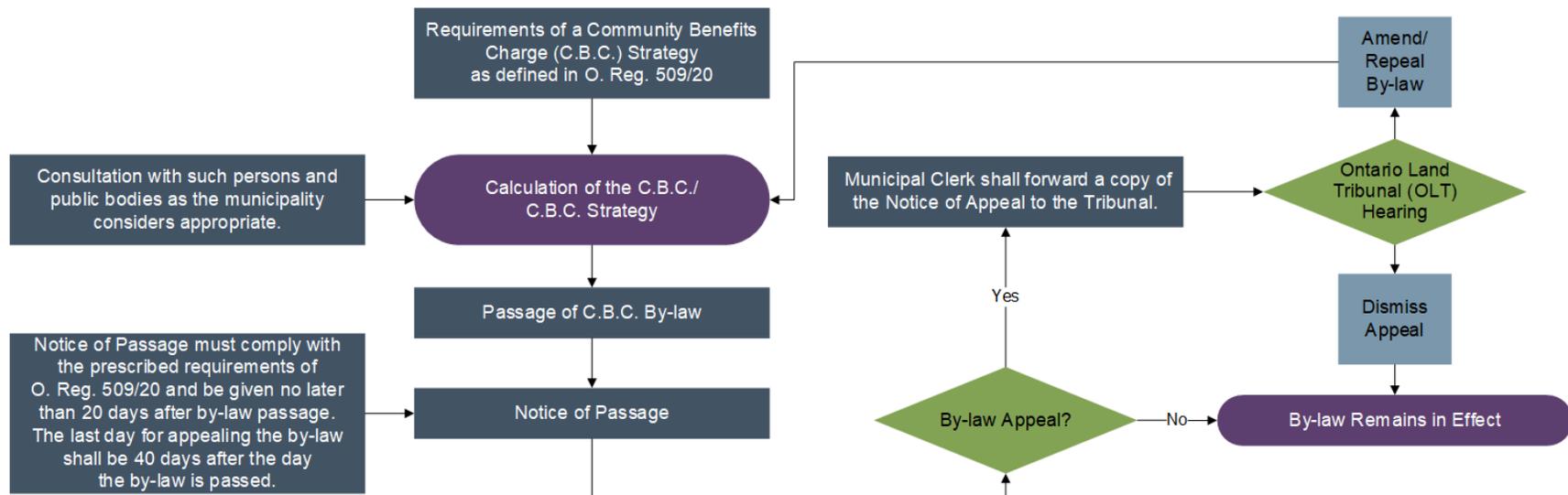
The municipality is carrying out a public consultation process, in order to address the issues that come forward as part of that process, thereby avoiding or reducing the need for an appeal to be made.

#### **7.4.4 In-Kind Contributions**

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



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





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

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### 7.5.1 Introductions

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

### 7.5.2 Overview of Process and Appraisals

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

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

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

If the owner is of the view that the amount of the C.B.C. charge exceeds 4% of the value of land, the owner shall pay the charge under protest and provide an appraisal within 30 days.

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

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



- If no appraisal is provided to the owner within 45 days, the owner's appraisal is deemed accurate and the difference in the amounts shall be refunded to the owner.
- If the municipality's appraisal is within 5% of the landowner's appraisal, the landowner's appraisal is deemed accurate, and the municipality shall refund the difference in the amounts to the owner.
- If the appraisal is more than 5% higher than the landowner's appraisal, the municipality shall request an appraisal be undertaken by an appraiser, selected by the landowner, from the list of approved appraisers provided by the municipality. This must be undertaken within 60 days. This final appraisal is deemed accurate for the purposes of calculating the applicable C.B.C.
- In regard to the last bullet, subsection 37 (42) and 37 (43) require the municipality to maintain a list of at least three persons who are not employees of the municipality or members of Council and have an agreement with the municipality to perform appraisals for the above. This list is to be maintained until the C.B.C. by-law is repealed or the day on which there is no longer any refund that could be required (whichever is later).

### **7.5.3 Special Reserve Fund Account**

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

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

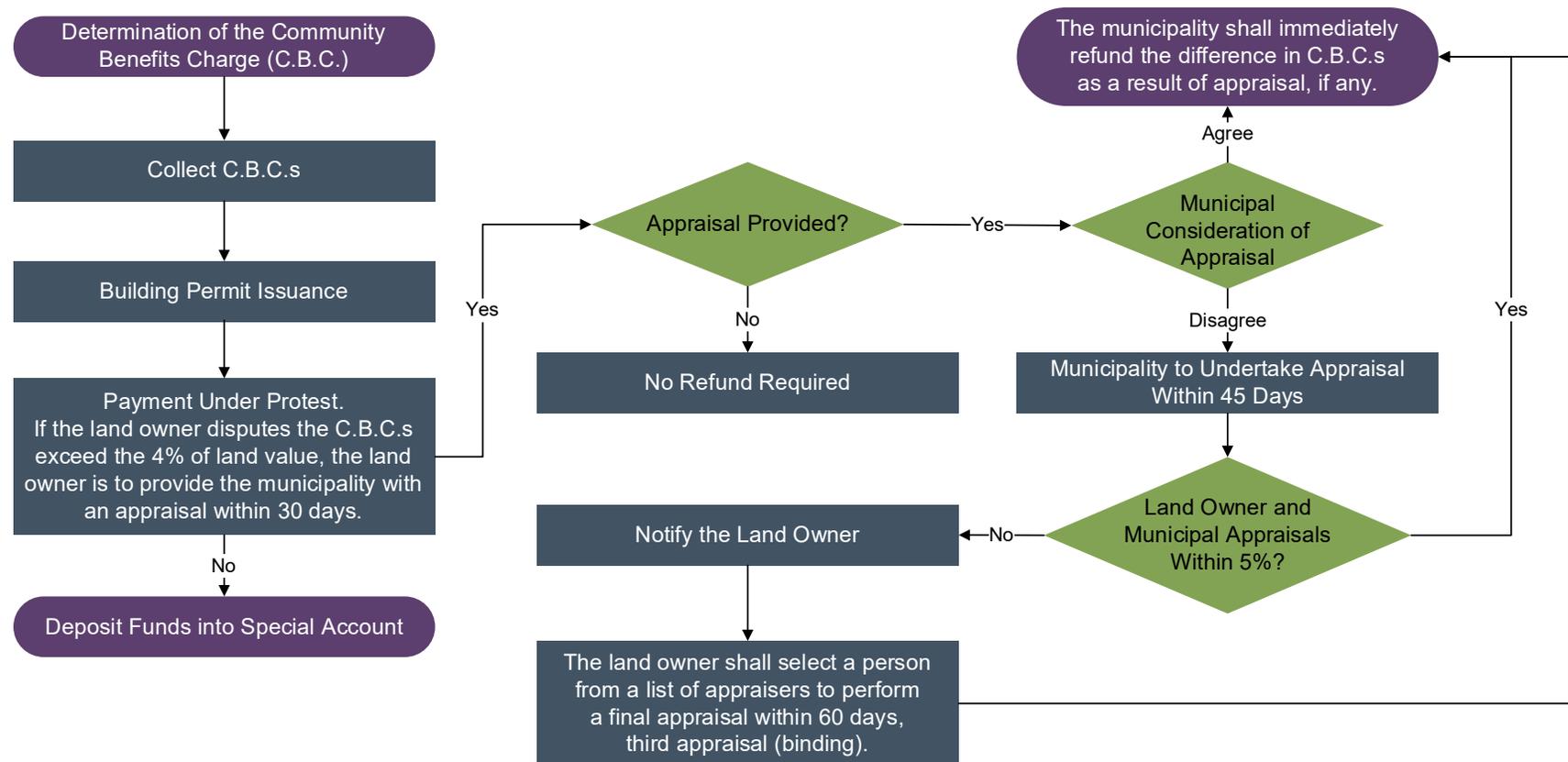


As per this C.B.C. strategy, the growth-related services (as outlined in Chapter 4), form the anticipated capital needs required to service growth over the 10-year forecast period. However, other services may be considered by Council in the future and are subject to approval by resolution and inclusion in the annual budget process. Further, any additional services approved and funded from C.B.C. revenue in the future will be reported on through an annual C.B.C. reserve fund statement, which will form part of the Town's overall year-end statements.

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



Figure 7-2  
Town of Aurora  
Community Benefits Charge Application and Calculation Process





## **7.6 Transitional Matters**

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### **7.6.1 Existing Reserves and Reserve Funds**

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

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

With respect to item 1, although the Town has an established Section 37 Community Benefits reserve fund, there are no funds currently allocated to it.

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

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

### **7.6.2 Credits under Section 38 of the Development Charges Act**

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

### **7.6.3 Continued Application of Previous Section 37 Rules**

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



# Appendices



# Appendix A

## Background Information on Residential and Non- Residential Growth Forecast



## Schedule 1 Town of Aurora Residential Growth Forecast Summary

	Year	Population (Including Census Undercount) <sup>1</sup>	Excluding Census Undercount			Housing Units				Person Per Unit (P.P.U.): Total Population/ Total Households	
			Population	Institutional Population	Population Excluding Institutional Population	Singles & Semi- Detached	Multiple Dwellings <sup>2</sup>	Apartments <sup>3</sup>	Other		Total Households
Historical	<i>Mid 2011</i>	54,900	53,203	818	52,385	12,305	3,565	1,810	11	17,691	3.007
	<i>Mid 2016</i>	57,210	55,445	740	54,705	12,770	3,975	2,100	10	18,855	2.941
	<i>Mid 2021</i>	65,230	63,214	844	62,370	14,470	4,280	2,740	10	21,500	2.940
Forecast	<i>Mid 2022</i>	66,330	64,277	857	63,420	14,672	4,280	2,901	10	21,863	2.940
	<i>Mid 2031</i>	74,900	72,589	969	71,620	15,892	5,454	4,059	10	25,415	2.856
Incremental	<b>Mid 2011 - Mid 2016</b>	<b>2,310</b>	<b>2,242</b>	<b>-78</b>	<b>2,320</b>	<b>465</b>	<b>410</b>	<b>290</b>	<b>-1</b>	<b>1,164</b>	
	<b>Mid 2016 - Mid 2021</b>	<b>8,020</b>	<b>7,769</b>	<b>104</b>	<b>7,665</b>	<b>1,700</b>	<b>305</b>	<b>640</b>	<b>0</b>	<b>2,645</b>	
	<b>Mid 2021 - Mid 2022</b>	<b>1,100</b>	<b>1,063</b>	<b>13</b>	<b>1,050</b>	<b>202</b>	<b>0</b>	<b>161</b>	<b>0</b>	<b>363</b>	
	<b>Mid 2022 - Mid 2031</b>	<b>8,570</b>	<b>8,312</b>	<b>112</b>	<b>8,200</b>	<b>1,220</b>	<b>1,174</b>	<b>1,158</b>	<b>0</b>	<b>3,552</b>	

<sup>1</sup> Census undercount estimated at approximately 3.2%.

<sup>2</sup> Includes townhouses and apartments in duplexes.

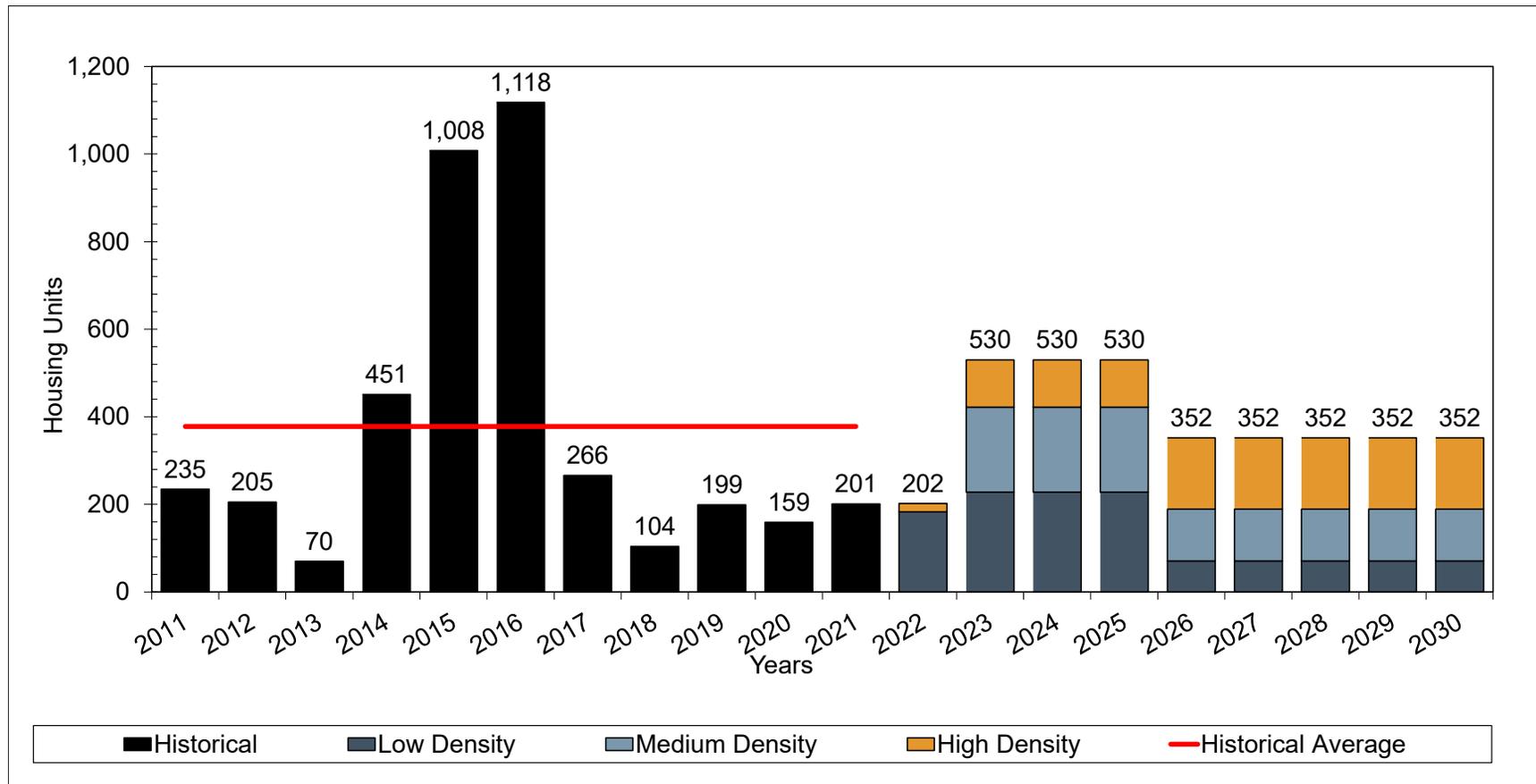
<sup>3</sup> Includes bachelor, 1-bedroom, and 2-bedroom+ apartment units.

Note: Population including the Census undercount has been rounded.

Source: Derived from Town of Aurora Development Charges Background Report, January 24, 2019, and Development Charges Update Study, April 22, 2021, by Watson & Associates Economists Ltd.



Figure A-1  
Town of Aurora  
Annual Housing Forecast<sup>1</sup>



<sup>(1)</sup> Growth forecast represents calendar year.

Source: Historical housing activity (2011-2020) based on Town of Aurora building permit data, and 2021 from Statistics Canada building permit data, by Watson & Associates Economists Ltd.



**Schedule 2**  
**Town of Aurora**  
**Estimate of the Anticipated Amount, Type and Location of**  
**Residential Development for Which Community Benefits Charges Can Be Imposed**

Development Location	Timing	Single & Semi-Detached	Multiples <sup>[1]</sup>	Apartments <sup>[2]</sup>			Total Residential Units	Gross Population In New Units	Existing Unit Population Change	Net Population Increase, Excluding Institutional	Institutional Population	Net Population Including Institutional
				Units in C.B.C. Ineligible Buildings	Units in C.B.C. Eligible Buildings	Total Apartment Units						
Town of Aurora	2022 - 2031	1,220	1,174	138	1,020	1,158	4,710	9,599	(1,399)	8,200	112	8,312

<sup>[1]</sup> Includes townhouses and apartments in duplexes.

<sup>[2]</sup> Includes accessory apartments, bachelor, 1-bedroom and 2-bedroom+ apartments.

**Notes**

- Numbers may not add to totals due to rounding.
- With respect to C.B.C. eligible units in the Town of Aurora, it is estimated that approximately 75% of the units will be in the Yonge/Promenade Corridor and approximately 25% will be in the Bayview/Leslie Corridor.

Source: Watson & Associates Economists Ltd.



Schedule 3  
Town of Aurora  
Current Year Growth Forecast  
Mid 2021 to Mid 2022

		Population
Mid 2021 Population		63,214
Occupants of New Housing Units, Mid 2021 to Mid 2022	<i>Units (2)</i>	363
	<i>multiplied by P.P.U. (3)</i>	2,645
	<i>gross population increase</i>	960
Occupants of New Equivalent Institutional Units, Mid 2021 to Mid 2022	<i>Units</i>	12
	<i>multiplied by P.P.U. (3)</i>	1,100
	<i>gross population increase</i>	13
Decline in Housing Unit Occupancy, Mid 2021 to Mid 2022	<i>Units (4)</i>	21,500
	<i>multiplied by P.P.U. decline rate (5)</i>	0.004
	<i>total decline in population</i>	90
Population Estimate to Mid 2022		64,277
<i>Net Population Increase, Mid 2021 to Mid 2022</i>		1,063

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

Structural Type	Persons Per Unit <sup>1</sup> (P.P.U.)	% Distribution of Estimated Units <sup>2</sup>	Weighted Persons Per Unit Average
<i>Singles &amp; Semi Detached</i>	3.486	55.6%	1.940
<i>Multiples (6)</i>	2.119	0.0%	0.000
<i>Apartments (7)</i>	1.590	44.4%	0.705
Total		100.0%	2.645

<sup>1</sup> Based on 2016 Census custom database

<sup>2</sup> Based on Building permit/completion activity

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



Schedule 4  
Town of Aurora  
Growth Forecast  
Mid 2022 to Mid 2031

		Population
Mid 2022 Population		64,277
Occupants of New Housing Units, 2022 to 2031	<i>Units (2)</i>	3,552
	<i>multiplied by P.P.U. (3)</i>	2,702
	<i>gross population increase</i>	9,599
Occupants of New Equivalent Institutional Units, 2022 to 2031	<i>Units</i>	102
	<i>multiplied by P.P.U. (3)</i>	1,100
	<i>gross population increase</i>	112
Decline in Housing Unit Occupancy, 2022 to 2031	<i>Units (4)</i>	21,863
	<i>multiplied by P.P.U. decline rate (5)</i>	-0.064
	<i>total decline in population</i>	-1,399
Population Estimate to 2031		72,589
<i>Net Population Increase, 2022 to 2031</i>		8,312

(1) Mid 2022 Population based on:

2021 Population (63,214) + Mid 2021 to Mid 2022 estimated housing units to beginning of forecast period (363 x 2.645 = 960 + (12 x 1.100 = 13) + (21,500 x 0.004 = 90) = 64,277

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

(3) Average number of persons per unit (p.p.u.) is assumed to be:

Structural Type	Persons Per Unit <sup>1</sup> (P.P.U.)	% Distribution of Estimated Units <sup>2</sup>	Weighted Persons Per Unit Average
<i>Singles &amp; Semi Detached</i>	3.570	34.4%	1.227
<i>Multiples (6)</i>	2.654	33.0%	0.877
<i>Apartments (7)</i>	1.837	32.6%	0.599
<i>one bedroom or less</i>	1.478		
<i>two bedrooms or more</i>	2.156		
<b>Total</b>		100.0%	2.702

<sup>1</sup> Persons per unit based on adjusted Statistics Canada Custom 2016 Census database.

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

(4) Mid 2022 households based upon 21,500 (2021 Census) + 363 (Mid 2021 to Mid 2022 unit estimate) = 21,863

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

(6) Includes townhouses and apartments in duplexes.

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



Schedule 5  
Town of Aurora  
Summary of C.B.C Eligible Units in the Development Approvals Process

Location	C.B.C. Eligible Units in Planning Applications	
	Total Units	Share
Yonge/Promenade Corridor	1,898	75%
Bayview/Leslie Corridor	620	25%
<b>Total</b>	<b>2,518</b>	<b>100%</b>

Source: Derived from data provide by the Town of Aurora, by Watson & Associates Economists



Schedule 6  
Town of Aurora  
Historical Residential Building Permits  
Years 2012 to 2021

Year	Residential Building Permits			
	Singles & Semi Detached	Multiples <sup>[1]</sup>	Apartments <sup>[2]</sup>	Total
2012	77	128	0	205
2013	33	37	0	70
2014	297	55	99	451
2015	623	341	44	1,008
2016	859	218	41	1,118
Sub-total	1,889	779	184	2,852
<b>Average (2012 - 2016)</b>	<b>378</b>	<b>156</b>	<b>37</b>	<b>570</b>
% Breakdown	66.2%	27.3%	6.5%	100.0%
2017	156	107	3	266
2018	92	11	1	104
2019	198	1	0	199
2020	159	0	0	159
2021	202	0	161	363
Sub-total	807	119	165	1,091
<b>Average (2017 - 2021)</b>	<b>161</b>	<b>24</b>	<b>33</b>	<b>218</b>
% Breakdown	74.0%	10.9%	15.1%	100.0%
2012 - 2021				
Total	2,696	898	349	3,943
<b>Average</b>	<b>245</b>	<b>82</b>	<b>32</b>	<b>394</b>
% Breakdown	68.4%	22.8%	8.9%	100.0%

<sup>[1]</sup> Includes townhouses and apartments in duplexes.

<sup>[2]</sup> Includes bachelor, 1-bedroom and 2-bedroom+ apartments.

Source: Historical housing activity (2011-2020) based on Town of Aurora building permit data, and 2021 from Statistics Canada building permit data, by Watson & Associates Economists Ltd.



Schedule 7  
Town of Aurora  
Person Per Unit by Age and Type of Dwelling  
(2016 Census)

Age of Dwelling	Singles and Semi-Detached						15 Year Average	15 Year Average Adjusted <sup>[3]</sup>
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total		
1-5	-	-	-	3.288	5.091	<b>3.486</b>		
6-10	-	-	-	3.604	4.460	<b>3.732</b>		
11-15	-	-	-	3.372	4.184	<b>3.484</b>	3.567	3.570
16-20	-	-	-	3.075	3.542	<b>3.086</b>		
20-25	-	-	-	3.243	3.875	<b>3.354</b>		
25-35	-	-	-	3.074	3.970	<b>3.206</b>		
35+	-	-	1.765	2.703	3.595	<b>2.674</b>		
<b>Total</b>	-	<b>1.467</b>	<b>1.908</b>	<b>3.109</b>	<b>4.052</b>	<b>3.191</b>		

Age of Dwelling	Multiples <sup>[1]</sup>						15 Year Average	15 Year Average Adjusted <sup>[3]</sup>
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total		
1-5	-	-	1.565	2.397	-	<b>2.119</b>		
6-10	-	-	-	2.833	-	<b>2.819</b>		
11-15	-	-	-	2.699	-	<b>2.621</b>	2.520	2.654
16-20	-	-	1.929	2.897	-	<b>2.825</b>		
20-25	-	-	-	2.708	-	<b>2.750</b>		
25-35	-	-	1.600	2.928	-	<b>2.698</b>		
35+	-	1.313	1.960	2.723	3.000	<b>2.513</b>		
<b>Total</b>	-	<b>1.619</b>	<b>1.847</b>	<b>2.763</b>	<b>3.481</b>	<b>2.631</b>		

Age of Dwelling	Apartments <sup>[2]</sup>						15 Year Average	15 Year Average Adjusted <sup>[3]</sup>
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total		
1-5	-	1.118	1.955	-	-	<b>1.590</b>		
6-10	-	-	1.708	-	-	<b>1.543</b>		
11-15	-	-	2.077	-	-	<b>1.952</b>	1.695	1.837
16-20	-	-	-	-	-	<b>1.714</b>		
20-25	-	1.111	1.778	-	-	<b>1.514</b>		
25-35	-	1.172	1.594	-	-	<b>1.464</b>		
35+	-	1.393	1.859	2.333	-	<b>1.767</b>		
<b>Total</b>	-	<b>1.287</b>	<b>1.835</b>	<b>2.345</b>	-	<b>1.667</b>		

Age of Dwelling	All Density Types					
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total
1-5	-	1.150	1.739	3.052	5.045	<b>2.866</b>
6-10	-	1.455	1.927	3.380	4.480	<b>3.320</b>
11-15	-	-	2.125	3.138	4.378	<b>3.161</b>
16-20	-	1.545	1.800	3.017	3.625	<b>2.940</b>
20-25	-	1.167	1.808	3.145	4.020	<b>3.079</b>
25-35	-	1.171	1.641	3.060	3.982	<b>2.995</b>
35+	-	1.381	1.863	2.703	3.345	<b>2.454</b>
<b>Total</b>	-	<b>1.319</b>	<b>1.825</b>	<b>3.025</b>	<b>4.037</b>	<b>2.902</b>

[1] Includes townhouses and apartments in duplexes.

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

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

Note: Does not include Statistics Canada data classified as 'Other'.

P.P.U. Not calculated for samples less than or equal to 50 dwelling units, and does not include institutional population.



Schedule 8  
Town of Aurora  
Employment Forecast, Mid-2022 to Mid-2031

Period	Population	Activity Rate				Employment			
		Usual Place of Work	Work at Home	N.F.P.O.W. <sup>[1]</sup>	Total	Usual Place of Work	Work at Home	N.F.P.O.W. <sup>[1]</sup>	Total
2016	55,445	40.37%	5.22%	5.19%	50.79%	22,385	2,895	2,880	28,160
2022	64,277	40.06%	5.42%	5.19%	50.67%	25,747	3,485	3,339	32,571
2031	72,589	40.54%	5.52%	5.21%	50.97%	29,431	3,785	3,784	37,000
<b>Incremental Change</b>									
2022-2031	8,312	0.49%	0.10%	0.02%	0.30%	3,684	300	445	4,429

<sup>[1]</sup> Statistics Canada defines no fixed place of work (N.F.P.O.W.) employees as "persons who do not go from home to the same work place location at the beginning of each shift. Such persons include building and landscape contractors, travelling salespersons, independent truck drivers, etc."

Source: Derived from Town of Aurora Development Charges Background Report, January 24, 2019, and Development Charges Update Study, April 22, 2021, by Watson & Associates Economists Ltd.



# Appendix B

## Proposed C.B.C. By-law

# The Corporation of the Town of Aurora

## By-law Number XXXX-22

### Being a By-Law of The Corporation of the Town of Aurora to require the payment of community benefits charges within the Town of Aurora.

**Whereas** The Corporation of the Town of Aurora (the “Town”) will experience growth through development and redevelopment;

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

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

**And whereas** a community benefits charge strategy dated August 11, 2022 has been prepared in accordance with subsection 37(9) of the *Planning Act* and O. Reg. 509/20 and which identifies the facilities, services and matters that will be funded with community benefits charges;

**And whereas** the Town has consulted with such persons and public bodies as the Town considers appropriate;

**Now therefore the Council of The Corporation of the Town of Aurora hereby enacts as follows:**

#### 1. Definitions

1.1 In this by-law, the following words have the following meanings:

- a) **“Basement”** refers to the portion of the Building between the First Storey and any floor below the level of the first floor;
- b) **“Building”** refers to any structure or building as defined in the Ontario Building Code (O Reg 332/12 under the Building Code Act);
- c) **“Building Code Act”** means the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended, or successor legislation;
- d) **“Building Permit”** means a permit under the Building Code Act for construction at or above the First Storey of a Building;
- e) **“Capital Cost”** means costs incurred or proposed to be incurred by the Town or a local board thereof directly or by others on behalf of, and as authorized by the Town or local board,
  - (i) to acquire land or an interest in land, including a leasehold interest;
  - (ii) to improve land;
  - (iii) to acquire, lease, construct or improve buildings and structures;

## By-law Number XXXX-22

- (iv) to acquire, lease, construct or improve facilities including rolling stock, furniture, and equipment.
  - (v) to undertake studies in connection with any of the matters referred to in subsections 1.1(e) (i) to (iv),
  - (vi) to complete the Community Benefits Charge Strategy under section 37(9) of the Planning Act; and,
  - (vii) includes interest on money borrowed to pay for costs in subsections 1.1(e) (i) to (vi); required for provision of services designated in this by-law within or outside the Town;
- f) **“Community Benefits Charge”** means a charge imposed pursuant to this by-law;
- g) **“Community Benefits Charge Strategy”** means the Community Benefits Charge Strategy prepared pursuant to subsection 37(9) of the Planning Act;
- h) **“Condominium Act”** refers to the *Condominium Act, 1998*, S.O. 1998, c.19, as amended, or successor legislation;
- i) **“Council”** means the council of the Town;
- j) **“Development” or “Redevelopment”** means any activity or proposed activity in respect of land that requires one or more of the approvals referred to in section 3 of this by-law and includes the development or redevelopment of land or the redevelopment, expansion, extension or alteration of the use of a Building;
- k) **“Director”** means the Director of Planning and Development Services of the Town, or his or her designate;
- l) **“First Storey”** means the storey of a Building, structure or part thereof, that has its floor closest to Grade and having its ceiling more than 1.8 metres above Grade;
- m) **“Grade”** means the average level of finished ground adjoining a Building or structure at all exterior walls;
- n) **“In-Kind Contribution”** means facilities, services or matters identified in a Community Benefits Charge Strategy and required because of Development or Redevelopment to be provided by an owner of land, in lieu of payment of the Community Benefits Charge otherwise applicable, in whole or in part;
- o) **“Local Board”** has the meaning set out in Section 1 of the *Municipal Affairs Act*, R.S.O. 1990, c. M.46, as amended, or any successor thereof;
- p) **“Owner”** means the owner of land or a person who has made application for an approval for the Development or Redevelopment of land upon which a Community Benefits Charge is imposed;
- q) **“Planning Act”** means the *Planning Act*, R.S.O. 1990, c. P.13, as amended, or successor legislation;

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- r) **“Redevelopment”** See “Development”
- s) **“Residential Use”** means lands, buildings or structures, or portions thereof, used, or designed or intended for use as a home or residence of one or more individuals, and the residential portion of a mixed-use building or structure;
- t) **“Residential Unit”** means a unit that consists of a self-contained set of rooms located in a Building used or intended for Residential Use and contains full culinary and sanitary facilities for the use of that unit;
- u) **“Storey”** means a level of a Building, other than a Basement, located between any floor and the floor, ceiling or roof immediately above it;
- v) **“Town”** means The Corporation of the Town of Aurora, or where the context requires, the geographical jurisdiction of The Corporation of the Town of Aurora;
- w) **“Treasurer”** means the Treasurer of the Town, or his or her designate;
- x) **“Valuation Date”**, with respect to land that is the subject of Development or Redevelopment, refers to:
  - (a) The day before the day the Building Permit is issued in respect of the Development, or
  - (b) If more than one Building Permit is required for the Development or Redevelopment, the day before the day the first Building Permit is issued;
- y) **“Value of the Land”** means for the purposes of determining the community benefit charges payable, the appraised value of the land in an appraisal prepared by or for the Town that is:
  - (i) in accordance with the Canadian Uniform Standards of Professional Appraisal Practice of the Appraisal Institute of Canada; and,
  - (ii) In accordance with any additional specifications or requirements as directed by the Town.

## 2. **Lands Affected**

2.1 This By-law applies to all lands within the corporate limits of the Town.

## 3. **General Requirement**

3.1 A Community Benefits Charge shall be payable for the Capital Cost of facilities, services and matters required because of Development or Redevelopment that requires any of the following:

- (i) the passing of a zoning by-law or an amendment to a zoning by-law under section 34 of the Planning Act;
- (ii) the approval of a minor variance under section 45 of the Planning Act;

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- (iii) a conveyance of land to which a by-law passed under subsection 50(7) of the Planning Act applies;
- (iv) the approval of a plan of subdivision under section 51 of the Planning Act;
- (v) a consent under section 53 of the Planning Act;
- (vi) the approval of a description under section 9 of the Condominium Act; or
- (vii) the issuing of a permit under the Building Code Act in relation to a Building.

### 4. Exemptions

4.1 Despite Section 3 of this by-law, this by-law shall not apply to lands that are owned by and used for the purposes of:

- (a) the Town or a Local Board thereof;
- (b) a Board of Education; or
- (c) the Regional Municipality of York or a Local Board thereof.

4.2 Despite Section 3 of this by-law, a Community Benefits Charge shall not be imposed with respect to:

- (i) Development of a proposed Building with fewer than five (5) Storeys at or above ground;
- (ii) Development of a proposed Building with fewer than ten (10) Residential Units;
- (iii) Redevelopment of an existing Building that will have fewer than five (5) Storeys at or above ground after the Redevelopment;
- (iv) Redevelopment that proposes to add fewer than ten (10) Residential Units to an existing Building; or
- (v) such types of Development or Redevelopment as are Prescribed.

4.3 Despite Section 3 of this by-law, a Community Benefits Charge shall not be imposed with respect to:

- (a) Development or Redevelopment of a Building intended for use as a long-term care home within the meaning of subsection 2(1) of the *Fixing Long-Term Care Act, 2021*, S.O. 2021, c. 39, as amended, or successor legislation;
- (b) Development or Redevelopment of a Building intended for use as a retirement home within the meaning of subsection 2(1) of the *Retirement Homes Act, 2010*, S.O. 2010, c. 11, as amended, or successor legislation;
- (c) Development or Redevelopment of a Building intended for use by any of the following post-secondary institutions for the objects of the institution:
  - (i) a university in Ontario that receives direct, regular and ongoing operating funding from the Government of Ontario;

## By-law Number XXXX-22

- (ii) a college or university federated or affiliated with a university described in subparagraph (i);
  - (iii) an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*, S.O. 2017, c. 34, Sched. 20, as amended, or successor legislation.
- (d) Development or Redevelopment of a Building intended for use as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion;
- (e) Development or Redevelopment of a Building intended for use as a hospice to provide end of life care;
- (f) Development or Redevelopment of a Building intended for use as residential premises by any of the following entities:
- (i) a corporation to which the *Not-for-Profit Corporations Act, 2010*, S.O. 2010, c. 15, as amended, or successor legislation, applies that is in good standing under that act and whose primary objective is to provide housing;
  - (ii) a corporation without share capital to which the *Canada Not-for-Profit Corporations Act*, S.C. 2009, c. 23, as amended, or successor legislation, applies, that is in good standing under that act and whose primary objective is to provide housing;
  - (iii) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*, R.S.O. 1990, c. C.35, as amended, or successor legislation.

### 5. Multiple Uses – Excluded Types of Development

- 5.1 Where Development or Redevelopment proposes multiple uses within a Building and the Owner has provided satisfactory evidence to the Director that it includes one or more the excluded types of Development or Redevelopment described in Section 4.3 of this By-law, a Community Benefits Charge otherwise payable for the Development or Redevelopment will be reduced by an amount attributed by the Town to the excluded type of Development or Redevelopment.

### 6. Determination of Charge

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

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- (b) a Community Benefits Charge payable for each phase will be four (4) percent of the Value of the Land for that phase.

### **7. In-Kind Contributions**

- 7.1 The Director is delegated authority to allow an Owner to provide an In-Kind Contribution in lieu of the payment of a Community Benefits Charge otherwise payable, in whole or in part, and to accept and attribute a value pertaining to an In-Kind Contribution and to make satisfactory arrangements for the provision of the In-Kind Contribution to the Town, which arrangements may include the execution of an agreement by the Mayor and Clerk upon the recommendation of the Director.
- 7.2 Where the Director has allowed an Owner to provide an In-Kind Contribution, a Community Benefits Charge otherwise payable for the Development or Redevelopment will be reduced by the value that the Director has attributed to the In-Kind Contribution.

### **8. Time of Payment of Community Benefits Charges**

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

### **9. No Building Without Payment**

- 9.1 No person shall construct a Building on land proposed for Development or Redevelopment where an approval under Section 3.1 of this by-law is required unless: (a) a Community Benefits Charge payment required by this by-law has been made or arrangement for the payment that are satisfactory to the Town have been made and (b) any approved In-Kind Contribution has been provided or arrangements for its provision satisfactory to the Director have been made.

### **10. Administration of By-law**

- 10.1 The Treasurer is delegated authority for the implementation and administration of this by-law.
- 10.2 The Treasurer shall report annually to Council on:
  - (a) the prescribed matters contained in Section 7 of the O. Reg. 509/20, as amended; and
  - (b) funding recommendations to spend or allocate at least 60 percent of the monies in the special account at the beginning of the year.

### **11. General**

- 11.1 Council shall review this by-law and pass a resolution declaring whether a revision to this by-law is needed within five years of the date it is first passed, and every five years after the previous resolution was passed.
- 11.2 If, for any reason, any provision of this by-law is held to be invalid, it is hereby declared to be the intention of Council that all the remainder of this by-law shall continue in full force and effect until repealed, re-enacted, amended or modified.

**By-law Number XXXX-22**

11.3 The reference to any statute, regulation or by-law shall be deemed to refer to the statute, regulation, or by-law as they may be amended from time to time.

12. **Effective Date**

12.1 This by-law shall come into effect at 12:01 A.M. on September 20, 2022.

**Enacted by Town of Aurora Council this 20th day of September, 2022.**

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**Tom Mrakas, Mayor**

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**Michael de Rond, Town Clerk**