

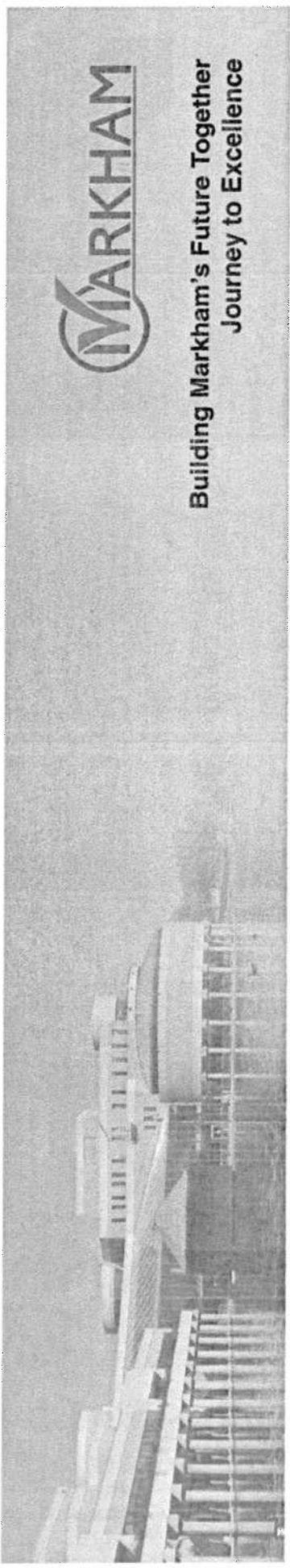
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Journey to Excellence

Development Services Committee

**56 MAIN STREET
Unionville**

September 27, 2011





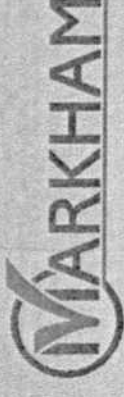
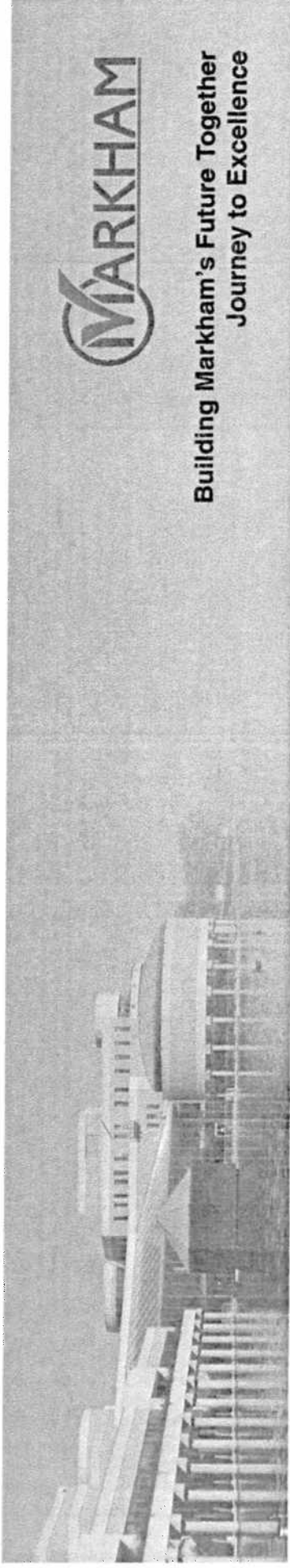
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Agenda

- Background
- Issues
 - Demolition
 - Re-zoning
 - Development Charges
 - Property Taxes
 - Summary



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& HEALTHY WORKPLACE



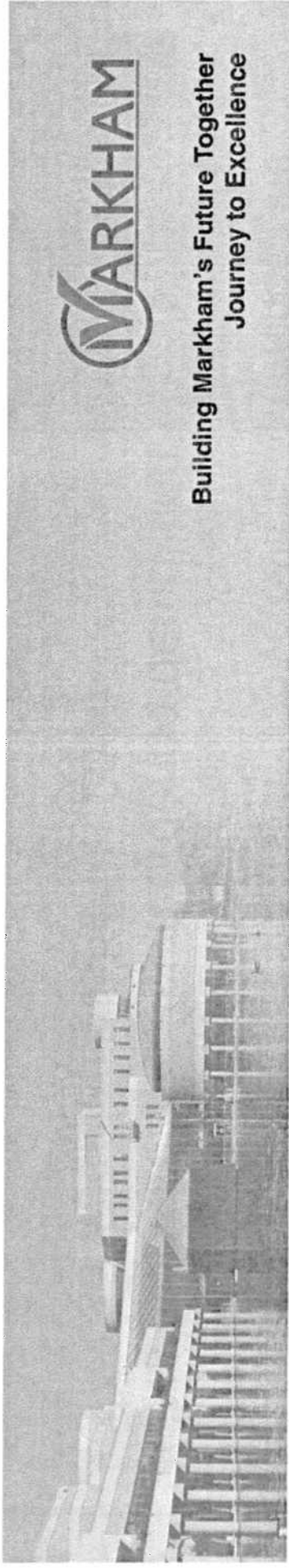
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Background

- House was a 1950's house purchased by the current owner in the late 1970's or early 1980's
- In 1999 the By-laws Department received a complaint about the house which was now vacant and being vandalised
- As per normal practice, Owner advised to secure the house by boarding it up to prevent unauthorized access
 - Owner advised that Town staff also verbally recommended the demolition of the house
- No record of the Town ordering demolition
- House was demolished in 2000

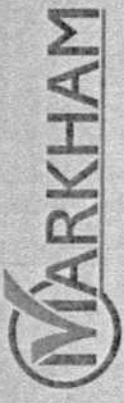
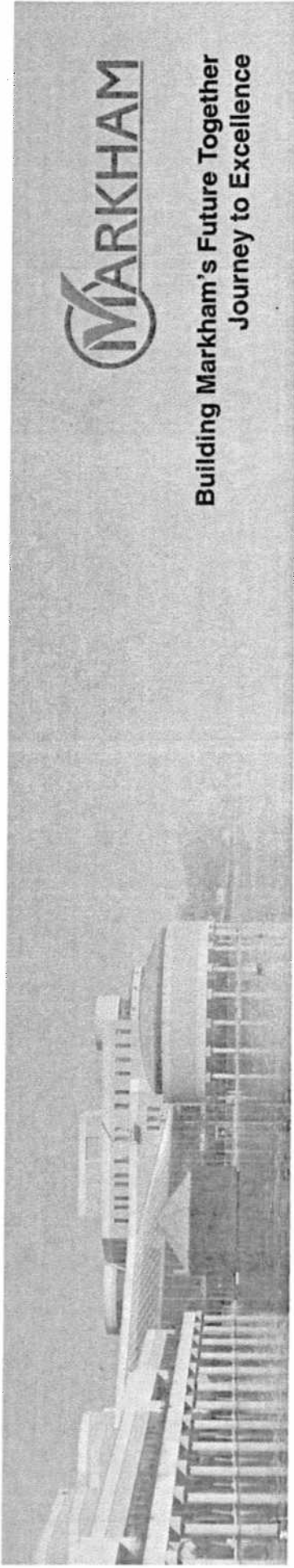


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Rezoning

- The house was re-zoned in the early 1970's from R3 (Single Family Residential) to O1 (Open Space) due to its proximity to the water course
- House was legal non-conforming use for as long as it existed
- The legal non-conforming use disappeared with the demolition of the house in 2000 and the O1 zoning prohibited any type of building



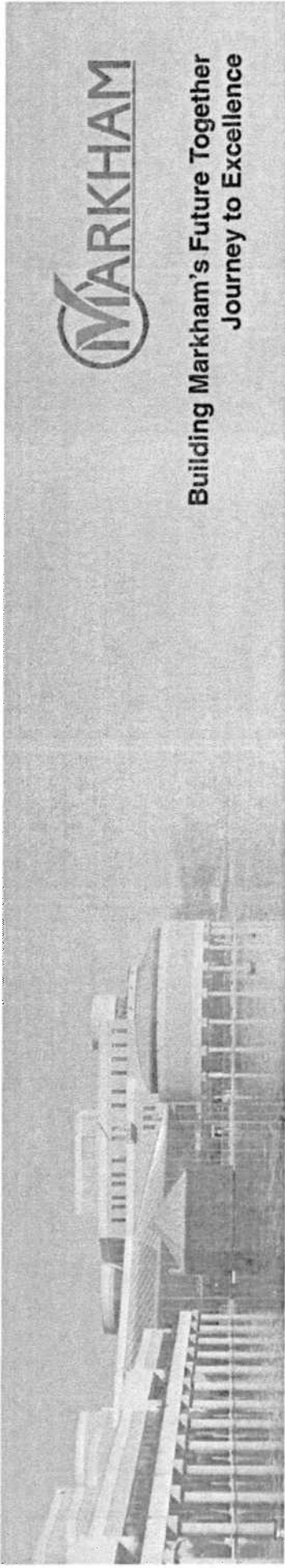
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Rezoning

- In order to permit residential uses, a major re-zoning application was required due to the complete change in use (Open Space to Residential)
- Property is located in a Special Policy Area therefore only portion of land above top bank could be re-zoned to residential
- Owner paid \$19K application fee for the rezoning

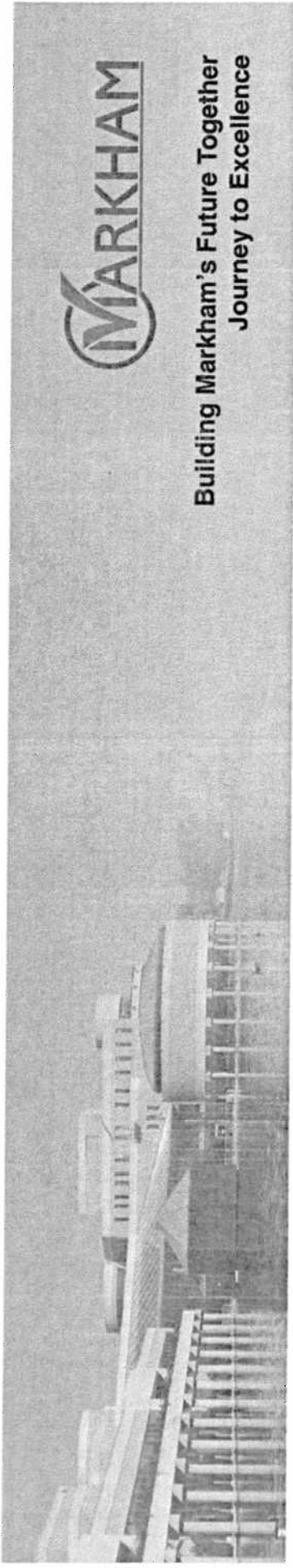


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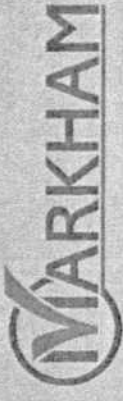
Development Charges

- Development Charge by-law permits an exemption from development charges if a building permit to replace a demolished house is issued with 48 months (4 years) of the demolition
- Demolition permit was issued on May 12th, 2000
- To qualify for the exemption from DC's, building permit for replacement dwelling was required by May 2004
- Building permit was issued on June 17, 2011



Development Charges

- Region and School Boards have similar provisions
 - Region – 4 years, School Boards – 5 years
- Consistent with other municipalities such as:
 - Richmond Hill – 4 years
 - Vaughan – 4 years
 - Oakville – 5 years
 - Toronto – 3 years



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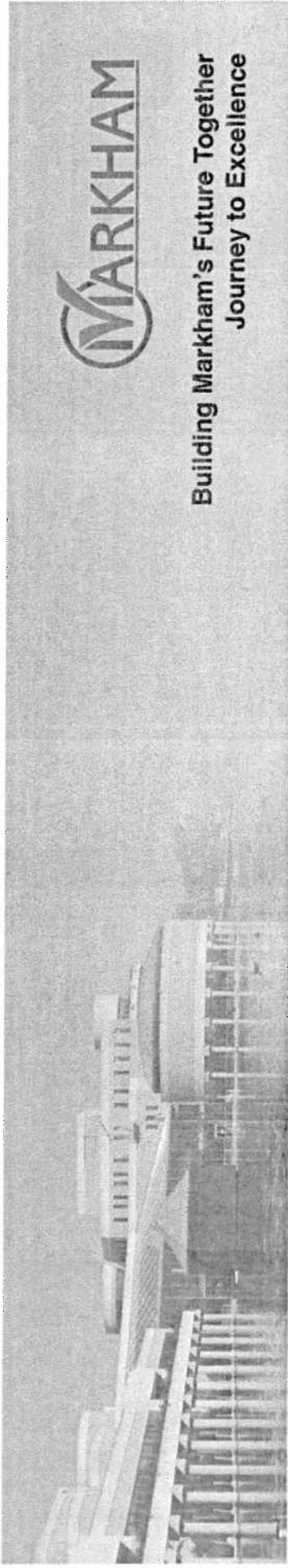
Development Charges

- There is no discretion to waive development charges if a building permit is not issued within the by-law's 4 year exemption period
- The 4 year period:
 - Allows an applicant sufficient time to proceed through the planning process (even if protracted)
 - Discourages property owners from leaving vacant land unoccupied for a long period



Development Charges

- Owner required to pay \$51,445 in development charges comprised of:
 - Town - \$18,475
 - Region - \$30,950
 - School Boards - \$2,020
- Development charges paid under protest in June 2011

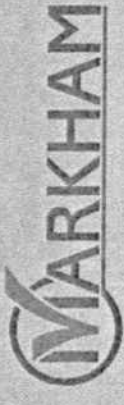


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Development Charges

- Options to assist owner are limited to Town portion of DC's payable (\$18,475)
 1. Open Hard and Soft DC by-laws to provide an exemption for this property – no rationale for exclusion and sets an undesirable precedent. Soft by-law is currently under appeal. Update process will be costly and lengthy and amending by-law is subject to appeal.
 2. Defer the DC's – not supported by rationale consistent with past practice and will likely cost the owner more in the long run
- Any complaint relating to the Regional and School Board development charges has to be made directly to these organizations

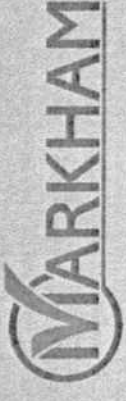
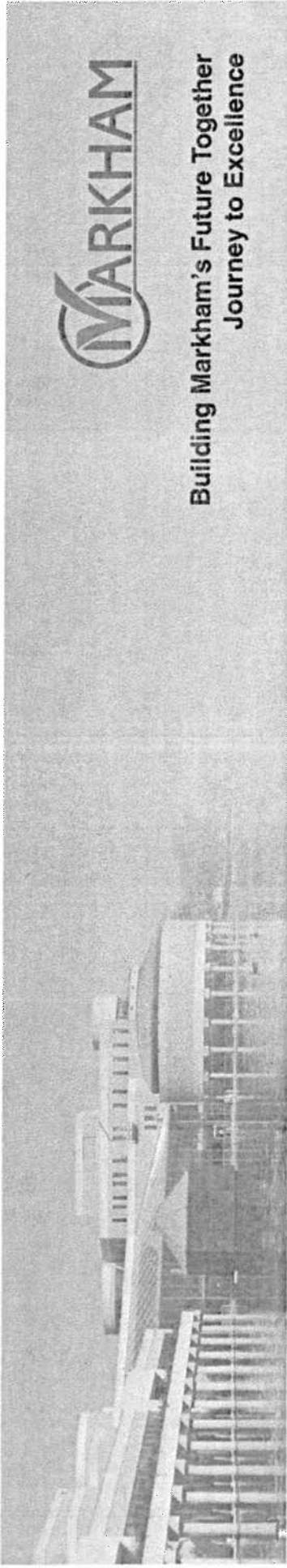




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Property Taxes

- Records indicate that land status was changed to vacant land in 1999
- Property taxes were therefore charged based on vacant lot since 1999; one year before demolition of house



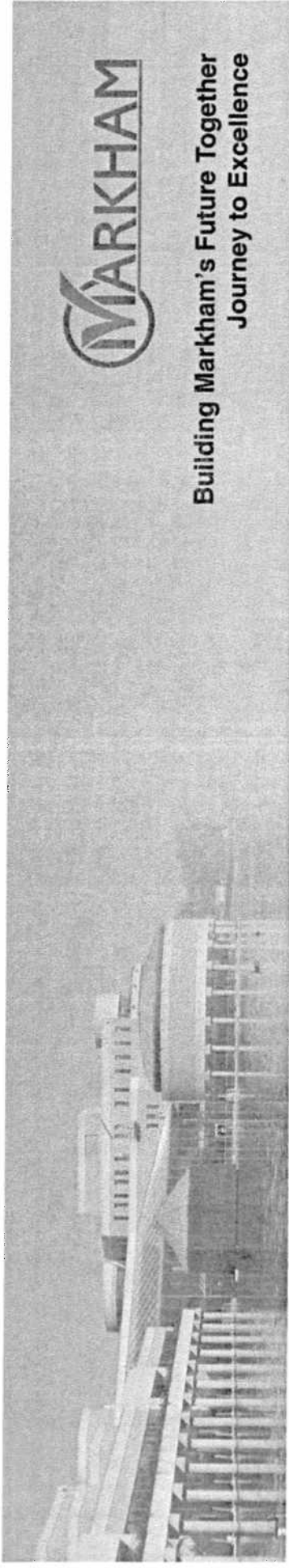
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Summary of Redevelopment Costs

- Costs incurred by the Owner to redevelop the property total \$75,758 broken down as follows:
 - Re-zoning - \$19,200
 - Building Permits - \$2,974
 - Site Plan - \$2,139
 - Development Charges - \$51,445



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Summary

- Development charge redevelopment credits have consistently been applied strictly within the 4 year period in accordance with the Town's DC by-laws
- Any divergence from this practice will set a precedent and encourage other such requests
- Staff do not support any of the options and recommend that all applicable DC's be paid as assessed