

Community Use Facilities – Criteria and Conditions for Deferral of Development Charges

Background:

Development charges are collected from all forms of development for soft and hard services. The Soft services that development charges are collected for include Recreation, Libraries and Public Works. The City plans its community with consideration to ensuring that its residents have equal access and no barriers to participation in municipal services that Markham residents value. Our Leisure Master Plan is a document that guides the decision making by Council on how those development charges would be allocated.

Deferral of Development Charges:

Qualification Criteria

- The service being provided should be offered at the municipal or Regional level (upper tier).

City

- The facility/service is considered and identified within the Integrated Leisure Master Plan as being needed for a specific area that the development serves.
- Service/facility would need to be reviewed by the Commissioner of Community & Fire Services to ensure alignment to Council priorities and approved policies.
- Must not be a duplication of an existing facility within a service area provided by City, Region or Community Agency, where the current and foreseeable service level is adequate, as determined by the Commissioner of Community & Fire Services.
- The building or structure is owned by a non-profit corporation.

Region

- If the service is only provided at the upper tier, the Region will make the determination on whether it can qualify for a deferral of development charges. (The City will defer only if Region defers).
- The building or structure is owned by a non-profit corporation.

Notwithstanding the typical services that may qualify under the above criteria, if there is an additional service that is deemed to provide a social/community benefit, staff will review its benefit to the municipality and make a recommendation to Council.

If approval is obtained for a deferral for development charges by the City, this relates to municipal charges only. Deferral of regional development charges are at the sole and absolute discretion of the Region of York.

Conditions of Deferral

When a development requests a deferral of development charges for recreation, library services and public works, the following conditions need to be met:

- The facility will have no barriers to participation for all residents of Markham – clearly the facility will not limit persons based on race, gender, sexual orientation or culture/religion.
- The facility will meet all the requirements of the Accessibility for Ontarians with Disabilities Act (AODA) and have a separate entrance and function.
- Must not require ongoing City subsidy for operating – all operating costs to be the responsibility of the building owner or service provider.
- Will enter into a service level agreement, if deemed appropriate by the Commissioner of Community & Fire Services.
- Will consent to the development charge deferral being registered on title.
- Will agree that if development charges become due as a result of a change in use, the applicable charges will be calculated based on current rates, in accordance with the method prescribed in the Development Charges Deferral Policy adopted by Council on November 8, 2011.

Decision Making:

Partnership opportunities with community groups are welcomed by all service areas and there are a significant number already in place that have done so without any subsidy based on mutual benefit and shared outcomes. Opportunities to work collectively in Recreation, Libraries and Public Works should be discussed with Community Services. When development charges are deferred there are less dollars available to address current Council approved priorities such as the South East Community Centre & Library and other priorities within the Leisure Plan.

As such, staff will examine the value proposition of the benefits of the facility/service versus the development charges to be deferred, to ensure that the charges foregone do not supersede the anticipated benefit.

If an applicant is to be granted a development charge deferral for a facility, the City should realize cost savings in its planned capital expenditure program, by not being required to construct a similar facility.

Approval of all requests to defer development charges will be consistent with the provisions of the Development Charge Deferral Policy; if a request falls outside of the Policy, Council approval will be required.