



Town of Newmarket
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Fee Deferral Request for 17175 Yonge Street (Trinity Coptic Foundation)

Staff Report to Council

Report Number: Report Number to be assigned by Legislative Services

Department(s): Building and Planning Services

Author(s): Kaitlin McKay, Senior Planner, Planning Services

Meeting Date: April 7, 2025

Recommendations

1. That the report entitled "Fee Deferral Request for 17175 Yonge Street (Trinity Coptic Foundation)" dated April 7, 2025, be received; and,
2. That Council approve the additional fee deferrals, as described in this report, for the following:
 - Site Plan application fee;
 - Finance fee;
 - Engineering internal review fee;
 - Community benefit charges (non residential portion);
 - Trail contribution; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

To request that Council approve a request from Trinity Coptic Foundation for a development related fee deferrals in addition to the deferrals granted under the Alternative Fees & Charges for Registered Charities and Non-Profit Organizations Policy.

Background

Trinity Coptic Foundation (TCF) owns the property located at 17175 Yonge Street. The subject land is proposed to be developed with a 10-storey mixed-use building, consisting of 208 rental units and retail space at grade. A minimum of 30% of the units will be

rented at less than 70% of the Median Market Rent for Newmarket and will be maintained for a minimum of 20 years. In addition, TCF has an expression of interest from York Region to allocate up to 24 units for York Region’s Subsidized Housing Wait List. 86 units (or 41% of all units) are affordable or subsidized units. The remaining units will be rented at market rate.

Trinity Coptic Foundation is utilizing the Canadian Mortgage and Housing Corporation’s Affordable Housing Fund program to finance the development. TCF has advised that CMHC will not release any funds until construction has commenced, which is anticipated to occur by Fall 2025. As a result, TCF has also requested deferrals of several fees and charges until the CMHC issues their first mortgage advance, expected by September 2025.

The Alternative Fees & Charges for Registered Charities and Non-Profit Organizations Policy (“Policy”) sets out the conditions under which specific fees and charges related to development projects undertaken by registered charities and non-profit organizations could be deferred or waived. TCF has also requested additional deferrals beyond what is contemplated by the Policy.

Discussion

Exemptions for Non-Profit Housing Developments

Trinity Coptic Foundation is a non-profit corporation whose primary object is to provide housing and they are constructing a non-profit housing development. As a result, the Development Charges Act exempts TCF from paying development charges, and the Planning Act exempts TCF from paying cash in lieu of parkland and community benefit charges, for the residential portion that comprises the non-profit housing development. The following chart provides a summary of the fees and charges that TCF is exempt from paying. The commercial gross floor area within the development is not exempt from paying development charges, cash in lieu of parkland and community benefit charges.

Type of Charge	Amount
Development Charges – Residential portion (Town Only)	\$3,736,968.00
Cash in lieu of Parkland – Residential portion only	\$625,759.87
Community benefit charges – Residential portion only	\$535,274.42
Total Statutory Exemption Amount	\$4,898,002.29

Town Policy for Alternative Fees & Charges for Registered Charities and Non-Profit Organizations

The Policy applies to all applications made by registered charities and non-profit organizations to build, construct, expand, renovate, or alter in some manner a building or structure in the Town of Newmarket. The Policy allows for the deferral of the fees and charges related to a development application by a registered charity or a non-profit organization, upon request, provided the lands in question for the request are owned by or being developed by the applicant and provide a service to the general public or for the benefit of the community. The applicant must also obtain all other approvals, permits, consents, and matters that are determined necessary by the Town.

As per the Policy, if all of the criteria above are met, the Directors of Planning and Finance are authorized to defer fees and charges for a period of 10 years.

If Trinity Coptic Foundation owns the property at the end of the 10 years, these fees would be waived all together. If Trinity Coptic Foundation sells the property within the 10-year timeframe, the fees will have to be paid to the Town by Trinity Coptic or the new owner. Trinity Coptic Foundation has requested deferrals under the Policy and meet the criteria set out in the Policy. As such, the non-residential development charges and building permit application fees have been approved to be deferred. As noted above, TCF's non-profit housing development is exempt from paying residential development charges, cash in lieu of parkland, and community benefits charges.

TCF has made a written request for the deferral of development charges and cash in lieu of parkland for the non-residential gross floor area and the deferral of building permit application fees. Pursuant to the Policy, the Directors of Planning and Finance have approved the requested deferrals.

The following chart provides a summary of the charges that were approved to be deferred pursuant to the Alternative Fees and Charges Policy.

Type of Charge	Amount
Development Charges - Non-residential (Town Only)	\$34,322.31
Cash in lieu of parkland – Non-residential	\$15,820.99
Building Permit Application Fees	\$298,872.80
Total Deferral Amount under Town Policy	\$349,016.10

The Site Plan application for this development is currently under review by the Town’s Development Coordination Committee. The Development Coordination Committee (DCC) is a working group of staff from Engineering, Landscape, Legal, and Planning that process complex applications. DCC generally processes Subdivision applications and are reviewing this site plan application as a pilot project. As it is a pilot project, DCC review fees in the amount of \$11,237.73 have also been waived.

Additional Requests

Trinity Coptic Foundation has submitted a request for other development related fee deferrals until financing is received from CMHC. The funding is currently anticipated to be released in Fall 2025.

Community Benefit Charges

TCF has requested that all Community Benefit Charges (CBCs) be waived. The Planning Act exempts non-profit housing developments from CBCs for the residential portion. As the commercial portion is not exempted by legislation, and the deferral would go beyond what is provided for under the Policy, staff recommend that CBCs remain payable for the commercial portion. However, staff support temporary deferral of the payment of the CBCs for the commercial portion of the development until TCF receives their funding. This will be secured through the site plan agreement.

Trail Contribution

As part of the development application, Trinity Coptic Foundation will be providing a 3.0 metre easement on the north side of their property for a future Town owned trail. TCF has requested that their contribution for the trail construction in the easement area be deferred until the CMHC funding is available in Fall 2025. This will also be secured through the site plan agreement.

TCF will also convey the woodlot on the east side of the property to the Town and a trail will be constructed in the Town owned lands as part of a capital project in the future.

The chart below outlines the fees and charges that staff are recommending to be deferred until TCF receives funding.

	Type	Estimated Total \$
<u>Town Processing Fees</u>		
1	Site plan application fee	\$186,579.40
2	Finance fee	\$65,000.00
3	Engineering Internal Review fee	\$127,121.30

<u>Other Town Charges</u>		
4	Community benefit charges (Commercial portion only)	\$13,769.24
5	Trail contribution (retained lands only)	\$67,000.00
6	Tree compensation	Tree compensation is not required for this file. The applicant is providing enough compensation planting to offset the value of removals.
Total Temporary Deferral Amount		\$459,469.94

Securities

The Town collects engineering and landscaping securities as they serve as security deposits for the works to be undertaken on the property. Financial securities are held by the Town in order to ensure there is sufficient means to either complete civil works started or make excavations safe should the need arise if a development cannot be completed after having started. The securities for landscape and engineering works for the proposed development were initially estimated to be approximately \$1,460,000.

As in most cases, these works are constructed and inspected without the need to draw on securities, and they are returned to the developer at completion. Staff have carefully reviewed the nature of the securities for this development and have determined that a lesser amount can be justified. As a result, the required engineering and landscape securities can be reduced to \$442,346.55. Tree securities in the amount of \$5,344.38 also remain applicable. The securities are required to be submitted prior to the execution of the site plan agreement.

York Region and Educational Development Charges

Trinity Coptic Foundation has also requested Town of Newmarket Council make a request to York Region to match the amounts the Town has deferred under the policy. Additionally, TCF has requested that Council approve the Town of Newmarket to pay the applicable Education Development Charges (for both residential and commercial components) until the CMHC funding is received in Fall 2025. The Education DCs are estimated at \$1,758,819.25.

The Town does not provide loans for external charges and as such Staff do not recommend that Council approve this request. Trinity Coptic Foundation should reach out to York Region and the School Boards directly to discuss what options may be available to defer these charges.

Consultation

Planning, Legal, Engineering, and Financial Services have been consulted.

Conclusion

Trinity Coptic Foundation is a non-profit housing provider constructing a non-profit housing development and as a result is exempt from paying residential development charges, cash in lieu of parkland, and residential community benefit charges, pursuant to exemptions in the Development Charges Act and the Planning Act.

With delegated authority, Staff have approved the deferral of non-residential development charges, and building permit application fees, totaling \$349,016.10. These fees will be deferred for a period of 10 years and if the property continues to be owned by TCF, these fees will be waived entirely.

Staff recommend that Council approve the additional fee deferrals for the following fees until Trinity Coptic Foundation receives CMHC funding:

- Site Plan application fee;
- Finance fee;
- Engineering internal review fee;
- Community benefit charges (non residential portion); and,
- Trail contribution.

Should Council approve the deferral of the other fees as requested above, the applicant will be required enter into a deferral agreement with the Town or applicable conditions will be included in the site plan agreement.

Council Priority Association

This report aligns with the following Council Priority: Community and Economic Vibrancy

Human Resource Considerations

Not applicable.

Budget Impact

Trinity Coptic Foundation is exempt from paying residential development charges, cash in lieu of parkland, and residential community benefit charges, as outlined in the Development Charges Act and Planning Act.

With delegated authority as per the Policy, fees totaling \$349,016.10 have been deferred to date for Trinity Coptic Foundation. These fees will be deferred for a period of 10 years and if the property continues to be owned by TCF, these fees will be waived entirely.

Should Council approve the deferral of additional fees, additional fees totalling \$459,469.94 will be paid by TCF to the Town when the applicant receives funding. This is estimated to occur in Fall 2025.

Attachments

None.

Submitted By

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Approval for Submission

Adrian Cammaert, MCIP, RPP
Manager, Planning Services

Jason Unger, MCIP, RPP
Director, Planning & Building Services

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Commissioner, Development & Infrastructure Services

Report Contact

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