

## Committee of the Whole (2) Report

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**DATE:** Tuesday, February 14, 2023      **WARD(S):** ALL

**TITLE:** ALLOCATION OF SERVICING CAPACITY ANNUAL  
DISTRIBUTION AND UPDATE

**FROM:**

Vince Musacchio, Deputy City Manager, Infrastructure Development

**ACTION:** DECISION

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### **Purpose**

This Report updates Council on the status of the City's servicing capacity reserve assigned by The Regional Municipality of York (York Region), made available through the York Durham Sewage System, Kleinburg Water Resource Recovery Facility, and York Water System.

### **Report Highlights**

- In 2022, 17,350 persons equivalent was allocated for approved developments city-wide (excluding the Kleinburg Water Resource Recovery Facility service area).
- Total City Servicing Capacity remaining (excluding the Kleinburg Water Resource Recovery Facility service area) until York Region's Next Servicing Capacity Assignment, scheduled for Q4 2023, is 3,411 persons equivalent.
- City's Allocation of Servicing Capacity Policy recommended to be reviewed to assess for improvements to the City's serving allocation assignment process.

### **Recommendations**

1. THAT consent application file numbers B001/22, B012/22 and B015/22 be ALLOCATED servicing capacity from the York Durham Sewage System/York Water System for a total of 11 persons equivalent.

2. THAT a total of 6,318 persons equivalent in servicing capacity be RESERVED for 2023 accordingly:
  - a. 3,411 persons equivalent for distribution to active and future development applications city-wide (excluding the Kleinburg Water Resource Recovery Facility service area) which are tributary to the York Durham Sewage System / York Water System; and
  - b. 2,907 persons equivalent for distribution to active and future development applications for the area tributary to the Kleinburg Water Resource Recovery Facility / York Water System.
3. THAT the unused 2,000-person equivalent servicing capacity that was reserved in 2021 by Council for development applications of strategic importance be removed and released back to the city-wide capacity assignment to address continued development demand.
4. THAT the City's Allocation of Servicing Capacity Policy (included as Attachment 1) be reviewed by City staff to assess whether revisions to the policy would effectively improve the servicing capacity assignment process, with a recommendation report brought forth to a future Committee of the Whole meeting.
5. THAT City staff continue to annually track and review the City's available servicing capacity and bring forward update reports to a Committee of the Whole meeting in Q1 of each year.
6. THAT a copy of this report be forwarded to York Region and to the Building Industry and Land Development Association (BILD) – York Chapter.

## **Background**

York Region supplies bulk water through large trunk transmission mains to local area municipalities for daily consumption and fire protection. York Region is also responsible for providing trunk wastewater conveyance and treatment for local area municipalities. Accordingly, York Region establishes limits on sewage and water servicing capacity to accommodate the needs of each of the nine local area municipalities within the Region. Limits are set based on the overall availability and capacity of the Regional infrastructure network. Each local municipality is then responsible to allocate this capacity to individual land development applications, considering the availability and capacity of local infrastructure. Typically, York Region provides each municipality a 3-to-4-year servicing capacity assignment. Therefore, a formal City servicing capacity

allocation process is necessary to efficiently manage the distribution of the limited Regional capacity.

### **City's Servicing Capacity Distribution Protocol and Policy**

In November 2005, Council approved the City's Servicing Capacity Distribution Protocol. The original intent of the protocol was to consistently prioritize active development applications city-wide and place them in queue to ultimately receive allocation by Council resolution. The protocol established specific criteria to assist in realizing the priority status (or queue) of an active development application.

In 2018, staff initiated an internal process to update the City's Servicing Capacity Distribution Protocol and developed an official City policy. An update to the protocol was required to:

- Ensure allocated capacity does not sit idle and may be redistributed, if necessary;
- Better align with York Region's latest processes and procedures; and
- Place greater importance on sustainable servicing incentive programs.

As part of the process in developing the new policy, the following tasks were completed:

- An industry scan / comparison with other municipalities;
- An analysis of historical growth trends for Vaughan;
- Presentations and discussions with the City's Policy Committee;
- Various City Growth Management Committee presentations / discussions;
- Discussion and coordination with Regional staff;
- Consultation with the Building Industry and Land Development Association (BILD); and
- Consultation with internal City departments.

On December 17, 2019, a formal Servicing Capacity Distribution Policy (Corporate Policy Number 08.C.01) was approved by Vaughan Council. From a planning approval status perspective, immediate consideration for the approval of allocation of services is given to active development applications which have received Ontario Land Tribunal (OLT), Draft Plan of Subdivision or Site Plan Development approval. In sequential order of priority, consideration is also given to those applications which have the appropriate zoning in place for an intended use, are Official Plan compliant, and/or represent infill development or completion of partially built communities.

The City's current Policy ensures allocated capacity will not sit idle. Provisions have been included to ensure Council may consider the redistribution of capacity post allocation if an application does not proceed to registration and/or building permit issuance within a 36-month period of a development application approval, subject to conditions stipulated in the Policy.

## **York Region's current servicing capacity assignment process to Vaughan**

York Region typically assigns servicing capacity to the City along with the eight other local municipalities on a 3-to-4-year cycle, typically based on historical growth rates and future growth projections. Regional servicing capacity is reviewed on an annual basis by York Region with the objective of sustaining short-term demand, meeting long-term growth forecasts, and addressing market trends.

Upon the Region's capacity assignment, the City strategically allocates servicing capacity to development applications at the Draft Plan of Subdivision or Site Plan Development Application approval stage at which point the total available servicing capacity from our reserve is reduced accordingly. It should be noted that a distinction in the City's and the Region's allocation policy is that the City deems servicing capacity utilized upon Council's approval of a development application whereas the Region deems servicing capacity utilized upon the registration of the draft plan or issuance of a building permit for site plans.

## **York Region's last water and wastewater capacity assignment to Vaughan was provided on September 12, 2019**

As presented at their Council Meeting on September 12, 2019, York Region confirmed their last capacity assignment to Vaughan for 44,869 people from the York Durham Sewage System / York Water System (excluding the Kleinburg Water Resource Recovery Facility service area), broken down further as follows:

- 36,869 persons equivalent of servicing capacity to be utilized city-wide; and
- 8,000 persons equivalent of servicing capacity to be utilized specific to Regional Centres and Corridors (i.e., Vaughan Metropolitan Centre).

On December 10, 2021, Vaughan Council, in addition to the original 8,000 persons equivalent originally assigned, reassigned another 10,000 persons equivalent servicing capacity assignment to the City for Regional Centres and Corridors, taken from the city-wide servicing capacity assignment.

There have been no new additional servicing capacity assignments provided by York Region to Vaughan since the last capacity assignment in 2019. York Region's next Capacity Monitoring Assignment to the City is scheduled for Q4-2023.

## **York Region provides the City with a private purpose-built rental reserve**

In 2019, a 4,000-person reserve was established by York Region to encourage the development of new private purpose-built rental developments throughout the Region, to be shared amongst the nine local municipalities. There were no development applications in Vaughan that utilized this reserve to the end of 2022.

## **Previous Reports/Authority**

The City's December 10, 2021, Allocation of Servicing Capacity Annual Distribution and Update Report can be accessed via the following link:

<https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=92837>

## **Analysis and Options**

### **Servicing capacity be formally allocated to approved 2022 Consent Applications**

In 2022, three (3) Consent Applications were approved by the Committee of Adjustment and are recommended to be formally allocated by Council in this Report:

<b>Consent Application Number</b>	<b>Municipal Address</b>	<b>Number of Units and Unit Type</b>	<b>Approval Date</b>
B001/22	8 Campbell Avenue	1 single-family unit	May 5, 2022
B012/22	88 Hurricane Avenue	1 single-family unit	September 22, 2022
B015/22	43 Muzich Place	1 single-family unit	November 17, 2022
<b>Total:</b>		<b>11 persons equivalent</b>	

The total value of servicing capacity utilized for consent applications in 2022 is 11 persons equivalent.

### **2022 Reconciled City-Wide servicing capacity**

In 2022, four (4) previously approved development applications with servicing allocation were either revised or determined to be over-allocated. The allocated services from these applications have been reconciled and added back to the overall city-wide servicing capacity reserve in accordance with the City's allocation policy. The details of the four development applications that were reconciled are as follows:

Development Application File Number	Original Approval	Over-allocation/Revision	Reconciled Servicing Capacity (persons equivalent)
DA.19.083	114 Residential Townhomes - 349 persons equivalent	Twelve (12) Residential Townhomes	37 persons equivalent
19T-17V004	30.5 Residential Townhomes -93 persons equivalent	Ten (10.5) Residential Townhomes	32 persons equivalent
DA.18.037	935 Residential Apartment Units – 2,066 persons equivalent	2,066 persons equivalent	2,066 persons equivalent
DA.17.015	1,649 Residential Apartment Units – 3,644 persons equivalent	3,644 persons equivalent	3,644 persons equivalent
<b>Total:</b>			<b>5,779 persons equivalent</b>

The total value of servicing capacity regained back into the City’s reserve is 5,779 persons equivalent.

**2022 Annual City-Wide Servicing Capacity Assignment Summary (excluding the Kleinburg Water Resource Recovery Facility service area)**

In 2022, 17,350 persons equivalent was allocated for approved developments city-wide (excluding the Kleinburg Water Resource Recovery Facility service area), of which 11,474 persons equivalent were designated to developments in the Vaughan Metropolitan Centre. In addition, eleven (11) persons equivalent are recommended to be formally allocated to 2022 approved Consent Applications while 5,779 are being regained from previously approved development applications.

**2022 Kleinburg Water Resource Recovery Facility Service Area Capacity Assignment Summary**

From October 2021 to the end of 2022, there was no change in available servicing capacity for the Kleinburg Water Resource Recovery Facility service area. As such, 2,907 persons equivalent of Regional servicing capacity assignment remains available from the Kleinburg Water Resource Recovery Facility Service Area for distribution to active development applications located within the Kleinburg-Nashville service area.

York Region has committed to monitoring the capacity of standalone wastewater facilities such as the Kleinburg Water Resource Recovery Facility Service Area to ensure there is adequate servicing to support approved growth in these communities.

Future capacity needs for the Kleinburg-Nashville service area will be subject to policies impacting future expansion opportunities for the Kleinburg Water Resource Recovery Facility and will be considered through the Municipal Comprehensive Review (MCR) and the Regional Water and Wastewater Master Plan Update.

**Total Remaining City-Wide Servicing Capacity (excluding the Kleinburg Water Resource Recovery Facility service area)**

City staff have annually tracked the City’s servicing capacity allocation usage since York Region’s last servicing capacity assignment on September 12, 2019, summarized as follows (excluding the Kleinburg Water Resource Recovery Facility service area):

<b>Allocation Milestone</b>	<b>Amount Allocated (Persons Equivalent)</b>
<b>York Region Servicing Capacity Assignment to Vaughan: September 2019</b>	<b>+44,869</b>
City of Vaughan Total Allocation: September - December, 2019	-13,636
City of Vaughan Total Allocation: 2020	-6,834
City of Vaughan Total Allocation: 2021	-9,406
City of Vaughan Total Allocation: 2022	-17,350
2022 Approved Consent Applications	-11

As such, the City currently has 3,411 persons equivalent of Regional servicing capacity assignment remaining to allocate for development applications in 2023 (excluding the

City of Vaughan Reconciled Servicing Capacity:2022	+5,779
<b>Total Remaining City of Vaughan Unrestricted Servicing Capacity up to Q4 2023</b>	<b>3,411</b>

Kleinburg Water Resource Recovery Facility service area) until York Region’s next Capacity Monitoring Assignment, scheduled for Q4 2023.

**Addressing the City’s Remaining Servicing Capacity until York Region’s Next Servicing Capacity Assignment, scheduled for Q4 2023**

The City anticipates a greater number of development planning application approvals for 2023 based on high-density active development applications currently in the queue, specifically located in Regional Centres and Corridors, Secondary Plan Areas, and Major Transit Station Areas as well as new-growth proposed in a number of Block Plan areas.

A summary of the City’s anticipated and continued growth areas are:

Regional Centres and Corridors

- Vaughan Metropolitan Centre.

Secondary Plan Areas

- Yonge-Steeles Corridor;
- Dufferin Street and Centre Street;
- Concord GO Centre;
- Weston Road and Highway 7; and
- OPA 620 Steeles Avenue West.

Major Transit Station Areas

- Highway 7 (Islington Avenue to Centre Street);
- Centre Street (Highway 7 to Bathurst Street);
- Yonge Street (Steeles Avenue to Highway 7); and
- OPA 620 (Steeles Avenue West from Jane Street to Keele Street).

Block Plans

- Block 27;
- Block 34 West; and



- Block 41.

Based on the city-wide servicing capacity allocated to development applications in 2022 along with the increasing demand for residential development, particularly in the Vaughan Metropolitan Centre, it is evident that the remaining 3,411 persons equivalent of available unrestricted servicing is not expected to be sufficient to accommodate city-wide development application approvals until York Region's next servicing capacity assignment in Q4 2023.

Initial discussions with York Region's Servicing Capacity Monitoring Department regarding existing available servicing capacity to Vaughan and the anticipated new servicing capacity assignment to Vaughan in Q4-2023 have taken place. City staff are scheduled to meet with York Region staff in Q1 2023 to discuss the remaining City's servicing capacity reserve and ensure adequate servicing capacity is available to allocate for anticipated development applications until the next York Region capacity assignment in Q4 2023. This may include a request for an interim servicing capacity assignment increase to accommodate the 2023 development applications approvals up until the next capacity assignment.

### **Staff recommend removing the Council Servicing Capacity to meet continued development demands**

On December 10, 2021, a 2,000-person equivalent servicing capacity was reserved by Council. This servicing capacity assignment provided Council the ability to allocate servicing capacity to development applications of strategic importance city-wide but has not been utilized since its approval.

Given the current limited available servicing capacity city-wide and the continued development demand for housing, it is recommended this reserve be removed and released back into the overall city-wide servicing capacity assignment.

### **Bill 109 Implications to the City's servicing capacity allocation**

Bill 109 was introduced by the Province on March 30, 2022 and received Royal Assent on April 14, 2022. Bill 109 introduces the mandatory delegation of Site Plan approvals in the Planning Act, effective as of July 1, 2022. On June 28, 2022, the Deputy City Manager, Planning and Growth Management or designate was granted delegated authority by Council to approve site plan development applications.

Notwithstanding Bill 109 coming into effect and the delegated authority for the Deputy City Manager, Planning and Growth Management or designate to approve site plan development applications, Development Engineering will continue to request formal assignment of servicing capacity allocation for site plan development applications through Council approval.

It should be noted that formal assignment of servicing capacity allocation related to draft plan of subdivision applications remains unchanged and are provided through Council approval.

**Staff recommend a detailed review of the City’s Allocation of Servicing Capacity Policy to assess for improvements**

Staff recommends a detailed review of the City’s Allocation of Servicing Capacity Policy to assess whether revisions of the policy should be considered to effectively improve the assignment of servicing allocation and ensure timely utilization, taking into consideration industry concerns along with York Region’s servicing capacity allocation assignment process and policy. It is recommended that staff bring forth a recommendation report to a future Committee of the Whole meeting.

**Financial Impact**

None.

**Broader Regional Impacts/Considerations**

Annual allocation status reports serve to inform York Region of the City’s short-term development projections and demonstrate the City’s effectiveness in managing Regional capacity and overall growth.

Staff have worked closely with York Region on the West Vaughan Sanitary Sewage Servicing Class Environmental Assessment and Northeast Vaughan Water and Wastewater Servicing Class Environmental Assessment. Both class environmental assessments are complete and have advanced to detailed design. The combined service area of both projects contains the majority of the City’s remaining white-belt developable land area. Therefore, the implementation of the recommendations of both projects is crucial in realizing and effectively servicing anticipated targets of projected new growth city-wide. York Region’s anticipated in-service date (2028) has not changed for the West Vaughan Sanitary Sewage Servicing Project.

**Conclusion**

In 2022, 17,350 persons equivalent was allocated for approved developments city-wide (excluding the Kleinburg Water Resource Recovery Facility service area), of which 11,474 persons equivalent were designated to developments in the Vaughan Metropolitan Centre. There was no change in available servicing capacity for the Kleinburg Water Resource Recovery Facility service area and therefore 2,907 persons equivalent of Regional servicing capacity assignment remains available for this area.

The City currently has 3,411 persons equivalent of Regional servicing capacity assignment remaining to allocate for development applications in 2023 (excluding the Kleinburg Water Resource Recovery Facility service area) until York Region's next Capacity Monitoring Assignment, scheduled for Q4 2023.

City staff are scheduled to meet with York Region staff in Q1 2023 to discuss the remaining City's servicing capacity reserve and ensure adequate servicing capacity is available to allocate for anticipated development applications until the next York Region capacity assignment in Q4 2023.

Notwithstanding Bill 109 coming into effect and the delegated authority for the Deputy City Manager, Development Planning or designate to approve site plan development applications, Development Engineering will continue to request formal assignment of servicing capacity allocation for site plan development applications through Council approval.

Staff are also recommending a detailed review of the City's Allocation of Servicing Capacity Policy to assess whether revisions of the policy should be considered to effectively improve the assignment of servicing allocation and ensure timely utilization.

**For more information**, please contact: Frank Suppa, Director, Development Engineering, ext. 8255.

### **Attachment**

1. Allocation of Servicing Capacity (Corporate Policy No.08.C.01)

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