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September 30, 2024

Via Email (snaylor@king.ca and bldsubmissions@king.ca)

Stephen Naylor
 Chief Planner and Director of Growth Management Services
 Township of King
 2585 King Road
 King City ON L7B 1A1

Dear Sir:

**Re: 860 19th Sideroad, Township of King
 Collection of Development Charges and Parkland Dedication (Cash-in-lieu)
 Payment**

We are writing on behalf of Sarah Gairdner (the “**Owner**”), the owner of 860 19th Sideroad (the “**Property**”) in the Township of King (the “**Township**”). In 2023, the Owner received zoning approval to build one additional single family dwelling on the Property (the “**Project**”). The existing single family dwelling on the Property is to be retained; therefore, once the Project is constructed, the Property will have two single family dwellings.

On September 23, 2024, the Owner received the “Development Charges – Receipt Request” (the “**DC Receipt**”), attached to this letter as Schedule “A”. We are writing to seek clarity on a few matters contained within the DC Receipt as outlined below.

Development Charges Owning

The Owner is being charged \$99,663 in Township and Region of York development charges (DCs). The Owner is confused as to why any DCs are owing at all for the Project, in light of Section 2(3.3)1. of the *Development Charges Act*, which states:

The creation of any of the following is exempt from development charges:

1. A second residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the new detached house, semi-detached house or rowhouse cumulatively will contain no more than one residential unit. [emphasis added]

We note the following as it relates to the Project:

There is an existing house on the Property (that will continue to be used for residential purposes);

A second residential unit is being built in a new detached house;

Residential uses are permitted on the Property; and

The existing building ancillary to the new detached house contains no more than one residential unit

Therefore, the Owner is confused as to why the Township is charging DCs for the Project, as it would fall squarely in the DC exemption found in Section 2(3.3)1. of the *Development Charges Act*.

For completeness, we also note that the Owner is not seeking any clarification on educational development charges (EDCs) as the *Education Act* exemption for additional units is not applicable in this circumstance. The Owner is ready and willing to pay this amount.

Parkland Dedication (Cash-in-lieu) Payment Owing

The Owner is charged \$25,000 in parkland dedication (cash-in-lieu). We note that the Township's parkland dedication by-law states:

The Township may consider a reduction and/or an exemption from Parkland and/or Cash-in-Lieu requirements of this By-law for a Development Approval with respect to:

...

iii. The creation of a second residential unit, i.e. a second residential unit in a detached house, semi-detached house or rowhouse if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains a residential unit; and a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse if the detached house, semi-detached house or rowhouse contains a single residential unit. [emphasis added]

Again, we note the following facts as it relates to the Project:

There is an existing house on the Property (that will continue to be used for residential purposes);

A second residential unit is being built in a new detached house;

Residential uses are permitted on the Property; and

The existing building ancillary to the new detached house contains no more than one residential unit

Therefore, the Owner is also confused as to why the Township is charging parkland dedication (cash-in-lieu) for the Project, as it would fall squarely into this exemption found the parkland dedication by-law.

Conclusion

In conclusion, we would appreciate the Township's review of the points raised in this letter, and kindly confirm that no Township or Regional DCs, nor parkland contribution (cash-in-lieu), is owing for the Project.

We would be happy to meet with you to discuss the foregoing further.

Should you have any questions please do not hesitate to contact the undersigned.

Yours truly,



Michael Foderick
Partner | Associé

Copy: Dan Stone, MCIP, RPP, Principal, Thorstone Consulting Services
Carolyn Rodgers, Manager of Development Engineering, Growth Management Services, Township of King

Schedule "A"



Building Division DEVELOPMENT CHARGES - Receipt Request

Description section for Cashier entry Six lines of 30 characters, only 4 print	
ye/ name on cheque or name on Receipt and Res/Non-Res/CONV/DEMO/MIX	860 19th sideroad
Subdiv File # (if applic) and Permit #(s)	0
# and unit types, AREA, and HARD/SOFT/FULL	0
Address of construction or lot numbers:	0
other info	
other info: defaults here to DC Clase line 19 above	Residential only

Code	Description	Unit Price	Quantity	Total
RESIDENTIAL				
<input type="checkbox"/> DV2	Region of York DC			54,742.00
<input type="checkbox"/> DVRR	Township DC - Roads & Related			24,052.00
<input type="checkbox"/> DVF	Township DC - Fire			1,352.00
<input type="checkbox"/> DVPR	Township DC - Parks & Recreation			16,564.00
<input type="checkbox"/> DVL	Township DC - Library			2,239.00
<input type="checkbox"/> DVA	Township DC - Growth Studies			714.00
<input type="checkbox"/> DVSW	Township DC - Stormwater			-
<input type="checkbox"/> DVW	Township DC - Water Services			-
<input type="checkbox"/> DVST	Township DC - Water and Wastewater Studies			-
<input type="checkbox"/> DVSK	Township DC - KC Wastewater			-
<input type="checkbox"/> DVSN	Township DC - Nobleton Wastewater			-
	PL Parkland Dedication			25,000.00
<input type="checkbox"/> DV3	Public Education DC			7,312.00
<input type="checkbox"/> DV4	Separate Education DC			872.00
NON-RESIDENTIAL				
<input type="checkbox"/> DV2	Region of York DC			-
<input type="checkbox"/> DVRR	Township DC - Roads & Related			-
<input type="checkbox"/> DVF	Township DC - Fire			-
<input type="checkbox"/> DVPR	Township DC - Parks & Recreation			-
<input type="checkbox"/> DVL	Township DC - Library			-
<input type="checkbox"/> DVA	Township DC - Growth Studies			-
<input type="checkbox"/> DVSW	Township DC - Stormwater			-
<input type="checkbox"/> DVW	Township DC - Water Services			-
<input type="checkbox"/> DVST	Township DC - Water and Wastewater Studies			-
<input type="checkbox"/> DVSK	Township DC - KC Wastewater			-
<input type="checkbox"/> DVSN	Township DC - Nobleton Wastewater			-
<input type="checkbox"/> DV3	Public Education DC			-
<input type="checkbox"/> DV4	Separate Education DC			-
TOTAL			\$	132,847.00

Questions: call

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