

Est. 1873

## REPORT TO MAYOR AND COUNCIL

<b>PRESENTED:</b>	NOVEMBER 18, 2019 - REGULAR AFTERNOON MEETING	<b>REPORT:</b>	19-181
<b>FROM:</b>	COMMUNITY DEVELOPMENT DIVISION	<b>FILE:</b>	6480-30-001
<b>SUBJECT:</b>	WILLOUGHBY ARTERIAL ROAD COMPLETION AMENITY POLICY		

### RECOMMENDATION:

**That** Council receive the Willoughby Arterial Road Completion Amenity Policy report for information.

### EXECUTIVE SUMMARY:

Exploring options for alternate major road funding models has been identified as a priority of Council. On July 22, 2019, Council directed staff to engage with the community at-large and the development industry on a proposed Willoughby Arterial Road Completion Amenity Policy (WARCAP). A draft revised Policy is presented as Attachment D to this report, which aims to reconcile the input received while facilitating completion of key arterial road segments in Willoughby.

As directed by Council, a public engagement program was conducted in September and October, consisting of three (3) open houses, an online survey and a meeting with representatives of the development industry. The open houses were attended by approximately 100 people, with the online survey generating 656 responses. Generally, the survey responses indicate strong support (over 95%) for such a Policy, with most respondents (almost 80%) indicating 208 Street as the top priority. In a written submission (Attachment B), the Urban Development Institute (UDI) recommends: a) reduced scope of the proposed policy to 208 Street only; b) lower per acre land cost from \$3.2 million to \$2.8 million; and c) alternatives to land acquisition.

Based on the public engagement results, input from the development industry and technical analyses, a draft Policy has been prepared with: a) a refined scope, limited to 208 Street, 202A Street, 212 Street Connector and 80 Avenue; b) adjusted road widths; c) update the map of properties subject to a target contribution amount; resulting in d) re-calculate target contribution amounts. In summary, the revised Policy would, subject to Council's consideration of adoption, include approximately 9.4 acres of land, with an estimated cost of \$30 million and a target contribution rate of \$35,293 per developable acre. This represents over 40% reduction in the amount of land and in the target contribution amount from when the proposal was initially introduced.

The WARCAP program should be revisited after all land acquisitions have been made to determine the actual total cost, as there are variables that are unknown at this point.

### PURPOSE:

This report provides the results of an engagement program for the Willoughby Arterial Road Completion Amenity Policy (WARCAP) and updates the financial implications.

### **BACKGROUND/HISTORY:**

At its Regular Afternoon Meeting on February 25, 2019, Council confirmed its top six strategic priorities, which included exploring options for alternate major road funding models.

On April 8, 2019, Council considered a proposed new approach to facilitate completion of key sections of the arterial road network in the growing community of Willoughby. This was presented as having the potential for replication as a similar model for completing key sections of the arterial road network in other parts of the Township, such as Brookwood-Fernridge.

At its Regular Evening Meeting on April 15, 2019, Council directed staff to complete an analysis, including implications, of adopting a new Willoughby Arterial Road Completion Amenity Policy. On July 8, 2019, staff provided a report on the Willoughby Arterial Road Completion Amenity Policy (WARCAP) providing analytical information, including legal, community and financial implications, relating to the proposal for a new amenity policy intended to facilitate completion of key arterial roads in Willoughby, with potential replication elsewhere.

Subsequently, following staff's recommended approach, at its Regular Evening Meeting on July 22, 2019, Council directed staff to *"engage with the development industry and the community at-large regarding a Willoughby Arterial Road Completion Amenity Policy as soon as practical, but before or simultaneously with the commencement of the 2020 budget process."*

### **DISCUSSION/ANALYSIS:**

As directed by Council, a public engagement program was conducted in September and October 2019. It consisted of three (3) open houses, an online survey and a meeting with representatives of the development industry and the Urban Development Institute (UDI). The open houses were attended by approximately 100 people, and the online survey generated 656 responses. The survey response is the highest on record to date for the Township, a reflection of keen community interest in the topic and promotional work undertaken by members of Council. Attachment A provides a summary of the engagement program.

The online survey, consisting of six questions, was conducted to give residents, stakeholders, and the general public an opportunity to provide feedback on the proposal. It was available for a three-week period from September 28 to October 18 through a link on the project web page. Generally, the survey responses indicate strong support (over 95%) for the proposed policy, with most respondents (almost 80%) opting for 208 Street as the top priority for completion.

On September 27, 2019, staff met with representatives of the development industry to review the proposed policy. The UDI provided a written submission dated October 17, 2019 (Attachment B), as part of which, it recommends:

- a reduced scope of the proposed Policy to 208 Street only,
- a lower per acre land cost from \$3.2 million to \$2.8 million, and
- alternatives to land acquisition that would help lower the total cost of the proposal.

The UDI is generally supportive of the proposed policy, and the idea of linking WARCAP with the Community Amenity Contribution (50% Lift) proposal that was outlined in Report 19-152 presented to Council on October 7, 2019.

Based on the public engagement results, input from the development industry and additional technical analyses, the draft Policy may be revised, as follows, subject to further Council input and direction.

- fine-tune the scope of road sections, with revisions incorporated to focus on the following major priority sections:
  - 208 Street from 68 Avenue to 76 Avenue,
  - 80 Avenue from 200 Street to 208 Street,
  - 202A Street from 72 Avenue to 80 Avenue, and
  - 212 Street Connector from 208 Street to 210 Street.
- make minor adjustments to the widths of the proposed amenity to enhance network efficiencies and safety (see Attachment C for an updated map with the proposed road widths).
- update the map of properties subject to a target contribution amount to reflect applications that have been submitted since the last analysis. Approximately 864 acres of developable land would be subject to a target contribution amount towards the completion of the amenity.
- re-calculate the target contribution amount at \$35,300 per developable acre, calculated as \$30 million for the overall cost of the proposed amenity divided by 864 acres of developable land.

The table below summarizes the entirety of current revisions proposed for incorporation, including: the initial proposal that was the subject of Report #19-113 presented to Council on July 8, 2019; the draft policy that was used for the public engagement program in September and October, 2019; culminating in the Revised Draft Policy that is presented as part of this report. Despite UDI recommendations, the land cost has been kept as a constant at \$3.2 million per acre, to facilitate comparison of changes in different timeframes and as a likely appropriate representative cost in the medium term.

	<b>Acres of Land</b>	<b>Approximate Total Land Cost</b>	<b>Target Contribution Amount (per acre)</b>
<b>Initial Proposal (see Report 19-113)</b>	16.0	\$52 million	\$63,000
<b>Draft Policy (used at Open Houses)</b>	10.6	\$34 million	\$37,564
<b>Revised Draft Policy (currently recommended)</b>	9.4	\$30 million	\$35,293

As can be seen, the revised draft Policy, if approved by Council, would include approximately 9.4 acres of land, with an estimated cost of \$30 million and a target contribution rate of \$35,293 per developable acre. This represents over 40% reduction in the amount of land and in the target contribution amount from when the proposal was initially introduced. The revised draft Policy is provided as Attachment D for Council's potential consideration of adoption or further refinements prior to adoption.

#### FINANCIAL IMPLICATIONS:

Report #19-113 discussed community, technical, legal and financial implications of the proposed Policy. While most of the implications still stand, the changes to the revised draft Policy attached, require a re-examination of the financial implications, as they would impact projected required borrowing amount, debt payment over time, and the resultant tax increase to cover the carrying cost.

It is recommended that the WARCAP program be revisited after all land acquisitions have been completed to determine actual total cost, as there are unknown variables at this point, including:

- the requirement to buy entire properties, rather than portions of properties required for the actual widening: the size of a property or where a house is impacted by road widening may drive the need for the Township to purchase the entire property, which would increase the total cost of the WARCAP program. Once the road is widened, the remainder of the property could be disposed of to offset the initial capital acquisition cost.
- the potential of linking WARCAP to a proposed “50% land lift” provision in the Community Amenity Contributions Policy: as discussed above, the “50% land lift” provision was outlined in Report 19-152. While the exact amount of target contributions from the proposed provision is unknown at this point, the idea to link the two policy proposals would lower the total amount of borrowing, shorten the time to pay back, and reduce the carrying costs of WARCAP.
- the options to acquire land for road widening: the Township can acquire land for road widening by outright purchase of land, obtaining Statutory Rights-of-Way (for as little as \$1), and negotiating with developers during a development process. These options could significantly reduce the amount of borrowing required to facilitate the road widening.
- the inclusion of land for WARCAP in Development Cost Charges (DCC): it is theoretically feasible to include land cost associated with WARCAP in the DCC program at time of next update. This would allow all future development in the Township to contribute to both the construction and land purchase of WARCAP roads, with little impact on the general taxpayer.

In other words, the estimated cost of \$30 million and a target contribution rate of \$35,293 per developable acre are projected maximums that may be subject to potential future refinements, as directed by Council.

#### **Re-examination of Financial Implications from Report 19-113:**

As stated in Report 19-113, the subject policy is intended to assist with land acquisition costs. Borrowing may be necessary, should Council wish to proceed with partial, or complete, construction of the identified road sections, relating to actual construction costs, currently included in the DCC program. The potential approximate land acquisition costs of \$30,180,387 related to the identified road sections are outlined on Schedule C of the proposed Willoughby Arterial Road Completion Amenity Fee.

It should be noted that a policy, as contemplated in this report, would require a number of years (projected at 2 -3 years based on current development trends), subject to market conditions, following Council adoption, to accrue sufficient funding to facilitate the necessary land acquisitions. Accordingly, should Council wish to proceed with the completion of the identified road segments within the next 2 - 3 years, borrowing in the estimated amount of \$33.5 million (including soft costs of 10%) would be necessary.

If the Township were to proceed with the acquisitions prior to the anticipated WARCAP funds becoming available, the potential cost of borrowing would be based on the following:

Estimated **Cost of Land** – 9.43 acres x \$3.2 million (per acre) = \$30,180,387

Plus Soft Costs - \$30,180,387 x 10% = \$3,018,039

Plus 1% Borrowing Cost – (\$30,180,387 + \$3,018,039) x 1% = \$331,984

**Total** - \$30,180,387 + \$3,018,039 + \$331,984 = **\$33,530,410 Principal to be borrowed**

For \$33.5 million of borrowing, debt servicing, principal and interest (2.89%), would be estimated as follows:

- \$2,281,600 per year for 20 years (1.7% property tax increase<sup>1</sup>), or
- \$1,950,700 per year for 25 years (1.5% property tax increase), or
- \$1,732,800 per year for 30 years (1.3% property tax increase).

As it is unlikely that all costs associated with all identified segments would be incurred at one time, the Township could opt for **temporary borrowing** up to a maximum of 5 years. This would allow the Township to borrow only as much as required during each of the 5 years while at the same time taking in the proposed \$35,293 WARCAP per developable acre.

If sufficient funds could be accumulated to secure the land segments identified in 2-3 years as projected, borrowing at the end of the 5 year temporary borrowing period would not be required. WARCAP accumulated could be used to completely pay off the temporary borrowing, removing the need convert to permanent borrowing.

If WARCAP accumulated at the end of the temporary borrowing period are not sufficient, any outstanding temporary borrowing, over and above available WARCAP accumulated, would need to be firmed up to permanent borrowing. At that time, the following strategic decision would need to be made:

- Reduce the amount of borrowing required to be firmed up by applying all WARCAP received during the 5 years, or
- Firm up the total borrowing and using WARCAP received to date and all future WARCAP to be received to make annual loan payments.

Borrowing described above will require the assent of the electorate by way of an alternative approval process. For that process, an estimate of the potential property tax impact of the resulting debt servicing will be required to be stated even if ultimately, it is anticipated that the debt will be paid by accumulated WARCAP. This is because WARCAP are generally *negotiated considerations* that can be impacted by market conditions. If sufficient contributions are not forthcoming or not forthcoming in timely manner, debt servicing would likely come from general revenue including property tax.

Respectfully submitted,

Ramin Seifi  
GENERAL MANAGER  
for  
ENGINEERING AND COMMUNITY DEVELOPMENT DIVISION

This report has been prepared in consultation with the following listed departments.

CONCURRENCES	
Division / Department	Name
Finance Division	K. Sinclair

ATTACHMENT A      Engagement Summary – WARCAP  
ATTACHMENT B      Urban Development Institute (UDI) Comments  
ATTACHMENT C      Amended Road Widths  
ATTACHMENT D      Revised Draft WARCAP

<sup>1</sup> For 2020, a 1% Property Tax Increase is equal to \$1,340,100. Therefore, \$2,281,600 / \$1,340,100 = 1.7%

**Willoughby Arterial Roads Completion Amenity Policy**

**Engagement Summary**

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A series of public engagement opportunities for the proposed Willoughby Arterial Road Completion Amenity Policy (WARCAP) took place between September 28 and October 18, 2019. The results of these opportunities are summarized below.

### **Open Houses**

**Three Open Houses were held as follows:**

- Saturday, September 28, 10:00am – 2:00pm, Mountainview Alliance Church
- Tuesday, October 1, 10:00am – 4:30pm, Civic Facility
- Thursday, October 3, 1:00 – 8:00pm, Civic Facility

**The three-fold purpose of these Open Houses was to:**

- Provide attendees clear information on the scope and timeline of the proposal
- Give the public an opportunity to ask staff direct questions and clarify any points of confusion
- Provide attendees with laptops to complete the online survey as well as paper versions for those less comfortable with technology

**The Open Houses were promoted and advertised as follows:**

- Web: Dedicated project web page at 'tol.ca/warcap'
- Facebook: Three posts, two of which were 'boosted' for extended reach
- Twitter: Three tweets
- Newspaper: Two Township Page ads, run September 19/20 and 26/27
- Email: Notification sent to major stakeholder groups, including Willoughby Residents Association and UDI

A total of **85** individuals signed in as attendees, with an estimated additional 15-20 attendees who chose not to sign in.

**Things we frequently heard at the Open Houses included the following:**

- Support for the proposal and hope for improved traffic flow in the near future
- Confusion about the proposal and how roads are currently planned, funded, and built
- Questions about tax implications and whether the tax increase would be reversed once the borrowing for the proposed road improvements is paid off
- Concern over incurring debt with no way to pay it off in a timely manner by future development
- Feedback that this Amenity Fee is an expensive solution intended only for Willoughby but does not solve the greater problem of roads planning in other communities
- Questions around the existing DCC program vs the proposed Amenity Fee and whether the DCC could be expanded to allow all development across the Township to contribute

Staff took significant time with each attendee to explain the proposal in detail and answer all questions asked. While many attendees came in confused over the proposal, each left with a clear or much improved understanding of what was being proposed, how it would be done, how it differs from current funding methods, potential challenges and benefits, and estimated timelines.

### Online Survey

An online survey, consisting of six questions, was conducted to give residents, stakeholders, and the general public an opportunity to provide feedback on the proposal. This survey was made available for a three week period from September 28 – October 18 through a link on the project web page.

A total of **656 responses** were received. This survey response rate is the highest on record for the Township, indicating significant interest from the community.

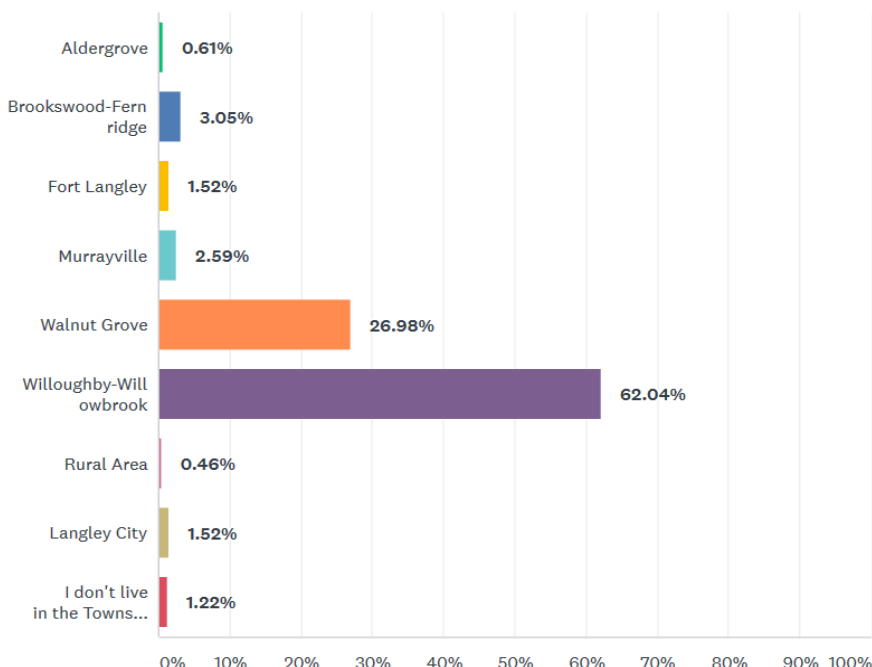
#### The online survey was promoted and advertised as follows:

- Web: Highlighted hyperlinked text at the top of the project web page
- Facebook: Three posts, two of which were 'boosted' for extended reach
- Twitter: Three tweets
- Newspaper: Two Township Page ads, run September 19/20 and 26/27
- Email: Notification sent to major stakeholder groups, including Willoughby Residents Association and UDI

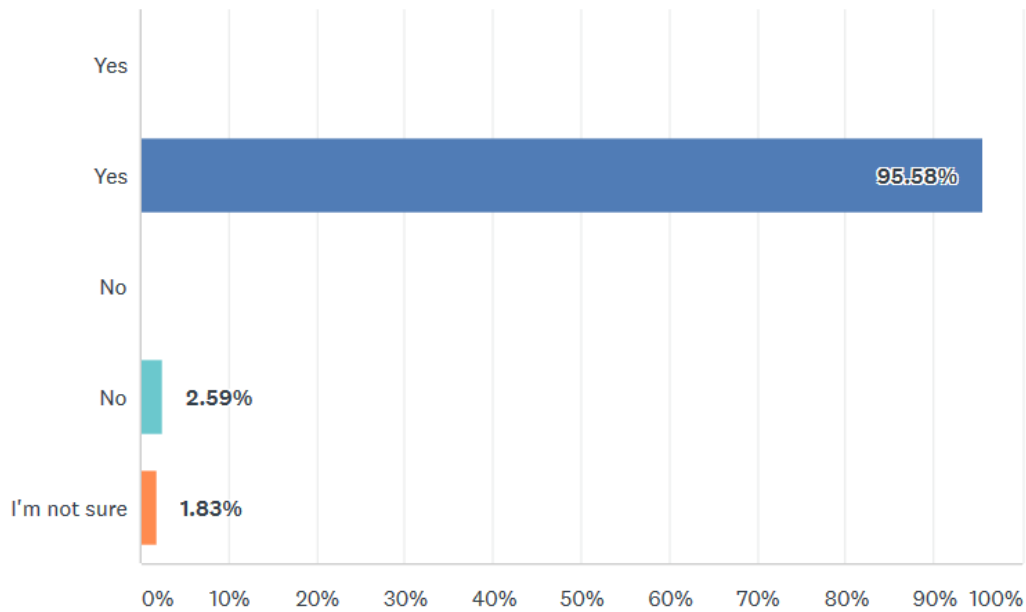
*Given the sensitive nature of the topic, extra care was taken to ensure multiple responses were not submitted from the same individual. The survey tool used (SurveyMonkey) gives the option to disallow multiple responses from the same device.*

### Online Survey Response Summary

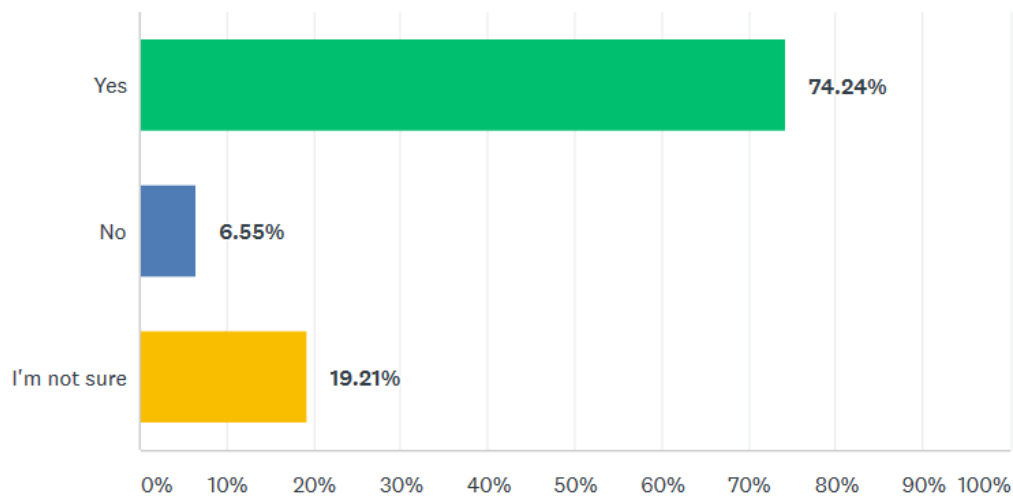
#### Q1: Which community do you currently live in?



**Q2: Do you believe the completion of key sections of arterial roads in Willoughby is a priority?**



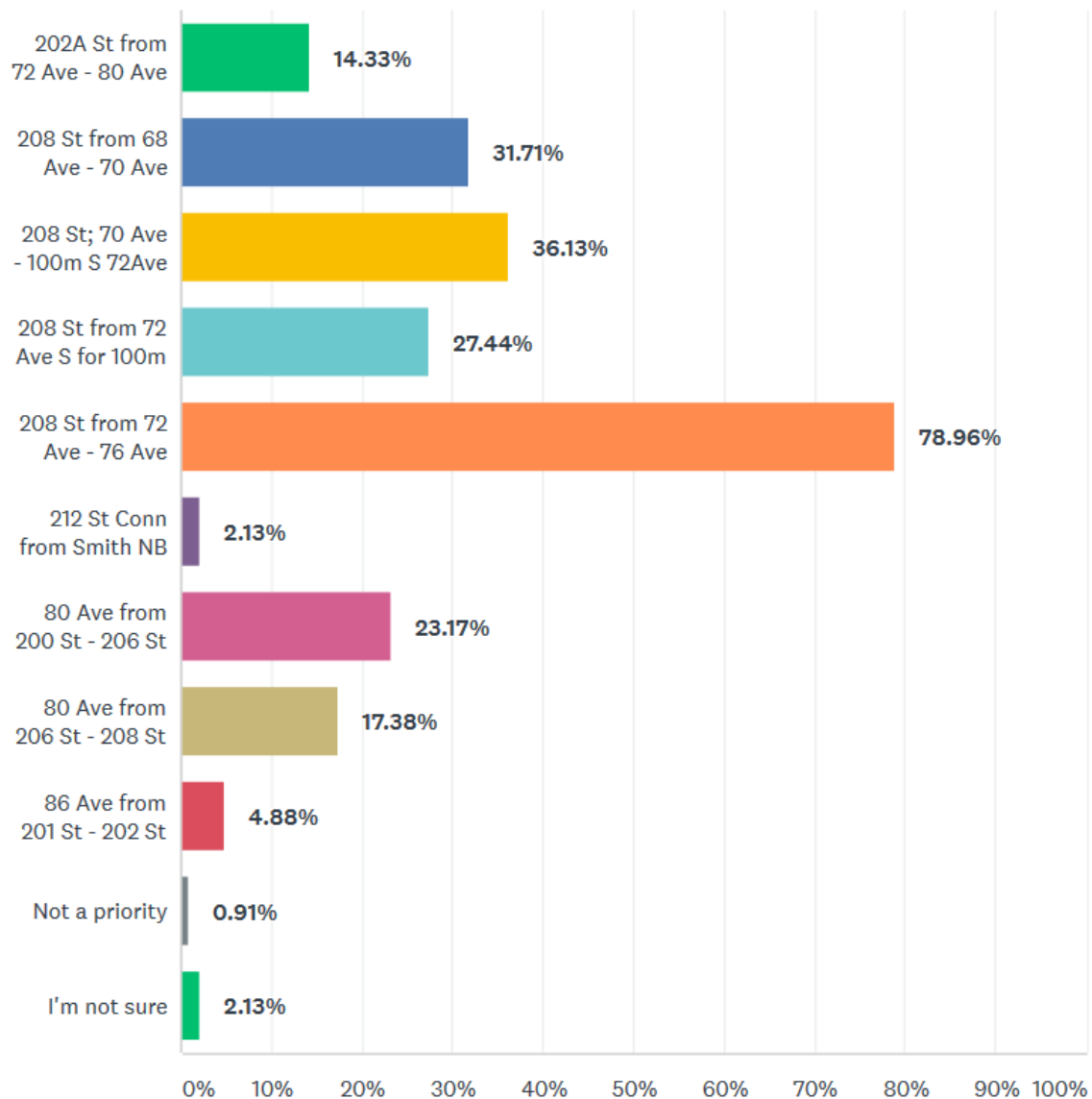
**Q3: Do you believe a community amenity contribution from developers, as proposed, would be an appropriate way to provide revenue needed to complete road works in Willoughby?**



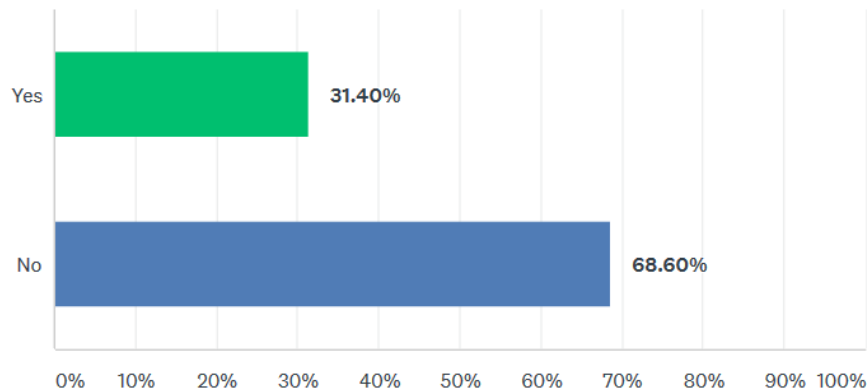


**Q4: If you agree arterial roads in Willoughby are a priority, which road section should be completed first? \*Select up to 3, and see image below for visual**

(Note: map with proposed road sections was provided)



**Q5a: Are there section of road in Willoughby not included in the list above that you feel should be included in exchange for one of those listed?**



**Q5b: If yes, which stretch of road would you like added and which would you like taken off the list?**

This question received 198 responses which have been grouped and summarized below:

**Add**

- Full stretch of 208 Street from 64 Avenue to 88 Avenue
- 208 Street from 76 Avenue to 84 Avenue
- 208 Street from 64 Avenue to 68 Avenue
- Pedestrian routes to schools in the area need sidewalks for safety
- 84B Avenue between 206 Street and 207A Street
- 82 Avenue from 200 Street to 204 Street
- 72 Avenue from 202A Street to Crush Crescent
- 202B Street from 64 Avenue to 68 Avenue

**Remove\***

- 208 Street from 68 Avenue to 70 Avenue (3)
- 86 Avenue from 201 Street to 202 Street (3)
- 202A Street from 72 Avenue to 80 Avenue (3)
- 212 Street Connector (2)

*\*Note: Of 198 responses, only 10 included one or more 'remove' requests*

**Q6: Do you have any additional input or feedback on the proposed Policy?**

This question received 248 responses which have been grouped and summarized below:

**Frequently Heard:**

- Timeline for completion was frequently mentioned with the sentiment that this should have started already and should begin as soon as possible.
- Traffic and pedestrian concerns around schools was a main topic of concern. A lack of sidewalks and crosswalks around schools in the community, some of

which are on main arterial roads, is a safety issue and requested not only sidewalks to be built on all roads, but speed humps, solar flashing school zone lights, and more space for school pullouts be created.

- Requests for the BC Hydro/Telus poles to be moved from 208 Street and confusion as to why the companies and developers were not made to do this before the development was complete.
- Calls for a better planning model to be implemented in the future, ahead of development, to prevent this from happening again.
- Urgency to stop or slow down development until the existing traffic problems have been addressed.
- General support for the proposal and positive sentiment towards the engagement and proposal process and methodology.

**Lesser Heard:**

- Consider more roundabouts at intersections to improve traffic flow
- Minimize impact on taxes by developing a better planning model and applying it across the Township
- Figure out a solution before moving forward with development in Brookwood to prevent this situation from being repeated
- Include bike lanes in all road widening
- Parking will still be a problem in the area and should be addressed along with the roads
- Concerns over tax implications and fairness



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Manager of Community & Policy Planning  
Township of Langley  
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**Re: Proposed *Willoughby Arterial Road Completion Policy (WARCAP)***

Dear Mr. Chu,

On behalf of the Urban Development Institute's (UDI) more than 850 members, we respectfully provide our comments on the staff report regarding the Willoughby Arterial Road Completion Policy (WARCAP). We appreciate Township staff's efforts to involve UDI, other stakeholders, and the public in their consultations over the past few weeks. We understand that road completion is a pressing issue for certain parts of Willoughby, particularly around 208th street, and we would like to work with the Township to find a solution. We support the Council's goal to reduce road congestion and recognize that this proposal could be beneficial in this regard.

However, given the very preliminary information provided in the policy proposal, we believe that there needs to be further technical analysis in consultation with the homebuilding industry and others before this policy is approved.

A key issue for our members is finding ways to mitigate the cost of the proposal for builders and Township residents. We also have some substantive concerns regarding the scope and the overall costs associated with the proposal. We must work together to find ways to address these concerns.

We ask the Township to consider the WARCAP proposal in the context of the increasing taxes and fees that are already harming the viability of new projects in Township of Langley (ToL) and throughout the Lower mainland, Namely:

- The Budget 2018 provincial taxes that apply to development lands, including the Additional School Tax and the "Luxury" Property Transfer Tax;

- New TransLink DCCs coming into effect on January 1, 2020;
- The Greater Vancouver Sewerage and Drainage District Fraser Sewerage Area (DCCs) increasing over 200% last year;
- A proposed future Metro Vancouver water DCC; and
- Upcoming substantial increases to Township of Langley DCC rates.

All of these measures have led to increasing costs for the development industry over the past 18 months.

We note a concern in the Report with landowners fronting the arterial roads “paying for the cost of the land.” Ironically, the WARCAP proposal may result in another inequitable situation. Further equity concerns become apparent when considering those that purchased the land along the road likely shared the understanding that the purchaser would have to dedicate at least some of their land for the roadway. Furthermore, landowners along the arterial could have factored this into their purchase price and received the property at a discounted rate. In addition to everything noted above, the other landowners in Willoughby will now be faced with a potential surprise of this additional fee.

This would be yet another charge that would undermine housing affordability in Langley. Higher costs will also impact taxpayers because the township will have to borrow more money that would be funded by residents and businesses. However, we believe there are ways that the cost of the proposal can be reduced.

### **1) Limit the scope to focus on 208th Street:**

While we appreciate that the Township has reduced the number of roads in the initial proposal. We understand 208th street is the major roadway that is most in need of widening in Willoughby. We want to ensure that road-widening is completed in the most efficient way possible to reduce road congestion in Willoughby substantially. Therefore, in the near-term, we believe that it would be advantageous to focus specifically on 208th street.

As identified in the Report and by staff, the Township will have to borrow against the land acquisition costs, which will increase property taxes. There could also be additional costs if there is not enough funding in the DCC program for the construction of roads and pipes that need to be built for water and sewers. If improvements were confined to 208th street, this would significantly lower costs and borrowing for the Township.

### **2) Reduce the per acre Land Acquisition costs:**

We are also concerned with the amount the Township is considering paying for the land – \$ 3.2 million per acre. It appears the \$3.2 million valuation was likely taken at the peak of the market. The recent Park Land acquisition charge, Greenway Amenity Policy,

and Neighborhood Plan Amenity Acquisition charge valued land at \$2.8 million per acre, a significantly lower rate than the proposed per acre valuation. Considering current market conditions, we believe that the number should be even lower than \$2.8 million.

### **3) Explore alternative approaches to Land Acquisition:**

The amount of buildable space on a site in part depends on the total amount of land area. Therefore, if the land area is reduced because the Township is purchasing part of the sites the buildable area is also reduced, which results in the need for compensation. However, if the land owners along the arterials don't lose their allowed entitlements, the Township should not have to pay market value for road dedications. Alternative approaches can be made in an equitable fashion that minimizes the impact on landowners with sites along the 208th street, as noted below:

- A) We understand that several proponents own properties along 208th street that are or will be seeking to develop these sites. We believe that there is an opportunity to consider through a negotiation process to acquire the right of way, without impacting the potential buildable area of the site. With additional incentives such as improved road access and maintaining/ increasing buildable area, the Township can likely obtain the land needed at a substantially reduced cost (or for free) because landowners would be minimally impacted.
- B) The Township could also consider utilizing a Statutory Right of Way (SRW). Through the SRW approach, the allowed buildable area of the site is not impacted because the landowners still maintain ownership of the entire site, and development entitlement is preserved. Where sites are large enough and buildable land and livability are not compromised there is minimal impact to the landowner, therefore, greatly reducing the amount that the Township would have to pay for that land.
- C) In other situations, which the Township needs to buy the entire site (e.g. a house that is located in the middle of the SRW), we believe the cost can still be minimized. In those instances, the Township could take the land required for the road, and then resell the parcel with an increased density which would offset the Township's costs and could potentially make additional revenues.

Allowing the Township more time to explore these three options is critical to mitigating cost for residents and homebuilders. These options could significantly reduce the amount that is needed to be borrowed to fund the roadway expansion. Therefore, these three steps would likely result in a win-win-win situation, reducing the fees for the

taxpayers and the homebuilders, while also protecting the landowners of impacted sites.

### **Implementation:**

We strongly recommend against using Phased Developments Agreements (PDAs) to secure the land acquisition funds. PDAs are not used for the Greenway Amenity Policy and Parkland Acquisition Policy and therefore should be avoided in this policy. Furthermore, PDAs require a significant amount of preparation time from Township staff. They also require costly legal reviews for the Township and proponents and significantly delay processing times.

Our members also prefer that a bylaw be used instead of a policy because of the certainty provided. This policy will apply to a 'specific study area,' for 'specific works – land acquisition.' As a result, the legal tool used should be that of a 'bylaw,' not a 'policy.' A bylaw also allows for a more stable business environment for homebuilders because a public hearing is required before substantial changes can be made to it.

The bylaw should also have a termination clause that specifies when the required lands should be acquired. We are concerned if it becomes a policy, this mechanism could be changed without a consultation process that would involve the homebuilders, landowners, and those most affected. We believe that this input is critical for achieving a balanced and efficient road completion process.

We also want to ensure that a reserve fund is established so that the money collected can only be used for acquiring lands for road construction. We also recommend that if funds are remaining at the end of the land acquisition process, those that contributed to the fund should be reimbursed. We would like to ensure that the funds are being used appropriately toward road expansion.

### **Conclusion:**

Although we are generally supportive of this policy, we would like to have further discussion with Township staff. It seems as though WARCAP is at a preliminary stage, and significantly more work needs to be done if it were to be implemented. Considering the policy proposal is valued at over \$33 million dollars, there needs to be much more rigorous technical analysis. In comparison, the DCC bylaw changes carried requirements for consultation and public engagement before they were implemented, and we believe that WARCAP deserves at a minimum equivalent scrutiny and consultation.

The industry would like to have further discussion with the Township on a number of issues including:

- Issues noted above related to reducing land acquisition costs.

- Instream applications/ grandfathering to avoid an inequitable situation where a homebuilder has already purchased land and is caught with a new unexpected fee.
- Which lands are/ are not included in the WARCAP Proposal. For instance, section 4.3 references “Developable Land,” including detention ponds, this does not seem to be in line other Township policies, such as, the Parkland Acquisition and Greenway Amenity Policy.
- A different implementation mechanism other than Phased Development Agreements.

We would also like to support Township’s staff recommendation in the “Community Amenity Contributions Policy (50% Lift)” Report to Council on October 7th, 2019 “to incorporate the proposed policy into WARCAP.” We would also like to note that we support staff’s recommendation in the “50% Land Lift” Report to engage with the community, UDI, and the homebuilding industry, as we also believe further consultation on the policy is needed.

We thank the staff again for consulting with our members, as well as the public and stakeholders. At the moment, if the Council were to proceed, we would like need to have more dialogue with the industry to address the approach. Overall, UDI is generally supportive of the Willoughby Arterial Road Completion Policy Report. However, we ask that the Township consider our recommendations to ensure that the policy/bylaw implemented is done in the most equitable manner possible.

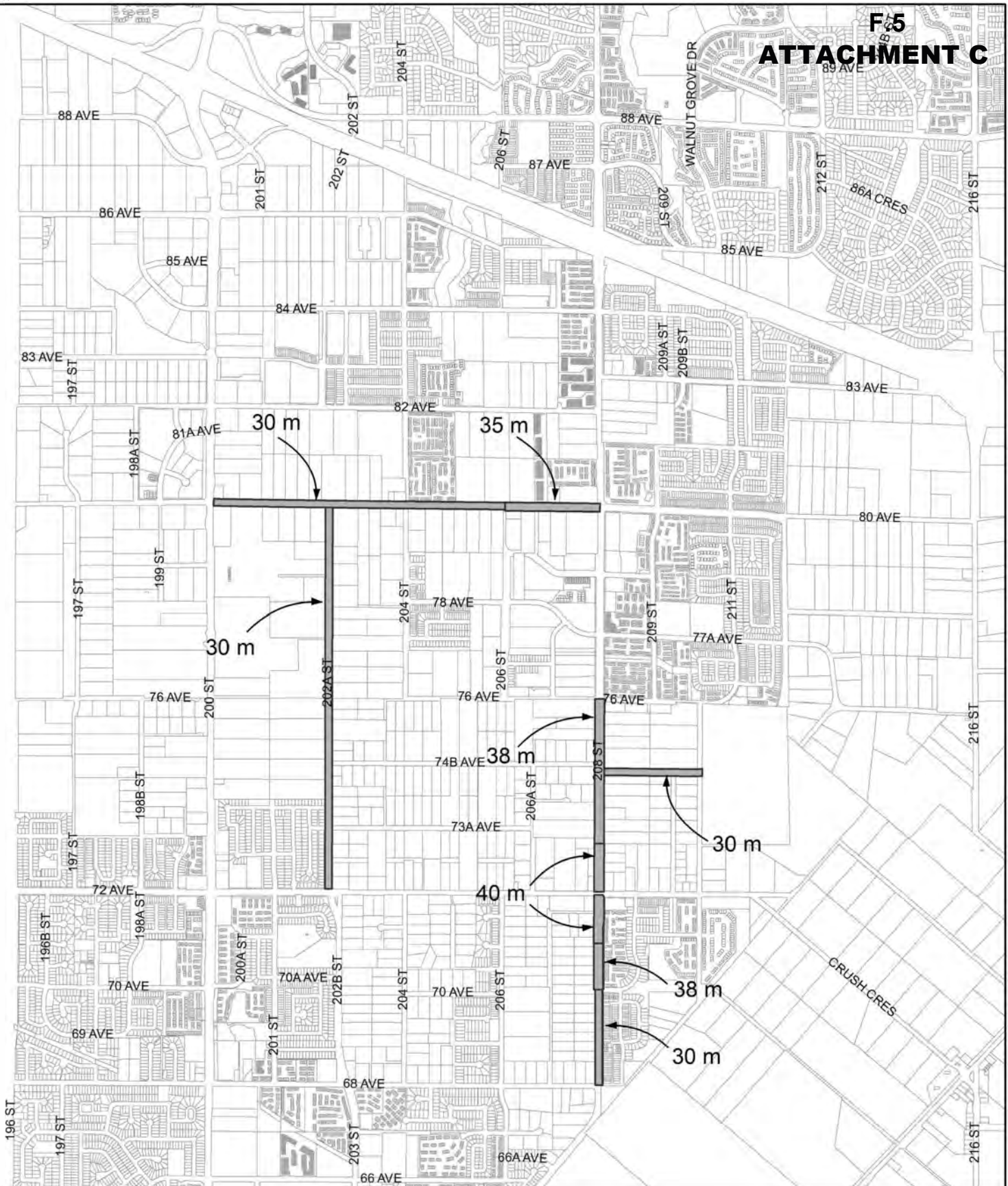
We look forward to furthering discussions with the Township on the Willoughby Arterial Road Completion Amenity Fee and future housing initiatives.

Yours sincerely,



Anne McMullin  
President and CEO, Urban Development Institute





## Willoughby Area Transportation Amenity Fee



Rights-of-Way Width (metres)

Rights-of-way are shown for location width purposes only.



## COUNCIL POLICY

**Subject: Willoughby Arterial Road Completion  
Amenity Fee**

**Policy No:**  
**Approved by Council:**  
**Revised by Council:**

**07-###**  
**2019-00-00**

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### 1. Purpose

This policy provides a means of providing transportation amenities in the Willoughby area pursuant to an amenity zoning bylaw.

### 2. Background

The Willoughby area requires the provision of transportation amenities. Amenity zoning provisions of the Local Government Act may be used to acquire the transportation amenities.

### 3. Related Policies

Willoughby Community Plan and Willowbrook Community Plan.

### 4. Policy

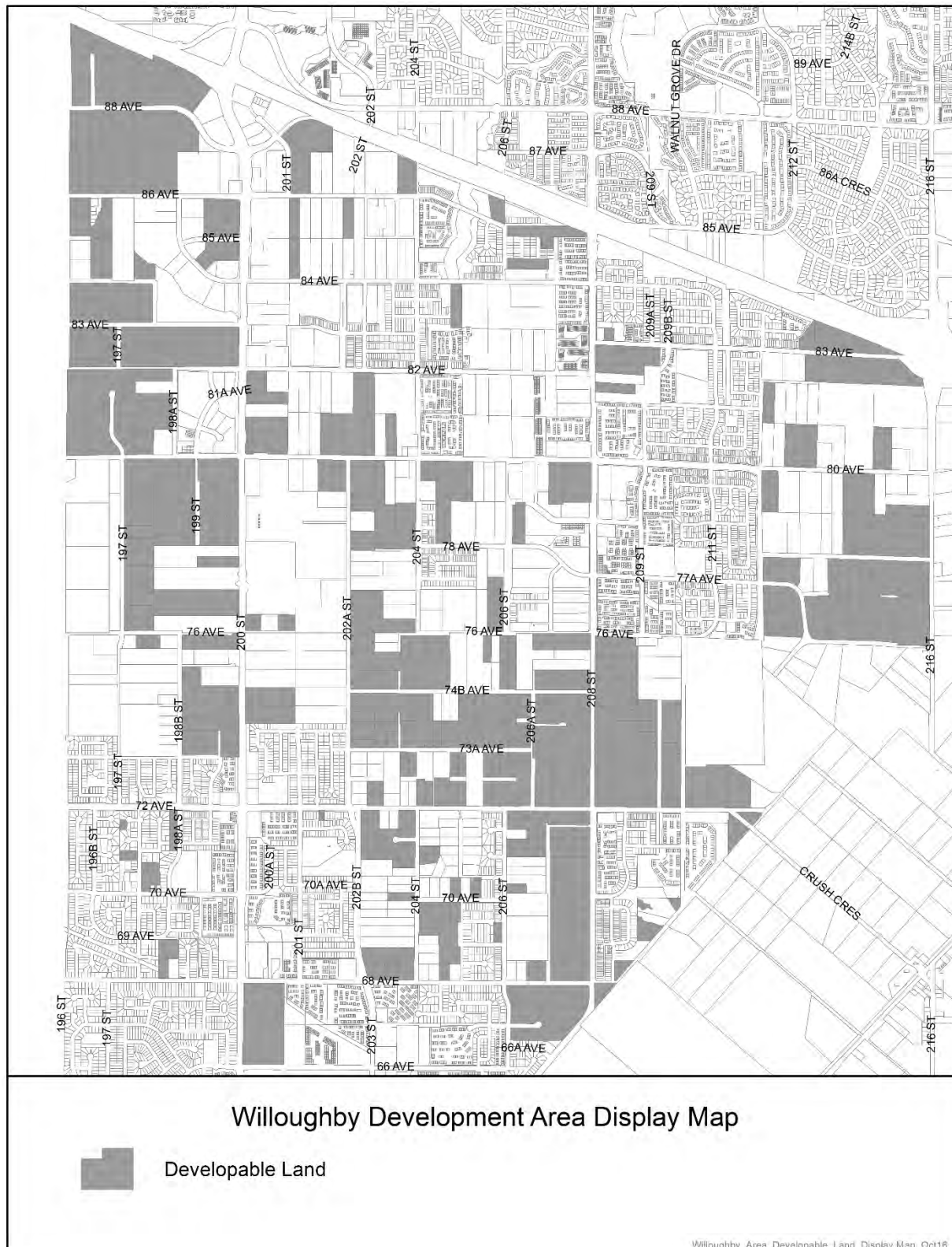
- 4.1 The Willoughby area requires the provision of transportation amenities ("Amenities") as shown in Schedule A.
- 4.2 All developing properties in that portion of the Willoughby area shown on the attached schedule, excluding those properties being developed for public school ("Development Area" as shown in Schedule B), will benefit from the Amenities.
- 4.3 The Township has determined that an equitable sharing of the land acquisition cost (and excludes construction and maintenance costs) of the Amenities in the Development Area will be \$8.72 per m<sup>2</sup> of Developable Land plus applicable sales or similar taxes ("Amenity Cost"), calculated as shown in Schedule C. For the purposes of this Policy "Developable Land" means the gross area of a parcel excluding streamside protection areas and the area below the top of bank. Detention Pond lands are included within the definition of "Developable Land".
- 4.4 The Amenity Cost can be provided by means of land without improvements constructed thereon ("Unimproved Land"), cash plus unimproved land and cash alone.

- 4.5 Section 482 of the Local Government Act provides for the establishment of different density regulations for a zone, one generally applicable for the zone and the other applicable if conditions, including those relating to the conservation or provision of amenities, and the number, kind, and extent of amenities are met.
- 4.6 Where Council proposes to rezone a property within the Development Area pursuant to Section 482 it may choose to include the Amenity Cost as an amenity for the purposes of that bylaw.
- 4.7 Where the Amenity Cost is determined to be an amenity for the purposes of a bylaw adopted pursuant to Section 482 and the developer wishes to take advantage of the higher density set out in the bylaw referred to in Section 4.6 by providing the amenities, including the Amenity Cost, the Amenity Cost will be referenced in rezoning bylaws and may be provided as follows:
- a) where the property being developed contains a transportation amenity the developer shall, subject to 4.7(b), provide the Amenity Cost by way of Unimproved Land plus cash;
  - b) where the property being developed contains a transportation amenity and the General Manager of Community Development of the Township, or his designate, determines that the construction of the improvements would be premature the developer shall provide the Amenity Cost by way of cash plus Unimproved Land; and
  - c) where the property being developed does not contain a transportation amenity the developer shall provide the Amenity Cost by way of cash only.
- 4.8 Where the Amenity Cost includes Unimproved Land the value of the Unimproved Land shall be deemed to be \$3,200,000 per acre (2019 deemed cost).
- 4.9 Amenity costs collected will be placed in an interest-bearing Reserve Fund.
- 4.10 Nothing in this policy will fetter the discretion of the Council of the Township to exercise its legislative powers and functions.

[illegible]



## Development Area



## Schedule C

## Willoughby Area Transportation Amenity Cost Calculation

Road Section	Approximate area (acres)	Approximate land cost
202A Street from 72 Ave to 80 Ave	1.59	\$5,086,563
208 Street from 68 Ave to 70 Ave	0.50	\$1,600,938
208 Street from 70 Ave to 200m south of 72 Ave	0.49	\$1,565,914
208 Street from 72 Ave south for 200m	0.48	\$1,546,192
208 Street from 72 Ave north for 200m	0.97	\$3,108,752
208 Street from 200m north of 72 Ave to 76 Ave	2.44	\$7,803,574
212 Street Connector from 208 St to Smith NP boundary	1.60	\$5,105,501
80 Avenue from 200 St to 206 St	0.89	\$2,858,022
80 Avenue from 206 St to 208 St	0.47	\$1,504,931
<b>Total</b>	<b>9.43</b>	<b>\$30,180,387</b>

Amenity Cost = \$30,180,387/3,460,725.46 m<sup>2</sup> = \$8.72 per m<sup>2</sup>

Or \$87,208.27 per hectare

Or \$35,293.19 per acre