

**Hep Kwong Tien Dao Temple Ontario Inc.
3471 Kennedy Road
(Ward 17 - Scarborough Agincourt)**

(City Council on May 9, 10 and 11, 2000, adopted this Clause, without amendment.)

The Scarborough Community Council recommends the adoption of Recommendation No. (2) in the following report (April 17, 2000) from the Director and Deputy Chief Building Official, viz:

“(2) development charges, which were collected as per the Development Charges By-law of the former City of Scarborough, be refunded.”

The Scarborough Community Council reports having referred back Recommendation No. (1) to the Director and Deputy Chief Building Official, with the request that a more detailed report on the matter of the request for refund of the building permit fee be submitted to the Community Council meeting scheduled to be held on May 23, 2000, such report to address:

- (1) potential community use of this building;
- (2) the issue of private school use in portions of this building, and the question of potentially exempting the School Boards from building permit fees; and
- (3) an analysis of what has been approved in the past and the precedents that have been established by such approvals.

The Scarborough Community Council submits the following report (April 17, 2000) from the Director and Deputy Chief Building Official:

Purpose:

To report on the request of Mr. Albert Lai, on behalf of Hep Kwong Tien Dao Temple Ontario Inc., to refund the building permit fee and development charges relative to the temple building, permit application number 99-00480 .

Financial Implications and Impact Statement:

(1)	Building Permit Fees	\$11,317.60
(2)	Development Charges	\$3,726.43 (City) \$1,495.47 (SPUC)

Recommendations :

It is recommended that:

- (1) the fees for the building permit collected according to the Building Permit By-law not be refunded; and
- (2) development charges, which were collected as per the Development Charges By-laws of the former City of Scarborough, be refunded.

Background :

Fees for building permits are charged on the basis of plan review and inspection services rendered according to the rates set out in the Building Permit By-law.

Since 1997, Scarborough Council has considered, and waived, permit fees and development charges on a case-by-case basis for four church related developments. In February, 2000, Scarborough Community Council's recommendations to: (1) reimburse the Buddhist Centre and Monastery, an amount equivalent to the Building Permit Fee paid by the Centre, and (2) refund the Development Charges which were collected as per the Development Charges By-law of the former City of Scarborough, were adopted by the Council of the City of Toronto . Scarborough Council is also considering the request of Rev. Frank McClland , on behalf of Toronto Free Presbyterian Church and Whitefield Christian Schools, to refund the building permit fee and development charges relative to the school building.

Conclusions :

Building permit fees are collected as per the City of Toronto Permit Fees By-law. New Development Charges By-law adopted by the Council of the City of Toronto does not require development charges for places of worship or schools.

Contact:

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Mr. Albert Lai, representing Hep Kwong Tien Dao Temple Ontario Inc., appeared before the Community Council in support of the request for refund.