



## STAFF REPORT ACTION REQUIRED

### Presentation Manor – 61 Fairfax Crescent – Exemption from Development Charges

<b>Date:</b>	October 12, 2016
<b>To:</b>	Executive Committee
<b>From:</b>	Deputy City Manager, Cluster A Deputy City Manager & Chief Financial Officer
<b>Wards:</b>	35
<b>Reference Number:</b>	P:\2016\Internal Services\Cf\Ec16021Cf (AFS #23862)

#### SUMMARY

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This report responds to Executive Committee's September 22, 2016, request to staff to meet with representatives of Presentation Manor for Seniors and to report to the October 26, 2016, meeting on the outcome of those discussions.

Presentation Manor had sought an exemption from development charges and park fees/land conveyance associated with the construction of a retirement home on the basis that the project qualified as non-profit housing. Based on information provided, staff determined that Presentation Manor did not meet the criteria for the exemptions it had sought and therefore was required to pay applicable development charges and park levy cash-in-lieu.

Staff met with representatives of Presentation Manor on September 23, 2016, exploring and carefully considering the nature of their interpretation of the City's Development Charges By-law. Staff have confirmed that the project does not qualify for the exemption. Retirement homes are fully chargeable.

#### RECOMMENDATIONS

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**The Deputy City Manager, Cluster A, and the Deputy City Manager & Chief Financial Officer recommend that:**

1. Executive Committee receive this report for information.

## **Financial Impact**

There are no financial implications resulting from the recommendations of this report.

The Deputy City Manager & Chief Financial Officer has reviewed this report and agrees with the financial impact related to this report.

## **DECISION HISTORY**

City Council on July 12, 13, 14 and 15, 2016, adopted a motion directing staff to report to the Executive Committee on the feasibility of exempting Presentation Manor for Seniors from any development charges and park fees/land conveyance.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.MM20.7>

A staff report responding to the above motion was submitted to the September 22, 2016, meeting of Executive Committee. The report presented staff analysis and basis for concluding that the project did not meet the eligibility requirements to qualify for exemptions from development charges and park fees/land conveyance.

<http://www.toronto.ca/legdocs/mmis/2016/ex/bgrd/backgroundfile-96003.pdf>

At its meeting of September 22, 2016, Executive Committee adopted a motion directing staff to meet with Presentation Manor for Seniors and to report back to the October 26, 2016, meeting of Executive Committee.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.EX17.8>

## **ISSUE BACKGROUND**

Presentation Manor is a 229-suite facility to be constructed on a four-acre site at 61 Fairfax Crescent in Scarborough (Ward 35). The site will be built and operated by Presentation Manor for Seniors, and home to elderly and vulnerable members of religious orders composed mostly of retired Catholic priests and sisters. Presentation Manor has sought an exemption from the requirement to pay development charges and to convey land or pay cash-in-lieu thereof for park purposes on the basis that it qualifies as non-profit housing.

## **COMMENTS**

As requested by Executive Committee, staff met with representatives of Presentation Manor for Seniors on September 23, 2016, to better understand their perspective in the matter of the exemptions sought, and to clarify staff position as articulated in the report (September 2, 2016; EX17.8).

The development will offer a mix of assisted living and independent living units, and proposed monthly occupancy costs are inclusive of boarding, lodging and other support services. Under the City's Development Charges By-law, the development fits under the definition of a retirement home, or a special care or special need dwelling, which are

assessed the dwelling room rate (currently \$10,375 per unit), the lowest residential development charge rate in the City, but are not exempt.

After careful consideration of the arguments presented at the meeting, staff found and communicated to the developers that the project meets neither the spirit nor the technical definition of the non-profit housing exemption under the Development Charges By-law.

## **CONCLUSION**

Based on a thorough review of the project and submissions made by Presentation Manor, staff have confirmed that the project does not qualify for the exemptions or relief sought by the proponents; the project does not meet the eligibility criteria for non-profit housing as set out under the City's Development Charges By-law. While this assessment differs from Presentation Manor's expectation of being eligible for an exemption, staff has discussed and explained the decision process. Further, staff does not believe that there is any basis or policy rationale to make an exception and provide an exemption in this case.

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## **SIGNATURE**

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Deputy City Manager, Cluster A

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Roberto Rossini  
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Officer