



Development Charges Update Study

Township of Hamilton

November 16, 2021

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Report



Chapter 1

Introduction



1. Introduction

1.1 Background

The Township of Hamilton imposes development charges (D.C.) to recover capital costs arising from the increase in needs for services related to growth. The Township currently has a municipal-wide D.C. for services related to a highway, fire protection, outdoor recreation, indoor recreation, library services, and related studies. The basis for these D.C.s are documented in the following:

- “Township of Hamilton Development Charges Background Study” dated May 3, 2019;
- “Township of Hamilton Addendum #1” dated May 30, 2019; and
- “Township of Hamilton Addendum #2” dated August 15, 2019.

The above documents provide the supporting documentation for By-law 2019-66. The D.C.s came into effect October 15, 2019.

The Town’s D.C.s have been indexed (in accordance with section 16 of the by-law) annually and are currently 10.5% higher than the 2019 rates implemented under By-law 2019-66. The 2019 D.C.s (unindexed) are shown in Figure 1-1.

The purpose of this report is to update the current D.C. by-law to incorporate a new Water D.C. service and to meet the requirements of the Development Charges Act (D.C.A.), as amended by Bill 108 (*More Homes, More Choice Act, 2019*), Bill 138 (*Plan to Build Ontario Act, 2019*), Bill 197 (*COVID-19 Economic Recovery Act, 2020*), Bill 213 (*Better for People, Smarter for Business Act, 2020*), and O.Reg. 454-19. A full discussion on the amending legislation is provided in chapter 2.

A summary of the changes contained in this D.C. Update are provided below:

- Through discussions with Township staff, Water services has been identified as a proposed D.C. service to be recovered under the Township’s D.C. by-law. The Water D.C. is proposed to be imposed within the urban serviced areas of the Township, which are noted as Creighton Heights and Camborne.



- The calculations are based on the water assessment reports by GM Blueplan (which outlined the Township's water capacity needs and capital project requirements) along with detailed discussions with Township staff.
- With respect to policy changes due to the amended D.C.A., the Township's D.C. By-law is being refined to incorporate the following:
 - Additional mandatory D.C. exemptions:
 - Added dwelling unit in new residential buildings; and
 - Development of land intended for use by a university that receives operating funds from the Government.
 - Additional definitions identified in O.Reg. 454-19:
 - Rental Housing;
 - Non-Profit Housing Development; and
 - Institutional Development.
- Further changes related to the timing of payments for rental housing, institutional and non-profit development were proclaimed through Bill 108. Additionally, the D.C. amount for all developments occurring within 2 years of a Site Plan or Zoning By-law Amendment planning approval, shall be determined based on the D.C. in effect on the day of Site Plan or Zoning By-law Amendment application. If the development is not proceeding via these planning approvals, then the amount is determined as the earlier of the date of issuance of a building permit or occupancy. These changes will be addressed in the amending by-law, discussed in Chapter 5, and provided in Appendix B.



Figure 1-1
Township of Hamilton
2019 Development Charges (By-law 2019-66)

Service	RESIDENTIAL					NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Solar PV, Telecommunications Towers, and Wind Turbines	(per sq.ft. of Gross Floor Area)
Municipal Wide Services:						
Services Related to a Highway	4,347	2,971	2,557	1,878	4,347	3.17
Fire Protection Services	750	513	441	324	750	0.55
Outdoor Recreation Services	460	314	271	199	-	0.10
Indoor Recreation Services	308	210	181	133	-	0.07
Library Services	71	49	42	31	-	0.02
General Government - Engineering Studies	441	301	259	191	-	0.48
General Government - Community Based Studies	304	208	179	131	-	0.33
Total Municipal Wide Services	6,681	4,566	3,930	2,887	5,097	4.72



1.2 Existing Policies (Rules)

Appendix A of this report sets out the rules governing the calculation, payment, and collection of D.C.s as provided in By-law 2019-66.

1.3 Basis for the D.C. By-law Update

This D.C. update study provides for an amendment to the Township's current D.C.s by-law (By-law 2019-66) based on the legislative changes to the D.C.A., as well as other changes noted by staff. These include:

- Adding Water Services as a new D.C. service for recovery; and
- Updating the D.C. policies in the by-law with respect to:
 - D.C. installment payments;
 - D.C. rate freeze; and
 - Mandatory exemption for new ancillary units and universities.

Details on the changes to the calculation and by-law are presented in Chapter 4 and Chapter 5 of this report, respectively. The draft amending by-law is presented in Appendix B to this report.

1.4 Summary of the Process

The public meeting required under section 12 of the D.C.A. has been scheduled for December 8, 2021. Its purpose is to present the update study to the public and to solicit public input. The meeting is also being held to answer any questions regarding the study's purpose, methodology and the proposed modifications to the Township's D.C. by-law.

The process to be followed in finalizing the report and recommendations includes:

- consideration of responses received prior to, at or immediately following the Public Meeting; and
- Council consideration of the amending by-law on January 18, 2022.



Figure 1-2 outlines the proposed schedule to be followed with respect to the D.C. by-law adoption process

Figure 1-2
Schedule of Key D.C. Process Dates for the Township of Hamilton

1. Data collection, staff review, D.C. calculations and policy work	June to September 2021
2. Public meeting advertisement placed in newspaper(s)	November 11, 2021
3. Background study and proposed by-law available to public	November 16, 2021
4. Public meeting of Council	December 8, 2021
5. Council considers adoption of background study and passage of by-law	January 18, 2022
6. Newspaper notice given of by-law passage	By 20 days after passage
7. Last day for by-law appeal	40 days after passage
8. Township makes pamphlet available (where by-law not appealed)	By 60 days after in force date

1.5 Policy Recommendations

It is recommended that the Township's current D.C. policies, as identified in Appendix A of this report, be continued. Additionally, the new policies as stated in Bill 108, Bill 138, Bill 197, Bill 213, and O. Reg. 454-19 are recommended to be included. This is discussed in more detail in chapter 2 of this report.



Chapter 2

Changes to the D.C.A. Legislation



2. Changes to the D.C.A. Legislation

The following section outlines the recent changes to the D.C.A., as amended by:

- Bill 108 (More Homes, More Choice Act, 2019);
- Bill 138 (Plan to Build Ontario Act, 2019);
- Bill 197 (COVID-19 Economic Recovery Act, 2020); and
- Bill 213 (Better for People, Smarter for Business Act, 2020).

2.1 Bill 108 – *More Homes, More Choice Act, 2019*

On May 2, 2019, the Province introduced Bill 108, which proposed changes to the D.C.A. The Bill has been introduced as part of the Province's "*More Homes, More Choice: Ontario's Housing Supply Action Plan*". The Bill received Royal Assent on June 6, 2019.

While having received Royal Assent, many of the amendments to the D.C.A. would not come into effect until they are proclaimed by the Lieutenant Governor (many of these changes were revised through Bill 197). At the time of writing, the following provisions have been proclaimed:

- Effective January 1, 2020, rental housing and institutional developments will pay D.C.s in six equal annual payments commencing at occupancy. Non-profit housing developments will pay D.C.s in 21 equal annual payments. Interest may be charged on the instalments, and any unpaid amounts may be added to the property and collected as taxes.
- Effective January 1, 2020 the D.C. amount for all developments occurring within 2 years of a Site Plan or Zoning By-law Amendment planning approval (for application submitted after this section is proclaimed), shall be determined based on the D.C. in effect on the day of Site Plan or Zoning By-law Amendment application. If the development is not proceeding via these planning approvals, then the amount is determined the earlier of the date of issuance of a building permit or occupancy.

On February 28, 2020, the Province released updated draft regulations related to the D.C.A. and the Planning Act. A summary of these changes is provided below:



Changes to Eligible Services – Prior to Bill 108, the D.C.A. provided a list of ineligible services whereby municipalities could include growth related costs for any service that was not listed. With Bill 108, the changes to the D.C.A. would now specifically list the services that are eligible for inclusion in the by-law. Further, the initial list of eligible services under Bill 108 was limited to “hard services”, with the “soft services” being removed from the D.C.A. These services would be considered as part of a new community benefits charge (discussed below) imposed under the Planning Act. As noted in the next section this list of services has been amended through Bill 197.

Mandatory 10% deduction – The amending legislation would remove the mandatory 10% deduction for all services that remain eligible under the D.C.A.

Remaining Services to be Included in a New Community Benefits Charge (C.B.C.) Under the Planning Act – It is proposed that a municipality may, by by-law, impose a C.B.C. against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment in the area to which the by-law applies. The C.B.C. is proposed to include formerly eligible D.C. services (as noted below), in addition to parkland dedication and other types of cost formerly recovered under Section 37 of the Planning Act.

2.2 Bill 138 – *Plan to Build Ontario Together Act, 2019*

On November 6, 2019, the Province released Bill 138 which provided further amendments to the D.C.A. and Planning Act. This Bill received Royal Assent on December 10, 2019 and was proclaimed which resulted in sections related to the D.C.A. (schedule 10) becoming effective on January 1, 2020. The amendments to the D.C.A. included removal of instalment payments for commercial and industrial developments that were originally included in Bill 108.

2.3 Bill 197 – *COVID-19 Economic Recovery Act, 2020*

In response to the global pandemic that began affecting Ontario in early 2020, the Province released Bill 197 which provided amendments to a number of Acts, including the D.C.A. and Planning Act. This Bill also revised some of the proposed changes identified in Bill 108. Bill 197 was tabled on July 8, 2020, received Royal Assent on July



21, 2020, and was proclaimed on September 18, 2020. The following provides a summary of the changes:

2.3.1 D.C. Related Changes

List of D.C. Eligible Services

- As noted above, under Bill 108 some services were to be included under the D.C.A. and some would be included under the C.B.C. authority. However, Bill 197 revised this proposed change and has included all services (with some exceptions) under the D.C.A. These services are as follows:
 - Water supply services, including distribution and treatment services.
 - Wastewater services, including sewers and treatment services.
 - Storm water drainage and control services.
 - Services related to a highway.
 - Electrical power services.
 - Toronto-York subway extension.
 - Transit services.
 - Waste diversion services.
 - Policing services.
 - Fire protection services.
 - Ambulance services.
 - Library services
 - Long-term Care services
 - Parks and Recreation services (but not the acquisition of land for parks).
 - Public Health services
 - Childcare and early years services.
 - Housing services.
 - Provincial Offences Act services.
 - Services related to emergency preparedness.
 - Services related to airports, but only in the Regional Municipality of Waterloo.
 - Additional services as prescribed.



Classes of Services – D.C.

Pre-Bill 108/197 legislation (i.e. D.C.A., 1997) allowed for categories of services to be grouped together into a minimum of two categories (90% and 100% services).

The amending legislation repealed and replaced the above with the four following subsections:

- A D.C. by-law may provide for any eligible service or capital cost related to any eligible service to be included in a class, set out in the by-law.
- A class may be composed of any number or combination of services and may include parts or portions of the eligible services or parts or portions of the capital costs in respect of those services.
- A D.C. by-law may provide for a class consisting of studies in respect of any eligible service whose capital costs are described in paragraphs 5 and 6 of s. 5 of the D.C.A.
- A class of service set out in the D.C. by-law is deemed to be a single service with respect to reserve funds, use of monies, and credits.

As well, the removal of 10% deduction for soft services under Bill 108 has been maintained.

10-Year Planning Horizon

- The “maximum” 10-year planning horizon has been removed for all services except transit.

2.3.2 Community Benefit Charges (C.B.C.)

While a Community Benefit Charge is not being considered within this report, a summary of the legislated changes is provided herein for information purposes.

C.B.C. Eligibility

- The C.B.C. is limited to lower-tier and single tier municipalities, whereas upper-tier municipalities will not be allowed to impose this charge.
- O.Reg. 509/20 was filed on September 18, 2020. This regulation provides for the following:



- A maximum rate will be set as a percentage of the market value of the land the day before building permit issuance. The maximum rate is set at 4%. The C.B.C. may only be imposed on developing or redeveloping buildings which have a minimum height of five stories and contain no less than 10 residential units.
- Bill 197 states that before passing a C.B.C. by-law, the municipality shall prepare a C.B.C. strategy that (a) identifies the facilities, services and matters that will be funded with C.B.C.s; and (b) complies with any prescribed requirements.
- Only one C.B.C. by-law may be in effect in a local municipality at a time.

2.3.3 Combined D.C. and C.B.C. Impacts

D.C. vs. C.B.C. Capital Cost

- A C.B.C. may be imposed with respect to the services listed in s. 2 (4) of the D.C.A. (eligible services), "provided that the capital costs that are intended to be funded by the community benefits charge are not capital costs that are intended to be funded under a development charge by-law."

Transition – D.C. and C.B.C.

- The specified date for municipalities to transition to the D.C. and C.B.C. is two years after Schedules 3 and 17 of the COVID-19 Economic Recovery Act comes into force (i.e. September 18, 2022).
- Generally, for existing reserve funds (related to D.C. services that will be ineligible):
 - If a C.B.C. is passed, the funds are transferred to the C.B.C. special account;
 - If no C.B.C. is passed, the funds are moved to a general reserve fund for the same purpose
 - If a C.B.C. is passed subsequent to moving funds to a general reserve fund, those monies are then moved again to the C.B.C. special account.
- For reserve funds established under s. 37 of the Planning Act (e.g. bonus zoning)
 - If a C.B.C. is passed, the funds are transferred to the C.B.C. special account;



- If no C.B.C. is passed, the funds are moved to a general reserve fund for the same purpose;
- If a C.B.C. is passed subsequent to moving funds to a general reserve fund, those monies are then moved again to the C.B.C. special account.

If a municipality passes a C.B.C. by-law, any existing D.C. credits a landowner retains may be used towards payment of that landowner's C.B.C.

2.4 Bill 213 – *Better for People, Smarter for Business Act, 2020*

On December 8, 2020, Bill 213 received Royal Assent. One of the changes included in the Bill that is now in effect amends the Ministry of Training, Colleges, and Universities Act by introducing a new section that would exempt the payment of D.C.s for development of land intended for use by a university that receives operating funds from the government. This additional mandatory exemption has been included in the draft amending by-law in Appendix B.



Chapter 3

Anticipated Development



3. Anticipated Development

3.1 Growth Forecast in the 2019 D.C. Study

The 2019 D.C. study provided for the anticipated residential and non-residential growth within the Township of Hamilton. The growth forecast associated with services included in the background study is provided in Figure 3-1 below:

Figure 3-1
Township of Hamilton
2019 D.C. Background Study – Growth Forecast Summary

Measure	10 Year	Longer Term
	2019-2028	2019-2041
(Net) Population Increase	417	1,288
Residential Unit Increase	347	833
Non-Residential Gross Floor Area Increase (ft ²)	80,000	285,500

Source: Watson & Associates Economists Ltd. Forecast 2019

For the purposes of this D.C. update, the growth related to the urban serviced areas of Creighton Heights and Camborne is generated on a per “single detached unit equivalent”. The information for Creighton Heights is based on the treatment capacity figures from GM Blueplan’s “Uncommitted Reserve Capacity” report, dated August 20, 2021. Information related to Camborne is provided by Township staff.

Creighton Heights

GM Blueplan’s analysis examined the uncommitted reserve capacity of the Creighton Height’s area. The initial identified capacity noted 49 approved unbuilt lots. An further assessment was undertaken to calculate the additional available treatment capacity of the plant based on the amount of water flows that could be drawn from the Creighton Height’s wells. It is noted that a key constraint to the water system is the ability to operate both combinations of wells pumps at the same time (i.e. either Wells #1 and #6 together, or Wells #1 and #7 together). Given this potential constraint, a range of reserve capacity calculations is provided based on the 3-year maximum day plant flows.



Description	Units (Single Detached Equivalents)
Approved Unbuilt Lots	49
3-Year Maximum Day Plant Flow Additional Units	50 - 152
Total Reserve Capacity	99 - 201

Based on the table above, the Townships' available capacity for Creighton Heights could range from a total of 99 to 201 single detached units. Currently, it is unclear if both combinations of well pumps could operate at the same time. Therefore, the calculations undertaken herein are based on the lower end of the total available capacity range, which provides for an estimated 100 single detached equivalents. Once the 100 units have been developed, the Township will re-evaluate the well capacity to assess if further development may be possible and whether additional capital investments would be required.

Camborne

In 2017, the Township constructed a watermain on Kennedy Road with the intent of providing municipal water services to 36 residential properties. At present, there are 32 properties that have yet to hook up to the system. As these properties are proposed to be new customers to the Camborne water system, they are being included as part of the calculations.

Creighton Heights/Camborne Area Specific

Based on the information presented above, the total forecasted growth to the water systems is summarized as follows:

Area	Units (Single Detached Equivalents)
Creighton Heights	100
Camborne	32
Total Growth Units	132



Chapter 4

Updates to the Township's D.C. Study



4. Updates to the Township's D.C. Study

As noted earlier, the Township's D.C. By-law 2019-66 came into effect on September 1, 2019, being a by-law for the purposes of establishing and collecting a D.C. in accordance with the provisions of the D.C.A. The 2019 D.C. Background Study and by-law identified anticipated capital needs for recovery through D.C.s for municipal-wide services.

This chapter of the report discusses the addition of water services as a new D.C. service for recovery, as well as a minor update to the Local Service Policy to clearly identify the responsibilities of the developer.

As these projects are to revise the 2019 D.C. by-law (as identified in the 2019 D.C. Background Study), the capital costs are being presented in 2019 dollars.

4.1 Water Services

The Township of Hamilton provides water services to the areas of Creighton Heights and Camborne through several wells. Over the past year, the Township retained GM Blueplan to review the Township's current water infrastructure, capacity allocations, and to examine future capital requirements. Their findings have been documented within the "Water Systems Capital Needs Assessment Report" and the "Creighton Heights Water Treatment Plant Technical Memo". Based on GM Blueplan's recommendations, as well as discussions with staff, several upgrades to the water systems were identified and are being proposed to be undertaken. These projects provide additional capacity to the Creighton Heights and Camborne water systems. Therefore, it is recommended that the Township implement a Water Services D.C. to recover for the growth-related portion of these capital projects.

The Township capital projects include upgrades to wells, a watermain, studies, and a provision for an enhancement to the Township's water supply source. These projects have a combined gross cost of \$4,333,500 (2019\$). Of this amount, a deduction of \$3,347,900 has been made to recognize the portion of the capital that would benefit the existing community. Therefore, the net growth capital cost of \$985,600 has been included in the D.C. calculations.



4.2 Local Service Policy

To ensure that the Local Service Policy is interpreted clearly, the following update is being undertaken to define what is a direct developer responsibility vs. what would be included as a D.C. item:

- Section E.6 – add the following sub-heading after item (e):
 - **“The costs of the following items shall be included within the Township’s D.C.:”**

The updated Local Service Policy is provided in Appendix C.

4.3 D.C. By-law Revised Schedule of Charges

4.3.1 Updated D.C. Calculation (2019\$)

Figures 4-2, 4-3, and 4-4 provide the calculations to the proposed D.C. to be imposed on anticipated development for Creighton Heights and Camborne for water services based on the servicing capacity discussed in Chapter 3.

For the residential calculations, the total eligible D.C. costs provided in Figure 4-1 has been divided by the number of units to be serviced with water to generate a D.C. cost per unit, which are based on 132 single detached equivalents. In the event that other residential unit types are constructed (i.e. multiples, apartments with 2 or more bedrooms, or apartments with 1 bedroom or less), a D.C. rate for these other residential unit types has been provided based on the persons per unit (P.P.U.) relationship relative to the single detached units (the P.P.U. information is provided on the 2019 D.C. study).

With respect to non-residential development, it is assumed from GM Blueplan’s analysis that the water consumption of an employee is equal to a resident. Therefore, to calculate a non-residential charge, the single detached equivalent calculations have been converted to a per capita/per employee basis and divided by an average sq.ft. per employee. For the purposes of the calculations herein, an average of 800 sq.ft. per employee is assumed, based on the information provided in Appendix A to the 2019 D.C. Study.



Figure 4-2
Township of Hamilton
Creighton Heights and Camborne Residential D.C. Calculations (2019\$)

D.C. Calculation	
D.C. Costs	\$ 985,600
Single Detached Equivalents	132
Cost per Single Detached Equivalent	\$ 7,467

Figure 4-3
Township of Hamilton
Creighton Heights and Camborne Non-Residential D.C. Calculations (2019\$)

Non-Residential D.C. Calculation	
Cost per Single Detached Equivalent	\$ 7,467
Single Detached P.P.U.	2.972
Cost per Capita/Employee	\$ 2,512
Average Sq.ft. per Employee	800
Non-Residential Cost per sq.ft.	\$ 3.14

Figure 4-4
Township of Hamilton
D.C. Calculations by Unit Type (2019\$)

Category		Persons Per Unit (P.P.U.)	Single Detached Unit Equivalent	D.C. per Unit Type
Residential	Single and Semi-Detached Dwelling	2.972	1.00	\$7,467
	Multiples	2.031	0.68	\$5,103
	Apartments - 2 Bedrooms +	1.748	0.59	\$4,392
	Apartments - Bachelor and 1 Bedroom	1.284	0.43	\$3,226
Category		Cost per sq.ft.		
Non-Residential	Industrial, Commercial, Institutional	\$3.14		



Figures 4-5 and 4-6 compare the amended and existing single detached dwelling unit and non-residential per square foot D.C.s (2019 \$ values)

Figure 4-5
Township of Hamilton
Comparison of Existing and Amending Residential (Single Detached Unit) D.C. (2019\$)

Service	By-law 2019-66 (2019\$)	Calculated (2019\$)
Municipal Wide Services:		
Services Related to a Highway	4,347	4,347
Fire Protection Services	750	750
Outdoor Recreation Services	460	460
Indoor Recreation Services	308	308
Library Services	71	71
General Government - Engineering Studies	441	441
General Government - Community Based Studies	304	304
Total Municipal Wide Services	6,681	6,681
Creighton Heights and Camborne Urban Area Services:		
Water Services	-	7,467
Total Urban Services	-	7,467
Total Urban Area Charges	6,681	14,148

Figure 4-6
Township of Hamilton
Comparison of Existing and Amending Non-Residential D.C. (2019\$)

Service	By-law 2019-66 (2019\$)	Calculated (2019\$)
Municipal Wide Services:		
Services Related to a Highway	3.17	3.17
Fire Protection Services	0.55	0.55
Outdoor Recreation Services	0.10	0.10
Indoor Recreation Services	0.07	0.07
Library Services	0.02	0.02
General Government - Engineering Studies	0.48	0.48
General Government - Community Based Studies	0.33	0.33
Total Municipal Wide Services	4.72	4.72
Creighton Heights and Camborne Urban Area Services:		
Water Services	-	3.14
Total Urban Services	-	3.14
Total Urban Area Charges	4.72	7.86



4.3.2 Revised D.C. Rates (2019\$ and 2021\$)

Based on the calculations above, the total D.C. (in 2019\$) for the Creighton Heights and Camborne Urban Service Area is calculated to increase from \$6,681 to \$14,148 per single detached unit and increase from \$4.72 to \$7.86 per square foot for non-residential development.

Figure 4-7 provides for the updated municipal-wide and urban area D.C.s in 2019 values, as the study was originally completed in 2019. This figure would be included as the amending schedule to the D.C. by-law. Figure 4-8 provides for the indexed 2021 values as the Township's 2019 D.C.s have been indexed by 10.5% on October 15, 2021.



Figure 4-7
Township of Hamilton
Updated Development Charge Schedule (2019\$)

Service	RESIDENTIAL					NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Solar PV, Telecommunications Towers, and Wind Turbines	(per sq.ft. of Gross Floor Area)
Municipal Wide Services:						
Services Related to a Highway	4,347	2,971	2,557	1,878	4,347	3.17
Fire Protection Services	750	513	441	324	750	0.55
Outdoor Recreation Services	460	314	271	199	-	0.10
Indoor Recreation Services	308	210	181	133	-	0.07
Library Services	71	49	42	31	-	0.02
General Government - Engineering Studies	441	301	259	191	-	0.48
General Government - Community Based Studies	304	208	179	131	-	0.33
Total Municipal Wide Services	6,681	4,566	3,930	2,887	5,097	4.72
Creighton Heights and Camborne Urban Area Services:						
Water Services	7,467	5,103	4,392	3,226	-	3.14
Total Urban Services	7,467	5,103	4,392	3,226	-	3.14
Total Municipal Wide + Urban Services	14,148	9,669	8,322	6,113	5,097	7.86



Figure 4-8
Township of Hamilton
Updated Development Charge Schedule (2021\$)

Service	RESIDENTIAL					NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Solar PV, Telecommunications Towers, and Wind Turbines	(per sq.ft. of Gross Floor Area)
Municipal Wide Services:						
Services Related to a Highway	4,803	3,283	2,825	2,075	4,803	3.50
Fire Protection Services	829	567	487	358	829	0.61
Outdoor Recreation Services	508	347	299	220	-	0.11
Indoor Recreation Services	340	232	200	147	-	0.08
Library Services	78	54	46	34	-	0.02
General Government - Engineering Studies	487	333	286	211	-	0.53
General Government - Community Based Studies	336	230	198	145	-	0.36
Total Municipal Wide Services	7,381	5,046	4,341	3,190	5,632	5.21
Creighton Heights and Camborne Urban Area Services:						
Water Services	8,250	5,638	4,853	3,564	-	3.47
Total Urban Services	8,250	5,638	4,853	3,564	-	3.47
Total Municipal Wide + Urban Services	15,631	10,684	9,194	6,754	5,632	8.68



Chapter 5

Updates to the D.C. By-law



5. Updates to the D.C. By-law

As summarized in Chapter 2, the D.C. by-law will require several updates to conform with the D.C.A., as amended.

With respect to the “Time of Payment of Development Charges” section of the by-law, the following refinements are to be included:

- Six equal annual D.C. payments commencing at occupancy for rental housing and institutional developments;
- Non-profit housing developments will be allowed to pay their D.C.s in 21 equal annual payments; and
- The D.C. amount for all developments occurring within 2 years of a site plan or zoning by-law amendment planning approval (for applications submitted after January 1, 2020) shall be determined based on the D.C. in effect on the day of the site plan or zoning by-law amendment application.

Installment payments and payments determined at the time of site plan or zoning by-law amendment application are subject to annual interest charges. The setting of the interest rate has been discussed with Township staff and will be calculated based on the Township’s D.C. Interest Policy.

For the purposes of administering the by-law, the following definitions are provided as per O. Reg. 454-19:

“Rental housing” means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises.

“Institutional development” means development of a building or structure intended for use,

- a) as a long-term care home within the meaning of subsection 2 (1) of the *Long-Term Care Homes Act, 2007*;
- b) as a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*;
- c) by any of the following post-secondary institutions for the objects of the institution:



- i. a university in Ontario that receives direct, regular and ongoing operating funding from the Government of Ontario,
 - ii. a college or university federated or affiliated with a university described in subclause (i), or
 - iii. an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*;
- d) as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion; or
- e) as a hospice to provide end of life care.

“Non-profit housing development” means development of a building or structure intended for use as residential premises by,

- a) a corporation without share capital to which the *Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing;
- b) a corporation without share capital to which the *Canada Not-for-profit Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing; or
- c) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*.

With respect to exemptions, the following will be included as per O. Reg. 454-19:

No development charge shall be payable where the development:

- is limited to the creation of an additional dwelling unit as prescribed, in prescribed classes of new residential buildings as set out in the Regulations to the Development Charges Act, 1997; and
- is limited to the creation of an additional dwelling unit ancillary to a new dwelling unit for prescribed classes of new residential buildings as set out in the Regulations to the Development Charges Act, 1997.

The following exemption will be included as per Bill 213:

- Land vested in or leased to a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education is exempt from development charges imposed under the Development



Charges Act, 1997 if the development in respect of which development charges would otherwise be payable is intended to be occupied and used by the university.



Chapter 6

Recommendations



6. Recommendations

It is recommended that Council:

“Approve the Development Charges Update Study dated November 16, 2021, as amended (if applicable)”;

“Approve the capital projects set out in Chapter 4 of the Development Charges Update Study dated November 16, 2021”;

“Approve the changes to the Local Service Policy as provided in Section 4.2”;

“Determine that no further public meeting is required”; and

“Approve the Amending Development Charge By-law as set out in Appendix B”.



Appendix A

Existing Policies under By-law 2019-66



Appendix A: Existing Policies under By-law 2019-66

The following subsections set out the rules governing the calculation, payment and collection of D.C.s as provided in By-law 2019-66, in accordance with the D.C.A.

Approvals for Development

In accordance with the D.C.A., the D.C. shall be calculated, payable and collected where the development requires one or more of the following:

- a) the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*;
- b) the approval of a minor variance under section 45 of the *Planning Act*;
- c) a conveyance of land to which a by-law passed under section 50 (7) of the *Planning Act* applies;
- d) the approval of a plan of subdivision under section 51 of the *Planning Act*;
- e) a consent under section 53 of the *Planning Act*;
- f) the approval of a description under section 50 of the *Condominium Act*;
- g) the issuing of a building permit under the *Building Code Act* in relation to a building.

Determination of the Amount of the Charge

The calculation for residential development is generated on a per capita basis and is based upon different forms of housing types (single and semi-detached, apartments with two or more bedrooms, one bedroom apartments and bachelors, and all other multiples). The total cost is divided by the “gross” (new resident) population to determine the per capita amount. The eligible D.C. cost calculations are based on the net anticipated population increase (the forecast new unit population less the anticipated decline in existing units). This approach acknowledges that service capacity will be “freed up” by the population decline in existing units. The cost per capita is then multiplied by the average occupancy of the new units to calculate the charges by type of residential dwelling unit.

The non-residential D.C. has been calculated based on a per square foot of gross floor area basis.



Application for Land Redevelopment

If a development involves the demolition of and replacement of a building or structure on the same site, or the conversion from one principal use to another, the developer shall be allowed a credit equivalent to:

- 1) the number of dwelling units demolished/converted multiplied by the applicable residential D.C. in place at the time the D.C. is payable; and/or
- 2) the gross floor area of the building demolished/converted multiplied by the current non-residential D.C. in place at the time the D.C. is payable.

The demolition credit is allowed only if the land was improved by occupied structures and if the demolition permit related to the site was issued less than five (5) years prior to the issuance of a building permit. The credit can, in no case, exceed the amount of D.C.s that would otherwise be payable.

Exemptions (full or partial)

The following are exempted from D.C.s:

- a) Statutory exemptions
 - industrial building additions of up to and including 50% of the existing gross floor area (defined in O.Reg. 82/98, s.1) of the building; for industrial building additions which exceed 50% of the existing gross floor area, only the portion of the addition in excess of 50% is subject to D.C.s (s.4(3)) of the D.C.A.;
 - buildings or structures owned by and used for the purposes of any municipality, local board or Board of Education (s.3);
 - residential development that results only in the enlargement of an existing dwelling unit, or that results only in the creation of up to two additional dwelling units (based on prescribed limits set out in s.2 of O.Reg. 82/98).
- b) Non-statutory exemptions
 - A farm building;



- A place of worship and land used in connection therewith, and a churchyard, cemetery and burial ground exempt from taxation under Section 3 of the Assessment Act, R.S.O. 1980, c.31;
- Solar PV Installations with a nameplate generation capacity of less than 100 kW shall be exempt from this by-law;
- Wind Turbines with a nameplate generation capacity of less than 100 kW shall be exempt from this by-law; and
- Telecommunication Towers of less than 30 metres in height shall be exempt from this by-law.

Indexing

Indexing of the D.C.s shall be implemented on a mandatory basis annually commencing on the first anniversary date of this by-law and each anniversary date thereafter, in accordance with the Statistics Canada Quarterly, Non-Residential Building Construction Price Index (Table 18-10-0135-01)¹ for the most recent year-over-year period.

By-law Duration

The by-law will expire on October 15, 2024, unless it is repealed by Council at an earlier date.

Timing of D.C. Payments

A D.C. that is applicable under Section 5 of the D.C.A. shall be calculated and payable:

- where a permit is required under the Building Code Act in relation to a building or structure, the owner shall pay the D.C. prior to the issuance of a permit of prior to the commencement of development or redevelopment as the case may be; and
- despite the above, Council, from time to time and at any time, may enter into agreements providing for all or any part of a D.C. to be paid before or after it would otherwise be payable.

¹ O.Reg. 82/98 referenced “The Statistics Canada Quarterly, Construction Price Statistics, catalogue number 62-007” as the index source. Since implementation, Statistics Canada has modified this index twice and the above-noted index is the most current. The draft by-law provided herein refers to O.Reg. 82/98 to ensure traceability should this index continue to be modified over time.



Appendix B

Draft Amending Development Charge By-law



The Corporation of the Township of Hamilton

By-law Number 2022-__

Being a By-Law of The Corporation of the Township of Hamilton To Amend By-Law 2019-66, Respecting Development Charges

Whereas the Township of Hamilton enacted By-law 2019-66 pursuant to the *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended (the “Act”), which Act authorizes Council to pass by-laws for the imposition of development charges against land;

And Whereas the Township has undertaken a study pursuant to the Act which has provided an updated Schedule B to By-law 2019-66;

And Whereas Council has before it a report entitled “Township of Hamilton 2021 Development Charge Update Study” prepared by Watson & Associates Economists Ltd., dated November 16, 2021 (the “update study”);

And Whereas the update study and proposed amending by-law were made available to the public on November 16, 2021 and Council gave notice to the public pursuant to section 12 of the Act.

And Whereas Council, on December 8, 2021 held a meeting open to the public, pursuant to section 12 of the Act, at which Council considered the study, and written and oral submissions from the public;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF HAMILTON HEREBY ENACTS AS FOLLOWS:

1. By-law 2019-66 is hereby amended as follows:

A. Addition of Rental Housing to the definitions in section 1 as follows:

“Rental housing” means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises

B. Addition of Institutional development to the definitions in section 1 as follows:



“Institutional development” means development of a building or structure intended for use,

- a) as a long-term care home within the meaning of subsection 2(1) of the *Long-Term Care Homes Act, 2007*;
- b) as a retirement home within the meaning of subsection 2(1) of the *Retirement Homes Act, 2010*;
- c) by any of the following post-secondary institutions for the objects of the institution:
 - i. a university in Ontario that receives direct, regular, and ongoing operating funding from the Government of Ontario,
 - ii. a college or university federated or affiliated with a university described in subclause (i), or
 - iii. an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*;
- d) as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion; or
- e) as a hospice to provide end of life care.

C. Addition of non-profit housing development to the definitions in section 1 as follows:

“Non-profit housing development” means development of a building or structure intended for use as residential premises by,

- a) a corporation without share capital to which the *Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing;
- b) a corporation without share capital to which the *Canada Not-for-profit Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing; or
- c) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*.

D. Addition of Interest rate to the definitions in section 1 as follows:

"Interest rate" means the annual rate of interest calculated at the Township's

D.C. Interest Policy;



E. Replace Section 2.0 with the following:

Schedule of Development Charges

- (1) Subject to the provisions of this by-law, development charges against land shall be calculated and collected in accordance with the base rates set out in Schedule B, which relate to the service set out in Schedule A of this by-law.
- (2) The development charge with respect to the use of any land, buildings or structures shall be calculated, based on the charges in Schedule B, as follows:
 - (a) in the case of residential development, or the residential portion of a mixed-use development, based upon the number and type of dwelling units;
 - (b) in the case of non-residential development, the non-residential portion of a mixed-use development which includes residential, based upon the total floor area of such development;
- (3) Council hereby determines that the development of land, buildings or structures for residential and non-residential uses have required or will require the provision, enlargement, expansion or improvement of the service referenced in Schedule A.

F. Addition of the following university exemption to Section 3(2):

New bullet (h) – Land vested in or leased to a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education is exempt from development charges imposed under the Development Charges Act, 1997 if the development in respect of which development charges would otherwise be payable is intended to be occupied and used by the university.

G. Addition of a Section 3(7) for “Rules with Respect to Exemptions for New Development”



“3(7) Notwithstanding the provisions of this By-law, no development charge shall be payable where the development:

(a) is limited to the creation of an additional dwelling unit as prescribed, in prescribed classes of new residential buildings as set out in the Regulations to the Development Charges Act, 1997; and

(b) is limited to the creation of an additional dwelling unit ancillary to a new dwelling unit for prescribed classes of new residential buildings as set out in the Regulations to the Development Charges Act, 1997.”

H. Amend Section 8(3):

- a. Remove the reference to “Schedules “B-1” and “B-2””; and
- b. Replace with “Schedule B”.

I. Amend Sections 9(2) and 9(3):

- a. Remove the reference to “Schedules “B-1” and “B-2””; and
- b. Replace with “Schedule B”.

J. Addition of policies related to the timing of development charges payments.

These will be included after Section 11(3) of the development charges by-law:

New Section – 11(4) Notwithstanding subsections 11(1) and 11(2), development charges for rental housing and institutional developments are due and payable in 6 installments commencing with the first installment payable on the date of first occupancy certificate issued, and each subsequent installment, including interest, payable on the anniversary date each year thereafter.

New Section –11(5) Notwithstanding subsections 11(1) and 11(2) development charges for non-profit housing developments are due and payable in 21 installments commencing with the first installment payable on the date of first occupancy certificate issued, and each subsequent installment, including interest, payable on the anniversary date each year thereafter.



New Section –11(6) Where the development of land results from the approval of a site plan or zoning by-law amendment received on or after January 1, 2020, and the approval of the application occurred within 2 years of building permit issuance, the development charges under subsections 2(2)(a) and 2(2)(b) shall be calculated on the rates set out in Schedule "B" on the date of the planning application, including interest. Where both planning applications apply development charges under subsections 2(2)(a) and 2(2)(b) shall be calculated on the rates, including interest, set out in Schedule "B" on the date of the later planning application, including interest.

K. Amend Section 12:

- a. Remove the reference to "Schedules B-1 and B-2"; and
- b. Replace with "Schedule B".

L. Amend Section 16:

- a. Remove the reference to "Schedules "B-1" and "B-2""; and
- b. Replace with "Schedule B".

M. Replace Section 19 with the following:

"The following schedules to this By-law form an integral part of this By-law:
Schedule "A" – Summary of Development Charges Services
Schedule "B" – Schedule of Development Charges

N. Schedule "A" is deleted and the attached Schedule "A" is substituted therefore.

O. Schedules "B-1" and "B-2" are deleted and the attached Schedule "B" is substituted therefore.

2. This by-law shall come into force and effect on the January 18, 2022.
3. Except as amended by this by-law, all provisions of By-law 2019-66, as amended, are and shall remain in full force and effect.



By-law read a first and second time this 18th day of January, 2022.

By-law read a third time and finally passed this 18th day of January, 2022.

Corporation of the Township of Hamilton

Mayor: _____

Clerk: _____



Schedule A
Township of Hamilton
Summary of Development Charges Services

Municipal-Wide Services:

- 1) Services Related to a Highway
- 2) Fire Protection Services
- 3) Outdoor Recreation Services
- 4) Indoor Recreation Services
- 5) Library Services
- 6) General Government – Engineering Studies
- 7) General Government – Community Based Studies

Creighton Heights and Camborne Urban Area Services:

- 8) Water Services.



SCHEDULE B SCHEDULE OF DEVELOPMENT CHARGES

Service	RESIDENTIAL					NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Solar PV, Telecommunications Towers, and Wind Turbines	(per sq.ft. of Gross Floor Area)
Municipal Wide Services:						
Services Related to a Highway	4,347	2,971	2,557	1,878	4,347	3.17
Fire Protection Services	750	513	441	324	750	0.55
Outdoor Recreation Services	460	314	271	199	-	0.10
Indoor Recreation Services	308	210	181	133	-	0.07
Library Services	71	49	42	31	-	0.02
General Government - Engineering Studies	441	301	259	191	-	0.48
General Government - Community Based Studies	304	208	179	131	-	0.33
Total Municipal Wide Services	6,681	4,566	3,930	2,887	5,097	4.72
Creighton Heights and Camborne Urban Area Services:						
Water Services	7,467	5,103	4,392	3,226	-	3.14
Total Urban Services	7,467	5,103	4,392	3,226	-	3.14
Total Municipal Wide + Urban Services	14,148	9,669	8,322	6,113	5,097	7.86



Appendix C

Revised Local Service Policy



Township of Hamilton

General Policy Guidelines on Development Charges and Local Service Funding

(The following provides for a minor amendment as documented in Section 4.2 of this report. The changes are highlighted in yellow)

This Appendix sets out the municipality's General Policy Guidelines on Development Charges (D.C.) and local service funding for Services Related to a Highway, Stormwater Management, Transit Bus Stops and Amenities, Parkland Development, and Underground Linear Services. The guidelines outline, in general terms, the size and nature of engineered infrastructure that is included in the study as a development charge project, versus infrastructure that is considered as a local service, to be replaced separately by landowners, pursuant to a development agreement.

The following policy guidelines are general principles by which staff will be guided in considering development applications. However, each application will be considered, in the context of these policy guidelines as subsection 59 (2) of the Development Charges Act, 1997 (D.C.A.) on its own merits having regard to, among other factors, the nature, type and location of the development and any existing and proposed development in the surrounding area, as well as the location and type of services required and their relationship to the proposed development and to existing and proposed development in the area.

E.1 Services Related to a Highway

A highway and services related to a highway are intended for the transportation of people and goods via many different modes including, but not limited to passenger automobiles, commercial vehicles, transit vehicles, bicycles, and pedestrians. The highway shall consist of all land and associated infrastructure built to support (or service) this movement of people and goods regardless of the mode of transportation employed, thereby achieving a complete street. A complete street is the concept whereby a highway is planned, designed, operated, and maintained to enable pedestrians, cyclists, public transit users and motorists to safely and comfortably be moved, thereby allowing for the efficient movement of persons and goods.

The associated infrastructure to achieve this concept shall include, but is not limited to: road pavement structure and curbs; grade separation/bridge structures (for any



vehicles, railways and/or pedestrians); grading, drainage and retaining wall features; culvert structures; storm water drainage systems; utilities; traffic control systems; signage; gateway features; street furniture; active transportation facilities (e.g. paved shoulders, bike lanes, multi-use trails which interconnect the transportation network, etc.); transit lanes & lay-bys; roadway illumination systems; boulevard and median surfaces (e.g. sod & topsoil, paving, etc.); street trees and landscaping; parking lanes & lay-bys; (excluding on-street parking in the downtown) and driveway entrances; noise attenuation systems; railings and safety barriers.

E.1.1 Local and Collector Roads (including land)

- a. Collector Roads Internal to Development, inclusive of all land and associated infrastructure – direct developer responsibility under s. 59 of the D.C.A. as a local service.
- b. Collector Roads External to Development, inclusive of all land and associated infrastructure – if needed to support a specific development or required to link with the area to which the plan relates, direct developer responsibility under s. 59 of the D.C.A.; otherwise, included in D.C. calculation to the extent permitted under s. 5 (1) of the D.C.A. (dependent on local circumstances).
- c. All local roads are considered to be the developer's responsibility

E.1.2 Arterial Roads

- a. New, widened, extended or upgraded arterial roads, inclusive of all associated infrastructure: Included as part of road costing funded through D.C.A., s. 5 (1).
- b. Land acquisition for arterial roads on existing rights-of-way to achieve a complete street: dedication under the Planning Act provisions (s. 41, 51 and s. 53) through development lands; in area with limited development: included in D.C.s.
- c. Land acquisition for arterial roads on new rights-of-way to achieve a complete street: dedication, where possible, under the Planning Act provisions (s. 51 and s. 53) through development lands up to the R.O.W. specified in the Official Plan.
- d. Land acquisition beyond normal dedication requirements to achieve transportation corridors as services related to highways including grade



separation infrastructure for the movement of pedestrians, cyclists, public transit and/or railway vehicles: included in D.C.s.

E.1.3 Traffic Control Systems, Signals and Intersection Improvements

- a. On new arterial roads and arterial road improvements unrelated to a specific development: included as part of road costing funded through D.C.s.
- b. On non-arterial roads, or for any private site entrances or entrances to specific development: direct developer responsibility under s. 59 of D.C.A. (as a local service).
- c. On arterial or collector road intersections with County roads: include in D.C.s or in certain circumstances, may be a direct developer responsibility
- d. Intersection improvements, new or modified signalization, signal timing & optimization plans, area traffic studies for highways attributed to growth and unrelated to a specific development: included in D.C. calculation as permitted under s. 5 (1) of the D.C.A

E.1.4 Streetlights

- a. Streetlights on new arterial roads and arterial road improvements: considered part of the complete street and included as part of the road costing funded through D.C.s or in exceptional circumstances, may be direct developer responsibility through local service provisions (s. 59 of D.C.A.).
- b. Streetlights on non-arterial roads internal to development: considered part of the complete street and included as a direct developer responsibility under s. 59 of the D.C.A. (as a local service).
- c. Streetlights on non-arterial roads external to development, needed to support a specific development or required to link with the area to which the plan relates: considered part of the complete street and included as a direct developer responsibility under s. 59 of the D.C.A. (as a local service).

E.1.5 Transportation Related Pedestrian and Cycling Facilities



- a. Paved shoulders, multi-use trails, cycle tracks, and bike lanes, inclusive of all required infrastructure, located within arterial roads, County roads and provincial highway corridors: considered part of the complete street and included in D.C.s, or, in exceptional circumstances, may be direct developer responsibility through local service provisions (s. 59 of D.C.A.).
- b. Paved shoulders, multi-use trails, cycle tracks, and bike lanes, inclusive of all required infrastructure, located within or linking to non-arterial road corridors internal to development: considered part of the complete street and include in D.C.s.
- c. Paved shoulders, multi-use trails, cycle tracks, and bike lanes, inclusive of all required infrastructure, located within non-arterial road corridors external to development and needed to support a specific development or required to link with the area to which the plan relates: direct developer responsibility under s. 59 of D.C.A. (as a local service).
- d. Multi-use trails (not associated with a road), inclusive of all land and required infrastructure, that go beyond the function of a (parkland) recreational trail and form part of the municipality's active transportation network for cycling and/or walking: included in D.C.s

E.1.6 Noise Abatement Measures

- a. Noise abatement measures external and internal to development where it is related to, or a requirement of a specific development: direct developer responsibility under s. 59 of D.C.A. (as a local service).
- b. Noise abatement measures on new arterial roads and arterial road improvements abutting an existing community and unrelated to a specific development: included as part of road costing funded through D.C.s

E.1.7 Transit Lanes and Lay-bys

- a. Transit lanes and lay-bys located within municipal arterial and County road corridors: considered part of the complete street and included in D.C.s



- b. Transit lanes and lay-bys located within non-arterial road corridors internal to development: considered part of the complete street and direct developer responsibility under s. 59 of the D.C.A. (as a local service).
- c. Transit lanes and lay-bys located within non-arterial road corridors external to development and needed to support a specific development or required to link with the area to which the plan relates: direct developer responsibility under s. 59 of the D.C.A. (as a local service).

E.2 Stormwater Management

- a. Stormwater facilities for quality and/or quantity management, including downstream erosion works, inclusive of land and all associated infrastructure, such as landscaping and perimeter fencing: direct developer responsibility under s. 59 of D.C.A. (as a local service).
- b. Over-sizing cost of stormwater facilities capacity, excluding land, to accommodate runoff from new, widened, extended or upgraded municipal arterial roads that are funded as a development charges project: included as part of road costing funded through D.C.s.
- c. Erosion works, inclusive of all restoration requirements, related to a development application: direct developer responsibility under s. 59 of the D.C.A. (as a local service).
- d. Monitoring works: included in D.C.s consistent with the D.C.A., s. 5 (1).
- e. Storm sewer systems and drainage works that are required for a specific development, either internal or external to the area to which the plan relates: direct developer responsibility under s. 59 of the D.C.A. (as a local service).

E.4 Transit Bud Stops and Amenities

- a. Transit bus stops and amenities internal to development: direct developer responsibility under s. 59 of D.C.A. (as a local service).
- b. Transit bus stops and amenities on arterial roads: included in Municipality's Transit D.C.s consistent with D.C.A., s. 5 (1).



E.4 Parkland Development

E.4.1 Recreational Trails

- a. a. Recreational trails (Multi-use trails) that do not form part of the municipality's active transportation network, and their associated infrastructure (landscaping, bridges, trail surface, etc.), is included in area municipal parkland D.C.s.

E.4.2 Parkland

- a. Parkland Development for Community Parks, District Parks, Neighbourhood Parks and Village Squares: direct developer responsibility to provide at base condition, as follows:
 - Clearing and grubbing. Tree removals as per the subdivision's tree preservation and removals plan.
 - Topsoil Stripping, screening, and stockpiling.
 - Rough grading (pre-grading) to allow for positive drainage of the Park, with minimum slopes of 2%. If necessary, this may include some minor drainage tile work and grading as per the overall subdivision grading design complete with any required swales or catch basins. Runoff from the development property shall not drain into the park unless approved by the Manager, Environment Services, Public Works.
 - Spreading of topsoil to 150 mm depth (import topsoil if existing on-site is insufficient to reach required depth).
 - Seeding of site with Municipality-approved seed mix. Maintenance of seed until acceptance by Municipality.
 - Parks shall be free of any contaminated soil or subsoil.
 - Parks shall not be mined for fill.
 - Parks shall be conveyed free and clear of all encumbrances.
 - 100% of 1.5 m chain link perimeter fencing to the Municipal standards to separate the development lands from the Municipal lands or lands to be



dedicated to the Municipality, unless the perimeter fencing is on land that will be dedicated to the Municipality to fulfil the requirement of parkland dedication under the Planning Act, in which case the cost shall be shared 50/50.

- When Park parcels cannot be developed in a timely manner, they shall be graded to ensure positive drainage and seeded to minimize erosion and dust. These shall be maintained by the developer until construction commences thereon.
- The Park block shall not be used for topsoil or other construction material, equipment storage, or sales pavilions.
- Required heritage features within the Park as set out within the Planning approval conditions.

b. Program facilities, amenities, and furniture, within parkland are included in the D.C.s.

E.4.3 Landscape Buffer Blocks, Features, Berms, Grade Transition Areas, Walkway Connections to Adjacent Arterial Roads, Open Space, etc.

a. a. The cost of developing all landscape buffer blocks, landscape features, cul-de-sac islands, berms, grade transition areas, walkway connections to adjacent arterial roads, open space and other remnant pieces of land conveyed to the municipality shall be a direct developer responsibility as a local service. Such costs include but are not limited to:

- Pre-grading, sodding or seeding, supply and installation of amended topsoil, (to the Municipality's required depth), landscape features, perimeter fencing and amenities and all planting.
- Perimeter fencing to the Municipal standard located on the public property side of the property line adjacent land uses (such as but limited to arterial roads) as directed by the Municipality.

E.5 Natural Heritage System (N.H.S.)

N.H.S. includes engineered and in situ stream corridors, natural buffers for woodlots, wetland remnants, etc. as well as subwatersheds within the boundaries of the Municipality.



Direct developer responsibility as a local service provision including but not limited to the following:

- a. Riparian planting and landscaping requirements (as required by the Municipality, Conservation Authority or other authorities having jurisdiction) as a result of creation of, or construction within in the N.H.S. and associated buffers.
- b. Perimeter fencing of the N.H.S. to the Municipal standard located on the public property side of the property line adjacent land uses (residential, industrial, commercial) as required by the Municipality.
- c. All works to be in conformance with the Municipality's "Restoration Framework" for stream corridors, natural buffers and subwatersheds areas as directed by the approved studies and reports related to the Secondary Plan that development occurs in.

E.5.1 Infrastructure Assets Constructed by Developers

- a. All infrastructure assets constructed by Developers must be designed in accordance with the Municipality's Engineering and Parks Standards Manual as revised
- b. All infrastructure assets shall be conveyed in accordance with the Municipality's Engineering and Parks Standards Manual as revised
- c. Any Parks and Open Space infrastructure assets approved to be built by the developer on behalf of the Municipality shall be in accordance with the Municipality's Park Development Methods Policy

E.5 Underground Services (Stormwater, Water and Sanitary Sewers)

Underground services (linear infrastructure for stormwater, water, and sanitary services) within the road allowance are not included in the cost of road infrastructure and are treated separately. The responsibility for such services as well as stormwater management ponds and pumping stations, which are undertaken as part of new developments or redevelopments, will be determined by the following principles:

The costs of the following items shall be direct developer responsibilities as a local service:



- a. Providing all underground services internal to the development, including storm, water and sanitary services;
- b. Providing service connections from existing underground services to the development;
- c. Providing new underground services or upgrading existing underground services external to the development if the services are required to service the development. If external services are required by two or more developments, the developer for the first development will be responsible for the cost of the external services and may enter into front-ending/cost-sharing agreements with other developers independent of the Municipality;
- d. Providing stormwater management ponds and other facilities required by the development including all associated features such as landscaping and fencing;
- e. Water booster pumping stations, reservoir pumping stations and/or sanitary pumping stations serving individual developments

The costs of the following items shall be included within the Township's D.C.:

- f. Water treatment, storage facilities, transmission mains, re-chlorination/sampling stations and Wells associated with municipal service areas to be included within the D.C.; and
- g. Wastewater treatment plants and transmission mains associated with municipal service areas shall be included in the D.C.