




ECONOMISTS LTD.

Addendum to 2020 Development Charges Background Study

City of St. Thomas

For Public Circulation and Comment

October 13, 2020

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1. Summary of Revisions to the April 15, 2020 Development Charges Background Study, as amended on September 15, 2020

1.1 Background

Commensurate with the provisions of the Development Charges Act (D.C.A.), 1997, the City of St. Thomas (City) has undertaken a Development Charges Background Study (D.C.B.S.) and has distributed the study and draft by-laws to the public. The following provides a summary of the key dates in the Development Charges (D.C.s) by-law process:

- April 15, 2020 – Release of the D.C.B.S.
- September 15, 2020 – Release Addendum #1 to the D.C.B.S.
- October 13, 2020, Release of Addendum #2 to the D.C.B.S.
- October 19 – Public Meeting of Council
- Date to be confirmed – Anticipated passage of D.C. By-laws

The purpose of the addendum to the April 15, 2020 D.C.B.S., as amended is to provide for:

- Revisions the D.C. eligible capital costs and draft D.C. by-laws stemming from the COVID-19 Economic Recovery Act (Bill 197); and
- Updates to the capital costs included within the Parks and Recreation Service and growth-related studies;

The refinements are detailed in the subsequent sections of this report and will form part of the D.C.B.S. for Council's consideration and approval prior to adoption of the D.C. by-law.



2. Discussion

2.1 Legislative Changes

In response to the global pandemic that began affecting Ontario in early 2020, the Province released Bill 197, the COVID-19 Economic Recovery Act, 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 and received Royal Assent on July 21, 2020, however, the changes would not come into effect until proclaimed by the Lieutenant Governor. On September 18, 2020 the Province proclaimed the remaining amendments to the D.C.A. that were made through Bill 108 and Bill 197. The following provides a summary of the changes to the D.C.A. that are now in effect:

List of D.C. Eligible Services

- Under Bill 108 some services were to be included under the D.C.A. and some would be included under the Community Benefits Charge (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, as defined in subsection 5.1 (1).
 - Transit services other than the Toronto-York subway extension.
 - 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 D.C. Services

The D.C.A. had allowed for categories of services to be grouped together into a minimum of two categories (90% and 100% services).

The Act (as proclaimed) repeals that provision and replaces 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.

10% Statutory Deduction

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

Statutory Exemptions

Statutory exemptions to the payment of D.C.s for the creation of secondary residential dwelling units in prescribed classes of existing residential buildings or structures



ancillary to existing residential buildings. Furthermore, the creation of a second dwelling unit in prescribed classes of proposed new residential buildings, including structures ancillary to dwellings.

Transition

Services, other than those described in paragraphs 1 to 10 of subsection 2 (4) of the D.C.A. (i.e. 'soft services') within an existing D.C. by-law can remain in effect, even if the by-law expires, until the earlier of the day the by-law is repealed, the day the municipality passes a C.B.C. by-law under subsection 37 (2) of the *Planning Act*, or the specified date (i.e. September 18, 2022).

2.1.1 Changes to Eligible Services

Municipal Parking, Airport Services, and Animal Protection Services

The April 15, 2020 D.C.B.S., as amended identified the following services for inclusion in the City-wide D.C. By-law that would no longer be eligible under the amended D.C.A.:

- Municipal Parking;
- Airport Services; and
- Animal Protection Services

As such, these services cannot be included in the proposed new City-wide D.C. by-law.

Based on the transition provisions in Bill 197 identified above, municipalities with a D.C. by-law that would expire on or after May 2, 2019 and before the specified date (i.e. September 18, 2018) remains in force as it relates to any service other than the services described in paragraphs 1 to 10 of subsection 2 (4) until the earliest of,

- the day it is repealed;
- the day the municipality passes a community benefits charge by-law under subsection 37 (2) of the *Planning Act*; and
- the specified date (i.e. September 18, 2022).

In addition to revising the proposed City-wide D.C. by-law to remove Municipal Parking, Airport Services, and Animal Protection Services, this addendum to the D.C.B.S. services to amend the current City-wide by-law (By-law 81-2015) to continue to collect



D.C.s for Municipal Parking and Airport Services until the specified date, as well as other by-law policy changes.

Class of Service for Growth-Related Studies

Section 7 of the D.C.A. states that a D.C. by-law may provide for any D.C. eligible service or the capital costs with respect to those services. Further, a class may be composed of any number or combination of services and may include parts or portions of each D.C. eligible services. With respect to growth-related studies, Section 7(3) of the D.C.A. states that:

“For greater certainty, a development charge by-law may provide for a class consisting of studies in respect of any service listed in subsection 2 (4) whose capital costs are described in paragraphs 5 and 6 of subsection 5 (3).”

These provisions allow for services to be grouped together to create a class for the purposes of the D.C. by-law and D.C. reserve funds. The D.C. calculations and draft by-law provided herein include a class for City-wide growth studies. This class is comprised of the following services:

- Growth Studies
 - Fire Services;
 - Police Services;
 - Transit Services;
 - Parks and Recreation Services;
 - Library Services;
 - Ambulance Services;
 - Waste Diversion Services;
 - Roads and Related Services;
 - Wastewater Services; and
 - Water Services.

In addition, the area-specific by-laws for the South Block area, Lands and Dalewood and North West Area 1 also include separate classes of growth studies pertaining to the eligible services.



2.1.2 10% Statutory Deduction

Prior to the amendments enacted through Bill I97, the D.C.A. required that a statutory deduction of 10% of the growth-related costs be made for the following services and related studies included within the draft City-wide D.C. by-law:

- Parks and Recreation Services;
- Library Services,
- Ambulance Services; and
- Waste Diversion Services.

This amendment to the D.C.B.S. provides for the calculation of the charge without inclusion of the 10% deduction. In total across the four services above as well as the growth-related studies, the removal of the 10% deduction adds \$0.9 million in D.C. eligible costs to the calculation of the charge.

2.2 Parks and Recreation Services

An additional dog park has been identified for inclusion in the City's 2021 capital budget to provide for services to new development and the existing community. As such, the project costs of \$100,000 have been identified with \$11,000 being included in the calculation of the charge.

2.3 Growth-Related Study Costs

Subsequent to the issuance of the September 15, 2020 addendum to the D.C.B.S., \$20,000 in additional costs related to the preparation of the April 15, 2020 D.C.B.S. and subsequent addendums have been identified. These additional costs have been included in the calculation of the charge for the class of growth-related studies.



3. Impacts on the Calculated D.C.s

The refinements presented in Chapter 2 have impacts on the calculated D.C.s in the April 15, 2020 D.C.B.S., as amended. Table 3-1 presents the updated calculated D.C.s for the City-wide D.C.s. No changes have been made to the area-specific D.C.s for the South Block area, Lands of Dalewood, and North West Area 1, and as such, those charges have not been included in the impacts presented herein.

The amended charges are compared to the April 15, 2020 D.C.B.S., as amended charges in Table 3-2. The charge for a single detached residential unit would increase by \$294 (+2.4%) for the City-wide D.C.

Table 3-1
City of St. Thomas
Calculated Schedule of City-Wide Development Charges (Addendum)

Service/Class	RESIDENTIAL					NON-RESIDENTIAL	
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	Residential Care (per bed)	Industrial (per sq.m. of Gross Floor Area)	Non-Industrial (per sq.m. of Gross Floor Area)
Municipal Wide Services/Classes:							
Roads and Related	7,674	4,810	3,081	6,157	3,113	34.61	68.33
Fire Services	148	93	59	119	60	0.68	1.34
Police Services	371	233	149	298	150	1.70	3.36
Transit Services	135	85	54	108	55	0.62	1.23
Parks and Recreation Services	2,330	1,461	936	1,869	945	-	-
Library Services	883	554	355	708	358	-	-
Growth-Related Studies	88	55	35	71	36	0.39	0.81
Ambulance Services	130	81	52	104	53	0.60	1.18
Waste Diversion Services	36	23	14	29	15	-	-
Total Municipal Wide Services/Classes	11,795	7,395	4,735	9,463	4,785	38.60	76.25
Urban Services							
City-Wide Wastewater Services	445	279	179	357	180	1.86	3.68
City-Wide Water Services	11	7	4	9	4	0.05	0.09
Total Urban Services	456	286	183	366	184	1.91	3.77
GRAND TOTAL RURAL AREA	11,795	7,395	4,735	9,463	4,785	38.60	76.25
GRAND TOTAL URBAN AREA	12,251	7,681	4,918	9,829	4,969	40.51	80.02



Table 3-2
 City of St. Thomas
 City-Wide Development Charges for a Single Detached Residential Dwelling Unit
 Comparison of April 15, 2020 D.C.B.S, as amended. vs. October 13, 2020 Addendum

Service/Class	City-Wide Residential (Single Detached) Comparison			City-Wide Non-Residential Comparison					
	15-Sep-20	13-Oct-20	% Change	Industrial (per sq.m.)			Non-Industrial (per sq.m.)		
	15-Sep-20	13-Oct-20	% Change	15-Sep-20	13-Oct-20	% Change	15-Sep-20	13-Oct-20	% Change
Municipal Wide Services/Classes:									
Roads and Related	7,674	7,674	0.0%	34.61	34.61	0.0%	68.33	68.33	0.0%
Fire Services	148	148	0.0%	0.68	0.68	0.0%	1.35	1.34	-0.7%
Police Services	370	371	0.3%	1.70	1.70	0.0%	3.36	3.36	0.0%
Transit Services	135	135	0.0%	0.62	0.62	0.0%	1.23	1.23	0.0%
Municipal Parking	22	58	161.9%	0.10	0.24	137.1%	0.20	0.35	74.0%
Airport Services	109	14	-86.8%	0.50	0.06	-88.1%	0.99	0.09	-90.8%
Parks and Recreation Services	2,109	2,330	10.5%	-	-	0.0%	-	-	0.0%
Library Services	780	883	13.2%	-	-	0.0%	-	-	0.0%
Growth-Related Studies	79	88	11.4%	0.36	0.39	8.3%	0.72	0.81	12.5%
Ambulance Services	115	130	13.0%	0.53	0.60	n/a	1.04	1.18	n/a
Waste Diversion Services	32	36	12.5%	-	-	n/a	-	-	n/a
Total Municipal Wide Services/Classes	11,573	11,867	2.5%	39.10	38.90	-0.5%	77.22	76.69	-0.7%
Area Specific Services:									
City-Wide Wastewater Services	445	445	0.0%	1.86	1.86	0.0%	3.68	3.68	0.0%
City-Wide Water Services	11	11	0.0%	0.05	0.05	0.0%	0.09	0.09	0.0%
Total Area Specific Services	456	456	0.0%	1.91	1.91	0.0%	3.77	3.77	0.0%
Grand Total - Urban Area	12,029	12,323	2.4%	41.01	40.81	-0.5%	80.99	80.46	-0.7%



4. Changes to the D.C.B.S.

Based on the foregoing, the following revisions are made to the pages within the April 15, 2020 D.C.B.S. Accordingly, the revised pages are appended to this report:

- Page 1-1 – Reissued to reflect the proposed amendment to By-law 81-2015
- Page 1-3 – Revised to reflect this addendum;
- Page 1-5 – Updated to reflect recent changes to the D.C.A.;
- Page 4-8 to 4-13 – Updated to include new Section 4.7 (Classes of Service) and page numbering;
- Page 5-4 to 5-35 – Reissued to reflect changes to eligible services, the removal of the 10% statutory deduction, and capital costs for Parks and Recreation Services and Growth-Related Studies;
- Pages 6-2, 6-4 to 6-7 – Reissued to reflect changes in the calculated charges described in Chapter 3 and eligible services;
- Pages 7-4 to 7-5 – Revised to reflect changes to statutory exemptions to the payment of D.C.s in the COVID-19 Economic Recovery Act;
- Pages 7-7 to 7-9 – Updated to reflect changes to eligible services;
- Pages 8-3 to 8-4 – Updated to reflect changes to the Asset Management Plan resulting from this addendum;
- Page D-3 – Updated to reflect the changes identified herein; and
- Appendices F to I – Draft by-laws re-issued to reflect the changes identified herein, the timing of this addendum, and the amending by-law to By-law 81-2015.

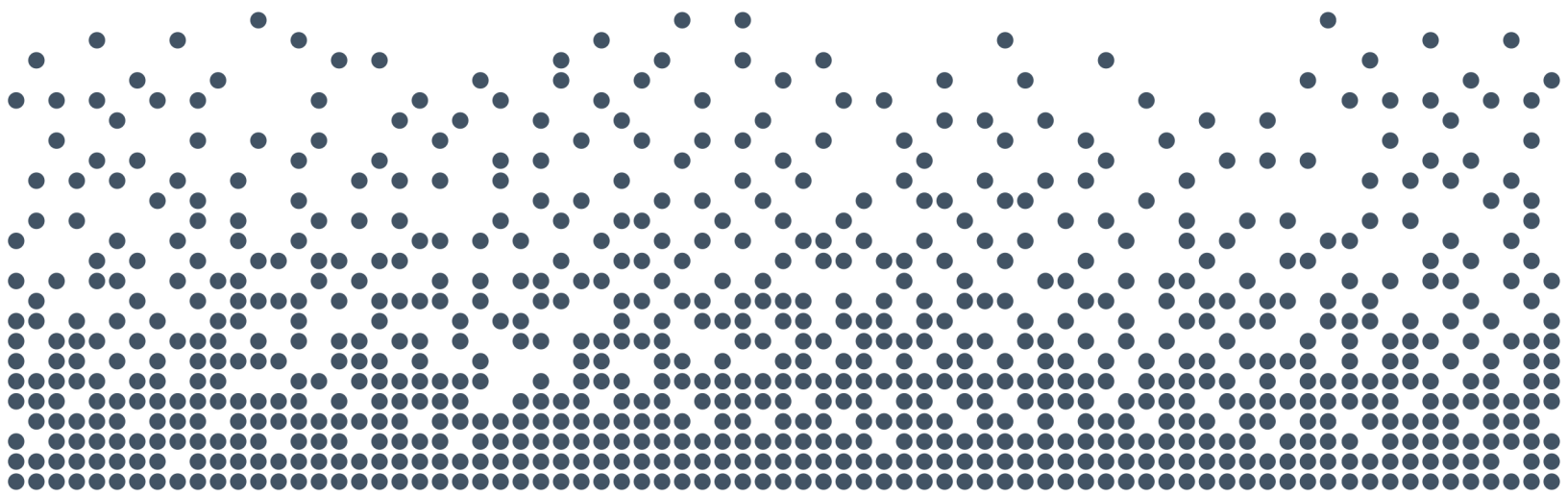


5. Process for Adoption of the D.C. By-law

The revisions provided herein form the basis for the D.C. by-law and will be incorporated into the D.C.B.S. to be provided to Council prior to Council's consideration and adoption of the proposed D.C. by-law.

If Council is satisfied with the above noted changes to the D.C.B.S. and D.C. by-law, then prior to by-law passage Council must:

- Approve the D.C.B.S., as amended;
- Determine that no further public meetings are required on the matter; and
- Adopt the new D.C. by-law.



Appendix



Appendix A

Amended Pages



1. Introduction

1.1 Purpose of this Document

This background study has been prepared pursuant to the requirements of the *Development Charges Act, 1997, (D.C.A.) (s.10)* and, accordingly, recommends new Development Charges (D.C.) and policies for the City of St. Thomas (City).

Watson & Associates Economists Ltd. (Watson) was retained by the City, to undertake the D.C. study process in 2019. Watson worked with senior staff from City in preparing the D.C. analysis and policy recommendations specific to this background study.

This D.C. background study, containing the proposed D.C. by-law, will be distributed to members of the public in order to provide interested parties with sufficient background information on the legislation, the study's recommendations, and an outline of the basis for these recommendations.

This report has been prepared, in the first instance, to meet the statutory requirements applicable to the City's D.C. background study, as summarized in Chapter 4, with the anticipated development forecast in Chapter 3 and the corresponding increase in need for service quantified in Chapter 5. It also addresses the requirement for the proposed "rules" governing the calculated D.C.s (contained in Chapter 7), and the proposed by-laws to be made available as part of the approval process (included as Appendices F to J)

In addition, the report sets out the City's current D.C. policies (Chapter 2) for the purpose of comparison to the proposed by-law policies, to make the exercise understandable to those who are involved. Finally, the study addresses post-adoption implementation requirements (Chapter 9) which are critical to the successful application of the new policy.

The Chapters in the report are supported by Appendices containing the data required to explain and substantiate the calculation of the charge.



4. D.C. Background Study and proposed D.C. by-law available to public	April 15, 2020
5. Presentation of draft findings to development industry stakeholders	April 27, 2020
6. Addendum to the D.C. background study	September 15, 2020
7. Statutory notice of Public Meeting advertisement placed in newspaper(s)	20 days prior to public meeting
8. Addendum to the D.C. background study	October 13, 2020
9. Public Meeting of Council	To be determined
10. Council considers adoption of D.C. background study and passage of by-law	To be determined
11. Newspaper notice given of by-law passage	By 20 days after passage
12. Last day for by-law appeal	40 days after passage
13. City makes available D.C. pamphlet	by 60 days after in force date



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 Section 1.3.2 this list of services has been amended through Bill 197.

Mandatory 10% Deduction – The *More Homes, More Choice Act* removes 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. would include formerly eligible D.C. services that were excluded from the list of eligible services, in addition to parkland dedication and bonus zoning contributions.

1.3.2 Bill 197: COVID-19 Economic Recovery Act

In response to the global pandemic that began affecting Ontario in early 2020, the Province released Bill 197, the COVID-19 Economic Recovery Act, 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 and received Royal Assent on July 21, 2020, however, the changes would not come into effect until proclaimed by the Lieutenant Governor. On September 18, 2020 the Province proclaimed the remaining amendments to the D.C.A. that were made through Bill 108 and Bill 197. The following provides a summary of the changes to the D.C.A. that are now in effect:

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.



(O.Reg. 82/98 s.3). The capital program contained herein reflects the City's approved and proposed capital budgets and master servicing/needs studies.

4.6 Treatment of Credits

Section 8, paragraph 5, of O.Reg. 82/98 indicates that a D.C. background study must set out "the estimated value of credits that are being carried forward relating to the service." Subsection 17, paragraph 4, of the same Regulation indicates that "...the value of the credit cannot be recovered from future D.C.s," if the credit pertains to an ineligible service. This implies that a credit for eligible services can be recovered from future D.C.s. As a result, this provision should be made in the calculation, in order to avoid a funding shortfall with respect to future service needs. The City has accounted for outstanding D.C. credit obligations in the calculation of the anticipated capital needs for the South Block Area and Lands of Dalewood area-specific charges.

4.7 Classes of Services

Section 7 of the D.C.A. states that a D.C. by-law may provide for any D.C. eligible service or the capital costs with respect to those services. Further, a class may be composed of any number or combination of services and may include parts or portions of each D.C. eligible services. With respect to growth-related studies, Section 7(3) of the D.C.A. states that:

"For greater certainty, a development charge by-law may provide for a class consisting of studies in respect of any service listed in subsection 2 (4) whose capital costs are described in paragraphs 5 and 6 of subsection 5 (3)."

These provisions allow for services to be grouped together to create a class for the purposes of the D.C. by-law and D.C. reserve funds. The D.C. calculations and draft by-law provided herein include a class for growth studies. This class is comprised of the following services:

- Growth Studies
 - Fire Services;
 - Police Services;
 - Transit Services;



- Parks and Recreation Services;
- Library Services;
- Ambulance Services;
- Waste Diversion Services;
- Roads and Related Services;
- Wastewater Services; and
- Water Services.

4.8 Eligible and Committed Excess Capacity

Section 66 of the D.C.A., states that for the purposes of developing a D.C. by-law, a debt incurred with respect to an eligible service may be included as a capital cost, subject to any limitations or reductions in the Act. Similarly, s.18 of O.Reg. 82/98 indicates that debt with respect to an ineligible service may be included as a capital cost, subject to several restrictions.

In order for such costs to be eligible, two conditions must apply. First, they must have funded excess capacity which is able to meet service needs attributable to the anticipated development. Second, the excess capacity must be “committed,” that is, either before or at the time it was created, Council must have expressed a clear intention that it would be paid for by D.C.s or other similar charges. For example, this may have been done as part of previous D.C. processes.

4.9 Existing Reserve Funds

Section 35 of the D.C.A. states that:

“The money in a reserve fund established for a service may be spent only for capital costs determined under paragraphs 2 to 8 of subsection 5(1).”

There is no explicit requirement under the D.C.A. calculation method set out in s.s.5(1) to net the outstanding reserve fund balance as part of making the D.C. calculation; however, s.35 does restrict the way in which the funds are used in future.

The City’s uncommitted D.C. Reserve Fund Balance by service as projected for mid-year 2020 is presented in the table below. These balances have been applied against future spending requirements for all D.C. services. The uncommitted reserve balances



at year-end 2019 have been adjusted to account for revenue foregone from exemptions and the phase-in of the D.C. under by-law 81-2015, corrections to funding of D.C. eligible projects over the term of the current by-laws, and anticipated D.C. revenue to mid-year 2020.

Table 4-2
D.C. Reserve Fund Balances (projected at mid-year 2020)

Service	Totals
Roads and Related	\$1,371,204
Transit Services	\$136,144
Municipal Parking Services	\$17,334
Airport Services	\$47,452
Fire Services	\$115,857
Police Services	(\$193,929)
Waste Diversion Services	
Parks and Recreation Services	\$413,830
Library Services	\$349,755
Administration Studies	\$54,798
Ambulance Services	\$72,151
City-Wide Wastewater Services	\$6,226,924
<u>South Block</u>	
SA1	\$185,865
SA2	\$123,454
SA3	\$36,368
SA4	\$38,508
UAE3	\$94,740
UAE4A	\$639,641
UAE4B	\$353,437
Lands of Dalewood	\$343,638
Total	\$10,427,172

Note: Amounts in brackets are deficit balances.

4.10 Deductions

The D.C.A. potentially requires that five deductions be made to the increase in the need for service. These relate to:

- the level of service ceiling;
- uncommitted excess capacity;
- benefit to existing development;



- anticipated grants, subsidies and other contributions; and
- 10% reduction for certain services.

The requirements behind each of these reductions are addressed as follows:

4.10.1 Reduction Required by Level of Service Ceiling

This is designed to ensure that the increase in need included in 4.3 does “...not include an increase that would result in the level of service (for the additional development increment) exceeding the average level of the service provided in the City over the 10-year period immediately preceding the preparation of the background study...” O.Reg. 82.98 (s.4) goes further to indicate that “...both the quantity and quality of a service shall be taken into account in determining the level of service and the average level of service.”

In many cases, this can be done by establishing a quantity measure in terms of units as floor area, land area or road length per capita and a quality measure, in terms of the average cost of providing such units based on replacement costs, engineering standards or recognized performance measurement systems, depending on circumstances. When the quantity and quality factor are multiplied together, they produce a measure of the level of service, which meets the requirements of the Act, i.e. cost per unit.

With respect to transit services, the changes to the Act as a result of Bill 73 have provided for an alternative method for calculating the services standard ceiling. Transit services must now utilize a forward-looking service standard analysis, described later in this section.

The average service level calculation sheets for each service component in the D.C. calculation are set out in Appendix B.

4.10.2 Reduction for Uncommitted Excess Capacity

Paragraph 5 of s.s.5(1) requires a deduction from the increase in the need for service attributable to the anticipated development that can be met using the City’s “excess capacity,” other than excess capacity which is “committed.”



“Excess capacity” is undefined, but in this case must be able to meet some or all of the increase in need for service, in order to potentially represent a deduction. The deduction of uncommitted excess capacity from the future increase in the need for service would normally occur as part of the conceptual planning and feasibility work associated with justifying and sizing new facilities, e.g. if a road widening to accommodate increased traffic is not required because sufficient excess capacity is already available, then widening would not be included as an increase in need, in the first instance.

4.10.3 Reduction for Benefit to Existing Development

Section 5(1)6 of the D.C.A. provides that, “The increase in the need for service must be reduced by the extent to which an increase in service to meet the increased need would benefit existing development.” The general guidelines used to consider benefit to existing development included the following:

- the repair or unexpanded replacement of existing assets that are in need of repair;
- an increase in average service level of quantity or quality (compare water as an example);
- the elimination of a chronic servicing problem not created by growth; and
- providing services where none previously existed (generally considered for water or wastewater services).

This step involves a further reduction in the need, by the extent to which such an increase in service would benefit existing development. The level of services cap in 4.4 is related but is not the identical requirement. Sanitary, storm and water trunks are highly localized to growth areas and can be more readily allocated in this regard than other services such as services related to a highway, which do not have a fixed service area.

Where existing development has an adequate service level which will not be tangibly increased by an increase in service, no benefit would appear to be involved. For example, where expanding existing library facilities simply replicates what existing residents are receiving, they receive very limited (or no) benefit as a result. On the other hand, where a clear existing service problem is to be remedied, a deduction should be made accordingly.



In the case of services such as recreation facilities, community parks, libraries, etc., the service is typically provided on a City-wide system basis. For example, facilities of the same type may provide different services (i.e. leisure pool vs. competitive pool), different programs (i.e. hockey vs. figure skating) and different time availability for the same service (i.e. leisure skating available on Wednesday in one arena and Thursday in another). As a result, residents will travel to different facilities to access the services they want at the times they wish to use them, and facility location generally does not correlate directly with residence location. Even where it does, displacing users from an existing facility to a new facility frees up capacity for use by others and generally results in only a very limited benefit to existing development. Further, where an increase in demand is not met for a number of years, a negative service impact to existing development is involved for a portion of the planning period.

4.10.4 Reduction for Anticipated Grants, Subsidies and Other Contributions

This step involves reducing the capital costs necessary to provide the increased services by capital grants, subsidies and other contributions (including direct developer contributions required due to the local service policy) made or anticipated by Council and in accordance with various rules such as the attribution between the share related to new vs. existing development (O.Reg. 82.98 s.6). That is, some grants and contributions may not specifically be applicable to growth or where Council targets fundraising as a measure to offset impacts on taxes. Moreover, Gas Tax revenues are typically used to fund non-growth-related works or the non-growth share of D.C. projects, given that the contribution is not being made in respect of particular growth-related capital projects.

4.10.5 The 10% Reduction

Paragraph 8 of s.s. (1) of the D.C.A. requires that, “the capital costs must be reduced by 10 percent.” This paragraph does not apply to water supply services, wastewater services, stormwater drainage and control services, services related to a highway, police and fire protection services. The primary services to which the 10% reduction does apply include services such as parks and recreation, libraries, childcare/social services, the Provincial Offences Act, ambulance, homes for the aged, and health.



The 10% is to be netted from the capital costs necessary to provide the increased services, once the other deductions have been made, as per the infrastructure costs sheets in Chapter 5.

4.11 Municipal-Wide vs. Area Rating

This step involves determining whether all of the subject costs are to be recovered on a uniform municipal-wide basis or whether some or all are to be recovered on an area-specific basis. Under the D.C.A., it is now mandatory to “consider” area-rating of services (providing charges for specific areas and services), however, it is not mandatory to implement area-rating. As noted in the introduction, the City current utilizes both municipal-wide and area-specific D.C.s. This is anticipated to be maintained, with further discussion is provided in section 7.3.8 herein.

4.12 Allocation of Development

This step involves relating the costs involved to anticipated development for each period under consideration and using allocations between residential and non-residential development and between one type of development and another, to arrive at a schedule of charges.



is attributed existing development, while 29% is attributed to new development occurring over the period to 2036. The D.C.A. limits the forecast period for transit services to 10-years, as such, over the forecast period to 2029, transit ridership is anticipated to increase by 197,732 trips. Of this increase 25%, or 50,163 trips, are attributed to new development.

Table 5-1
Ridership Forecast

Description	2019	2029	2036	Incremental (2019-2029)	Incremental (2019-2036)
<u>Objective</u>					
6% annual increase in ridership					
Total Ridership	250,025	447,757	673,261	197,732	423,236
From Existing	250,025	397,594	551,782	147,569	301,757
From Growth		50,163	121,478	50,163	121,478
New Development Share of Incremental Trips				25%	29%

Total gross capital costs of \$6.4 million have been estimated for future capital needs to meet the planned level of service. Approximately \$4.6 million has been deducted for the benefit to existing development, and \$1.0 million had been deducted for the growth-related share of anticipated federal and provincial grants towards the projects. Furthermore, \$257,500 has also been deducted for the benefit to development beyond the 10-year planning period. Applying the existing transit service D.C. reserve funds available to fund some of these capital needs, a total of \$458,400 has been included in the calculation of the charge.

Based on the relationship of incremental population to employment growth, the D.C. eligible capital costs have been allocated 68% to future residential development, and 32% to non-residential development.

5.1.4 Municipal Parking and Airport Services

Based on the transition provisions in Bill 197 identified in Section 1.3.2, municipalities with a D.C. by-law that would expire on or after May 2, 2019 and before the specified date (i.e. September 18, 2018) remains in force as it relates to any service other than the services described in paragraphs 1 to 10 of subsection 2 (4) until the earliest of,



- the day it is repealed;
- the day the municipality passes a community benefits charge by-law under subsection 37 (2) of the *Planning Act*; and
- the specified date (i.e. September 18, 2022).

As such, the City is not able to pass a new D.C. by-law including Municipal Parking and Airport Services as they are not included on the list of eligible services in the D.C.A.

The current City-wide by-law (By-law 81-2015) will be amended to continue to collect D.C.s for Municipal Parking and Airport Services until the specified date, as well as for other by-law policy changes.

5.1.5 Parks and Recreation Services

The City currently maintains 397.7 acres of developed parkland, 120 parkland amenity items, and 24,000 metres of multipurpose trails, producing and invested level of service over the past 10-years of \$772 per capita. Furthermore, the City operates 175,000 sq.ft. of indoor recreation facility space and maintains 62 vehicle and equipment items in the provision of the parks and recreation service, further adding \$1,390 to the per capital historical level of service. In total, the average invested level of service over the 2010-2019 historical period is \$2,163 per capita. The maximum D.C. eligible amount for parks and recreation services over the 10-year forecast period that could be included in the calculation is \$10.4 million based on the established level of service standard.

The 10-year capital needs for parks and recreation services to accommodate the increase in needs of growth total \$6.3 million. These capital needs, which are based on the City's 2015 D.C. Background Study and 2019/20 Parks and Recreation Master Plan, include indoor recreation facilities, park development, park amenities, and related studies. To reflect the benefit of these services to existing developments, \$24,300 has been deducted from the gross capital costs. Furthermore, \$255,000 has been deducted reflective of anticipated grants and donations towards the funding of these projects. Deducting \$413,800 for the existing parks and recreation D.C. reserve funds collected towards these needs, a total of \$5.4 million has been included in the calculation of the charge.



As the predominant users of parks and recreation services are residents, the D.C. recoverable capital costs have been allocated 100% to future residential development, consistent with the City's 2015 D.C. Background Study policy.

5.1.6 Library Services

The City provides library services to its residents through the operation of the St. Thomas Public Library comprising 34,997 sq.ft. of floor area and 255,723 collection items (e.g. books, periodicals, etc.). Based on this inventory of assets, the average historical 10-year level of service for library services is \$477 per capita. This translates into a maximum eligible D.C. amount of \$2.3 million for library services over the 10-year forecast period.

The gross capital costs included in the D.C. calculation for library services total \$2.6 million. A deductions of \$206,200 has been applied for benefits accruing to existing developments and a further deduction has been applied totaling \$349,800 to account for the existing library services D.C. reserve fund balance, available to fund part of the D.C. eligible capital costs. The resultant net capital costs of \$2.0 million have been included in the calculation of the charge.

Similar to Parks and Recreation Services, as the predominant users of library services are residents, the forecast growth-related costs have been allocated 100% to future residential development, consistent with the City's current policy.

5.1.7 Ambulance Services

Ambulance services for the City are provided through agreement with the County of Elgin. Ambulance services are provided through the operation of 20,986 sq.ft. of facility space, 27 vehicle and equipment items. The City is responsible for 43.7% of the costs, resulting in a historical level of service for the City over the 2010-2019 period of \$82 per capita. The maximum D.C. eligible costs that could be included in the calculation of the charge based on this historical level of investment is \$408,900.

The anticipated increase in need for ambulance services include additional vehicles, equipment for additional paramedics, additional facility space, and associated studies. The gross capital cost estimate for the identified needs total \$1.2 million. Approximately \$686,300 (or 56.3%) has been deducted from the gross capital costs reflective of the benefit to service areas outside of the City. Furthermore, \$7,900 has been deducted as



benefit to growth beyond the 10-year planning horizon, and \$10,900 has been deducted as a recognition of the benefit to existing development.

Incorporating the ambulance services D.C. reserve fund balance of \$72,200, the net growth-related capital costs for the period total \$441,700. These D.C. recoverable capital costs have been apportioned to future residential and non-residential development based on the relative incremental growth in population to employment over the forecast period. The resultant distribution of costs is 68% to new residential development and 32% new non-residential development.

5.1.8 Waste Diversion Services

The City provides a total of 24,252 sq.ft. of solid waste management facility space, of which 10,266 sq.ft. (51%) is for D.C. eligible waste diversion services. The facility space related to landfill services have been excluded from the historical level of service calculations, as these services are ineligible under the D.C.A. In addition, waste diversion vehicles have been included in the level of service calculations, including a portion one vehicle that is shared between waste diversion services and ineligible solid waste management D.C. services (i.e. landfill services). In total, this capital investment in waste diversion services results in a 10-year historical average level of service of \$66 per capita. Applying this historical average level of service to the anticipated development over the 10-year forecast period, the City would be eligible to collect a maximum of \$332,400 for this purpose.

The City has identified a provision for the capital-related waste diversion contract costs in the D.C. calculation. This provision totals \$71,000. Furthermore, additional waste management studies have also been identified in the D.C. program totaling \$30,000. Deducting \$14,600 reflective of the non-waste diversion services share of the anticipated needs and \$3,900 for the benefit to existing development, the net D.C. recoverable costs included in the calculation of the charge totals \$82,600.

The D.C. eligible capital costs for waste diversion services have been allocated 100% to residential development as the curbside waste diversion services are provided to residential developments only.



5.1.9 Administration Studies

The D.C.A. permits the inclusion of studies undertaken to facilitate the completion of the City's capital works program. As discussed in Section 4.7, these studies have been allocated as a class of services based on each service to which the study relates.

For planning related studies, a deduction of 10% has been applied to recognize the extent to which the studies relate to non-D.C.-eligible services. All studies have been allocated to the classes of services in the following manner:

- City-Wide Wastewater Services - 7.2%
- City-Wide Water Services - 0.2%
- Roads and Related - 68.8%
- Fire Services - 1.2%
- Police Services - 2.9%
- Transit Services - 1.1%
- Parks and Recreation Services - 12.6%
- Library Services - 4.8%
- Ambulance Services - 1.0%
- Waste Diversion Services - 0.2%

The following provides a list of the studies included in the calculations:

- Official Plan Review
- Development Charges Study
- Zoning By-law Review
- Development Charges Study
- Edgware Line Employment Lands Study
- Positioned for Growth - Planning Studies

The cost of these studies over the forecast period total \$470,700. A deduction of \$54,900 has been applied to reflect the benefit to existing development. A further \$35,000 has been deducted from the capital costs reflective of anticipated grants towards these needs. A deduction of \$22,100 has been made to recognize the portion of planning studies related to D.C.-ineligible services, as mentioned above. Moreover, a further \$55,900 (inclusive of \$1,107 from the Urban Expansion Area 4B administration services D.C. reserve fund deemed surplus to future funding requirements) has been



deducted for the existing administration studies D.C. reserve fund balance. This results in a net capital cost of \$302,900 being included in the calculation of the D.C.

These costs have been allocated 68% residential and 32% non-residential based on the incremental growth in population to employment over the 10-year forecast period.



Infrastructure Costs Covered in the D.C. Calculation – Fire Services

Prj .No	Increased Service Needs Attributable to Anticipated Development 2020-2029	Timing (year)	Gross Capital Cost Estimate (2020\$)	Post Period Benefit	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
						Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 68%	Non-Residential Share 32%
1	Dennis Redman Station #2 (Unfunded)	2020-2025	540,352	-	540,352	-		540,352	367,440	172,913
2	911 System Upgrade	2020-2030	100,000	-	100,000	86,000		14,000	9,520	4,480
3	Provision for 4 Additional Firefighters	2020-2030	12,700	-	12,700	-		12,700	8,636	4,064
			-	-	-	-		-	-	-
	Studies		-	-	-	-		-	-	-
4	Positioned for Growth - Fire Location Study	2020	69,000	-	69,000	17,250		51,750	35,190	16,560
			-	-	-	-		-	-	-
	Reserve Fund Adjustment							(115,857)	(78,783)	(37,074)
	Total		722,052	-	722,052	103,250	-	502,946	342,003	160,943



Infrastructure Costs Covered in the D.C. Calculation – Police Services

Prj .No	Increased Service Needs Attributable to Anticipated Development 2020-2029	Timing (year)	Gross Capital Cost Estimate (2020\$)	Post Period Benefit	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
						Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 68%	Non-Residential Share 32%
1	Police Headquarters (Unfunded Share)	2020	2,256,800	1,315,923	940,877	-		940,877	639,797	301,081
2	Police Headquarters (Oversizing)	2020	1,283,300	1,283,300	-	-		-	-	-
3	Unfunded growth related costs	2020	47,500	-	47,500	-		47,500	32,300	15,200
4	Additional Equipped Sworn Police Officers	2020-2029	54,000	-	54,000	-		54,000	36,720	17,280
5	Body Cameras for Front Line Patrol Officers	2023-2026	175,900	-	175,900	156,197		19,703	13,398	6,305
			-	-	-	-		-	-	-
	Reserve Fund Adjustment							193,929	131,872	62,057
	Total		3,817,500	2,599,223	1,218,277	156,197	-	1,256,009	854,086	401,923



Infrastructure Costs Covered in the D.C. Calculation – Transit Services

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2020\$)	Post Period Benefit	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
						Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 68%	Non-Residential Share 32%
	2020-2029									
1	Additional E-Buses (3)	2020-2029	900,000	36,000	864,000	639,000		225,000	153,000	72,000
2	Transit Technology and Amenities Update	2020	5,538,150	221,526	5,316,624	3,932,087	1,015,038	369,500	251,260	118,240
	Reserve Fund Adjustment							(136,144)	(92,578)	(43,566)
	Total		6,438,150	257,526	6,180,624	4,571,087	1,015,038	458,356	311,682	146,674



Infrastructure Costs Covered in the D.C. Calculation – Parks and Recreation Services

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2020\$)	Post Period Benefit	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
						Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share
	2020-2029								100%	0%
	Parks and Recreation									
1	Joe Thorton Community Centre (Unfunded)	2020-2029	784,614	-	784,614	-		784,614	784,614	-
2	Memorial Arena - Rubberised Fitness Track	2020	125,000	-	125,000	111,253		13,747	13,747	-
	Outdoor Recreation: Park Development									
3	Parish Farm Park Development	2020	500,000	-	500,000	-		500,000	500,000	-
4	Orchard Community Park Development	2020	600,000	-	600,000	-		600,000	600,000	-
5	Shaw Valley Park Development	2020	600,000	-	600,000	-		600,000	600,000	-
6	Community Gardens - Additional Development	2024	35,000	-	35,000	-		35,000	35,000	-
7	Multi-Use Trail Development Beyond 5-Year Plan	2024-2028	1,000,000	-	1,000,000	-		1,000,000	1,000,000	-
8	Urban Expansion Area 1 - New Neighborhood Park	2020-2029	500,000	-	500,000	-		500,000	500,000	-
	Outdoor Recreation: Park Amenities									
9	Lake Margaret Fitness Trail Equipment Partnership	2021	200,000	-	200,000	-	200,000	-	-	-
10	New - Vehicle and Equipment (Parks)	2020-2029	200,000	-	200,000	-		200,000	200,000	-
11	Outdoor Ball Hockey Rink	2021	220,000	-	220,000	-	55,000	165,000	165,000	-
12	BMX Park	2022	125,000	-	125,000	-		125,000	125,000	-
13	Massey Park - Playground Development	2022	125,000	-	125,000	-		125,000	125,000	-
14	Pickleball Courts (4)	2020-2026	600,000	-	600,000	-		600,000	600,000	-
15	Urban Expansion Area 1 - Outdoor Basketball/Multi-Use Court	2020-2026	27,700	-	27,700	-		27,700	27,700	-
16	Skateboard Park Development - Phase II	2020-2029	350,000	-	350,000	-		350,000	350,000	-
17	St. Thomas Outdoor Recreation Complex (Unfunded growth related costs)	2021	100,000	-	100,000	88,799		11,201	11,201	-
	Studies									
18	Positioned for Growth - Parks and Recreation Master Plan	2020	77,000	-	77,000	19,250		57,750	57,750	-
19	Multi-Use Recreation Facility Feasibility Study	2020-2022	50,000	-	50,000	12,500		37,500	37,500	-
20	Parks and Recreation Master Plan Update	2024	70,000	-	70,000	17,500		52,500	52,500	-
	Reserve Fund Adjustment							(413,830)	(413,830)	-
	Total		6,289,314	-	6,289,314	249,302	255,000	5,371,182	5,371,182	-



Infrastructure Costs Covered in the D.C. Calculation – Library Services

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2020\$)	Post Period Benefit	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
						Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non- Residential Share
2020-2029								100%	0%	
1	New Integrated Library System Subscription	2020-2029	217,676	-	217,676	193,740		23,936	23,936	-
2	Additional Collection Materials	2020-2029	951,538	-	951,538	-		951,538	951,538	-
3	Additional Facility Space (3,200 sq.ft)	2025-2029	1,372,800	-	1,372,800	-		1,372,800	1,372,800	-
	Studies									
4	Master Plan and Facility Location Study	2020-2021	50,000	-	50,000	12,500		37,500	37,500	-
	Reserve Fund Adjustment							(349,755)	(349,755)	-
	Total		2,592,014	-	2,592,014	206,240	-	2,036,019	2,036,019	-



Infrastructure Costs Covered in the D.C. Calculation – Ambulance Services

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2020\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share
	2020-2029									68%	32%
1	Additional Ambulance Vehicle (including stretcher and defibrillator)	2020-2029	240,000	-	135,120	104,880	-		104,880	71,318	33,562
2	10 Additional Paramedics	2020-2029	17,600	-	9,909	7,691	-		7,691	5,230	2,461
3	Provision for Additional Facility Space	2020-2029	861,329	7,929	484,928	368,472	-		368,472	250,561	117,911
	Studies										
4	Master Plan	2020	100,000	-	56,300	43,700	10,925		32,775	22,287	10,488
	Reserve Fund Adjustment								(72,151)	(49,063)	(23,088)
	Total		1,218,929	7,929	686,257	524,743	10,925	-	441,667	300,333	141,333



Infrastructure Costs Covered in the D.C. Calculation – Waste Diversion Services

Prj .No	Increased Service Needs Attributable to Anticipated Development 2020-2029	Timing (year)	Gross Capital Cost Estimate (2020\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 100%	Non-Residential Share 0%
1	Waste Diversion Contract	2020-2029	71,000	-		71,000	-		71,000	71,000	-
	Studies										
2	Integrated Waste Management Master Plan	2020-2029	30,000	-	14,601	15,399	3,850		11,550	11,550	-
			-	-		-	-		-	-	-
			-	-		-	-		-	-	-
	Total		101,000	-	14,601	86,399	3,850	-	82,550	82,550	-



Infrastructure Costs Covered in the D.C. Calculation – Growth-Related Studies

Prj.No	Increased Service Needs Attributable to Anticipated Development	Services to Which Project Relates	Timing (year)	Gross Capital Cost Estimate (2020\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
								Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share
	2020-2029										68%	32%
1	Official Plan Review	1	2020	35,200	-	1,760	33,440	17,600		15,840	10,771	5,069
2	Development Charges Study	1	2020	90,000	-		90,000	-		90,000	61,200	28,800
3	Zoning By-law Review	1	2020	23,500	-	1,175	22,325	11,750		10,575	7,191	3,384
4	Development Charges Study	1	2025	70,000	-		70,000	-		70,000	47,600	22,400
5	Edgeware Line Employment Lands Study	1	2020	150,000	-	11,500	138,500	-	35,000	103,500	70,380	33,120
6	Positioned for Growth - Planning Studies	1	2020	102,000	-	7,650	94,350	25,500		68,850	46,818	22,032
	Reserve Fund Adjustment									(55,905)	(38,015)	(17,890)
	Total			470,700	-	22,085	448,615	54,850	35,000	302,860	205,945	96,915

Reserve fund adjustment includes \$1,107 from Urban Expansion Area 4B Administration Reserve Fund

1. Growth related costs of studies have been apportioned to the following services:

City-Wide Wastewater Services	7.2%
City-Wide Water Services	0.2%
Roads and Related	68.8%
Fire Services	1.2%
Police Services	2.9%
Transit Services	1.1%
Parks and Recreation Services	12.6%
Library Services	4.8%
Ambulance Services	1.0%
Waste Diversion Services	0.2%



5.2 Service Levels and 11-Year Capital Costs for City-Wide D.C. Calculation

This section evaluates the development-related capital requirements for City-wide services assessed over a 11-year planning period. Each service component is evaluated on two format sheets: the average historical 10-year level of service calculation (see Appendix B), which “caps” the D.C. amounts; and the infrastructure cost calculation, which determines the potential D.C. recoverable cost.

5.2.1 Roads and Related Services

The City has a current inventory of 101 kilometres of arterial and collector roads, 112 kilometers of sidewalks, 31 bridges and culverts, and 5,151 traffic signals and streetlights. This historical level of infrastructure investment equates to approximately \$12,200 per capita level of service. When applied to the forecast growth to 2031 (i.e. 5,720 population), a maximum D.C. eligible cost of \$69.8 million could be expected to meet the future increase in needs for service.

In addition to roads infrastructure, the City’s roads operations department utilizes 31,030 sq.ft. of facility space and operates a fleet of 46 vehicles and equipment items. In this regard, a historical average level of service of \$278 per capita has been provided, resulting in a D.C. eligible cap of \$1.6 million.

The review of the City’s roads and related needs for the forecast period identified \$38.9 million in gross capital costs. These capital needs arise from the 2015 D.C. Background Study, capital budgets, and other related studies/reports. The capital projects include various road and storm projects, intersections, active transportation improvements, facilities, vehicles and equipment items, and related studies

The benefit to existing development deductions have been maintained from previous D.C. Background Studies and have been applied by project type based on the following provisions:

- Various deductions for road and storm projects, generally reflecting the costs of improving existing road segments;
- 10% for intersection and pedestrian crossing projects;



- 0% for new facilities and vehicles;
- 87% for active transportation and sidewalk program needs;
- 31% for intensification provisions based on the road capital program overall; and
- 25% benefit to existing for master plans;

In total \$13.7 million has been deducted for the benefit to existing development and a further \$98,400 has been deducted for the growth-related share of anticipated grants. After accounting for existing D.C. reserve fund balance of \$1.4 million, approximately \$29.3 million in capital costs have been included in the D.C. calculation.

The net growth-related costs for roads and related services have been allocated between future residential and non-residential development on the basis of incremental population to employment growth over the 11-year forecast period (i.e. 69% residential and 31% non-residential).



Infrastructure Costs Covered in the D.C. Calculation – Roads and Related Services

Prj .No	Increased Service Needs Attributable to Anticipated Development 2020-2031	Timing (year)	Gross Capital Cost Estimate (2020\$)	Post Period Benefit	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
						Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 69%	Non- Residential Share 31%
Roads and Storm Projects										
1	Fairview Avenue Elm to Southdale Design	2019	170,100	-	170,100	52,790		117,310	80,944	36,366
2	Fairview Ave. Elm to Bill Martyn	2020	5,241,600	-	5,241,600	1,257,984		3,983,616	2,748,695	1,234,921
3	Elm Street: Peach Tree To Centennial	2020	1,700,000	-	1,700,000	460,768	72,896	1,166,336	804,772	361,564
4	Talbot Street: Inkerman to Ross/Flora	2025-2031	4,563,000	-	4,563,000	742,068		3,820,932	2,636,443	1,184,489
5	Wellington: Smith Ave to Ross	2022	2,000,000	-	2,000,000	354,764		1,645,236	1,135,213	510,023
6	Highbury Ave: South Edgeware to Ron McNeil	2025	5,000,000	-	5,000,000	1,219,830		3,780,170	2,608,317	1,171,853
7	South Edgeware: Burwell to Highbury	2025	2,000,000	-	2,000,000	487,927		1,512,073	1,043,330	468,743
8	Southdale Line: West of Hwy 4 (railway xing protection/signals) - City Share	2020	952,000	-	952,000	215,634	25,525	710,841	490,400	220,361
9	Sunset Drive: Fingal to Glenwood	2024	3,500,000	-	3,500,000	840,000		2,660,000	1,835,400	824,600
10	Southdale Line (Fairview to East City limit)	2021	1,600,000	-	1,600,000	1,398,720		201,280	138,883	62,397
Intersections										
11	Burwell Rd. at Ron McNeil Line (Future Signals)	2030	150,000	-	150,000	15,443		134,557	92,844	41,713
12	Centennial Road at North and South Collector (Area 4)	2023	469,200	-	469,200	46,920		422,280	291,373	130,907
13	East and West Collectors at Southdale (Area 4)	2020	209,200	-	209,200	21,535		187,665	129,489	58,176
14	East Collector Intersection at Elm Street (Area 4)	2020	351,900	-	351,900	36,223		315,677	217,817	97,860
15	Elm Street at First Avenue	2025	387,100	-	387,100	39,806		347,294	239,633	107,661
16	Fairview Ave and Southdale Roundabout	2025	450,000	-	450,000	46,274		403,726	278,571	125,155
17	Fairview Avenue/Elm Street Intersection Improvements	2021	621,700	-	621,700	64,032		557,668	384,791	172,877
18	First Avenue and Edward Intersection Improvements - Design	2024	23,500	-	23,500	2,350		21,150	14,594	6,557
19	First Avenue and Edward Intersection Improvements	2024	891,500	-	891,500	89,150		802,350	553,622	248,729
20	Dennis Road/Highbury Ave Intersection Signals	2020	250,000	-	250,000	25,000		225,000	155,250	69,750
21	Burwell Road/Ponsford Place North Roundabout	2020	300,000	-	300,000	30,000		270,000	186,300	83,700
22	Edgeware Line and Highbury Intersection Traffic Signal	2025	250,000	-	250,000	25,000		225,000	155,250	69,750
23	Axford Pkwy/Sauve Ave Roundabout	2022	200,000	-	200,000	20,000		180,000	124,200	55,800
Other Roads and Related Works										
24	Burwell Road/McGregor Court Ped Crossing	2020	50,000	-	50,000	5,000		45,000	31,050	13,950
25	Intensification Provision (road improvements, utility upsizing, relocation)	2020-2029	5,475,500	-	5,475,500	1,683,568		3,791,932	2,616,433	1,175,499
26	Annual Sidewalk Program	2020-2031	1,000,000	-	1,000,000	874,200		125,800	86,802	38,998
27	Complete Street Projects (Active Transportation)	2020-2031	4,070,000	-	4,070,000	3,557,994		512,006	353,284	158,722



Infrastructure Costs Covered in the D.C. Calculation – Roads and Related Services (Cont'd)

Prj .No	Increased Service Needs Attributable to Anticipated Development 2020-2031	Timing (year)	Gross Capital Cost Estimate (2020\$)	Post Period Benefit	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
						Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 69%	Non- Residential Share 31%
	Facilities, Vehicles and Equipment			-						
28	New Fleet Maintenance Shop Equipment	2022	11,700	-	11,700	-		11,700	8,073	3,627
30	Provision for Facility Space (5,500 sq.ft.) addition	2022	1,486,200	-	1,486,200	-		1,486,200	1,025,478	460,722
31	Provision for New Rolling Stock	2020-2031	236,500	-	236,500	-		236,500	163,185	73,315
32	New Street Sweeper	2025	225,000	-	225,000	-		225,000	155,250	69,750
33	Cab and Chassis with plow, wing, comb. Spreader and dump body	2020	270,000	-	270,000	-		270,000	186,300	83,700
34	Sidewalk Plow	2020	140,000	-	140,000	-		140,000	96,600	43,400
	Studies			-						
35	Transportation Master Plan Update	2020	150,000	-	150,000	37,500		112,500	77,625	34,875
	Reserve Fund Adjustment							(1,371,204)	(946,131)	(425,073)
	Total		44,395,700	-	44,395,700	13,650,479	98,421	29,275,595	20,200,161	9,075,434



5.3 Buildout Capital Costs for Urban Serviced Area D.C. Calculation

This section evaluates the development-related capital requirements for City-wide water and wastewater services within the urban serviced areas over the buildout planning period. Capital needs for water and wastewater services that have been assessed over the urban serviced growth across the City relate to water supply and treatment, wastewater treatment, and related facilities only.

5.3.1 Wastewater Services

Wastewater services are managed by the Environmental Services division and are provided to constituents of the City, as well as, through agreement to suburban areas of Central Elgin. The capital program for wastewater services includes the design and construction of an expansion to the Wastewater Pollution Control Plant and a Pollution Prevention Control Plan to assess further wastewater system capacity needs. The costs for the Wastewater Pollution Control Plant are based on the 2010 Wastewater Management Master Plan Municipal Class Environmental Assessment.

The costs of the Wastewater Pollution Control Plant construction have been apportioned to the benefit to existing, suburban share, and benefit beyond the planning period based on the 2010 Waste Water Management Master Plan Municipal Class Environmental Assessment, the findings of the City's 2010 D.C. Background Study, and current average daily flows at the plant. In total, 39% of the capital costs have been deducted as benefit to existing development. Of the remaining growth related costs of \$20.2 million, 13% have been attributed to the benefit of the suburban area (i.e. \$2.6 million deducted as contributions from others), and 40% attributed to the benefit to development beyond the planning period (i.e. \$8.1 million).

The following deductions have applied to the gross capital costs of \$33.1 million to arrive at the \$3.0 million in net D.C. eligible capital costs included in the calculation of the charge:

- Benefit to existing development: \$12.9 million;
- Post period benefit: \$8.1 million;



- Grants, subsidies and other contributions attributable to new development: \$2.6 million; and
- D.C. reserve fund balance: \$6.5 million.

These costs have been allocated between residential and non-residential development based on the relationship of population and employment growth in the urban serviced area (i.e. 73% residential and 27% non-residential).

5.3.2 Water Services

Capital costs that have been identified for City-wide water services, include \$100,000 to undertake a Water Storage Implementation Study. The study will assess the future water storage needs of the City over the forecast period. Approximately \$25,000 has been deducted from these costs estimates to reflect the benefit to existing development. This results in net capital cost of \$75,000 being included in the calculation of the charge.

Similar to wastewater services, these net capital costs have been allocated to future residential and non-residential development on the basis of incremental population to employment growth within the development area. The resultant distribution is 73% residential and 27% non-residential.



Infrastructure Costs Covered in the D.C. Calculation – Wastewater Services

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2020\$)	Post Period Benefit	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
						Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 73%	Non-Residential Share 27%
	2020-Buildout									
	Waterwater Treatment									
1	WPCP Plant Expansion Design	2025	953,600	-	953,600	374,001	124,071	455,529	332,536	122,993
2	Water Pollution Control Plant Upgrade	2027	31,787,900	8,066,249	23,721,651	12,467,176	2,409,163	8,845,312	6,457,078	2,388,234
3	Pollution Prevention and Control Plan (PPCP)	2020	400,000	-	400,000	100,000	38,772	261,228	190,697	70,532
			-		-			-		
	Reserve Fund Adjustment							(6,482,606)	(4,732,302)	(1,750,304)
	Total		33,141,500	8,066,249	25,075,251	12,941,177	2,572,005	3,079,463	2,248,008	831,455



Infrastructure Costs Covered in the D.C. Calculation – Water Services

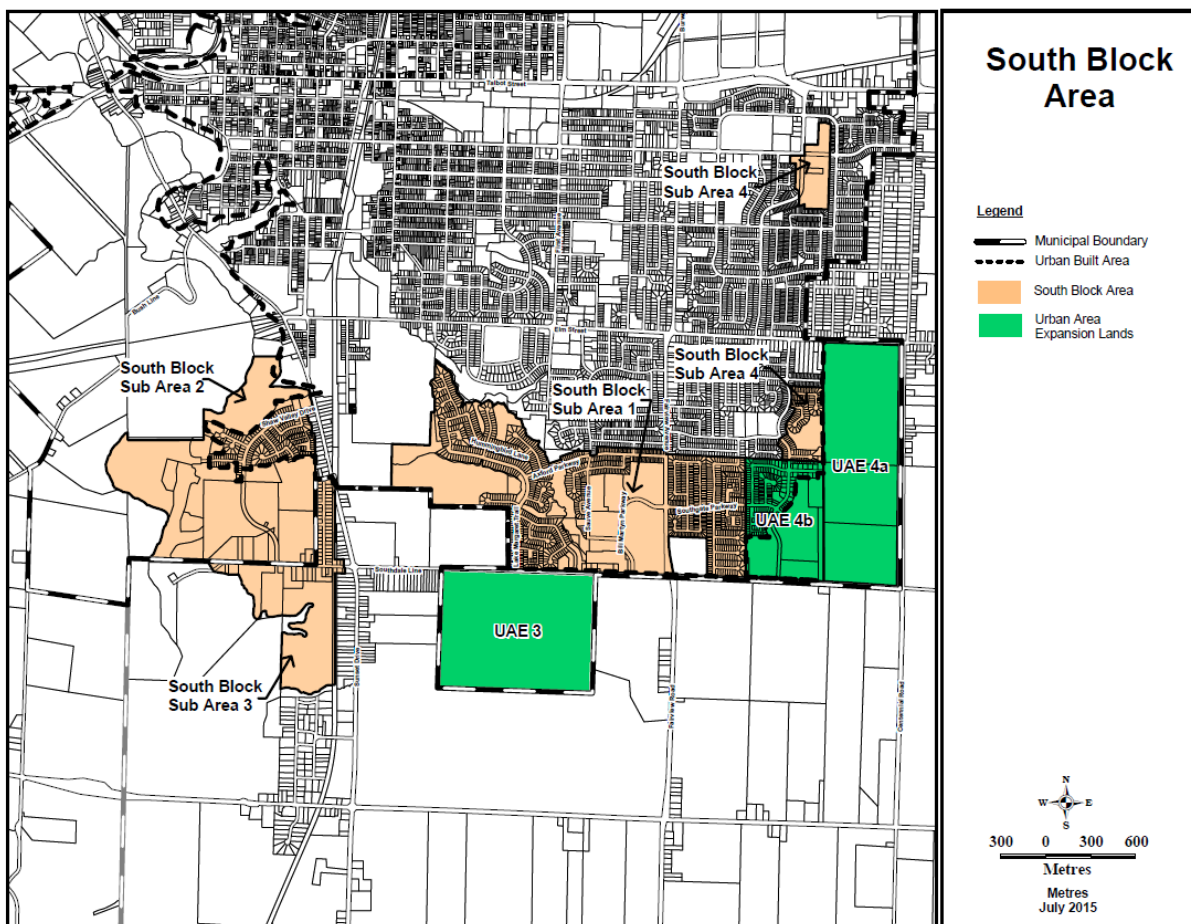
Prj.No	Increased Service Needs Attributable to Anticipated Development 2020-Buildout	Timing (year)	Gross Capital Cost Estimate (2020\$)	Post Period Benefit	Less:		Potential D.C. Recoverable Cost		
					Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 73%	Non-Residential Share 27%
	Studies								
1	Water Storage Implementation Study	2022	100,000	-	25,000		75,000	54,750	20,250
			-						
			-	-	-		-	-	-
			-	-	-		-	-	-
			-	-	-		-	-	-
	Total		100,000	-	25,000	-	75,000	54,750	20,250



5.4 Buildout Area-Specific Capital Costs for the South Block Area

This section evaluates the development-related capital requirements for services assessed over the buildout of the various South Block sub-areas. As illustrated in Figure 5-1, there are seven sub-areas within the defined South Block Area for which area-specific D.C.s have been calculated

Figure 5-1
South Block Area and Sub-Areas





These sub-areas include:

- Sub-Area 1
- Sub-Area 2
- Sub-Area 3
- Sub-Area 4
- Urban Expansion Area 3
- Urban Expansion Area 4A
- Urban Expansion Area 4B

Within these seven sub-areas, D.C.s have been calculated based on the increase in need for service for roads, water, and wastewater services as well as a class of service administration (studies). The capital costs that have been identified for the increase in need for service related to build-out development in the area are reflective of the remaining unfunded capital costs of works emplaced by the City, or in some cases, those emplaced by developers as reflected in outstanding D.C. credits associated with upfront financing agreements with the City.

In total, across the seven sub-areas, \$7.0 million in gross capital costs have been estimated for inclusion in the D.C. calculations. After deducting \$1.1 million for the benefit to existing development and \$1.5 million for existing D.C. reserve funds already collected towards these needs, a total of \$4.4 million in net capital costs have been included in the calculation of the South Block area-specific D.C.s. These costs have been allocated 100% to future residential development in the area, as the forecast does not anticipate non-residential development within the South Block Area.



Infrastructure Costs Covered in the D.C. Calculation – South Block Areas

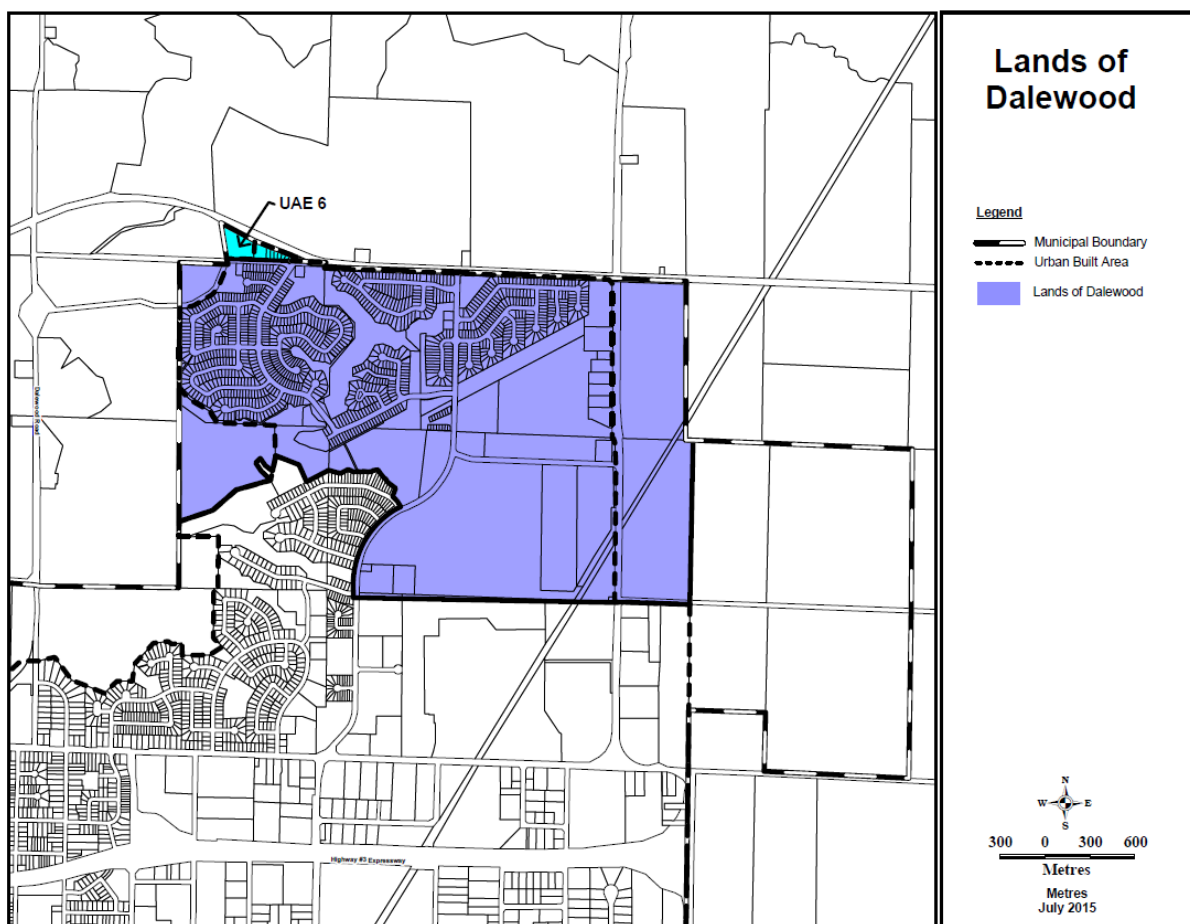
Prj.No	Increased Service Needs Attributable to Anticipated Development 2020-2041	Benefiting Area	Timing (year)	Gross Capital Cost Estimate (2020\$)	Post Period Benefit	Net Capital Cost	Less:		Potential D.C. Recoverable Cost			
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 100%	Non-Residential Share 0%	
South Block Administration												
1	Unfunded Developer Study Costs	SA1-3, UEA3&4	2020	14,986	-	14,986	-	-	14,986	14,986	-	
South Block Roads												
2	R6- Bill Martyn Pkwy - Sauve to Southdale Rd.	SA1	2028	274,200	-	274,200	162,254	-	111,946	111,946	-	
3	R1 - Glenwood Street (Reconstruction to Urban Standard)	SA2	2020	79,556	-	79,556	-	-	79,556	79,556	-	
South Block Wastewater - Sewers												
4	S1 - Trunk Sewer - Bill Martyn Pkwy from Sauve Ave to Southdale (300dia)	SA1	2026	125,000	-	125,000	-	-	125,000	125,000	-	
5	S2 - Proposed Shaw Valley P.S. Forcemain	SA2&3	2020	1,022,541	-	1,022,541	-	-	1,022,541	1,022,541	-	
6	S4- Trunk Sewer from Shaw Valley P.S. to Southdale	SA2&3	2022	600,000	-	600,000	24,000	-	576,000	576,000	-	
7	Replace 1050mm sewer from MH 00664 to MH 00665 with 1350 mm sewer	UEA3&4	2022	189,474	-	189,474	66,316	-	123,158	123,158	-	
8	Replace 1050mm sewer from MH 00665 to MH 00666 with 1350 mm sewer	UEA3&4	2022	110,526	-	110,526	38,685	-	71,841	71,841	-	
9	Replace 975x675mm sewer with 975mm sewer from MH 008860 to MH 00859	UEA3&4	2024	192,686	-	192,686	104,051	-	88,635	88,635	-	
10	Replace 975x675 sewer with 975mm sewer from MH 00859 to MH 00857	UEA3&4	2024	107,314	-	107,314	57,949	-	49,364	49,364	-	
11	Upgrades to Axford SPS	UEA3&4B	2025	300,000	-	300,000	150,000	-	150,000	150,000	-	
12	Elm Street SPS and Forcemain (approx 1200m) Axford Land	UEA4A	2020	800,000	-	800,000	-	-	800,000	800,000	-	
South Block Water												
13	W1 - 400 dia New Dev. Main East of Fairview from Elm to Raven (oversizing) - Unfunded	SA1-3, UEA3&4	2020	33,792	-	33,792	-	-	33,792	33,792	-	
14	W3, 5, 6 - 400 dia Southdale from Sunset Drive to Penhale Ave. - Unfunded	SA1-3, UEA3&4	2020	589,400	-	589,400	-	-	589,400	589,400	-	
15	W2 - 300 dia Bill Martyn from Sauve to Southdale	SA1-3, UEA3&4	2028	191,200	-	191,200	-	-	191,200	191,200	-	
16	W7 - 300 dia Southdale from Sunset Drive West to shaw Valley Drive	SA1-3, UEA3&4	2020	275,000	-	275,000	-	-	275,000	275,000	-	
17	Area 3 - Watermain oversizing	External	2020	16,864	-	16,864	-	-	16,864	16,864	-	
18	Area 4 - Watermain Installation (400 mm - Elm St.)	UEA4&SA4	2020	864,099	-	864,099	483,896	-	380,203	380,203	-	
19	Area 4 - Watermain installation (400mm dia., 470 m - East of Penhale Ave. to Peach Tree)	SA1-3, UEA3&4	2020	601,847	-	601,847	-	-	601,847	601,847	-	
	Area 4 - Watermain oversizing	SA1-3, UEA3&4	2020	-	-	-	-	-	-	-	-	
20	Albert Robert Booster Station Upgrades (provision)	SA1-3, UEA3&4	2020	612,339	-	612,339	-	-	612,339	612,339	-	
South Block Reserve Funds												
	SA1								(185,865)	(185,865)	-	
	SA2								(123,454)	(123,454)	-	
	SA3								(36,368)	(36,368)	-	
	SA4								(38,508)	(38,508)	-	
	UAE3								(94,740)	(94,740)	-	
	UAE4A								(639,641)	(639,641)	-	
	UAE4B								(353,437)	(353,437)	-	
	Total			7,000,823	-	7,000,823	1,087,151	-	4,441,659	4,441,659	-	



5.5 Buildout Area-Specific Capital Costs for the Lands of Dalewood

This section evaluates the development-related capital requirements roads services and related studies assessed over a buildout of the Lands of Dalewood, as illustrated in Figure 5-2.

Figure 5-2
Lands of Dalewood



The gross capital costs for the Lands of Dalewood are reflective of the remaining unfunded capital costs to facilitate the buildout of the designated lands. These capital costs reflect unfunded project costs emplaced by the City, or by developers through upfront financing agreements with the City.



In total, \$4.0 million in gross capital costs have been identified for the remaining buildout of the Lands of Dalewood. After deducting \$0.8 million representing the benefits to existing developments within the area, and \$343,600 reflective of D.C. reserve funds already collected towards these needs, a total of \$2.8 million has been included in the calculation of the area-specific D.C. for the Lands of Dalewood. These costs have been allocated 100% to non-residential development, reflecting no further residential development anticipated within the Lands of Dalewood.



Infrastructure Costs Covered in the D.C. Calculation – Lands of Dalewood

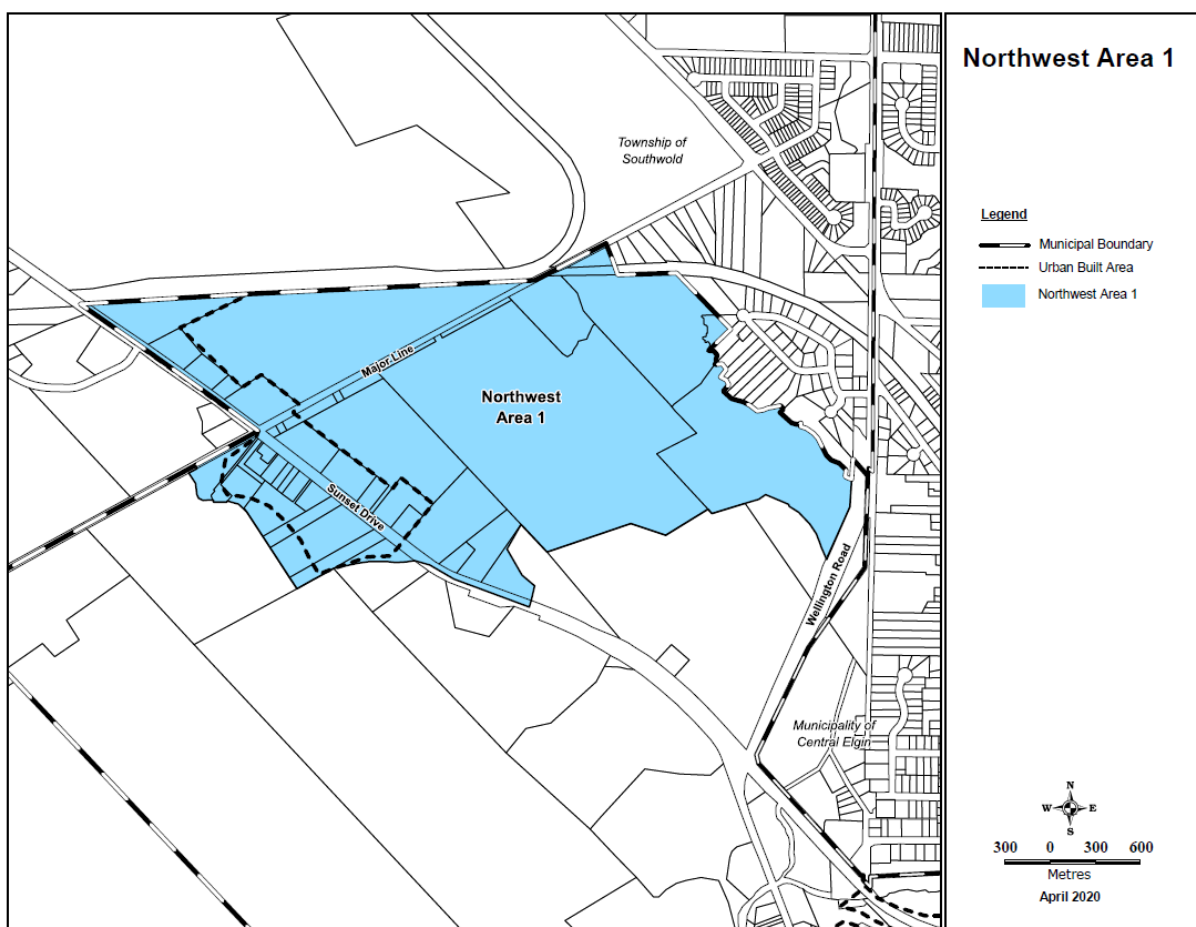
Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2020\$)	Post Period Benefit	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
						Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share
	2020-2041								0%	100%
	Dalewood Administration									
1	Unfunded Developer Study Costs	2010	96,424	-	96,424	-		96,424	-	96,424
	Dalewood Wastewater									
2	Burwell Forcemain ext and PS upgrade	2024	3,897,000	-	3,897,000	818,370		3,078,630	-	3,078,630
				-	-	-		-	-	-
	Reserve Fund Adjustment							(343,638)	-	(343,638)
	Total		3,993,424	-	3,993,424	818,370	-	2,831,416	-	2,831,416



5.6 Buildout Area-Specific Capital Costs for the Northwest Area 1 Lands

This section evaluates the development-related capital requirements for the Northwest Development Area 1 Land over buildout of the development area, as illustrated in Figure 5-3.

Figure 5-3
Northwest Area 1 Lands



The increase in need for services related to new development within the defined area relate to roads, water, wastewater services, administration studies related the eligible services. The estimated capital costs from the increase in needs are based on the City of St. Thomas Positioned for Growth Transportation Technical Report and Engineering



Technical Memorandum – Sanitary, Water and Storm Servicing Review prepared by Dillon Consulting. The following subsections summarize the capital costs and D.C. recoverable cost shares for each of the respective services.

5.6.1 Roads Services

The gross capital costs of the identified roads projects total \$2.0 million. While these needs are driven wholly by the development of the Northwest Area 1 Lands, a nominal 5% benefit to existing development has been made reflecting the general benefits accruing to existing constituents. This results in net capital cost of \$1.9 million being included in the calculation of the charge for roads services. The D.C. eligible costs have been allocated 100% to residential development based on the anticipated development of the area.

5.6.2 Water Services

The gross capital costs for water services that have been identified relate to the costs of providing a looped watermain network that are anticipated to be constructed external to the subdivision plans within the development area (i.e. exclusive of local services). The D.C. eligible watermain network, connections to the existing watermains and PRVs, and rail and watercourse crossings, have a gross capital cost estimate of \$4.1 million. As these works are being provided solely to service the anticipated development within the Northwest Area 1 Lands, no deductions have been made to the gross capital cost estimates. The D.C. eligible costs have been allocated 100% to residential development based on the anticipated development of the area.

5.6.3 Wastewater Services

The increase in need for wastewater services to facilitate new development within the Northwest Area 1 Lands have been identified with express oversizing to provide capacity for the development of future urban expansions. The capital costs include gravity sewers, forcemains, pumping stations and cross to facilitate servicing of the area. In total, the gross capital costs are \$6.9 million. Reflecting the express oversizing noted above, \$1.7 million have been deducted as post period benefit. In addition, \$0.9 million has been deducted as benefit to existing, reflective of the replacement of existing infrastructure. In total \$4.4 million has been included in the calculation of the area-specific residential development charge.



5.6.4 Administration Studies

The D.C.A. permits the inclusion of studies undertaken to facilitate the completion of the City's capital works program. As discussed in Section 4.7, these studies have been allocated as a class of services based on each service to which the study relates.

The increase in need for administration studies services to facilitate new development within the Northwest Area 1 Lands have been identified with regard for the Positioned for Growth engineering studies and a future Subwatershed Study. The capital costs total \$282,000 and have been allocated 100% to new residential development.



Infrastructure Costs Covered in the D.C. Calculation – Northwest Area 1 Lands

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2020\$)	Post Period Benefit	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
						Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share
	2020-2041								100%	0%
	Roads									
1	Sunset Drive and Major Line	2020-2039		-	-	-		-	-	-
	Single-Lane Roundabout		515,000	-	515,000	25,750		489,250	489,250	-
2	Major Line (Sunset Drive to CN Railway)	2020-2039								
	2-Lane Collector Road Upgrade with Bike Lanes		1,500,000	-	1,500,000	75,000		1,425,000	1,425,000	-
	Water									
3	Watermain Extension	2020-2039	3,600,000	-	3,600,000	-		3,600,000	3,600,000	-
4	Connections to Existing Watermain and PRV(s)	2020-2039	250,000	-	250,000	-		250,000	250,000	-
5	Rail and Water Course Crossings (2)	2020-2039	200,000	-	200,000	-		200,000	200,000	-
	Wastewater									
6	Gravity Sewer (section 1)	2020-2039	520,000	-	520,000	-		520,000	520,000	-
7	Forcemain (section 2)	2020-2039	600,000	-	600,000	-		600,000	600,000	-
8	Gravity Sewer (section 3)	2020-2039	650,000	433,206	216,794	-		216,794	216,794	-
9	Forcemain (section 4)	2020-2039	1,000,000	136,384	863,616	80,000		783,616	783,616	-
10	New Pumping Station at Dodd's Creek	2020-2039	750,000	-	750,000	-		750,000	750,000	-
11	Upgrade of Sunset SPS	2020-2039	1,400,000	438,167	961,833	445,926		515,907	515,907	-
12	Additional Storage at Sunset SPS	2020-2039	1,000,000	459,259	540,741	-		540,741	540,741	-
13	Watercourse Crossings (4)	2020-2039	1,000,000	238,672	761,328	300,000		461,328	461,328	-
	Studies									
14	Subwatershed Study	2020-2039	200,000	-	200,000	-		200,000	200,000	-
15	Positioned for Growth - Engineering Studies	2020	82,000	-	82,000	-		82,000	82,000	-
	Total		13,267,000	1,705,688	11,561,312	926,676	-	10,634,636	10,634,636	-



6. D.C. Calculation

6.1 City-Wide D.C. Calculation

Table 6-1 calculates the City-wide D.C.s for water and wastewater services over the buildout forecast period of the urban serviced area. Table 6-2 calculates the City-wide D.C.s for roads and related services over the 11-year forecast period to 2031. Table 6-3 calculates the D.C.s for all remaining City-wide services/classes identified in Chapter 5, assessed over the 10-year forecast period to 2030.

The calculation for residential development is generated on a per capita basis and is based upon five forms of housing types (single and semi-detached, apartments 2+ bedrooms, bachelor and 1-bedroom apartments, other multiples, and residential care dwelling units). The non-residential development charge has been calculated on a per sq.ft of G.F.A. basis for industrial, and non-industrial (commercial and institutional) development.

The D.C.-eligible costs for each service/class component are provided in Chapter 5 based on their proposed capital programs.

For the residential calculations, 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). The cost per capita is then multiplied by the average occupancy of the new units (Appendix A) to calculate the charge.

With respect to non-residential development, the total costs (based on need for service) have first been allocated to industrial and non-industrial development based on the relationship of anticipated employment. The D.C. eligible costs have then been divided by the anticipated development by respective development type over the planning period to calculate a cost per sq.ft. of G.F.A.

Table 6-4 summarizes the calculated maximum D.C.s that could be imposed by Council by residential dwelling type and non-residential G.F.A.



Table 6-3
City of St. Thomas Calculation of Development Charges
City-Wide Services
2020-2031

SERVICE/CLASS	2020\$ D.C.-Eligible Cost			2020\$ D.C.-Eligible Cost		
	Residential	Industrial	Non-Industrial	S.D.U.	Industrial per sq.m.	Non-Industrial per sq.m.
4. Fire Services	\$ 342,003	\$ 100,798	60,145	\$ 148	\$ 0.68	\$ 1.34
5. Police Services	854,086	251,723	150,200	371	1.70	3.36
6. Transit Services	311,682	91,861	54,812	135	0.62	1.23
7. Parks and Recreation Services	5,371,182	-	-	2,330	-	-
8. Library Services	2,036,019	-	-	883	-	-
9. Growth-Related Studies						
9.1. City-Wide Wastewater Services	14,895	4,390	2,619	6	0.03	0.06
9.2. City-Wide Water Services	363	107	64	-	-	-
9.3. Roads and Related	141,600	41,734	24,902	61	0.28	0.56
9.4. Fire Services	2,433	717	428	1	-	0.01
9.4. Police Services	6,075	1,790	1,068	3	0.01	0.02
9.6. Transit Services	2,217	653	390	1	-	0.01
9.7. Parks and Recreation Services	25,979	7,657	4,569	11	0.05	0.10
9.8. Library Services	9,848	2,902	1,732	4	0.02	0.04
9.9. Ambulance Services	2,136	630	376	1	-	0.01
9.10. Waste Diversion Services	399	118	70	-	-	-
Total	205,945	60,698	36,217	88	0.39	0.81
10. Ambulance Services	300,333	88,517	52,817	130	0.60	1.18
11. Waste Diversion Services	82,550	-	-	36	-	-
TOTAL	\$9,503,799	\$593,597	\$354,191	\$4,121	\$3.99	\$7.92
D.C.-Eligible Capital Cost	\$9,503,799	\$593,597	\$354,191			
10-Year Gross Population/GFA Growth (sq.m.)	6,252	147,976	44,724			
Cost Per Capita/Non-Residential GFA (sq.m.)	\$1,520.12	\$4.01	\$7.92			
By Residential Unit Type	P.P.U.					
Single and Semi-Detached Dwelling	2.712	\$4,123				
Apartments - 2 Bedrooms +	1.700	\$2,584				
Apartments - Bachelor and 1 Bedroom	1.089	\$1,655				
Other Multiples	2.176	\$3,308				
Residential Care	1.100	\$1,672				



Table 6-4
City of St. Thomas
Calculated Schedule of City-Wide Development Charges

Service/Class	RESIDENTIAL					NON-RESIDENTIAL	
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	Residential Care (per bed)	Industrial (per sq.m. of Gross Floor Area)	Non-Industrial (per sq.m. of Gross Floor Area)
Municipal Wide Services/Classes:							
Roads and Related	7,674	4,810	3,081	6,157	3,113	34.61	68.33
Fire Services	148	93	59	119	60	0.68	1.34
Police Services	371	233	149	298	150	1.70	3.36
Transit Services	135	85	54	108	55	0.62	1.23
Parks and Recreation Services	2,330	1,461	936	1,869	945	-	-
Library Services	883	554	355	708	358	-	-
Growth-Related Studies	88	55	35	71	36	0.39	0.81
Ambulance Services	130	81	52	104	53	0.60	1.18
Waste Diversion Services	36	23	14	29	15	-	-
Total Municipal Wide Services/Classes	11,795	7,395	4,735	9,463	4,785	38.60	76.25
Urban Services							
City-Wide Wastewater Services	445	279	179	357	180	1.86	3.68
City-Wide Water Services	11	7	4	9	4	0.05	0.09
Total Urban Services	456	286	183	366	184	1.91	3.77
GRAND TOTAL RURAL AREA	11,795	7,395	4,735	9,463	4,785	38.60	76.25
GRAND TOTAL URBAN AREA	12,251	7,681	4,918	9,829	4,969	40.51	80.02

6.2 Area-Specific D.C. Calculation

The calculation of the area-specific D.C.s for the growth-related capital costs identified in Chapter 5 for the South Block Area, Lands of Dalewood, and Northwest Area 1 Lands have been undertaken using a cash-flow approach. The cash-flow calculations account for the timing of revenues and expenditures to project anticipated financing costs related to the capital program. The cash-flow calculations have been undertaken by service/class for each forecast development type, i.e. residential, industrial, and non-industrial, and each service area. The D.C. cash flow calculation tables are provided in Appendix C of this report and have been undertaken assuming 3.5% earnings on D.C. reserve fund balances and 5.5% interest charged for reserve fund borrowing, consistent with the City's 2015 D.C. Background Study.

The calculation for residential development is generated on a per capita basis and is based upon five forms of housing types (single and semi-detached, apartments 2+ bedrooms, bachelor and 1-bedroom apartments, other multiples, and residential care dwelling units). The non-residential development charge has been calculated on a per sq.ft of G.F.A. basis for industrial, and non-industrial (commercial and institutional)



development (it should be noted that the non-residential calculations are for the Lands of Dalewood only, as the other area-specific charges only reflect future residential development).

Tables 6-5 through 6-7 summarize the calculated area-specific D.C.s that could be imposed by Council by residential dwelling type and non-residential G.F.A. for the South Block Area, Lands of Dalewood, and Northwest Area 1 Lands respectively.

Table 6-5
City of St. Thomas
Calculated Schedule of South Block Development Charges

Service	RESIDENTIAL					NON-RESIDENTIAL	
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	Residential Care (per bed)	Industrial (per sq.ft. of Gross Floor Area)	Non-Industrial (per sq.ft. of Gross Floor Area)
South Block - Sub Area 1							
Administration	5	3	2	4	2		
Roads	-	-	-	-	-		
Wastewater	942	591	378	756	382		
Water	709	444	285	569	287		
Total - South Block - Sub Area 1	1,655	1,038	665	1,329	671		
South Block - Sub Area 2							
Administration	5	3	2	4	2		
Roads	83	52	33	66	34		
Wastewater	1,289	808	518	1,034	523		
Water	728	456	292	584	295		
Total - South Block - Sub Area 2	2,104	1,319	845	1,688	854		
South Block - Sub Area 3							
Administration	4	3	2	4	2		
Wastewater	1,184	742	476	950	480		
Water	819	513	329	657	332		
Total - South Block - Sub Area 3	2,007	1,258	807	1,611	814		
South Block - Sub Area 4							
Wastewater	-	-	-	-	-		
Water	187	117	75	150	76		
Total - South Block - Sub Area 4	187	117	75	150	76		
South Block - Urban Expansion Area 3							
Administration	5	3	2	4	2		
Wastewater	376	236	151	302	152		
Water	749	469	301	601	304		
Total - South Block - Urban Expansion Area 3	1,129	708	454	907	458		
South Block - Urban Expansion Area 4A							
Administration	3	2	1	3	1		
Wastewater	1,019	639	409	818	413		
Water	755	473	303	606	306		
Total - South Block - Urban Expansion Area 4A	1,777	1,114	713	1,427	720		
South Block - Urban Expansion Area 4B							
Administration	-	-	-	-	-		
Wastewater	-	-	-	-	-		
Water	-	-	-	-	-		
Total - South Block - Urban Expansion Area 4B	-	-	-	-	-		



Table 6-6
City of St. Thomas
Calculated Schedule of Lands of Dalewood Development Charges

Service	RESIDENTIAL					NON-RESIDENTIAL	
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	Residential Care (per bed)	Industrial (per sq.ft. of Gross Floor Area)	Non-Industrial (per sq.ft. of Gross Floor Area)
Dalewood Lands							
Administration	-	-	-	-	-		7.66
Wastewater	-	-	-	-	-	46.94	38.82
Total - Dalewood Lands	-	-	-	-	-	46.94	46.48

Table 6-7
City of St. Thomas
Calculated Schedule of Northwest Area 1 Development Charges

Service	RESIDENTIAL					NON-RESIDENTIAL	
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	Residential Care (per bed)	Industrial (per sq.ft. of Gross Floor Area)	Non-Industrial (per sq.ft. of Gross Floor Area)
Northwest Area 1							
Roads	1,587	995	637	1,273	644		
Wastewater	3,637	2,280	1,461	2,918	1,475		
Water	3,356	2,104	1,348	2,693	1,361		
Administration	234	147	94	188	95		
Total - Northwest Area 1	8,815	5,526	3,540	7,072	3,575		



- The credit can, in no case, exceed the amount of D.C.s that would otherwise be payable. No credit is available for the redevelopment of an industrial use.

7.3.4 Exemptions (full or partial)

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 section 2 of O. Reg. 82/98).
- The creation of a second dwelling unit in prescribed classes of proposed new residential buildings, including structures ancillary to dwellings, subject to the prescribed restrictions based on prescribed limits set out in s.2 of O.Reg. 82/98

b) Non-statutory exemptions

The following non-statutory exemptions are proposed to be included in the City's D.C. By-laws:

City-Wide D.C. By-law

- Hospital under the Public Hospitals Act;
- A College or University;
- A Cemetery or Place of Worship;
- Industrial Uses; and

South Block Area By-law

- Hospital under the Public Hospitals Act;
- A College or University;
- A Cemetery or Place of Worship;
- Industrial Uses; and



Northwest Area 1 Lands By-law

- Hospital under the Public Hospitals Act;
- A College or University;
- A Cemetery or Place of Worship;
- Industrial Uses; and

Lands of Dalewood By-law

- Industrial Uses

7.3.5 Phasing in

No provisions for phasing in the D.C. are provided in the D.C. by-laws.

7.3.6 Timing of Collection

The D.C.s for all City-wide services are payable upon issuance of a building permit for each dwelling unit, building or structure, subject to early or late payment agreements entered into by the City and an owner under s.27 of the D.C.A., 1997.

With respect to services imposed under area-specific by-laws for the South Block Area, Lands of Dalewood, o Northwest Area 1 Lands, D.C.s shall be payable with respect to an approval of a plan of subdivision upon registration of the plan of subdivision.

Commencing 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. Moreover, the D.C. amount for all developments occurring within two 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.

Installment payments and payments determined at the time of Site Plan or Zoning By-law Amendment application are subject to annual interest charges calculated based on the City's short term borrowing rate (i.e. prime rate).

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



7.3.8 D.C. Spatial Applicability

The D.C.A. historically has provided the opportunity for a municipality to impose municipal-wide charges or area specific charges. Sections 2(7) and 2(8) of the D.C.A. provide that a D.C. by-law may apply to the entire municipality or only part of it and more than one D.C. by-law may apply to the same area. Amendments to the D.C.A. now require municipalities to consider the application of municipal-wide and area-specific D.C.s. s.10(2)(c.1) requires Council to consider the use of more than one D.C. by-law to reflect different needs from services in different areas.

Most municipalities in Ontario have established uniform, municipal-wide D.C.s. When area-specific charges are used, it is generally to underpin master servicing and front-end financing arrangements for more localized capital costs.

The City's current approach of imposed City-wide water and wastewater services within the urban serviced areas only, as well as imposing area-specific charges within the South Block Area and the Lands of Dalewood is proposed to be maintained.

Furthermore, area-specific charges are also proposed for the growth-related costs associated with the development of Northwest Area 1 Lands.

7.4 Other D.C. By-law Provisions

7.4.1 Categories of Services for Reserve Fund and Credit Purposes

It is recommended that the City's D.C. collections be contributed into 38 separate reserve funds, including:

- Roads and Related Services
- Fire Services;
- Police Services;
- Transit Services;
- Parks and Recreation Services;
- Library Services;
- Ambulance Services;
- Waste Diversion Services;
- Airport Services imposed under By-law 81-2015, as amended;
- Municipal Parking imposed under By-law 81-2015, as amended;



- City-Wide Water;
- City-Wide Wastewater;
- A class for growth studies
- South Block - Sub Area 1
 - Administration
 - Wastewater
 - Water
- South Block - Sub Area 2
 - Administration
 - Roads
 - Wastewater
 - Water
- South Block - Sub Area 3
 - Administration
 - Wastewater
 - Water
- South Block - Sub Area 4
 - Water
- South Block - Urban Expansion Area 3
 - Administration
 - Wastewater
 - Water
- South Block - Urban Expansion Area 4A
 - Administration
 - Wastewater
 - Water
- South Block - Urban Expansion Area 4B
 - Administration
 - Wastewater
 - Water
- Dalewood Lands
 - Administration
 - Wastewater
- Northwest Area 1



- Roads
- Wastewater
- Water
- Administration

7.4.2 *By-law In-force Date*

The proposed by-laws under D.C.A., 1997 will come into force on the date of by-law passage.

7.4.3 *Minimum Interest Rate Paid on Refunds and Charged for Inter-Reserve Fund Borrowing*

The minimum interest rate is the Bank of Canada rate on the day on which the by-laws comes into force (as per s.11 of O.Reg. 82/98).

7.5 Other Recommendations

It is recommended that Council:

“Approve the capital project listing set out in Chapter 5 of the 2020 D.C. Background Study, dated April 15, 2020, as amended subject to further annual review during the capital budget process;”

“Approve the 2020 D.C. Background Study, dated April 15, 2020, as amended”

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

“Approve the D.C. By-laws as set out in Appendices F, G, H, I, and J”



background study have been addressed separately for non-transit municipal services and transit services.

8.2 Non-Transit Services

In recognition to the schematic in Section 8.1, the following table (presented in 2020\$) has been developed to provide the annualized expenditures and revenues associated with new growth. Note that the D.C.A. does not require an analysis of the non-D.C. capital needs or their associated operating costs so these are omitted from the table below. Furthermore, as only the present infrastructure gap has been considered at this time within the A.M.P., the following does not represent a fiscal impact assessment (including future tax/rate increases) but provides insight into the potential affordability of the new assets:

1. The non-D.C. recoverable portion of the projects which will require financing from City financial resources (i.e. taxation, rates, fees, etc.). This amount has been presented on an annual debt charge amount based on 20-year financing.
2. Lifecycle costs for the 2019 D.C. capital works have been presented based on a sinking fund basis. The assets have been considered over their estimated useful lives.
3. Incremental operating costs for the D.C. services (only) have been included.
4. The resultant total annualized expenditures are \$17.8 million.
5. Consideration was given to the potential new taxation and user fee revenues which will be generated as a result of new growth. These revenues will be available to finance the expenditures above. The new operating revenues are \$17.5 million. This amount, totalled with the existing operating revenues of \$185.8 million, provides annual revenues of \$203.3 million by the end of the period.
6. In consideration of the above, the capital plan is deemed to be financially sustainable.



Table 8-1
City of St. Thomas
Asset Management – Future Expenditures and Associated Revenues (2020\$)

	Buildout (Total)
Expenditures (Annualized)	
Annual Debt Payment on Non-Growth Related Capital ¹	3,046,475
Annual Debt Payment on Post Period Capital ²	794,797
Lifecycle:	
Annual Lifecycle - Town Wide Services	2,189,191
Annual Lifecycle - Area Specific Services ³	442,190
Sub-Total - Annual Lifecycle	\$2,631,381
Incremental Operating Costs (for D.C. Services)	\$11,296,330
Total Expenditures	\$17,768,983
Revenue (Annualized)	
Total Existing Revenue ⁴	\$185,811,836
Incremental Tax and Non-Tax Revenue (User Fees, Fines, Licences, etc.)	\$17,476,342
Total Revenues	\$203,288,178

¹ Non-Growth Related component of Projects including 10% mandatory deduction on soft services

² Interim Debt Financing for Post Period Benefit

³ All infrastructure costs included in Area Specific by-laws have been included

⁴ As per Sch. 10 of FIR

8.3 Transit Services

In regard to the D.C.A. requirements for asset management for transit services, Ontario Regulation 82/98 (as amended) provides the following:

“8(3) If a council of a municipality proposes to impose a development charge in respect of transit services, the asset management plan referred to in subsection 10 (2) (c.2) of the Act shall include the following in respect of those services”



Table D-1
Operating and Capital Expenditure Impacts for Future Capital Expenditures

SERVICE	ANNUAL LIFECYCLE EXPENDITURES	ANNUAL OPERATING EXPENDITURES	TOTAL ANNUAL EXPENDITURES
Fire Services	2,816	1,212,361	1,215,177
Police Services	7,774	1,754,934	1,762,708
Roads and Related	1,486,327	465,666	1,951,993
Transit Services	50,340	221,425	271,765
Parks and Recreation Services	268,380	371,092	639,472
Library Services	185,495	390,012	575,507
Ambulance Services	34,642	14,189	48,831
Waste Diversion Services	5,113	191,688	196,801
City-Wide Wastewater Services	468,656	1,937,149	2,405,805
City-Wide Water Services	102,793	4,670,790	4,773,582
Total Municipal Wide Services	2,612,336	11,229,305	13,841,642

Appendix F

Proposed City-Wide D.C. By-law

THE CORPORATION OF THE CITY OF ST. THOMAS

BY-LAW NUMBER XX-2020

A by-law to establish development charges for the Corporation of the City of St. Thomas

WHEREAS subsection 2(1) of the *Development Charges Act, 1997* c. 27 (hereinafter called "the Act") provides that the Council of a municipality may pass By-laws for the imposition of development charges against land for increased capital costs required because of the need for services arising from development in the area to which the by-law applies;

AND WHEREAS the Council of The Corporation of the City of St. Thomas ("City of St. Thomas") gave Notice in accordance with Section 12 of the *Development Charges Act, 1997*, of its intention to pass a by-law under Section 2 of the said Act;

AND WHEREAS the Council of the City of St. Thomas has heard all persons who applied to be heard no matter whether in objection to, or in support of, the development charge proposal at a public meeting held on _____, 2020;

AND WHEREAS by resolution adopted by the Council of the City of St. Thomas on _____, 2020, determined that no additional public meeting was required under Section 12 of the Act;

AND WHEREAS the Council of the City of St. Thomas had before it a report entitled *Development Charges Background Study* dated April 15, 2020, as amended on September 15, 2020 and October 13, 2020, wherein It is indicated that the development of any land within the City of St. Thomas will increase the need for services as defined herein;

AND WHEREAS the Council of the City of St. Thomas on _____, 2020, approved the applicable *Development Charges Background Study*, in which certain recommendations were made relating to the establishment of a development charge policy for the City of St. Thomas pursuant to the *Development Charges Act, 1997*;

AND WHEREAS by resolution adopted by Council of the City of St. Thomas on _____, 2020, Council has indicated Its intent that the future excess capacity identified in the *Development Charges Background Study*, dated April 15, 2020, as amended on September 15, 2020, and October 13, 2020, shall be paid for by development charges or other similar charges.

NOW THEREFORE THE COUNCIL OF THE CITY OF ST. THOMAS ENACTS AS FOLLOWS: DEFINITIONS

1. In this by-law,

- (1) "Accessory Use" means that the use, building or structure or part thereof is naturally and normally incidental to or subordinate in purpose or both, and exclusively devoted to a principal use, building or structure;
- (2) "Act" means the Development Charges Act, 1997, c. 27;
- (3) "Administration Service" means any and all studies carried out by the municipality which are with respect to eligible services for which a development charge by-law may be imposed under the Development Charges Act, 1997.
- (4) "Agricultural use" means a bona fide farming operation;
- (5) "Apartment dwelling" means any dwelling unit within a building containing more than four dwelling units where the units are connected by an interior corridor. Despite the foregoing, an apartment includes stacked townhouse dwellings;
- (6) "Bedroom" means a habitable room larger than seven square metres, including a den, study, or other similar area, but does not include a living room, dining room or kitchen;
- (7) "Board of education" means a board defined in s.s. 1(1) of the Education Act, R.S.O. 1990, c.E.2;
- (8) "Building Code Act" means the Building Code Act, R.S.O. 1992, c.23;
- (9) "Capital cost" means costs incurred or proposed to be incurred by the municipality or a local board thereof directly or by others on behalf of, and as authorized by, the municipality or local board,
 - (a) to acquire land or an interest in land, including a leasehold interest;
 - (b) to improve land;
 - (c) to acquire, lease, construct or improve buildings or structures
 - (d) to acquire, lease, construct or improve facilities including,
 - i. rolling stock with an estimated useful life of seven years or more,

- ii. furniture and equipment, other than computer equipment, and
 - iii. material acquired for circulation, reference or information purposes by a library board as defined in the Public Libraries Act, R.S.O. 1990, c.P.44, and
- (e) to undertake studies in connection with any of the matters referred to in clauses (a) to (d);
 - (f) to complete the development charge background study under Section 10 of the Act;
 - (g) interest on money borrowed to pay for costs in (a) to (d); required for provision of services designated in this by-law within or outside the municipality;
- (10) "Council" means the Council of The Corporation of the City of St. Thomas;
 - (11) "Commercial" means a building used for any use other than for residential, institutional or industrial uses, and includes self-storage facilities;
 - (12) "Development" means any activity or proposed activity in respect of land that requires one or more of the actions referred to in section 6 of this by-law and including the redevelopment of land or the redevelopment, expansion, extension or alteration of a use, building or structure except interior alterations to an existing building or structure which do not change or intensify the use of land;
 - (13) "Development charge" means a charge imposed pursuant to this By-law;
 - (14) "Dwelling unit" means a room or suite of rooms used, or designed or intended for use by, one person or persons living together, in which culinary and sanitary facilities may be provided for the exclusive use of such person or persons, including time share units;
 - (15) "Farm building" means that part of a bona fide farm operation encompassing barns, silos, and other ancillary development to an agricultural use, but excluding a residential use;
 - (16) "Gross floor area" means the total floor area measured from the exterior face of outside walls, or between the outside of exterior walls and the centre line of party

walls dividing the building from another building, including basements, mezzanines, and upper floors;

- (17) "Industrial Use" means lands, buildings or structures used or designed or intended for use for manufacturing, processing, fabricating or assembly of raw goods, warehousing or bulk storage of goods, excluding self-storage facilities and including office uses and the sale of commodities to the general public where such uses are accessory to an industrial use;
- (18) "Institutional" means land, buildings, structures or any part thereof used by any organization, group or association for promotion of charitable, educational or benevolent objectives and not for profit or gain. For the purposes of s.s.7(2) herein, 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;
- (19) "Local board" means a public utility commission, public library board, local board of health, or any other board, commission, committee or body or local authority established or exercising any power or authority under any general or special Act

with respect to any of the affairs or purposes of the municipality or any part or parts thereof;

- (20) "Local services" means those services or facilities which are under the jurisdiction of the municipality and are related to a plan of subdivision or within the area to which the plan relates, required as a condition of approval under s.51 of the Planning Act, or as a condition of approval under s.53 of the Planning Act;
- (21) "Multiple dwelling" means all dwellings other than single detached dwellings, semi-detached dwellings, apartment dwellings and residential care dwellings;
- (22) "Municipality" means The Corporation of the City of St. Thomas;
- (23) "Non-residential uses" means a building or structure used for other than a residential use;
- (24) "Owner" means the owner of land or a person who has made application for an approval for the development of land upon which a development charge is imposed;
- (25) "Planning Act" means the Planning Act, 1990, R.S.O. 1990, c.P.13 as amended;
- (26) "Regulation" means any regulation made pursuant to the Act;
- (27) "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;
- (28) "Residential care dwelling" means a building used for a rest home, nursing home, group home, residential care facility, and other similar residential occupancies;
- (29) "Residential uses" means lands, buildings or structures or portions thereof used, or designed or intended for use as a home or residence of one or more individuals, and shall include a single detached dwelling, a semi-detached dwelling, a multiple dwelling, an apartment dwelling, a residential care dwelling, and the residential portion of a mixed-use building or structure;
- (30) "Semi-detached dwelling" means a building that is divided vertically into two dwelling units each of which has an independent entrance or an entrance through a common vestibule and which building has no access directly between the two units;

- (31) "Services" means services or classes of service set out in Schedule "A" to this By-law;
- (32) "Single detached dwelling" means a completely detached building containing only one dwelling unit; and
- (33) "Stacked townhouse dwelling" means two townhouse dwellings, one on top of each other;

2. Calculation of Development Charges

- (1) Subject to the provisions of the By-law, development charges against land shall be imposed calculated and collected in accordance with the base rates set out in Schedule "B", which relate to the services set out in Schedule "A"
- (2) The development charge with respect to the uses of any land, building or structure shall be calculated as follows:
 - (a) in the case of residential development or redevelopment, or the residential portion of a mixed use development or redevelopment, as the sum of the product of the number of dwelling units of each type multiplied by the corresponding total amount for such dwelling unit type, as set out in Schedule "B";
 - (b) in the case of non-residential development or redevelopment, or the non-residential portion of a mixed use development or redevelopment, as the sum of the product of the gross floor area multiplied by the corresponding total amount for such gross floor area as set out in Schedule "B".
- (3) Council hereby determines that the development or redevelopment of land, buildings, or structures for residential and non-residential uses will require the provision, enlargement or expansion of the services referenced in Schedule "A".

Phasing of Development Charges

- 3. No phasing of the development charges imposed pursuant to this by-law are proposed.

4. Applicable Lands

- (1) Subject to Section 5, this by-law applies to all lands in the municipality, whether or not the land or use is exempt from taxation under Section 3 of the Assessment Act, R.S.O.1990, c.A.31.
- (2) This by-law shall not apply to land that is owned by and used for the purposes of:
- (a) a board of education;
 - (b) any municipality or local board thereof;
 - (c) a hospital under the Public Hospitals Act;
 - (d) a college or university;
 - (e) a cemetery or place of worship;
 - (f) an industrial use; and
 - (g) The creation of a second dwelling unit in prescribed classes of proposed new residential buildings, including structures ancillary to dwellings, subject to the following restrictions:

Item	Name of Class of Proposed New Residential Buildings	Description of Class of Proposed New Residential Buildings	Restrictions
1.	Proposed new detached dwellings	Proposed new residential buildings that would not be attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	<p>The proposed new detached dwelling must only contain two dwelling units.</p> <p>The proposed new detached dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.</p>
2.	Proposed new semi-detached dwellings or row dwellings	Proposed new residential buildings that would have one or two vertical walls, but no other parts, attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	<p>The proposed new semi-detached dwelling or row dwelling must only contain two dwelling units.</p> <p>The proposed new semi-detached dwelling or row dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.</p>
3.	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling and that are permitted to contain a single dwelling unit.	<p>The proposed new detached dwelling, semi-detached dwelling or row dwelling, to which the proposed new residential building would be ancillary, must only contain one dwelling unit.</p> <p>The gross floor area of the dwelling unit in the proposed new residential building must be equal to or less than the gross floor area of the detached dwelling, semi-detached dwelling or row dwelling to which the proposed new residential building is ancillary.</p>

5. Rules with Respect to Exemptions for Intensification of Existing Housing

- (1) Notwithstanding Section 4 above, no development charge shall be imposed with respect to developments or portions of developments as follows:
 - (a) the enlargement of an existing residential dwelling unit;
 - (b) the creation of one or two additional residential dwelling units in an existing, or ancillary to, a single detached dwelling where the total gross floor area of the additional unit(s) does not exceed the gross floor area of the existing dwelling unit;
 - (c) the creation of one additional dwelling unit in any other existing residential building, or ancillary structure provided the gross floor area of the additional unit does not exceed the smallest existing dwelling unit already in the building;
- (2) Notwithstanding subsection 5(1)(b), development charges shall be calculated and collected in accordance with Schedule "B" where the total residential gross floor area of the additional one or two dwelling units is greater than the total gross floor area of the existing single detached dwelling unit.
- (3) Notwithstanding subsection 5(1)(c), development charges shall be calculated and collected in accordance with Schedule "B" where the additional dwelling unit has a residential gross floor area greater than,
 - (a) in the case of semi-detached house or multiple dwelling, the gross floor area of the existing dwelling unit, and
 - (b) in the case of any other residential building, the residential gross floor area of the smallest existing dwelling unit.

6. Development Charges Imposed

- (1) Subject to subsection (2), development charges shall be calculated and collected in accordance with the provisions of this by-law and be imposed on land to be developed for residential and non-residential uses, where, the development requires,

- (a) the passing of a zoning by-law or an amendment thereto 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 subsection 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 9 of the Condominium Act, R.S.O. 1998, S.O.1998, c.19; or
 - (g) the issuing of a permit under the Building Code Act, in relation to a building or structure.
- (2) Subsection (1) shall not apply in respect to
- (a) local services installed or paid for by the owner within a plan of subdivision or within the area to which the plan relates, as a condition of approval under Section 51 of the Planning Act;
 - (b) local services installed or paid for by the owner as a condition of approval under Section 53 of the Planning Act.

Local Service Installation

7. Nothing in this by-law prevents Council from requiring, as a condition of an agreement under Section 51 or 53 of the Planning Act that the owner, at his or her own expense, shall install or pay for such local services, within the Plan of Subdivision or within the area to which the plan relates, as Council may require.

8. Multiple Charges

- (1) Where two or more of the actions described in subsection 6(1) are required before land to which a development charge applies can be developed, only one development charge shall be calculated and collected in accordance with the provisions of this by-law.

- (2) Notwithstanding subsection (1), if two or more of the actions described in subsection 6(1) occur at different times, and if the subsequent action has the effect of Increasing the need for municipal services as set out in Schedule "A", an additional development charge on the additional residential units and additional gross floor area shall be calculated and collected In accordance with the provisions of this by-law.

9. Services in Lieu

- (1) Council may authorize an owner, through an agreement under Section 38 of the Act, to substitute such part of the development charge applicable to the owner's development as may be specified in the agreement, by the provision at the sole expense of the owner, of services in lieu. Such agreement shall further specify that where the owner provides services in lieu in accordance with the agreement, Council shall give to the owner a credit against the development charge in accordance with the agreement provisions and the provisions of Section 39 of the Act, equal to the reasonable cost to the owner of providing the services in lieu. In no case shall the agreement provide for a credit which exceeds the total development charge payable by an owner to the municipality in respect of the development to which the agreement relates.
- (2) In any agreement under subsection (1), Council may also give a further credit to the owner equal to the reasonable cost of providing the services in addition to, or of a greater size of capacity, than would be required under this by-law.
- (3) The credit provided for in subsection (2) shall not be charged to any development charge reserve fund.

Rules with Respect to Redevelopment

10. In the case of the demolition or conversion of all or part of a residential or non-residential building or structure:
 - (1) a credit shall be allowed, provided that the land was improved by occupied structures (or structures capable of occupancy) within the five years prior to the issuance of the building permit, and the building permit has been issued for the development or redevelopment within five years from the date the demolition or change of use permit has been issued; and

- (2) if a development or redevelopment involves the demolition of and replacement of a building or structure or conversion of a building or structure, a credit shall be allowed equivalent to:
 - (a) in the case of residential redevelopment, the number of dwelling units demolished or converted multiplied by the applicable residential development charge in place at the time the development charge is payable,
 - (b) in the case of non-residential, the amount of gross floor area demolished or converted multiplied by applicable development charge in place at the time the development charge is payable.
- (3) A credit can, in no case, exceed the amount of the development charge that would otherwise be payable, and
- (4) (2) No credit is available for the redevelopment of an industrial use.

11. Timing and Calculation of Payment

- (1) Development charges shall be calculated and payable in full in money or by provision of services as may be agreed upon, or by credit granted under the Act, on the date that the first building permit is issued in relation to a building or structure on land to which a development charge applies.
- (2) Where development charges apply to land in relation to which a building permit is required, the building permit shall not be issued until the development charge has been paid in full.
- (3) 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 occupancy, and each subsequent installment, including interest, payable on the anniversary date each year thereafter.
- (4) Notwithstanding Subsection 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 occupancy, and each subsequent installment, including interest, payable on the anniversary date each year thereafter;

- (5) 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 11.(1), 11.(2), 11.(3), and 11.(4) shall be calculated on the rates set out in Schedule "A" on the date of the planning application, including interest. Where both planning applications apply Development Charges under Subsections 11.(1), 11.(2), 11.(3), and 11.(4) shall be calculated on the rates, including interest, set out in Schedule "B" on the date of the later planning application, including interest.
- (6) Interest for the purposes of Subsections 11.(3), 11.(4), and 11.(5), interest shall be determined as the prime lending rate.

12. Reserve Funds

- (1) Monies received from payment of development charges under this by-law shall be maintained in separate reserve funds as per the listing of services in Schedule "A".
- (2) Where more than one capital project underlying the service category referred to in subsection (1) has been sufficiently completed, whether at the same time or at a later date, reimbursement to the involved parties will be provided on the proportionate basis of the costs of the works completed. In order for capital projects to be deemed sufficiently complete, the works will be subject to review and approval of the Director, Environmental Services & City Engineer.
- (3) Monies received for the payment of development charges shall be used only in accordance with the provisions of Section 35 of the Act.
- (4) Where any development charge, or part thereof, remains unpaid after the due date, the amount unpaid shall be added to the tax roll and shall be collected as taxes.
- (5) Where any unpaid development charges are collected as taxes under subsection (4), the monies so collected shall be credited to the development charge reserve funds referred to in subsection (1).
- (6) The Treasurer of the Municipality shall, in each year, furnish to Council a statement in respect of the reserve funds established hereunder for the prior year, containing the information set out in Section 12 of O.Reg. 82198.

13. By-Law Amendment or Appeal

- (1) Where this by-law or any development charge prescribed hereunder is amended or repealed either by order of the Ontario Municipal Board or by resolution of the Municipal Council, the Municipal Treasurer shall calculate forthwith the amount of any overpayment to be refunded as a result of said amendment or repeal.
- (2) Refunds that are required to be paid under subsection (1) shall be paid with interest to be calculated as follows:
 - (a) Interest shall be calculated from the date on which the overpayment was collected to the date on which the refund is paid;
 - (b) The Bank of Canada interest rate in effect on the date of enactment of this by-law shall be used.
- (3) Refunds that are required to be paid under subsection (1) shall include the interest owed under this section.

By-Law Indexing

14. The development charges set out in Schedule "B" to this by-law shall be adjusted annually on April 1st, without amendment to this by-law, in accordance with the most recent twelve month change in the Statistics Canada Non-Residential Building Construction Price Index for Toronto”

Severability

15. In the event any provision, or part thereof, of this by-law is found by a court of competent jurisdiction to be ultra vires, such provision, or part thereof, shall be deemed to be severed, and the remaining portion of such provision and all other provisions of this by-law shall remain in full force and effect.

Headings for Reference Only

16. The headings inserted in this by-law are for convenience of reference only and shall not affect the construction of interpretation of this by-law.

By-Law Registration

17. A certified copy of this by-law may be registered on title to any land to which this by-law applies.

By-Law Administration

18. This by-law shall be administered by the Municipal Treasurer.

Schedules to the By-Law

19. The following Schedules to this by-law form an integral part of this by-law:

Schedule "A" – Designated Municipal Services

Schedule "B" – Schedule of Development Charges

Date By-law Effective

20. This By-law shall come into force and effect on _____, 202_.

Date By-Law Expires

21. This by-law will expire five years after the effective date of this by-law unless it is repealed by Council at an earlier date.

Short Title

22. This by-law may be cited as the "City of St. Thomas Development Charge By-law, 202_."

Passed by the Council this ___th day of _____, 202_.

Mayor

City Clerk

SCHEDULE "A"
TO BY-LAW 81-2015

DESIGNATED CITY-WIDE SERVICES/CLASSES OF SERVICE UNDER THIS BY-LAW

- Roads and Related Services
- Fire Services;
- Police Services;
- Transit Services;
- Parks and Recreation Services;
- Library Services;
- Administration Studies;
- Ambulance Services;
- Waste Diversion Services;
- City-Wide Water;
- City-Wide Wastewater;

SCHEDULE "B"
TO BY-LAW XX-2020
SCHEDULE OF CITY-WIDE DEVELOPMENT CHARGES

Service/Class	RESIDENTIAL					NON-RESIDENTIAL	
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	Residential Care (per bed)	Industrial (per sq.m. of Gross Floor Area)	Non-Industrial (per sq.m. of Gross Floor Area)
Municipal Wide Services/Classes:							
Roads and Related	7,674	4,810	3,081	6,157	3,113	34.61	68.33
Fire Services	148	93	59	119	60	0.68	1.34
Police Services	371	233	149	298	150	1.70	3.36
Transit Services	135	85	54	108	55	0.62	1.23
Parks and Recreation Services	2,330	1,461	936	1,869	945	-	-
Library Services	883	554	355	708	358	-	-
Growth-Related Studies	88	55	35	71	36	0.39	0.81
Ambulance Services	130	81	52	104	53	0.60	1.18
Waste Diversion Services	36	23	14	29	15	-	-
Total Municipal Wide Services/Classes	11,795	7,395	4,735	9,463	4,785	38.60	76.25
Urban Services							
City-Wide Wastewater Services	445	279	179	357	180	1.86	3.68
City-Wide Water Services	11	7	4	9	4	0.05	0.09
Total Urban Services	456	286	183	366	184	1.91	3.77
GRAND TOTAL RURAL AREA	11,795	7,395	4,735	9,463	4,785	38.60	76.25
GRAND TOTAL URBAN AREA	12,251	7,681	4,918	9,829	4,969	40.51	80.02



Appendix G

Proposed Amendment to By-law 81-2015

THE CORPORATION OF THE CITY OF ST. THOMAS

BY-LAW NUMBER XX-2020

A by-law to amend By-law 81-2015

WHEREAS Section 19 of the *Development Charges Act, 1997*, S.O. 1997, c27 ("the Act") provides for amendments to be made to development charges by-laws;

AND WHEREAS the Council of The Corporation of the City of St. Thomas ("City of St. Thomas") gave Notice in accordance with Section 12 of the *Development Charges Act, 1997*, of its intention to pass a by-law under Section 2 of the said Act;

AND WHEREAS the Council of the City of St. Thomas has heard all persons who applied to be heard no matter whether in objection to, or in support of, the development charge proposal at a public meeting held on _____, 2020;

AND WHEREAS by resolution adopted by the Council of the City of St. Thomas on _____, 2020, determined that no additional public meeting was required under Section 12 of the Act;

AND WHEREAS the Council of the City of St. Thomas had before it a report entitled *Development Charges Background Study* dated April 15, 2020, as amended on September 15, 2020 and October 13, 2020;

AND WHEREAS the Council of the City of St. Thomas on _____, 2020, approved the applicable *Development Charges Background Study*, in which certain recommendations were made relating to the establishment of a development charge policy for the City of St. Thomas pursuant to the *Development Charges Act, 1997*;

NOW THEREFORE THE COUNCIL OF THE CITY OF ST. THOMAS ENACTS AS FOLLOWS:

1. **Schedule A** is deleted and the attached schedule A is inserted therefore
2. **Schedule B** is deleted and the attached schedule B is inserted therefore
3. This by-law shall come into force on _____, 2020
4. Except as amended by this By-law, all provisions of By-law 81-2015 are and shall remain in full force and effect.

Date By-law Effective

1. This By-law shall come into force and effect on _____, 2020.

Passed by the Council this ___th day of _____, 2020.

Mayor

City Clerk

SCHEDULE "A"
TO BY-LAW XX-2020
DESIGNATED SERVICES UNDER THIS BY-LAW

- Municipal Parking Services; and
- Airport Services



SCHEDULE "B"
TO BY-LAW XX-2020
SCHEDULE OF CITY-WIDE DEVELOPMENT CHARGES
(To development Charges By-law 81-2015)

Service/Class	RESIDENTIAL				NON-RESIDENTIAL		
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	Residential Care (per bed)	Industrial (per sq.m. of Gross Floor Area)	Non-Industrial (per sq.m. of Gross Floor Area)
Municipal Wide Services/Classes:							
Airport	14	9	6	12	5	0.06	0.09
Municipal Parking	58	36	26	50	21	0.24	0.35
Total Municipal Wide Services/Classes	72	45	32	63	26	0.30	0.44



Appendix H

Proposed South Block D.C. By-law

THE CORPORATION OF THE CITY OF ST. THOMAS

BY-LAW NUMBER XX-2020

A by-law to establish development charges for the Corporation of the City of St. Thomas – South Block Area

WHEREAS subsection 2(1) of the *Development Charges Act, 1997* c. 27 (hereinafter called "the Act") provides that the Council of a municipality may pass By-laws for the imposition of development charges against land for increased capital costs required because of the need for services arising from development in the area to which the by-law applies;

AND WHEREAS the Council of The Corporation of the City of St. Thomas ("City of St. Thomas") gave Notice in accordance with Section 12 of the Development Charges Act, 1997, of its intention to pass a by-law under Section 2 of the said Act;

AND WHEREAS the Council of the City of St. Thomas has heard all persons who applied to be heard no matter whether in objection to, or in support of, the development charge proposal at a public meeting held on _____, 2020;

AND WHEREAS by resolution adopted by the Council of the City of St. Thomas on _____, 2020, determined that no additional public meeting was required under Section 12 of the Act;

AND WHEREAS the Council of the City of St. Thomas had before it a report entitled Development Charges Background Study dated April 15, 2020, as amended on September 15, 2020 and October 13, 2020, wherein It is indicated that the development of any land within the City of St. Thomas will increase the need for services as defined herein;

AND WHEREAS the Council of the City of St. Thomas on _____, 2020, approved the applicable Development Charges Background Study, in which certain recommendations were made relating to the establishment of a development charge policy for the City of St. Thomas pursuant to the Development Charges Act, 1997;

AND WHEREAS by resolution adopted by Council of the City of St. Thomas on _____, 2020, Council has indicated Its intent that the future excess capacity identified in the Development Charges Background Study, dated April 15, 2020, as amended on September 15, 2020 and October 13, 2020 shall be paid for by development charges or other similar charges.

NOW THEREFORE THE COUNCIL OF THE CITY OF ST. THOMAS ENACTS AS FOLLOWS: DEFINITIONS

1. In this by-law,

- (1) "Accessory Use" means that the use, building or structure or part thereof is naturally and normally incidental to or subordinate in purpose or both, and exclusively devoted to a principal use, building or structure;
- (2) "Act" means the Development Charges Act, 1997, c. 27;
- (3) "Administration Service" means any and all studies carried out by the municipality which are with respect to eligible services for which a development charge by-law may be imposed under the Development Charges Act, 1997.
- (4) "Agricultural use" means a bona fide farming operation;
- (5) "Apartment dwelling" means any dwelling unit within a building containing more than four dwelling units where the units are connected by an interior corridor. Despite the foregoing, an apartment includes stacked townhouse dwellings;
- (6) "Bedroom" means a habitable room larger than seven square metres, including a den, study, or other similar area, but does not include a living room, dining room or kitchen;
- (7) "Board of education" means a board defined in s.s. 1(1) of the Education Act, R.S.O. 1990, c.E.2;
- (8) "Building Code Act" means the Building Code Act, R.S.O. 1992, c.23;
- (9) "Capital cost" means costs incurred or proposed to be incurred by the municipality or a local board thereof directly or by others on behalf of, and as authorized by, the municipality or local board,
 - (a) to acquire land or an interest in land, including a leasehold interest;
 - (b) to improve land;
 - (c) to acquire, lease, construct or improve buildings or structures
 - (d) to acquire, lease, construct or improve facilities including,
 - i. rolling stock with an estimated useful life of seven years or more,

- ii. furniture and equipment, other than computer equipment, and
 - iii. material acquired for circulation, reference or information purposes by a library board as defined in the Public Libraries Act, R.S.O. 1990, c.P.44, and
- (e) to undertake studies in connection with any of the matters referred to in clauses (a) to (d);
 - (f) to complete the development charge background study under Section 10 of the Act;
 - (g) interest on money borrowed to pay for costs in (a) to (d); required for provision of services designated in this by-law within or outside the municipality;
- (10) "Council" means the Council of The Corporation of the City of St. Thomas;
 - (11) "Commercial" means a building used for any use other than for residential, institutional or industrial uses, and includes self-storage facilities;
 - (12) "Development" means any activity or proposed activity in respect of land that requires one or more of the actions referred to in section 6 of this by-law and including the redevelopment of land or the redevelopment, expansion, extension or alteration of a use, building or structure except interior alterations to an existing building or structure which do not change or intensify the use of land;
 - (13) "Development charge" means a charge imposed pursuant to this By-law;
 - (14) "Dwelling unit" means a room or suite of rooms used, or designed or intended for use by, one person or persons living together, in which culinary and sanitary facilities may be provided for the exclusive use of such person or persons, including time share units;
 - (15) "Farm building" means that part of a bona fide farm operation encompassing barns, silos, and other ancillary development to an agricultural use, but excluding a residential use;
 - (16) "Gross floor area" means the total floor area measured from the exterior face of outside walls, or between the outside of exterior walls and the centre line of party

walls dividing the building from another building, including basements, mezzanines, and upper floors;

- (17) "Industrial Use" means lands, buildings or structures used or designed or intended for use for manufacturing, processing, fabricating or assembly of raw goods, warehousing or bulk storage of goods, excluding self-storage facilities and including office uses and the sale of commodities to the general public where such uses are accessory to an industrial use;
- (18) "Institutional" means land, buildings, structures or any part thereof used by any organization, group or association for promotion of charitable, educational or benevolent objectives and not for profit or gain. For the purposes of s.s.7(2) herein, 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;
- (19) "Local board" means a public utility commission, public library board, local board of health, or any other board, commission, committee or body or local authority established or exercising any power or authority under any general or special Act

with respect to any of the affairs or purposes of the municipality or any part or parts thereof;

- (20) "Local services" means those services or facilities which are under the jurisdiction of the municipality and are related to a plan of subdivision or within the area to which the plan relates, required as a condition of approval under s.51 of the Planning Act, or as a condition of approval under s.53 of the Planning Act;
- (21) "Multiple dwelling" means all dwellings other than single detached dwellings, semi-detached dwellings, apartment dwellings and residential care dwellings;
- (22) "Municipality" means The Corporation of the City of St. Thomas;
- (23) "Non-residential uses" means a building or structure used for other than a residential use;
- (24) "Owner" means the owner of land or a person who has made application for an approval for the development of land upon which a development charge is imposed;
- (25) "Planning Act" means the Planning Act, 1990, R.S.O. 1990, c.P.13 as amended;
- (26) "Regulation" means any regulation made pursuant to the Act;
- (27) "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;
- (28) "Residential care dwelling" means a building used for a rest home, nursing home, group home, residential care facility, and other similar residential occupancies;
- (29) "Residential uses" means lands, buildings or structures or portions thereof used, or designed or intended for use as a home or residence of one or more individuals, and shall include a single detached dwelling, a semi-detached dwelling, a multiple dwelling, an apartment dwelling, a residential care dwelling, and the residential portion of a mixed-use building or structure;
- (30) "Semi-detached dwelling" means a building that is divided vertically into two dwelling units each of which has an independent entrance or an entrance through a common vestibule and which building has no access directly between the two units;

- (31) "Services" means services or classes of service set out in Schedule "A" to this By-law;
- (32) "Single detached dwelling" means a completely detached building containing only one dwelling unit; and
- (33) "Stacked townhouse dwelling" means two townhouse dwellings, one on top of each other;

2. Calculation of Development Charges

- (1) Subject to the provisions of the By-law, development charges against land shall be imposed calculated and collected in accordance with the base rates set out in Schedule "B", which relate to the services set out in Schedule "A"
- (2) The development charge with respect to the uses of any land, building or structure shall be calculated as follows:
 - (a) in the case of residential development or redevelopment, or the residential portion of a mixed use development or redevelopment, as the sum of the product of the number of dwelling units of each type multiplied by the corresponding total amount for such dwelling unit type, as set out in Schedule "B";
 - (b) in the case of non-residential development or redevelopment, or the non-residential portion of a mixed use development or redevelopment, as the sum of the product of the gross floor area multiplied by the corresponding total amount for such gross floor area as set out in Schedule "B".
- (3) Council hereby determines that the development or redevelopment of land, buildings, or structures for residential and non-residential uses will require the provision, enlargement or expansion of the services referenced in Schedule "A".

Phasing of Development Charges

- 3. No phasing of the development charges imposed pursuant to this by-law are proposed.

4. Applicable Lands

- (1) Subject to Section 5, this by-law applies to all lands in the municipality, whether or not the land or use is exempt from taxation under Section 3 of the Assessment Act, R.S.O.1990, c.A.31.
- (2) This by-law shall not apply to land that is owned by and used for the purposes of:
- (a) a board of education;
 - (b) any municipality or local board thereof;
 - (c) a hospital under the Public Hospitals Act;
 - (d) a college or university;
 - (e) a cemetery or place of worship;
 - (f) an industrial use; and
 - (g) The creation of a second dwelling unit in prescribed classes of proposed new residential buildings, including structures ancillary to dwellings, subject to the following restrictions:

Item	Name of Class of Proposed New Residential Buildings	Description of Class of Proposed New Residential Buildings	Restrictions
1.	Proposed new detached dwellings	Proposed new residential buildings that would not be attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	<p>The proposed new detached dwelling must only contain two dwelling units.</p> <p>The proposed new detached dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.</p>
2.	Proposed new semi-detached dwellings or row dwellings	Proposed new residential buildings that would have one or two vertical walls, but no other parts, attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	<p>The proposed new semi-detached dwelling or row dwelling must only contain two dwelling units.</p> <p>The proposed new semi-detached dwelling or row dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.</p>
3.	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling and that are permitted to contain a single dwelling unit.	<p>The proposed new detached dwelling, semi-detached dwelling or row dwelling, to which the proposed new residential building would be ancillary, must only contain one dwelling unit.</p> <p>The gross floor area of the dwelling unit in the proposed new residential building must be equal to or less than the gross floor area of the detached dwelling, semi-detached dwelling or row dwelling to which the proposed new residential building is ancillary.</p>

5. Rules with Respect to Exemptions for Intensification of Existing Housing

- (1) Notwithstanding Section 4 above, no development charge shall be imposed with respect to developments or portions of developments as follows:
 - (a) the enlargement of an existing residential dwelling unit;
 - (b) the creation of one or two additional residential dwelling units in an existing, or ancillary to, a single detached dwelling where the total gross floor area of the additional unit(s) does not exceed the gross floor area of the existing dwelling unit;
 - (c) the creation of one additional dwelling unit in any other existing residential building or ancillary structure provided the gross floor area of the additional unit does not exceed the smallest existing dwelling unit already in the building;
- (2) Notwithstanding subsection 5(1)(b), development charges shall be calculated and collected in accordance with Schedule "B" where the total residential gross floor area of the additional one or two dwelling units is greater than the total gross floor area of the existing single detached dwelling unit.
- (3) Notwithstanding subsection 5(1)(c), development charges shall be calculated and collected in accordance with Schedule "B" where the additional dwelling unit has a residential gross floor area greater than,
 - (a) in the case of semi-detached house or multiple dwelling, the gross floor area of the existing dwelling unit, and
 - (b) in the case of any other residential building, the residential gross floor area of the smallest existing dwelling unit.

6. Development Charges Imposed

- (1) Subject to subsection (2), development charges shall be calculated and collected in accordance with the provisions of this by-law and be imposed on land to be developed for residential and non-residential uses, where, the development requires,

- (a) the passing of a zoning by-law or an amendment thereto 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 subsection 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 9 of the Condominium Act, R.S.O. 1998, S.O.1998, c.19; or
 - (g) the issuing of a permit under the Building Code Act, in relation to a building or structure.
- (2) Subsection (1) shall not apply in respect to
- (a) local services installed or paid for by the owner within a plan of subdivision or within the area to which the plan relates, as a condition of approval under Section 51 of the Planning Act;
 - (b) local services installed or paid for by the owner as a condition of approval under Section 53 of the Planning Act.

Local Service Installation

7. Nothing in this by-law prevents Council from requiring, as a condition of an agreement under Section 51 or 53 of the Planning Act that the owner, at his or her own expense, shall install or pay for such local services, within the Plan of Subdivision or within the area to which the plan relates, as Council may require.

8. Multiple Charges

- (1) Where two or more of the actions described in subsection 6(1) are required before land to which a development charge applies can be developed, only one development charge shall be calculated and collected in accordance with the provisions of this by-law.

- (2) Notwithstanding subsection (1), if two or more of the actions described in subsection 6(1) occur at different times, and if the subsequent action has the effect of Increasing the need for municipal services as set out in Schedule "A", an additional development charge on the additional residential units and additional gross floor area shall be calculated and collected In accordance with the provisions of this by-law.

9. Services in Lieu

- (1) Council may authorize an owner, through an agreement under Section 38 of the Act, to substitute such part of the development charge applicable to the owner's development as may be specified in the agreement, by the provision at the sole expense of the owner, of services in lieu. Such agreement shall further specify that where the owner provides services in lieu in accordance with the agreement, Council shall give to the owner a credit against the development charge in accordance with the agreement provisions and the provisions of Section 39 of the Act, equal to the reasonable cost to the owner of providing the services in lieu. In no case shall the agreement provide for a credit which exceeds the total development charge payable by an owner to the municipality in respect of the development to which the agreement relates.
- (2) In any agreement under subsection (1), Council may also give a further credit to the owner equal to the reasonable cost of providing the services in addition to, or of a greater size of capacity, than would be required under this by-law.
- (3) The credit provided for in subsection (2) shall not be charged to any development charge reserve fund.

Rules with Respect to Redevelopment

10. In the case of the demolition or conversion of all or part of a residential or non-residential building or structure:
 - (1) a credit shall be allowed, provided that the land was improved by occupied structures (or structures capable of occupancy) within the five years prior to the issuance of the building permit, and the building permit has been issued for the development or redevelopment within five years from the date the demolition or change of use permit has been issued; and

- (2) if a development or redevelopment involves the demolition of and replacement of a building or structure or conversion of a building or structure, a credit shall be allowed equivalent to:
 - (a) in the case of residential redevelopment, the number of dwelling units demolished or converted multiplied by the applicable residential development charge in place at the time the development charge is payable,
 - (b) in the case of non-residential, the amount of gross floor area demolished or converted multiplied by applicable development charge in place at the time the development charge is payable.
- (3) A credit can, in no case, exceed the amount of the development charge that would otherwise be payable, and
- (4) (2) No credit is available for the redevelopment of an industrial use.

11. Timing and Calculation of Payment

- (1) Development charges shall be calculated and payable in full in money or by provision of services as may be agreed upon, or by credit granted under the Act, on the date that the first building permit is issued in relation to a building or structure on land to which a development charge applies.
- (2) Where development charges apply to land in relation to which a building permit is required, the building permit shall not be issued until the development charge has been paid in full.
- (3) Notwithstanding Subsections 11.(1), the development charges shall be payable with respect to an approval of a plan of subdivision upon registration of the plan of subdivision.
- (4) Notwithstanding Subsections 11.(1), 11.(2) and 11.(3), 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 occupancy, and each subsequent installment, including interest, payable on the anniversary date each year thereafter.
- (5) Notwithstanding Subsection 11.(1), 11.(2) and 11.(3), Development Charges for non-profit housing developments are due and payable in 21 installments commencing with the first installment payable on the date of occupancy, and each

subsequent installment, including interest, payable on the anniversary date each year thereafter;

- (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 11.(1), 11.(2), 11.(3), 11.(4), and 11.(5) shall be calculated on the rates set out in Schedule "A" on the date of the planning application, including interest. Where both planning applications apply Development Charges under Subsections 11.(1), 11.(2), 11.(3), 11.(4), and 11.(5) shall be calculated on the rates, including interest, set out in Schedule "B" on the date of the later planning application, including interest.
- (7) Interest for the purposes of Subsections 11.(3), 11.(4), and 11.(5), interest shall be determined as the prime lending rate.

12. Reserve Funds

- (1) Monies received from payment of development charges under this by-law shall be maintained in separate reserve funds as per the listing of services in Schedule "A".
- (2) Where more than one capital project underlying the service category referred to in subsection (1) has been sufficiently completed, whether at the same time or at a later date, reimbursement to the involved parties will be provided on the proportionate basis of the costs of the works completed. In order for capital projects to be deemed sufficiently complete, the works will be subject to review and approval of the Director, Environmental Services & City Engineer.
- (3) Monies received for the payment of development charges shall be used only in accordance with the provisions of Section 35 of the Act.
- (4) Where any development charge, or part thereof, remains unpaid after the due date, the amount unpaid shall be added to the tax roll and shall be collected as taxes.
- (5) Where any unpaid development charges are collected as taxes under subsection (4), the monies so collected shall be credited to the development charge reserve funds referred to in subsection (1).

- (6) The Treasurer of the Municipality shall, in each year, furnish to Council a statement in respect of the reserve funds established hereunder for the prior year, containing the information set out in Section 12 of O.Reg. 82198.
- (7) The Wastewater Services (UEA 4B Only) Reserve Fund has been established to replace a section of wastewater sewer at the intersection of Fairview Avenue and Axford Parkway which may not be required. If the replacement of the sewer is not required, subject to the review and approval of the Director, Environmental Services, & City Engineer, then the monies collected to date in the fund shall be refunded to the contributing developer(s) with interest in accordance with Section 13(2) of the By-Law

13. By-Law Amendment or Appeal

- (1) Where this by-law or any development charge prescribed hereunder is amended or repealed either by order of the Ontario Municipal Board or by resolution of the Municipal Council, the Municipal Treasurer shall calculate forthwith the amount of any overpayment to be refunded as a result of said amendment or repeal.
- (2) Refunds that are required to be paid under subsection (1) shall be paid with interest to be calculated as follows:
 - (a) Interest shall be calculated from the date on which the overpayment was collected to the date on which the refund is paid;
 - (b) The Bank of Canada interest rate in effect on the date of enactment of this by-law shall be used.
- (3) Refunds that are required to be paid under subsection (1) shall include the interest owed under this section.

By-Law Indexing

14. The development charges set out in Schedule "B" to this by-law shall be adjusted annually on April 1st, without amendment to this by-law, in accordance with the most recent twelve month change in the Statistics Canada Non-Residential Building Construction Price Index for Toronto"

Severability

15. In the event any provision, or part thereof, of this by-law is found by a court of competent jurisdiction to be ultra vires, such provision, or part thereof, shall be deemed to be severed, and the remaining portion of such provision and all other provisions of this by-law shall remain in full force and effect.

Headings for Reference Only

16. The headings inserted in this by-law are for convenience of reference only and shall not affect the construction of interpretation of this by-law.

By-Law Registration

17. A certified copy of this by-law may be registered on title to any land to which this by-law applies.

By-Law Administration

18. This by-law shall be administered by the Municipal Treasurer.

Schedules to the By-Law

19. The following Schedules to this by-law form an integral part of this by-law:

Schedule "A" – Designated Municipal Services/Classes

Schedule "B" – Schedule of Area-Specific Development Charges

Schedule "C" Map of South Block

Existing By-law Repeal

20. By-law 82-2015 is repealed effective on _____, 202_.

Date By-law Effective

21. This By-law shall come into force and effect on _____, 2020.

Date By-Law Expires

22. This by-law will expire five years after the effective date of this by-law, unless it is repealed by Council at an earlier date.

Short Title

23. This by-law may be cited as the "City of St. Thomas Development Charge By-law – South Block Area, 202_."

Passed by the Council this __th day of _____, 202_.

Mayor

City Clerk

SCHEDULE "A"
TO BY-LAW XX-2020
DESIGNATED SERVICES/CLASSES OF SERVICES UNDER THIS BY-LAW

- South Block - Sub Area 1
 - Administration
 - Wastewater
 - Water
- South Block - Sub Area 2
 - Administration
 - Roads
 - Wastewater
 - Water
- South Block - Sub Area 3
 - Administration
 - Wastewater
 - Water
- South Block - Sub Area 4
 - Water
- South Block - Urban Expansion Area 3
 - Administration
 - Wastewater
 - Water
- South Block - Urban Expansion Area 4A
 - Administration
 - Wastewater
 - Water
- South Block - Urban Expansion Area 4B
 - Administration
 - Wastewater
 - Water

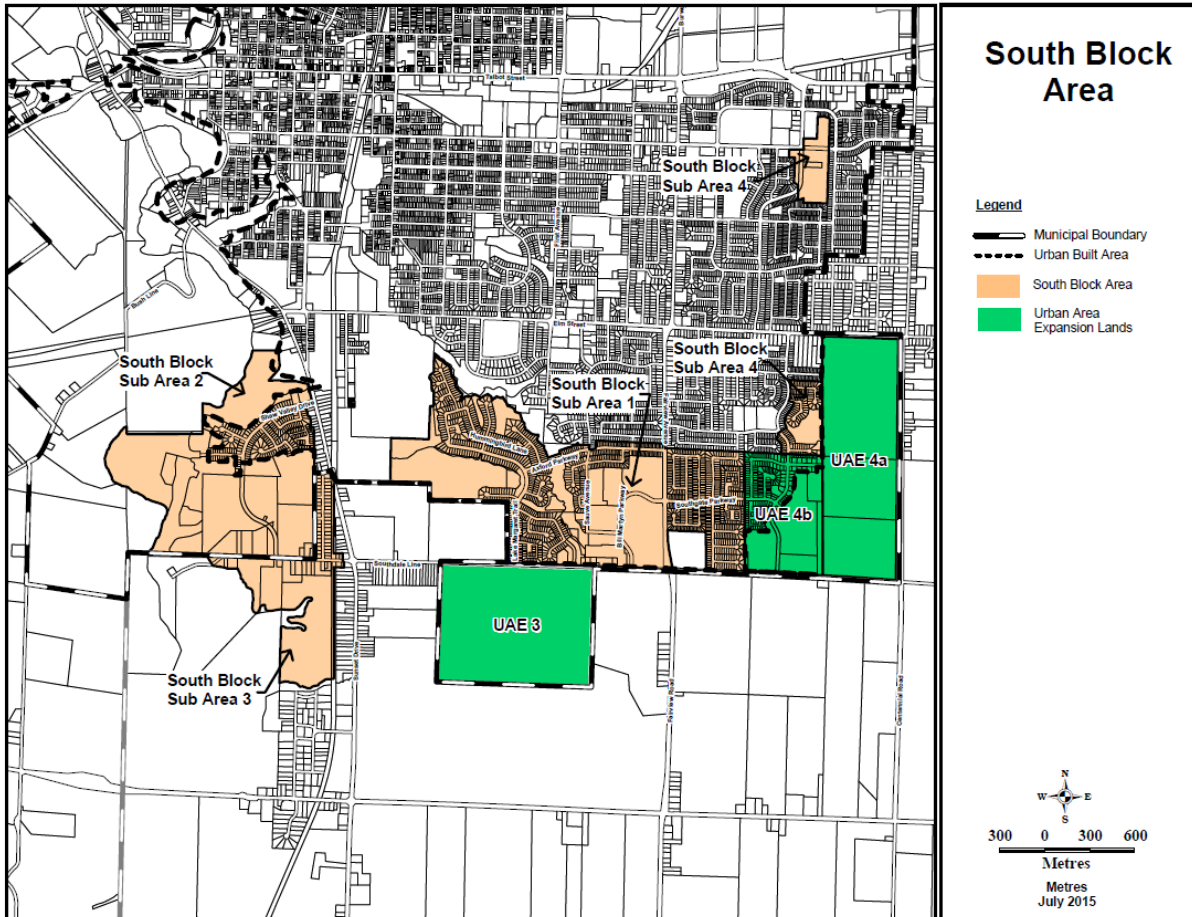


SCHEDULE "B"
TO BY-LAW XX-2020
SCHEDULE OF DEVELOPMENT CHARGES FOR THE SOUTH BLOCK AREA

Service	RESIDENTIAL				
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	Residential Care (per bed)
South Block - Sub Area 1					
Administration	5	3	2	4	2
Roads	-	-	-	-	-
Wastewater	942	591	378	756	382
Water	709	444	285	569	287
Total - South Block - Sub Area 1	1,655	1,038	665	1,329	671
South Block - Sub Area 2					
Administration	5	3	2	4	2
Roads	83	52	33	66	34
Wastewater	1,289	808	518	1,034	523
Water	728	456	292	584	295
Total - South Block - Sub Area 2	2,104	1,319	845	1,688	854
South Block - Sub Area 3					
Administration	4	3	2	4	2
Wastewater	1,184	742	476	950	480
Water	819	513	329	657	332
Total - South Block - Sub Area 3	2,007	1,258	807	1,611	814
South Block - Sub Area 4					
Wastewater	-	-	-	-	-
Water	187	117	75	150	76
Total - South Block - Sub Area 4	187	117	75	150	76
South Block - Urban Expansion Area 3					
Administration	5	3	2	4	2
Wastewater	376	236	151	302	152
Water	749	469	301	601	304
Total - South Block - Urban Expansion Area 3	1,129	708	454	907	458
South Block - Urban Expansion Area 4A					
Administration	3	2	1	3	1
Wastewater	1,019	639	409	818	413
Water	755	473	303	606	306
Total - South Block - Urban Expansion Area 4A	1,777	1,114	713	1,427	720
South Block - Urban Expansion Area 4B					
Administration	-	-	-	-	-
Wastewater	-	-	-	-	-
Water	-	-	-	-	-
Total - South Block - Urban Expansion Area 4B	-	-	-	-	-



SCHEDULE "C"
TO BY-LAW XX-2020
MAP OF SOUTH BLOCK AREA





Appendix I

Proposed Lands of Dalewood D.C. By-law

THE CORPORATION OF THE CITY OF ST. THOMAS

BY-LAW NUMBER XX-2020

A by-law to establish development charges for the Corporation of the City of St. Thomas – Dalewood

WHEREAS subsection 2(1) of the *Development Charges Act, 1997* c. 27 (hereinafter called "the Act") provides that the Council of a municipality may pass By-laws for the imposition of development charges against land for increased capital costs required because of the need for services arising from development in the area to which the by-law applies;

AND WHEREAS the Council of The Corporation of the City of St. Thomas ("City of St. Thomas") gave Notice in accordance with Section 12 of the Development Charges Act, 1997, of its intention to pass a by-law under Section 2 of the said Act;

AND WHEREAS the Council of the City of St. Thomas has heard all persons who applied to be heard no matter whether in objection to, or in support of, the development charge proposal at a public meeting held on _____, 2020;

AND WHEREAS by resolution adopted by the Council of the City of St. Thomas on _____, 2020, determined that no additional public meeting was required under Section 12 of the Act;

AND WHEREAS the Council of the City of St. Thomas had before it a report entitled Development Charges Background Study dated April 15, 2020, as amended on September 15, 2020 and October 13, 2020, wherein It is indicated that the development of any land within the City of St. Thomas will increase the need for services as defined herein;

AND WHEREAS the Council of the City of St. Thomas on _____, 2020, approved the applicable Development Charges Background Study, in which certain recommendations were made relating to the establishment of a development charge policy for the City of St. Thomas pursuant to the Development Charges Act, 1997;

AND WHEREAS by resolution adopted by Council of the City of St. Thomas on _____, 2020, Council has indicated Its intent that the future excess capacity identified in the Development Charges Background Study, dated April 15, 2020, as amended on September 15, 2020 and October 13, 2020 shall be paid for by development charges or other similar charges.

NOW THEREFORE THE COUNCIL OF THE CITY OF ST. THOMAS ENACTS AS FOLLOWS: DEFINITIONS

1. In this by-law,

- (1) "Accessory Use" means that the use, building or structure or part thereof is naturally and normally incidental to or subordinate in purpose or both, and exclusively devoted to a principal use, building or structure;
- (2) "Act" means the Development Charges Act, 1997, c. 27;
- (3) "Administration Service" means any and all studies carried out by the municipality which are with respect to eligible services for which a development charge by-law may be imposed under the Development Charges Act, 1997.
- (4) "Agricultural use" means a bona fide farming operation;
- (5) "Apartment dwelling" means any dwelling unit within a building containing more than four dwelling units where the units are connected by an interior corridor. Despite the foregoing, an apartment includes stacked townhouse dwellings;
- (6) "Bedroom" means a habitable room larger than seven square metres, including a den, study, or other similar area, but does not include a living room, dining room or kitchen;
- (7) "Board of education" means a board defined in s.s. 1(1) of the Education Act, R.S.O. 1990, c.E.2;
- (8) "Building Code Act" means the Building Code Act, R.S.O. 1992, c.23;
- (9) "Capital cost" means costs incurred or proposed to be incurred by the municipality or a local board thereof directly or by others on behalf of, and as authorized by, the municipality or local board,
 - (a) to acquire land or an interest in land, including a leasehold interest;
 - (b) to improve land;
 - (c) to acquire, lease, construct or improve buildings or structures
 - (d) to acquire, lease, construct or improve facilities including,
 - i. rolling stock with an estimated useful life of seven years or more,

- ii. furniture and equipment, other than computer equipment, and
 - iii. material acquired for circulation, reference or information purposes by a library board as defined in the Public Libraries Act, R.S.O. 1990, c.P.44, and
- (e) to undertake studies in connection with any of the matters referred to in clauses (a) to (d);
 - (f) to complete the development charge background study under Section 10 of the Act;
 - (g) interest on money borrowed to pay for costs in (a) to (d); required for provision of services designated in this by-law within or outside the municipality;
- (10) "Council" means the Council of The Corporation of the City of St. Thomas;
 - (11) "Commercial" means a building used for any use other than for residential, institutional or industrial uses, and includes self-storage facilities;
 - (12) "Development" means any activity or proposed activity in respect of land that requires one or more of the actions referred to in section 6 of this by-law and including the redevelopment of land or the redevelopment, expansion, extension or alteration of a use, building or structure except interior alterations to an existing building or structure which do not change or intensify the use of land;
 - (13) "Development charge" means a charge imposed pursuant to this By-law;
 - (14) "Dwelling unit" means a room or suite of rooms used, or designed or intended for use by, one person or persons living together, in which culinary and sanitary facilities may be provided for the exclusive use of such person or persons, including time share units;
 - (15) "Farm building" means that part of a bona fide farm operation encompassing barns, silos, and other ancillary development to an agricultural use, but excluding a residential use;
 - (16) "Gross floor area" means the total floor area measured from the exterior face of outside walls, or between the outside of exterior walls and the centre line of party

walls dividing the building from another building, including basements, mezzanines, and upper floors;

- (17) "Industrial Use" means lands, buildings or structures used or designed or intended for use for manufacturing, processing, fabricating or assembly of raw goods, warehousing or bulk storage of goods, excluding self-storage facilities and including office uses and the sale of commodities to the general public where such uses are accessory to an industrial use;
- (18) "Institutional" means land, buildings, structures or any part thereof used by any organization, group or association for promotion of charitable, educational or benevolent objectives and not for profit or gain. For the purposes of s.s.7(2) herein, 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;
- (19) "Local board" means a public utility commission, public library board, local board of health, or any other board, commission, committee or body or local authority established or exercising any power or authority under any general or special Act

with respect to any of the affairs or purposes of the municipality or any part or parts thereof;

- (20) "Local services" means those services or facilities which are under the jurisdiction of the municipality and are related to a plan of subdivision or within the area to which the plan relates, required as a condition of approval under s.51 of the Planning Act, or as a condition of approval under s.53 of the Planning Act;
- (21) "Multiple dwelling" means all dwellings other than single detached dwellings, semi-detached dwellings, apartment dwellings and residential care dwellings;
- (22) "Municipality" means The Corporation of the City of St. Thomas;
- (23) "Non-residential uses" means a building or structure used for other than a residential use;
- (24) "Owner" means the owner of land or a person who has made application for an approval for the development of land upon which a development charge is imposed;
- (25) "Planning Act" means the Planning Act, 1990, R.S.O. 1990, c.P.13 as amended;
- (26) "Regulation" means any regulation made pursuant to the Act;
- (27) "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;
- (28) "Residential care dwelling" means a building used for a rest home, nursing home, group home, residential care facility, and other similar residential occupancies;
- (29) "Residential uses" means lands, buildings or structures or portions thereof used, or designed or intended for use as a home or residence of one or more individuals, and shall include a single detached dwelling, a semi-detached dwelling, a multiple dwelling, an apartment dwelling, a residential care dwelling, and the residential portion of a mixed-use building or structure;
- (30) "Semi-detached dwelling" means a building that is divided vertically into two dwelling units each of which has an independent entrance or an entrance through a common vestibule and which building has no access directly between the two units;

- (31) "Services" means services or classes of service set out in Schedule "A" to this By-law;
- (32) "Single detached dwelling" means a completely detached building containing only one dwelling unit; and
- (33) "Stacked townhouse dwelling" means two townhouse dwellings, one on top of each other;

2. Calculation of Development Charges

- (1) Subject to the provisions of the By-law, development charges against land shall be imposed calculated and collected in accordance with the base rates set out in Schedule "B", which relate to the services set out in Schedule "A"
- (2) The development charge with respect to the uses of any land, building or structure shall be calculated as follows:
 - (a) in the case of residential development or redevelopment, or the residential portion of a mixed use development or redevelopment, as the sum of the product of the number of dwelling units of each type multiplied by the corresponding total amount for such dwelling unit type, as set out in Schedule "B";
 - (b) in the case of non-residential development or redevelopment, or the non-residential portion of a mixed use development or redevelopment, as the sum of the product of the gross floor area multiplied by the corresponding total amount for such gross floor area as set out in Schedule "B".
- (3) Council hereby determines that the development or redevelopment of land, buildings, or structures for residential and non-residential uses will require the provision, enlargement or expansion of the services referenced in Schedule "A".

Phasing of Development Charges

- 3. No phasing of the development charges imposed pursuant to this by-law are proposed.

4. Applicable Lands

- (1) Subject to Section 5, this by-law applies to all lands in the municipality, whether or not the land or use is exempt from taxation under Section 3 of the Assessment Act, R.S.O.1990, c.A.31.
- (2) This by-law shall not apply to land that is owned by and used for the purposes of:
 - (a) a board of education;
 - (b) any municipality or local board thereof; and
 - (c) an industrial use
 - (d) The creation of a second dwelling unit in prescribed classes of proposed new residential buildings, including structures ancillary to dwellings, subject to the following restrictions:

Item	Name of Class of Proposed New Residential Buildings	Description of Class of Proposed New Residential Buildings	Restrictions
1.	Proposed new detached dwellings	Proposed new residential buildings that would not be attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	The proposed new detached dwelling must only contain two dwelling units. The proposed new detached dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.
2.	Proposed new semi-detached dwellings or row dwellings	Proposed new residential buildings that would have one or two vertical walls, but no other parts, attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	The proposed new semi-detached dwelling or row dwelling must only contain two dwelling units. The proposed new semi-detached dwelling or row dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.
3.	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling and that are permitted to contain a single dwelling unit.	The proposed new detached dwelling, semi-detached dwelling or row dwelling, to which the proposed new residential building would be ancillary, must only contain one dwelling unit. The gross floor area of the dwelling unit in the proposed new residential building must be equal to or less than the gross floor area of the detached dwelling, semi-detached dwelling or row dwelling to which the proposed new residential building is ancillary.

5. Rules with Respect to Exemptions for Intensification of Existing Housing

- (1) Notwithstanding Section 4 above, no development charge shall be imposed with respect to developments or portions of developments as follows:
 - (a) the enlargement of an existing residential dwelling unit;
 - (b) the creation of one or two additional residential dwelling units in an existing, or ancillary to, a single detached dwelling where the total gross floor area of the additional unit(s) does not exceed the gross floor area of the existing dwelling unit;
 - (c) the creation of one additional dwelling unit in any other existing residential building or ancillary structures provided the gross floor area of the additional unit does not exceed the smallest existing dwelling unit already in the building;
- (2) Notwithstanding subsection 5(1)(b), development charges shall be calculated and collected in accordance with Schedule "B" where the total residential gross floor area of the additional one or two dwelling units is greater than the total gross floor area of the existing single detached dwelling unit.
- (3) Notwithstanding subsection 5(1)(c), development charges shall be calculated and collected in accordance with Schedule "B" where the additional dwelling unit has a residential gross floor area greater than,
 - (a) in the case of semi-detached house or multiple dwelling, the gross floor area of the existing dwelling unit, and
 - (b) in the case of any other residential building, the residential gross floor area of the smallest existing dwelling unit.

6. Development Charges Imposed

- (1) Subject to subsection (2), development charges shall be calculated and collected in accordance with the provisions of this by-law and be imposed on land to be developed for residential and non-residential uses, where, the development requires,
 - (a) the passing of a zoning by-law or an amendment thereto 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 subsection 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 9 of the Condominium Act, R.S.O. 1998, S.O.1998, c.19; or
 - (g) the issuing of a permit under the Building Code Act, in relation to a building or structure.
- (2) Subsection (1) shall not apply in respect to
- (a) local services installed or paid for by the owner within a plan of subdivision or within the area to which the plan relates, as a condition of approval under Section 51 of the Planning Act;
 - (b) local services installed or paid for by the owner as a condition of approval under Section 53 of the Planning Act.

Local Service Installation

7. Nothing in this by-law prevents Council from requiring, as a condition of an agreement under Section 51 or 53 of the Planning Act that the owner, at his or her own expense, shall install or pay for such local services, within the Plan of Subdivision or within the area to which the plan relates, as Council may require.

8. Multiple Charges

- (1) Where two or more of the actions described in subsection 6(1) are required before land to which a development charge applies can be developed, only one development charge shall be calculated and collected in accordance with the provisions of this by-law.
- (2) Notwithstanding subsection (1), if two or more of the actions described in subsection 6(1) occur at different times, and if the subsequent action has the effect of Increasing the need for municipal services as set out in Schedule "A", an additional development charge on the additional residential units and additional gross floor area shall be calculated and collected In accordance with the provisions of this by-law.

9. Services in Lieu

- (1) Council may authorize an owner, through an agreement under Section 38 of the Act, to substitute such part of the development charge applicable to the owner's development as may be specified in the agreement, by the provision at the sole expense of the owner, of services in lieu. Such agreement shall further specify that where the owner provides services in lieu in accordance with the agreement, Council shall give to the owner a credit against the development charge in accordance with the agreement provisions and the provisions of Section 39 of the Act, equal to the reasonable cost to the owner of providing the services in lieu. In no case shall the agreement provide for a credit which exceeds the total development charge payable by an owner to the municipality in respect of the development to which the agreement relates.
- (2) In any agreement under subsection (1), Council may also give a further credit to the owner equal to the reasonable cost of providing the services in addition to, or of a greater size of capacity, than would be required under this by-law.
- (3) The credit provided for in subsection (2) shall not be charged to any development charge reserve fund.

Rules with Respect to Redevelopment

10. In the case of the demolition or conversion of all or part of a residential or non-residential building or structure:

- (1) a credit shall be allowed, provided that the land was improved by occupied structures (or structures capable of occupancy) within the five years prior to the issuance of the building permit, and the building permit has been issued for the development or redevelopment within five years from the date the demolition or change of use permit has been issued; and
- (2) if a development or redevelopment involves the demolition of and replacement of a building or structure or conversion of a building or structure, a credit shall be allowed equivalent to:
 - (a) in the case of residential redevelopment, the number of dwelling units demolished or converted multiplied by the applicable residential development charge in place at the time the development charge is payable,

- (b) in the case of non-residential, the amount of gross floor area demolished or converted multiplied by applicable development charge in place at the time the development charge is payable.
- (3) A credit can, in no case, exceed the amount of the development charge that would otherwise be payable, and
- (4) (2) No credit is available for the redevelopment of an industrial use.

11. Timing and Calculation of Payment

- (1) Development charges shall be calculated and payable in full in money or by provision of services as may be agreed upon, or by credit granted under the Act, on the date that the first building permit is issued in relation to a building or structure on land to which a development charge applies.
- (2) Where development charges apply to land in relation to which a building permit is required, the building permit shall not be issued until the development charge has been paid in full.
- (3) Notwithstanding Subsections 11.(1), the development charges shall be payable with respect to an approval of a plan of subdivision upon registration of the plan of subdivision.
- (4) Notwithstanding Subsections 11.(1), 11.(2) and 11.(3), 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 occupancy, and each subsequent installment, including interest, payable on the anniversary date each year thereafter.
- (5) Notwithstanding Subsection 11.(1), 11.(2) and 11.(3), Development Charges for non-profit housing developments are due and payable in 21 installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest, payable on the anniversary date each year thereafter;
- (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 11.(1), 11.(2), 11.(3), 11.(4), and 11.(5) shall be calculated on the rates set out in Schedule "A" on the date of the planning

application, including interest. Where both planning applications apply Development Charges under Subsections 11.(1), 11.(2), 11.(3), 11.(4), and 11.(5) shall be calculated on the rates, including interest, set out in Schedule "B" on the date of the later planning application, including interest.

- (7) Interest for the purposes of Subsections 11.(3), 11.(4), and 11.(5), interest shall be determined as the prime lending rate.

12. Reserve Funds

- (1) Monies received from payment of development charges under this by-law shall be maintained in separate reserve funds as per the listing of services in Schedule "A".
- (2) Where more than one capital project underlying the service category referred to in subsection (1) has been sufficiently completed, whether at the same time or at a later date, reimbursement to the involved parties will be provided on the proportionate basis of the costs of the works completed. In order for capital projects to be deemed sufficiently complete, the works will be subject to review and approval of the Director, Environmental Services & City Engineer.
- (3) Monies received for the payment of development charges shall be used only in accordance with the provisions of Section 35 of the Act.
- (4) Where any development charge, or part thereof, remains unpaid after the due date, the amount unpaid shall be added to the tax roll and shall be collected as taxes.
- (5) Where any unpaid development charges are collected as taxes under subsection (4), the monies so collected shall be credited to the development charge reserve funds referred to in subsection (1).
- (6) The Treasurer of the Municipality shall, in each year, furnish to Council a statement in respect of the reserve funds established hereunder for the prior year, containing the information set out in Section 12 of O.Reg. 82198.
- (7) The Wastewater Services (UEA 4B Only) Reserve Fund has been established to replace a section of wastewater sewer at the intersection of Fairview Avenue and Axford Parkway which may not be required. If the replacement of the sewer is not required, subject to the review and approval of the Director, Environmental Services, & City Engineer, then the monies collected to date in the fund shall be refunded to

the contributing developer(s) with interest in accordance with Section 13(2) of the By-Law

13. By-Law Amendment or Appeal

- (1) Where this by-law or any development charge prescribed hereunder is amended or repealed either by order of the Ontario Municipal Board or by resolution of the Municipal Council, the Municipal Treasurer shall calculate forthwith the amount of any overpayment to be refunded as a result of said amendment or repeal.
- (2) Refunds that are required to be paid under subsection (1) shall be paid with interest to be calculated as follows:
 - (a) Interest shall be calculated from the date on which the overpayment was collected to the date on which the refund is paid;
 - (b) The Bank of Canada interest rate in effect on the date of enactment of this by-law shall be used.
- (3) Refunds that are required to be paid under subsection (1) shall include the interest owed under this section.

By-Law Indexing

14. The development charges set out in Schedule "B" to this by-law shall be adjusted annually on April 1st, without amendment to this by-law, in accordance with the most recent twelve month change in the Statistics Canada Non-Residential Building Construction Price Index for Toronto"

Severability

15. In the event any provision, or part thereof, of this by-law is found by a court of competent jurisdiction to be ultra vires, such provision, or part thereof, shall be deemed to be severed, and the remaining portion of such provision and all other provisions of this by-law shall remain in full force and effect.

Headings for Reference Only

16. The headings inserted in this by-law are for convenience of reference only and shall not affect the construction of interpretation of this by-law.

By-Law Registration

17. A certified copy of this by-law may be registered on title to any land to which this by-law applies.

By-Law Administration

18. This by-law shall be administered by the Municipal Treasurer.

Schedules to the By-Law

19. The following Schedules to this by-law form an integral part of this by-law:

Schedule "A" – Designated Municipal Services

Schedule "B" – Schedule of Area-Specific Development Charges

Schedule "C" Map of Lands of Dalewood

Existing By-law Repeal

20. By-law 83-2015 is repealed effective on _____, 202_.

Date By-law Effective

21. This By-law shall come into force and effect on _____, 202_.

Date By-Law Expires

22. This by-law will expire five years after the effective date of this by-law, unless it is repealed by Council at an earlier date.

Short Title

23. This by-law may be cited as the "City of St. Thomas Development Charge By-law – Lands of Dalewood, 202_."

Passed by the Council this ___th day of _____, 202_.

Mayor

City Clerk

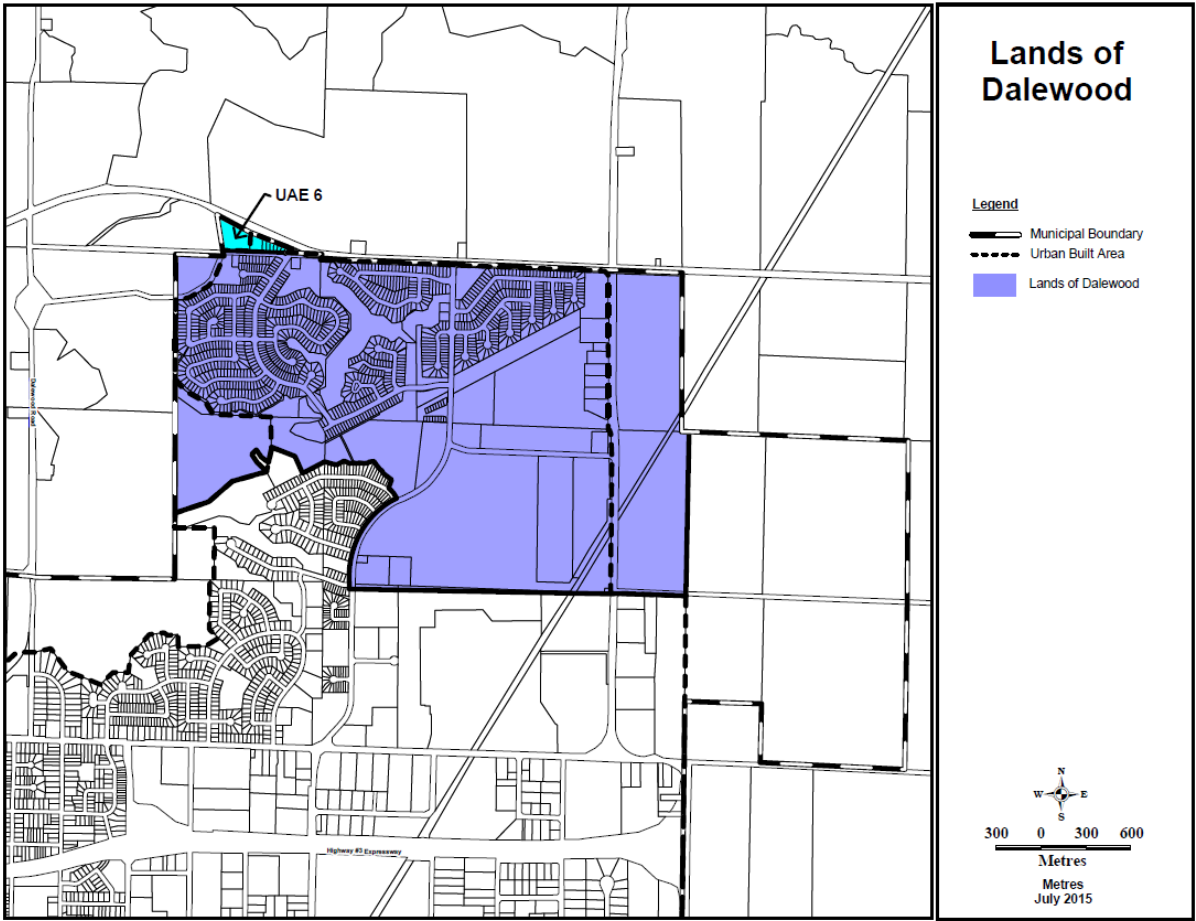
SCHEDULE "A"
TO BY-LAW XX-2020
DESIGNATED /CLASSES OF SERVICE UNDER THIS BY-LAW

- Administration
- Wastewater

SCHEDULE "B"
TO BY-LAW XX-2020
SCHEDULE OF DEVELOPMENT CHARGES FOR THE LANDS OF DALEWOOD

Service	RESIDENTIAL					NON-RESIDENTIAL	
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	Residential Care (per bed)	Industrial (per sq.ft. of Gross Floor Area)	Non-Industrial (per sq.ft. of Gross Floor Area)
Dalewood Lands							
Administration	-	-	-	-	-		7.66
Wastewater	-	-	-	-	-	46.94	38.82
Total - Dalewood Lands	-	-	-	-	-	46.94	46.48

SCHEDULE "C"
TO BY-LAW XX-2020
MAP OF LANDS OF DALEWOOD





Appendix J

Proposed Northwest Area 1 D.C. By-law

THE CORPORATION OF THE CITY OF ST. THOMAS

BY-LAW NUMBER XX-2020

A by-law to establish development charges for the Corporation of the City of St. Thomas – Northwest Area 1

WHEREAS subsection 2(1) of the *Development Charges Act, 1997* c. 27 (hereinafter called "the Act") provides that the Council of a municipality may pass By-laws for the imposition of development charges against land for increased capital costs required because of the need for services arising from development in the area to which the by-law applies;

AND WHEREAS the Council of The Corporation of the City of St. Thomas ("City of St. Thomas") gave Notice in accordance with Section 12 of the *Development Charges Act, 1997*, of its intention to pass a by-law under Section 2 of the said Act;

AND WHEREAS the Council of the City of St. Thomas has heard all persons who applied to be heard no matter whether in objection to, or in support of, the development charge proposal at a public meeting held on _____, 2020;

AND WHEREAS by resolution adopted by the Council of the City of St. Thomas on _____, 2020, determined that no additional public meeting was required under Section 12 of the Act;

AND WHEREAS the Council of the City of St. Thomas had before it a report entitled *Development Charges Background Study* dated April 15, 2020, as amended on September 15, 2020 and October 13, 2020, wherein It is indicated that the development of any land within the City of St. Thomas will increase the need for services as defined herein;

AND WHEREAS the Council of the City of St. Thomas on _____, 2020, approved the applicable *Development Charges Background Study*, in which certain recommendations were made relating to the establishment of a development charge policy for the City of St. Thomas pursuant to the *Development Charges Act, 1997*;

AND WHEREAS by resolution adopted by Council of the City of St. Thomas on _____, 2020, Council has indicated Its intent that the future excess capacity identified in the *Development Charges Background Study*, dated April 15, 2020, as amended on September 15, 2020 and October 13, 2020 shall be paid for by development charges or other similar charges.

NOW THEREFORE THE COUNCIL OF THE CITY OF ST. THOMAS ENACTS AS FOLLOWS: DEFINITIONS

1. In this by-law,

- (1) "Accessory Use" means that the use, building or structure or part thereof is naturally and normally incidental to or subordinate in purpose or both, and exclusively devoted to a principal use, building or structure;
- (2) "Act" means the Development Charges Act, 1997, c. 27;
- (3) "Administration Service" means any and all studies carried out by the municipality which are with respect to eligible services for which a development charge by-law may be imposed under the Development Charges Act, 1997.
- (4) "Agricultural use" means a bona fide farming operation;
- (5) "Apartment dwelling" means any dwelling unit within a building containing more than four dwelling units where the units are connected by an interior corridor. Despite the foregoing, an apartment includes stacked townhouse dwellings;
- (6) "Bedroom" means a habitable room larger than seven square metres, including a den, study, or other similar area, but does not include a living room, dining room or kitchen;
- (7) "Board of education" means a board defined in s.s. 1(1) of the Education Act, R.S.O. 1990, c.E.2;
- (8) "Building Code Act" means the Building Code Act, R.S.O. 1992, c.23;
- (9) "Capital cost" means costs incurred or proposed to be incurred by the municipality or a local board thereof directly or by others on behalf of, and as authorized by, the municipality or local board,
 - (a) to acquire land or an interest in land, including a leasehold interest;
 - (b) to improve land;
 - (c) to acquire, lease, construct or improve buildings or structures
 - (d) to acquire, lease, construct or improve facilities including,
 - i. rolling stock with an estimated useful life of seven years or more,

- ii. furniture and equipment, other than computer equipment, and
 - iii. material acquired for circulation, reference or information purposes by a library board as defined in the Public Libraries Act, R.S.O. 1990, c.P.44, and
- (e) to undertake studies in connection with any of the matters referred to in clauses (a) to (d);
 - (f) to complete the development charge background study under Section 10 of the Act;
 - (g) interest on money borrowed to pay for costs in (a) to (d); required for provision of services designated in this by-law within or outside the municipality;
- (10) "Council" means the Council of The Corporation of the City of St. Thomas;
 - (11) "Commercial" means a building used for any use other than for residential, institutional or industrial uses, and includes self-storage facilities;
 - (12) "Development" means any activity or proposed activity in respect of land that requires one or more of the actions referred to in section 6 of this by-law and including the redevelopment of land or the redevelopment, expansion, extension or alteration of a use, building or structure except interior alterations to an existing building or structure which do not change or intensify the use of land;
 - (13) "Development charge" means a charge imposed pursuant to this By-law;
 - (14) "Dwelling unit" means a room or suite of rooms used, or designed or intended for use by, one person or persons living together, in which culinary and sanitary facilities may be provided for the exclusive use of such person or persons, including time share units;
 - (15) "Farm building" means that part of a bona fide farm operation encompassing barns, silos, and other ancillary development to an agricultural use, but excluding a residential use;
 - (16) "Gross floor area" means the total floor area measured from the exterior face of outside walls, or between the outside of exterior walls and the centre line of party

walls dividing the building from another building, including basements, mezzanines, and upper floors;

- (17) "Industrial Use" means lands, buildings or structures used or designed or intended for use for manufacturing, processing, fabricating or assembly of raw goods, warehousing or bulk storage of goods, excluding self-storage facilities and including office uses and the sale of commodities to the general public where such uses are accessory to an industrial use;
- (18) "Institutional" means land, buildings, structures or any part thereof used by any organization, group or association for promotion of charitable, educational or benevolent objectives and not for profit or gain. For the purposes of s.s.7(2) herein, 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;
- (19) "Local board" means a public utility commission, public library board, local board of health, or any other board, commission, committee or body or local authority established or exercising any power or authority under any general or special Act

with respect to any of the affairs or purposes of the municipality or any part or parts thereof;

- (20) "Local services" means those services or facilities which are under the jurisdiction of the municipality and are related to a plan of subdivision or within the area to which the plan relates, required as a condition of approval under s.51 of the Planning Act, or as a condition of approval under s.53 of the Planning Act;
- (21) "Multiple dwelling" means all dwellings other than single detached dwellings, semi-detached dwellings, apartment dwellings and residential care dwellings;
- (22) "Municipality" means The Corporation of the City of St. Thomas;
- (23) "Non-residential uses" means a building or structure used for other than a residential use;
- (24) "Owner" means the owner of land or a person who has made application for an approval for the development of land upon which a development charge is imposed;
- (25) "Planning Act" means the Planning Act, 1990, R.S.O. 1990, c.P.13 as amended;
- (26) "Regulation" means any regulation made pursuant to the Act;
- (27) "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;
- (28) "Residential care dwelling" means a building used for a rest home, nursing home, group home, residential care facility, and other similar residential occupancies;
- (29) "Residential uses" means lands, buildings or structures or portions thereof used, or designed or intended for use as a home or residence of one or more individuals, and shall include a single detached dwelling, a semi-detached dwelling, a multiple dwelling, an apartment dwelling, a residential care dwelling, and the residential portion of a mixed-use building or structure;
- (30) "Semi-detached dwelling" means a building that is divided vertically into two dwelling units each of which has an independent entrance or an entrance through a common vestibule and which building has no access directly between the two units;

- (31) "Services" means services or classes of service set out in Schedule "A" to this By-law;
- (32) "Single detached dwelling" means a completely detached building containing only one dwelling unit; and
- (33) "Stacked townhouse dwelling" means two townhouse dwellings, one on top of each other;

2. Calculation of Development Charges

- (1) Subject to the provisions of the By-law, development charges against land shall be imposed calculated and collected in accordance with the base rates set out in Schedule "B", which relate to the services set out in Schedule "A"
- (2) The development charge with respect to the uses of any land, building or structure shall be calculated as follows:
 - (a) in the case of residential development or redevelopment, or the residential portion of a mixed use development or redevelopment, as the sum of the product of the number of dwelling units of each type multiplied by the corresponding total amount for such dwelling unit type, as set out in Schedule "B";
 - (b) in the case of non-residential development or redevelopment, or the non-residential portion of a mixed use development or redevelopment, as the sum of the product of the gross floor area multiplied by the corresponding total amount for such gross floor area as set out in Schedule "B".
- (3) Council hereby determines that the development or redevelopment of land, buildings, or structures for residential and non-residential uses will require the provision, enlargement or expansion of the services referenced in Schedule "A".

Phasing of Development Charges

- 3. No phasing of the development charges imposed pursuant to this by-law are proposed.

4. Applicable Lands

- (1) Subject to Section 5, this by-law applies to all lands in the municipality, whether or not the land or use is exempt from taxation under Section 3 of the Assessment Act, R.S.O.1990, c.A.31.
- (2) This by-law shall not apply to land that is owned by and used for the purposes of:
 - (a) a board of education;
 - (b) any municipality or local board thereof;
 - (c) a hospital under the Public Hospitals Act;
 - (d) a college or university;
 - (e) a cemetery or place of worship;
 - (f) an industrial use; and
 - (g) The creation of a second dwelling unit in prescribed classes of proposed new residential buildings, including structures ancillary to dwellings, subject to the following restrictions:

Item	Name of Class of Proposed New Residential Buildings	Description of Class of Proposed New Residential Buildings	Restrictions
1.	Proposed new detached dwellings	Proposed new residential buildings that would not be attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	<p>The proposed new detached dwelling must only contain two dwelling units.</p> <p>The proposed new detached dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.</p>
2.	Proposed new semi-detached dwellings or row dwellings	Proposed new residential buildings that would have one or two vertical walls, but no other parts, attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	<p>The proposed new semi-detached dwelling or row dwelling must only contain two dwelling units.</p> <p>The proposed new semi-detached dwelling or row dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.</p>
3.	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling and that are permitted to contain a single dwelling unit.	<p>The proposed new detached dwelling, semi-detached dwelling or row dwelling, to which the proposed new residential building would be ancillary, must only contain one dwelling unit.</p> <p>The gross floor area of the dwelling unit in the proposed new residential building must be equal to or less than the gross floor area of the detached dwelling, semi-detached dwelling or row dwelling to which the proposed new residential building is ancillary.</p>

5. Rules with Respect to Exemptions for Intensification of Existing Housing

- (1) Notwithstanding Section 4 above, no development charge shall be imposed with respect to developments or portions of developments as follows:
 - (a) the enlargement of an existing residential dwelling unit;
 - (b) the creation of one or two additional residential dwelling units in an existing, or ancillary to, a single detached dwelling where the total gross floor area of the additional unit(s) does not exceed the gross floor area of the existing dwelling unit;
 - (c) the creation of one additional dwelling unit in any other existing residential building or ancillary structures provided the gross floor area of the additional unit does not exceed the smallest existing dwelling unit already in the building;
- (2) Notwithstanding subsection 5(1)(b), development charges shall be calculated and collected in accordance with Schedule "B" where the total residential gross floor area of the additional one or two dwelling units is greater than the total gross floor area of the existing single detached dwelling unit.
- (3) Notwithstanding subsection 5(1)(c), development charges shall be calculated and collected in accordance with Schedule "B" where the additional dwelling unit has a residential gross floor area greater than,
 - (a) in the case of semi-detached house or multiple dwelling, the gross floor area of the existing dwelling unit, and
 - (b) in the case of any other residential building, the residential gross floor area of the smallest existing dwelling unit.

6. Development Charges Imposed

- (1) Subject to subsection (2), development charges shall be calculated and collected in accordance with the provisions of this by-law and be imposed on land to be developed for residential and non-residential uses, where, the development requires,

- (a) the passing of a zoning by-law or an amendment thereto 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 subsection 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 9 of the Condominium Act, R.S.O. 1998, S.O.1998, c.19; or
 - (g) the issuing of a permit under the Building Code Act, in relation to a building or structure.
- (2) Subsection (1) shall not apply in respect to
- (a) local services installed or paid for by the owner within a plan of subdivision or within the area to which the plan relates, as a condition of approval under Section 51 of the Planning Act;
 - (b) local services installed or paid for by the owner as a condition of approval under Section 53 of the Planning Act.

Local Service Installation

7. Nothing in this by-law prevents Council from requiring, as a condition of an agreement under Section 51 or 53 of the Planning Act that the owner, at his or her own expense, shall install or pay for such local services, within the Plan of Subdivision or within the area to which the plan relates, as Council may require.

8. Multiple Charges

- (1) Where two or more of the actions described in subsection 6(1) are required before land to which a development charge applies can be developed, only one development charge shall be calculated and collected in accordance with the provisions of this by-law.

- (2) Notwithstanding subsection (1), if two or more of the actions described in subsection 6(1) occur at different times, and if the subsequent action has the effect of Increasing the need for municipal services as set out in Schedule "A", an additional development charge on the additional residential units and additional gross floor area shall be calculated and collected In accordance with the provisions of this by-law.

9. Services in Lieu

- (1) Council may authorize an owner, through an agreement under Section 38 of the Act, to substitute such part of the development charge applicable to the owner's development as may be specified in the agreement, by the provision at the sole expense of the owner, of services in lieu. Such agreement shall further specify that where the owner provides services in lieu in accordance with the agreement, Council shall give to the owner a credit against the development charge in accordance with the agreement provisions and the provisions of Section 39 of the Act, equal to the reasonable cost to the owner of providing the services in lieu. In no case shall the agreement provide for a credit which exceeds the total development charge payable by an owner to the municipality in respect of the development to which the agreement relates.
- (2) In any agreement under subsection (1), Council may also give a further credit to the owner equal to the reasonable cost of providing the services in addition to, or of a greater size of capacity, than would be required under this by-law.
- (3) The credit provided for in subsection (2) shall not be charged to any development charge reserve fund.

Rules with Respect to Redevelopment

10. In the case of the demolition or conversion of all or part of a residential or non-residential building or structure:
 - (1) a credit shall be allowed, provided that the land was improved by occupied structures (or structures capable of occupancy) within the five years prior to the issuance of the building permit, and the building permit has been issued for the development or redevelopment within five years from the date the demolition or change of use permit has been issued; and

- (2) if a development or redevelopment involves the demolition of and replacement of a building or structure or conversion of a building or structure, a credit shall be allowed equivalent to:
 - (a) in the case of residential redevelopment, the number of dwelling units demolished or converted multiplied by the applicable residential development charge in place at the time the development charge is payable,
 - (b) in the case of non-residential, the amount of gross floor area demolished or converted multiplied by applicable development charge in place at the time the development charge is payable.
- (3) A credit can, in no case, exceed the amount of the development charge that would otherwise be payable, and
- (4) (2) No credit is available for the redevelopment of an industrial use.

11. Timing and Calculation of Payment

- (1) Development charges shall be calculated and payable in full in money or by provision of services as may be agreed upon, or by credit granted under the Act, on the date that the first building permit is issued in relation to a building or structure on land to which a development charge applies.
- (2) Where development charges apply to land in relation to which a building permit is required, the building permit shall not be issued until the development charge has been paid in full.
- (3) Notwithstanding Subsections 11.(1), the development charges shall be payable with respect to an approval of a plan of subdivision upon registration of the plan of subdivision.
- (4) Notwithstanding Subsections 11.(1), 11.(2) and 11.(3), 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 occupancy, and each subsequent installment, including interest, payable on the anniversary date each year thereafter.
- (5) Notwithstanding Subsection 11.(1), 11.(2) and 11.(3), Development Charges for non-profit housing developments are due and payable in 21 installments commencing with the first installment payable on the date of occupancy, and each

subsequent installment, including interest, payable on the anniversary date each year thereafter;

- (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 11.(1), 11.(2), 11.(3), 11.(4), and 11.(5) shall be calculated on the rates set out in Schedule "A" on the date of the planning application, including interest. Where both planning applications apply Development Charges under Subsections 11.(1), 11.(2), 11.(3), 11.(4), and 11.(5) shall be calculated on the rates, including interest, set out in Schedule "B" on the date of the later planning application, including interest.
- (7) Interest for the purposes of Subsections 11.(3), 11.(4), and 11.(5), interest shall be determined as the prime lending rate.

12. Reserve Funds

- (1) Monies received from payment of development charges under this by-law shall be maintained in separate reserve funds as per the listing of services in Schedule "A".
- (2) Where more than one capital project underlying the service category referred to in subsection (1) has been sufficiently completed, whether at the same time or at a later date, reimbursement to the involved parties will be provided on the proportionate basis of the costs of the works completed. In order for capital projects to be deemed sufficiently complete, the works will be subject to review and approval of the Director, Environmental Services & City Engineer.
- (3) Monies received for the payment of development charges shall be used only in accordance with the provisions of Section 35 of the Act.
- (4) Where any development charge, or part thereof, remains unpaid after the due date, the amount unpaid shall be added to the tax roll and shall be collected as taxes.
- (5) Where any unpaid development charges are collected as taxes under subsection (4), the monies so collected shall be credited to the development charge reserve funds referred to in subsection (1).

- (6) The Treasurer of the Municipality shall, in each year, furnish to Council a statement in respect of the reserve funds established hereunder for the prior year, containing the information set out in Section 12 of O.Reg. 82198.
- (7) The Wastewater Services (UEA 4B Only) Reserve Fund has been established to replace a section of wastewater sewer at the intersection of Fairview Avenue and Axford Parkway which may not be required. If the replacement of the sewer is not required, subject to the review and approval of the Director, Environmental Services, & City Engineer, then the monies collected to date in the fund shall be refunded to the contributing developer(s) with interest in accordance with Section 13(2) of the By-Law

13. By-Law Amendment or Appeal

- (1) Where this by-law or any development charge prescribed hereunder is amended or repealed either by order of the Ontario Municipal Board or by resolution of the Municipal Council, the Municipal Treasurer shall calculate forthwith the amount of any overpayment to be refunded as a result of said amendment or repeal.
- (2) Refunds that are required to be paid under subsection (1) shall be paid with interest to be calculated as follows:
 - (a) Interest shall be calculated from the date on which the overpayment was collected to the date on which the refund is paid;
 - (b) The Bank of Canada interest rate in effect on the date of enactment of this by-law shall be used.
- (3) Refunds that are required to be paid under subsection (1) shall include the interest owed under this section.

By-Law Indexing

14. The development charges set out in Schedule "B" to this by-law shall be adjusted annually on April 1st, without amendment to this by-law, in accordance with the most recent twelve month change in the Statistics Canada Non-Residential Building Construction Price Index for Toronto"

Severability

15. In the event any provision, or part thereof, of this by-law is found by a court of competent jurisdiction to be ultra vires, such provision, or part thereof, shall be deemed to be severed, and the remaining portion of such provision and all other provisions of this by-law shall remain in full force and effect.

Headings for Reference Only

16. The headings inserted in this by-law are for convenience of reference only and shall not affect the construction of interpretation of this by-law.

By-Law Registration

17. A certified copy of this by-law may be registered on title to any land to which this by-law applies.

By-Law Administration

18. This by-law shall be administered by the Municipal Treasurer.

Schedules to the By-Law

19. The following Schedules to this by-law form an integral part of this by-law:

Schedule "A" – Designated Municipal Services

Schedule "B" – Schedule of Area-Specific Development Charges

Schedule "C" Map of Northwest Areas 1

Date By-law Effective

20. This By-law shall come into force and effect on _____, 202_.

Date By-Law Expires

21. This by-law will expire five years after the effective date of this by-law, unless it is repealed by Council at an earlier date.

Short Title

22. This by-law may be cited as the "City of St. Thomas Development Charge By-law – Northwest Area 1, 202_."

Passed by the Council this __th day of _____, 202_.

Mayor

City Clerk

SCHEDULE "A"
TO BY-LAW XX-2020
DESIGNATED SERVICES/CLASSES OF SERVICES UNDER THIS BY-LAW

- Roads
- Wastewater
- Water
- Administration



SCHEDULE "B"
TO BY-LAW XX-2020
SCHEDULE OF DEVELOPMENT CHARGES FOR THE NORTHWEST AREA 1

Service	RESIDENTIAL				
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	Residential Care (per bed)
Northwest Area 1					
Roads	1,587	995	637	1,273	644
Wastewater	3,637	2,280	1,461	2,918	1,475
Water	3,356	2,104	1,348	2,693	1,361
Administration	234	147	94	188	95
Total - Northwest Area 1	8,815	5,526	3,540	7,072	3,575



SCHEDULE "C"
TO BY-LAW XX-2020
MAP OF NORTHWEST AREA 1

