



 **Watson  
& Associates**  
ECONOMISTS LTD.

# Development Charges Background Study

Municipality of Port Hope

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## List of Acronyms and Abbreviations

<b>Acronym</b>	<b>Full Description of Acronym</b>
A.M.P.	Asset management plan
CANSIM	Canadian Socio-Economic Information Management System (Statistics Canada)
C.I.P.A.	Community Improvement Project Areas
D.C.	Development charge
D.C.A.	<i>Development Charges Act, 1997, as amended</i>
ERASE	Environmental, Remediation, and Site Enhancement
F.I.R.	Financial Information Return
G.F.A.	Gross floor area
M.O.E.C.P.	Ministry of the Environment, Conservation and Parks
N.F.P.O.W.	No fixed place of work
O.L.T.	Ontario Land Tribunal
O.P.A.	Official Plan Amendment
O. Reg.	Ontario Regulation
P.O.A.	Provincial Offences Act
P.P.U.	Persons per unit
S.D.E.	Single detached equivalent
S.D.U.	Single detached unit
S.W.M.	Stormwater management
sq.ft.	square foot
sq.m.	square metre



# Report



# Chapter 1

## Introduction





# 1. Introduction

## 1.1 Purpose of this Document

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This background study has been prepared pursuant to the requirements of the *Development Charges Act, 1997*, as amended, (D.C.A.) and, accordingly, recommends development charges (D.C.s) and policies for the Municipality of Port Hope (Municipality).

The Municipality retained Watson & Associates Economists Ltd. (Watson), in association with engineering consulting firm CIMA+, to undertake the D.C. study process in 2024. Watson worked with the Municipality's staff in preparing the D.C. analysis and policy recommendations.

This D.C. background study, containing the proposed D.C. by-laws, 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 Municipality's D.C. background study, as summarized in Chapter 4. The forecast amount, type, and location of development is summarized in Chapter 3, with technical details provided in Appendix A. Chapters 5 and 6 identify the increase in need by service, calculate the D.C. recoverable capital costs and schedule of charges by type of development. The requirement for "rules" governing the imposition of the D.C. is provided in Chapter 7. The proposed D.C. by-laws, to be made available to the public as part of the approval process, are included as Appendices F through M.

The background study is designed to set out sufficient background on the legislation, the Municipality's current D.C. policies (Chapter 2), and the policies underlying the proposed by-laws, to make the exercise understandable to those who are involved. The D.C. background study addresses post-adoption implementation requirements (Chapter 8) 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.



## 1.2 Summary of the Process

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The public meeting required under Section 12 of the D.C.A. is scheduled for June 18, 2024. Its purpose is to present the background study and draft D.C. by-laws to the public and to solicit public input on the matter. The public meeting is also being held to answer any questions regarding the study's purpose, methodology, and the proposed policies contained within the draft D.C. by-laws. In accordance with the legislation requiring that the D.C. background study and draft by-law be made available the public at least two weeks prior to the public meeting, the D.C. Background Study and proposed D.C. By-laws will be available for public review on May 10, 2024. This timing of release also complies with the legislative requirement for the background study to be available for public review at least 60 days prior to by-law passage. The Municipality anticipates Council consideration of the D.C. By-law for adoption on July 9, 2024.

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

- Municipality's consideration of responses received prior to, at, or immediately following the public meeting;
- Finalization of the D.C. Background Study and By-Law to address any required changes; and
- Council consideration of the D.C. By-laws, anticipated to occur on July 9, 2024.

Table 1-1 outlines the study process to date and the proposed schedule to be followed with respect to the D.C. by-law adoption process.



Table 1-1  
Schedule of Key D.C. Process Dates

Process Steps	Dates
1. Data collection, staff review, D.C. calculations and policy work	February 2024 to May 2024
2. Council information meeting	May 7, 2024
3. Public release of final D.C. Background Study and proposed by-law	May 10, 2024
4. Public meeting advertisement placed in newspaper(s)	By May 28, 2024
5. Public meeting of Council	June 18, 2024
6. Council considers adoption of background study and passage of by-laws	July 9, 2024
7. Newspaper notice given of by-law(s) passage	By 20 days after passage
8. Last day for by-law(s) appeal	40 days after passage
9. Municipality makes pamphlet available (where by-law(s) not appealed)	By 60 days after in force date

### 1.3 Changes to the Development Charges Act, 1997

Over the past several years, a number of changes to the Development Charges Act, 1997 have been introduced through various legislation including the following:

- *More Homes, More Choice Act, 2019;*
- *Plan to Build Ontario Together Act, 2019;*
- *COVID-19 Economic Recovery Act, 2020;*
- *Better for People, Smarter for Business Act, 2020;*
- *More Homes for Everyone Act, 2022;*
- *More Homes Built Faster Act, 2022;*



- *Helping Homebuyers, Protecting Tenants Act, 2023*; and
- *Affordable Homes and Good Jobs Act, 2023*.

The following provides an overview of the amendments to the D.C.A. that each of these pieces of legislation provided.

It is also noted that on April 10, 2024 the *Cutting Red Tape to Build More Homes Act, 2024* was released and is currently in the legislative process. Section 1.3.9 provides details of the proposed changes to the D.C.A.

### **1.3.1 *More Homes, More Choice Act, 2019***

The Province introduced the *More Homes, More Choice Act* (Bill 108) which proposed changes to the D.C.A. as part of the province's "*More Homes, More Choice: Ontario's Housing Supply Action Plan*." The *More Homes, More Choice Act* received Royal Assent on June 6, 2019. At that time many of the amendments to the D.C.A. did not come into effect, awaiting proclamation by the Lieutenant Governor. On January 1, 2020, the following provisions were proclaimed:

- A D.C. for rental housing and institutional developments will be payable in six equal annual installments, with the first payment commencing on the date of occupancy. Non-profit housing developments will pay D.C.s in 21 equal annual payments (note, that further changes related to non-profit housing have been made under the *More Homes Built Faster Act*, as summarized below). Any unpaid D.C. amounts may be added to the tax roll and collected in the same manner as taxes.
- For all developments triggering a D.C. within two years of a Site Plan or Zoning By-law Amendment planning approval, the D.C. shall be determined based on the charges that were in effect on the date the planning application was submitted to the municipality. These provisions only apply to Site Plan and Zoning By-law Amendment planning applications received on or after January 1, 2020. These amendments do not affect developments approved under other planning application types (e.g., plan of subdivision, minor variance, etc.).
- The removal of the 10% statutory deduction for soft services, i.e., services limited to a 10-year forecast period.



### **1.3.2 Plan to Build Ontario Together Act, 2019**

The *Plan to Build Ontario Together Act, 2019* (Bill 138) provided further amendments to the D.C.A. and the *Planning Act*. This Act received Royal Assent on December 10, 2019. Proclamation resulted in the sections related to the D.C.A. (schedule 10) coming into effect on January 1, 2020. The amendments to the D.C.A. included the removal of instalment payments for commercial and industrial developments that were originally included in the *More Homes, More Choice Act*.

### **1.3.3 COVID-19 Economic Recovery Act, 2020**

In response to the global pandemic that began affecting Ontario in early 2020, the Province released the *COVID-19 Economic Recovery Act, 2020* (Bill 197) which provided amendments to a number of statutes, including the D.C.A. and *Planning Act*. The *COVID-19 Economic Recovery Act* further revised some of the proposed changes identified in the *More Homes, More Choice Act* and *Plan to Build Ontario Together Act*. The *COVID-19 Economic Recovery Act* received Royal Assent on July 21, 2020, and was proclaimed on September 18, 2020. The following provides a summary of the amendments to the D.C.A.:

#### **1.3.3.1 List of D.C. Eligible Services**

The D.C.A. previously defined ineligible services for D.C.s. The amendments to the D.C.A. now defined the services that are eligible for inclusion in a D.C. by-law. The following summarizes the D.C. eligible services:

- 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 (excluding the acquisition of land for parks);
- Public health services;
- Childcare and early years services;
- Housing services (Note that as per Bill 23, housing services are no longer eligible);
- Provincial Offences Act services;
- Services related to emergency preparedness;
- Services related to airports, but only in the Regional Municipality of Waterloo; and
- Additional services as prescribed.

### 1.3.3.2 *Classes of D.C. Services*

Prior to the amendments, the D.C.A. allowed for categories of services to be grouped together into a minimum of two categories, i.e., 90% services and 100% services. The amendments repealed these rules and replaced them with the following provisions:

- 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 as 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 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.

### 1.3.3.3 *Statutory Exemptions*

The D.C.A. provides for statutory exemptions from payment of D.C.s related to additional residential units, where the development is creating additional residential dwelling units within prescribed classes of existing residential buildings or structures. This statutory exemption has been expanded to include secondary residential dwelling units, in prescribed classes, that are ancillary to existing residential buildings. Furthermore, additional statutory exemptions are provided for the creation of a second dwelling unit in prescribed classes of proposed new residential buildings, including structures ancillary to new dwellings. Note, that further changes related to additional



residential units have been made under the *More Homes Built Faster Act*, as summarized in subsection 1.3.6 below.

### **1.3.4 Better for People, Smarter for Business Act, 2020**

On December 8, 2020, the *Better for People, Smarter for Business Act, 2020* (Bill 213) received Royal Assent. One of the changes of this Act amended the *Ministry of Training, Colleges and Universities Act* by exempting the development of land intended for use by a university that receives operating funds from the Government from the payment of D.C.s. As a result, this mandatory exemption is included in the Municipality's draft D.C. by-laws.

### **1.3.5 More Homes for Everyone Act, 2022**

On April 14, 2022, the *More Homes for Everyone Act, 2022* (Bill 109) received Royal Assent. One of the D.C.A. amendments, and O. Reg. 438/22, prescribed additional information to be included in the annual Treasurer's Statement on D.C. reserve funds and its publication. The following additional information must be provided for each service for which a D.C. is collected for during the year:

- a) whether, as of the end of the year, the municipality expects to incur the amount of capital costs that were estimated, in the relevant development charge background study, to be incurred during the term of the applicable development charge by-law;
- b) if the answer to a) is no, the amount the municipality now expects to incur and a statement as to why this amount is expected; and
- c) if no money was spent from the reserve fund during the year, a statement as to why there was no spending during the year.

These requirements have been further amended to require that the annual Treasurer's Statement be made available to the public on the municipality's website, or in the municipal office.

### **1.3.6 More Homes Built Faster Act, 2022**

The *More Homes Built Faster Act, 2022* (Bill 23) received Royal Assent on November 28, 2022. This Act amends several pieces of legislation including the *Planning Act* and the D.C.A. The following provides a summary of the amendments to the D.C.A.:



### 1.3.6.1 *Additional Residential Unit Exemption*

The rules for these exemptions are now provided in the D.C.A., rather than the regulations and are summarized as follows:

- Exemption for residential units in existing rental residential buildings – For rental residential buildings with four or more residential units, the greater of one unit or 1% of the existing residential units will be exempt from D.C.
- Exemption for additional residential units in existing and new residential buildings – The following developments will be exempt from a D.C.:
  - A second unit in a detached, semi-detached, or rowhouse if all buildings and ancillary structures cumulatively contain no more than one residential unit;
  - A third unit in a detached, semi-detached, or rowhouse if no buildings or ancillary structures contain any residential units; and
  - One residential unit in a building or structure ancillary to a detached, semi-detached, or rowhouse on a parcel of urban land, if the detached, semi-detached, or rowhouse contains no more than two residential units and no other buildings or ancillary structures contain any residential units.

### 1.3.6.2 *Removal of Housing as an Eligible D.C. Service*

Housing services is removed as an eligible service. Municipalities with by-laws that include a charge for housing services can no longer collect for this service.

### 1.3.6.3 *New Statutory Exemptions for Affordable Units, Attainable Units, Inclusionary Zoning Units, and Non-Profit Housing developments*

Affordable units, attainable units, inclusionary zoning units and non-profit housing developments are exempt from the payment of D.C.s, as follows:

- Affordable Rental Units: Where rent is no more than 80% of the average market rent as defined by a new bulletin published by the Ministry of Municipal Affairs and Housing.
- Affordable Owned Units: Where the price of the unit is no more than 80% of the average purchase price as defined by a new bulletin published by the Ministry of Municipal Affairs and Housing.





- Attainable Units: Excludes affordable units and rental units; will be defined as prescribed development or class of development and sold to a person who is at “arm’s length” from the seller.
  - Note: for affordable and attainable units, the municipality shall enter into an agreement that ensures the unit remains affordable or attainable for 25 years.
- Inclusionary Zoning Units: Affordable housing units required under inclusionary zoning by-laws are exempt from a D.C.
- Non-Profit Housing: Non-profit housing units are exempt from D.C.s and D.C. instalment payments due after November 28, 2022.

#### *1.3.6.4 Historical Level of Service extended to 15-year period instead of the historical 10-year period*

Prior to Royal Assent, the increase in need for service was limited by the average historical level of service calculated over the 10-year period preceding the preparation of the D.C. background study. This average is now extended to the historical 15-year period.

#### *1.3.6.5 Revised Definition of Capital Costs*

The definition of capital costs has been revised to remove studies. Further, the regulations to the Act can prescribe services for which land or an interest in land will be restricted. As at the time of writing, no services have been prescribed.

#### *1.3.6.6 Mandatory Phase-in of a D.C.*

For all D.C. by-laws passed after January 1, 2022, the charge must be phased-in annually over the first five years the by-law is in force, as follows:

- Year 1 – 80% of the maximum charge;
- Year 2 – 85% of the maximum charge;
- Year 3 – 90% of the maximum charge;
- Year 4 – 95% of the maximum charge; and
- Year 5 to expiry – 100% of the maximum charge.



### 1.3.6.7 *D.C. By-law Expiry*

A D.C. by-law now expires ten years after the day it comes into force unless the by-law provides for an earlier expiry or repeal date. This extends the by-law's life from what used to be a maximum of five years.

### 1.3.6.8 *Installment Payments*

Non-profit housing development has been removed from the instalment payment section of the D.C.A. under Section 26.1, as these units are now exempt from the payment of a D.C.

### 1.3.6.9 *Rental Housing Discount*

The D.C. payable for rental housing development will be reduced based on the number of bedrooms in each unit as follows:

- Three or more bedrooms – 25% reduction;
- Two bedrooms – 20% reduction; and
- All other bedroom quantities – 15% reduction.

### 1.3.6.10 *Maximum Interest Rate for Instalments and Determination of Charge for Eligible Site Plan and Zoning By-law Amendment Applications*

No maximum interest rate was previously prescribed, which allowed municipalities to choose the interest rate to impose. As per the *More Homes Built Faster Act, 2022*, the maximum interest rate is set at the average prime rate plus one percentage point. This maximum interest rate provision would apply to all instalment payments and eligible site plan and zoning by-law amendment applications occurring after November 28, 2022.

### 1.3.6.11 *Requirement to Allocate Funds Received*

Annually, beginning in 2023, municipalities will be required to spend or allocate at least 60% of the monies in a reserve fund at the beginning of the year for water services, wastewater services, and services related to a highway. Other services may be prescribed by the regulation.



### **1.3.7 Helping Homebuyers, Protecting Tenants Act, 2023**

The *Helping Homebuyers, Protecting Tenants Act* (Bill 97) received Royal Assent on June 8, 2023. This bill extends the mandatory exemption from payment of D.C.s for additional residential units in new residential buildings or in existing houses to all lands versus just urban lands.

### **1.3.8 Affordable Homes and Good Jobs Act, 2023**

The exemption for affordable residential units was included in the *More Homes Built Faster Act* enacted by the Province on November 28, 2022. Under this legislation, affordable residential units were defined within subsection 4.1 of the D.C.A. and exemptions for D.C.s were provided in respect of this definition. While the legislation was enacted in November 2022, the ability for municipalities to implement the exemptions required the Minister of Municipal Affairs and Housing to publish an “Affordable Residential Units for the Purposes of the Development Charges Act, 1997 Bulletin.” This bulletin would inform the average market rent and purchase price to be used in determining which developments qualify as affordable residential units. As of the time of writing, the Province has released the bulletin with an effective date of June 1, 2024.

The *Affordable Homes and Good Jobs Act, 2023* (Bill 134) received Royal Assent on December 4, 2023 and provides for a modification to the affordable residential unit definition by:

- Introducing an income-based test for affordable rent and purchase price; and
- Increasing the threshold for the market test of affordable rent and purchase price.

This change provides the exemption based on the lesser of the two measures.

Moreover, the rules in section 4.1 of the D.C.A. are unchanged with respect to:

- The tenant and purchaser transacting the affordable unit being at arm’s length;
- The intent of maintaining the affordable residential unit definition for a 25-year period, requiring an agreement with the municipality (which may be registered on title); and
- Exemptions for attainable residential units and associated rules (requiring further regulations).



The following table provides a comparison of the definitions provided through Bill 23 and those provided through Bill 134 (underlining added for emphasis).

Item	Bill 23 Definition	Bill 134 Definition (Current D.C.A. Definition)
Affordable residential unit rent (subsection 4.1 (2), paragraph 1)	The rent is no greater than <u>80 per cent of the average market rent</u> , as determined in accordance with subsection (5).	The rent is no greater than <u>the lesser of</u> , <ul style="list-style-type: none"> <li>i. the <u>income-based affordable rent</u> for the residential unit set out in the Affordable Residential Units bulletin, as identified by the Minister of Municipal Affairs and Housing in accordance with subsection (5), and</li> <li>ii. the <u>average market rent</u> identified for the residential unit set out in the Affordable Residential Units bulletin.</li> </ul>
Average market rent/rent based on income (subsection 4.1 (5)) for the purposes of subsection 4.1 (2), paragraph 1	The <u>average market rent for the year in which the residential unit is occupied by a tenant</u> , as identified in the bulletin entitled the “Affordable Residential Units for the Purposes of the Development Charges Act, 1997 Bulletin.”	The Minister of Municipal Affairs and Housing shall, <ul style="list-style-type: none"> <li>(a) determine the <u>income of a household</u> that, in the Minister’s opinion, is <u>at the 60<sup>th</sup> percentile of gross annual incomes for renter households in the applicable local municipality</u>; and</li> <li>(b) identify the <u>rent</u> that, in the Minister’s opinion, is <u>equal to 30 per cent of the income of the household</u> referred to in clause (a).</li> </ul>
Affordable residential unit ownership (subsection 4.1 (3), paragraph 1)	The price of the residential unit is no greater than <u>80 per cent of the average purchase price</u> , as determined in accordance with subsection (6).	The price of the residential unit is no greater than <u>the lesser of</u> , <ul style="list-style-type: none"> <li>i. the <u>income-based affordable purchase price</u> for the residential unit set out in the Affordable Residential</li> </ul>



Item	Bill 23 Definition	Bill 134 Definition (Current D.C.A. Definition)
		Units bulletin, as identified by the Minister of Municipal Affairs and Housing in accordance with subsection (6), and ii. <u>90 per cent of the average purchase price</u> identified for the residential unit set out in the Affordable Residential Units bulletin.
Average market purchase price/purchase price based on income (subsection 4.1 (6)) for the purposes of subsection 4.1 (3), paragraph 1	The <u>average purchase price for the year in which the residential unit is sold</u> , as identified in the bulletin entitled the “Affordable Residential Units for the Purposes of the Development Charges Act, 1997 Bulletin,” as it is amended from time to time, that is published by the Minister of Municipal Affairs and Housing on a website of the Government of Ontario.	The Minister of Municipal Affairs and Housing shall, (a) determine the <u>income of a household</u> that, in the Minister’s opinion, is at the <u>60<sup>th</sup> percentile of gross annual incomes for households in the applicable local municipality</u> ; and (b) identify the <u>purchase price</u> that, in the Minister’s opinion, <u>would result in annual accommodation costs equal to 30 per cent of the income of the household</u> referred to in clause (a)

### 1.3.9 Cutting Red Tape to Build More Homes Act, 2024

On April 10, 2024, the Ontario government introduced Bill 185: *Cutting Red Tape to Build More Homes Act, 2024* which proposes the following changes to the D.C.A.:

- The removal of the Mandatory Phase-in for D.C. by-laws passed after Bill 185 comes into effect;
- Reinstatement of studies as an eligible capital cost;
- A reduction to the D.C. rate freeze timelines for developments proceeding through site plan and zoning by-law amendment applications under the *Planning Act*. Charges are currently held at rates in place on the date the application is made



until building permit issuance, provided the building permit is issued within two years of the approval of the application. This time period is proposed to be reduced to 18 months under Bill 185 (note that the two-year timeline will still apply to applications received prior to Bill 185 coming into force);

- The ability to repeal a provision of the D.C. by-law specifying the date the by-law expires (subject to the 10-year by-law limitation provided in the D.C.A.);
- The ability to undertake minor D.C. by-law amendments for by-laws passed after November 28, 2022 and before Bill 185 takes effect, related to the inclusion of capital costs for studies and the removal of the mandatory D.C. phase-in; and
- To modernize public notice requirements to permit use of municipal websites where newspapers of general circulation are not available.

Bill 185 has not been enacted at the time of writing this D.C. Background Study. As such, the changes proposed have not been reflected in the D.C. calculations or draft by-laws contained herein. However, section 7.3.9 of this D.C. Background Study details how the D.C. calculations and draft by-laws would be amended should Bill 185 come into force before Council approves the draft D.C. by-laws.



# Chapter 2

## Current Municipality of Port Hope Development Charges Policies



## 2. Current Municipality of Port Hope Development Charges Policies

### 2.1 By-law Enactment

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On August 6, 2019 the Municipality enacted By-law 53/2019 under the D.C.A. The by-law imposes development charges by service/class of service for Municipality-wide services, as well as area-specific charges for urban-serviced areas. By-law 53/2019 is set to expire on August 4, 2024.

### 2.2 Services Covered

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The following services/classes of service are covered under By-law 53/2019:

#### Municipality-wide Services

- Roads and Related;
- Fire Protection Services;
- Parks and Recreation Services;
- Library Services; and
- Growth-related Studies.

#### Area-specific Services – Urban Area

- Police Services (Port Hope Police Services (P.H.P.S.)).

#### Area-specific Services – Urban-serviced Area

- Wastewater Services; and
- Water Services.

### 2.3 Current Development Charge Rates

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Table 2-1 provides the charges currently in effect for residential and non-residential development types, as well as the breakdown of the charges by service.





**Table 2-1  
Municipality of Port Hope Current Development Charges**

Service	Residential					Non-Residential	
	Single & Semi Detached	Other Multiples	Apartments with >= 2 Bedrooms	Apartments with < 2 Bedrooms	Special Care/Special Dwelling Units	All Other (per sq.ft. of G.F.A.)	Industrial (per sq.ft. of G.F.A.)
<b>Municipal-wide Services</b>							
Roads and Related	\$ 8,484	\$ 6,829	\$ 5,876	\$ 4,318	\$ 3,698	\$ 3.88	\$ -
Fire Protection Services	\$ 716	\$ 577	\$ 497	\$ 364	\$ 311	\$ 0.19	\$ -
Parks and Recreation Services	\$ 1,767	\$ 1,422	\$ 1,223	\$ 899	\$ 771	\$ 0.14	\$ -
Library Services	\$ 345	\$ 277	\$ 238	\$ 176	\$ 149	\$ 0.02	\$ -
Growth-related Studies	\$ 226	\$ 181	\$ 157	\$ 116	\$ 98	\$ 0.10	\$ -
<b>Total Municipal-wide Services</b>	<b>\$ 11,538</b>	<b>\$ 9,286</b>	<b>\$ 7,991</b>	<b>\$ 5,873</b>	<b>\$ 5,027</b>	<b>\$ 4.33</b>	<b>\$ -</b>
<b>Area Specific Services (Urban Area)</b>							
Police Services (PHPS)	\$ 514	\$ 413	\$ 356	\$ 261	\$ 224	\$ 0.19	\$ -
<b>Total Area Specific Services (Urban Area)</b>	<b>\$ 514</b>	<b>\$ 413</b>	<b>\$ 356</b>	<b>\$ 261</b>	<b>\$ 224</b>	<b>\$ 0.19</b>	<b>\$ -</b>
<b>Urban Services</b>							
Wastewater Treatment Plants	\$ 7,041	\$ 5,668	\$ 4,879	\$ 3,583	\$ 3,070	\$ 7.20	\$ 7.20
Wastewater	\$ 5,163	\$ 4,156	\$ 3,576	\$ 2,629	\$ 2,252	\$ 0.84	\$ 0.84
Water Treatment Plants	\$ 1,732	\$ 1,396	\$ 1,201	\$ 881	\$ 756	\$ 1.77	\$ 1.77
Water	\$ 1,780	\$ 1,434	\$ 1,233	\$ 908	\$ 779	\$ 1.82	\$ 1.82
<b>Total Urban Services</b>	<b>\$ 15,716</b>	<b>\$ 12,654</b>	<b>\$ 10,889</b>	<b>\$ 8,001</b>	<b>\$ 6,857</b>	<b>\$ 11.63</b>	<b>\$ 11.63</b>
<b>GRAND TOTAL RURAL AREA</b>	<b>\$ 11,538</b>	<b>\$ 9,286</b>	<b>\$ 7,991</b>	<b>\$ 5,873</b>	<b>\$ 5,027</b>	<b>\$ 4.33</b>	<b>\$ -</b>
<b>GRAND TOTAL URBAN AREA</b>	<b>\$ 27,768</b>	<b>\$ 22,353</b>	<b>\$ 19,236</b>	<b>\$ 14,135</b>	<b>\$ 12,108</b>	<b>\$ 16.15</b>	<b>\$ 11.63</b>



## 2.4 Indexing

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Development charges are adjusted annually on January 1<sup>st</sup> of each year, in accordance with the Statistics Canada Non-residential Building Construction Price Index.

## 2.5 Timing of D.C. Calculation and Payment

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Development charges are due and payable in full to the Municipality on the date a building permit is issued for any land, buildings or structures affected by the applicable development charge. However, rental housing and institutional developments will pay D.C.s in six equal annual payments commencing at occupancy. Moreover, the D.C. amount for all developments occurring within two years of a Site Plan or Zoning By-law Amendment planning approval (for applications submitted after January 1, 2020), shall be determined based on the D.C. rates that were in effect on the day that the applicable Site Plan or Zoning By-law Amendment application was deemed complete. The by-law also allows the Municipality to enter into alternative payment agreements with owners.

## 2.6 Redevelopment Credit

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Where, as a result of the redevelopment of land, a building or structure existing on the same land within four years prior to the date of payment of D.C.s in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate the redevelopment, the D.C.s otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

- a) In the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and
- b) In the case of a non-residential building or structure, or in the case of a mixed-use building or structure, the non-residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development



charge by the gross floor area that has been or will be demolished or converted to another principal use.

No such reduction in charge shall exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment.

## 2.7 Exemptions

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The Municipality's existing D.C. by-law includes statutory exemptions from payment of development charges with respect to:

- Industrial additions of up to and including 50% of the existing gross floor area of the building – for industrial additions which exceed 50% of the existing gross floor area, only the portion of the addition in excess of 50% is subject to development charges;
- Land used for Municipal or Board of Education purposes;
- A university in Ontario that receives direct, regular, and ongoing operating funding from the Government of Ontario and
- Residential development that results in only the enlargement of an existing dwelling unit, or that results only in the creation of up to two additional dwelling units (as specified in subsections 2 (3), 2 (3.1), 2 (3.2), and 2 (3.3) of the D.C.A.).

The D.C. by-law also provides non-statutory exemptions from payment of development charges with respect to:

- A garden suite;
- Lands, buildings or structures used or to be used for a place of worship or for the purposes of a churchyard or cemetery exempt from taxation under the *Assessment Act*;
- The construction of a non-residential farm building or structure constructed for a bona fide farm operation;
- Buildings used as hospitals as governed by the *Public Hospitals Act*; and
- For industrial uses, only the water and wastewater portion of the development charge are applicable.



# Chapter 3

## Anticipated Development in the Municipality of Port Hope



## 3. Anticipated Development in the Municipality of Port Hope

### 3.1 Requirement of the Act

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The growth forecast contained in this chapter (with supplemental tables in Appendix A) provides for the anticipated development for which the Municipality will be required to provide services over a 10-year (2024 to 2034) and longer-term (2024 to urban buildout<sup>[1]</sup>) time horizon.

Chapter 4 provides the methodology for calculating a D.C. as per the D.C.A. Figure 4-1 presents this methodology graphically. It is noted in the first box of the schematic that in order to determine the D.C. that may be imposed, it is a requirement of subsection 5 (1) of the D.C.A. that “the anticipated amount, type and location of development, for which development charges can be imposed, must be estimated.”

### 3.2 Basis of Population, Household and Non-Residential Gross Floor Area Forecast

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The D.C. growth forecast has been derived by Watson in consultation with the Municipality of Port Hope. In preparing the growth forecast, the following information sources were consulted to assess the residential and non-residential development potential for the Municipality over the forecast period, including:

- Northumberland County Municipal Comprehensive Review – Long-term Growth Forecast and Urban Land Needs Analysis, December 2021, Watson & Associates Economists Ltd.;
- Municipality of Port Hope 2019 Development Charges Background Study Consolidated Report, May 2, 2019, by Watson & Associates Economists Ltd.;
- 2011, 2016 and 2021 population, household and employment Census data;
- Historical residential building permit data over the 2014 to 2023 period;
- Residential and non-residential supply opportunities as identified by the Municipality of Port Hope staff; and

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[1] The buildout forecast refers to the development of urban designated lands within the Corporate Boundary of the Municipality of Port Hope.

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- Discussions with Municipal staff regarding anticipated residential and non-residential development in the Municipality of Port Hope.

### 3.3 Summary of Growth Forecast

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A detailed analysis of the residential and non-residential growth forecasts is provided in Appendix A and the methodology employed is illustrated in Figure 3-1. The discussion provided herein summarizes the anticipated growth for the Municipality and describes the basis for the forecast. The results of the residential growth forecast analysis are summarized in Table 3-1 below, and Schedule 1 in Appendix A.

As identified in Table 3-1 and Appendix A – Schedule 1, population in the Municipality of Port Hope (excluding census undercount) is anticipated to reach approximately 20,970 by Mid-2034 and 22,130 by urban buildout, resulting in an increase of approximately 3,270 and 4,430 persons, respectively. <sup>[2]</sup>

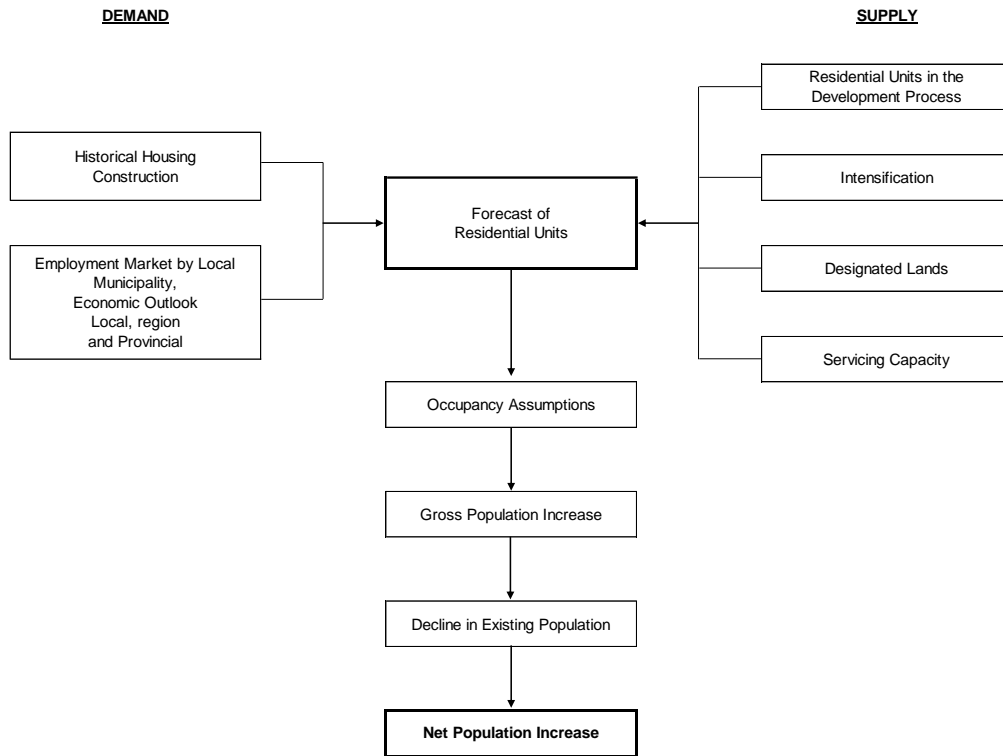
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<sup>[2]</sup> The population figures used in the calculation of the 2024 D.C. exclude the net Census undercount, which is estimated at approximately 2.3%. Population figures presented herein have been rounded.

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Figure 3-1  
Population and Household Forecast Model





**Table 3-1  
Municipality of Port Hope  
Residential Growth Forecast Summary**

	Year	Population (Including Census Undercount) <sup>[1]</sup>	Excluding Census Undercount			Housing Units				Person Per Unit (P.P.U.): Total Population/ Total Households	
			Population	Institutional Population	Population Excluding Institutional Population	Singles & Semi-Detached	Multiple Dwellings <sup>[2]</sup>	Apartments <sup>[3]</sup>	Other		Total Households
Historical	<i>Mid 2011</i>	16,590	16,214	504	15,710	5,140	411	968	33	6,552	2.475
	<i>Mid 2016</i>	17,150	16,753	468	16,285	5,455	490	1,105	25	7,075	2.368
	<i>Mid 2021</i>	17,700	17,294	409	16,885	5,560	520	1,215	20	7,315	2.364
Forecast	<i>Mid 2024</i>	18,110	17,697	420	17,277	5,718	544	1,269	20	7,551	2.344
	<i>Mid 2034</i>	21,460	20,968	498	20,470	6,164	1,540	1,498	20	9,223	2.273
	<i>Buildout <sup>[4]</sup></i>	22,649	22,130	524	21,606	6,298	1,939	1,566	20	9,823	2.253
Incremental	<b>Mid 2011 - Mid 2016</b>	<b>560</b>	<b>539</b>	<b>-36</b>	<b>575</b>	<b>315</b>	<b>79</b>	<b>137</b>	<b>-8</b>	<b>523</b>	
	<b>Mid 2016 - Mid 2021</b>	<b>550</b>	<b>541</b>	<b>-59</b>	<b>600</b>	<b>105</b>	<b>30</b>	<b>110</b>	<b>-5</b>	<b>240</b>	
	<b>Mid 2021 - Mid 2024</b>	<b>410</b>	<b>403</b>	<b>11</b>	<b>392</b>	<b>158</b>	<b>24</b>	<b>54</b>	<b>0</b>	<b>236</b>	
	<b>Mid 2024 - Mid 2034</b>	<b>3,350</b>	<b>3,271</b>	<b>78</b>	<b>3,193</b>	<b>446</b>	<b>996</b>	<b>229</b>	<b>0</b>	<b>1,672</b>	
	<b>Mid 2024 - Buildout</b>	<b>4,539</b>	<b>4,433</b>	<b>104</b>	<b>4,329</b>	<b>580</b>	<b>1,395</b>	<b>297</b>	<b>0</b>	<b>2,272</b>	

[1] Population includes the Census undercount estimated at approximately 2.3% and has been rounded.

[2] Includes townhouses and apartments in duplexes.

[3] Includes bachelor, 1-bedroom, and 2-bedroom+ apartment units.

[4] Buildout refers to the development of all urban designated lands within the Corporate Boundary of the Municipality of Port Hope.

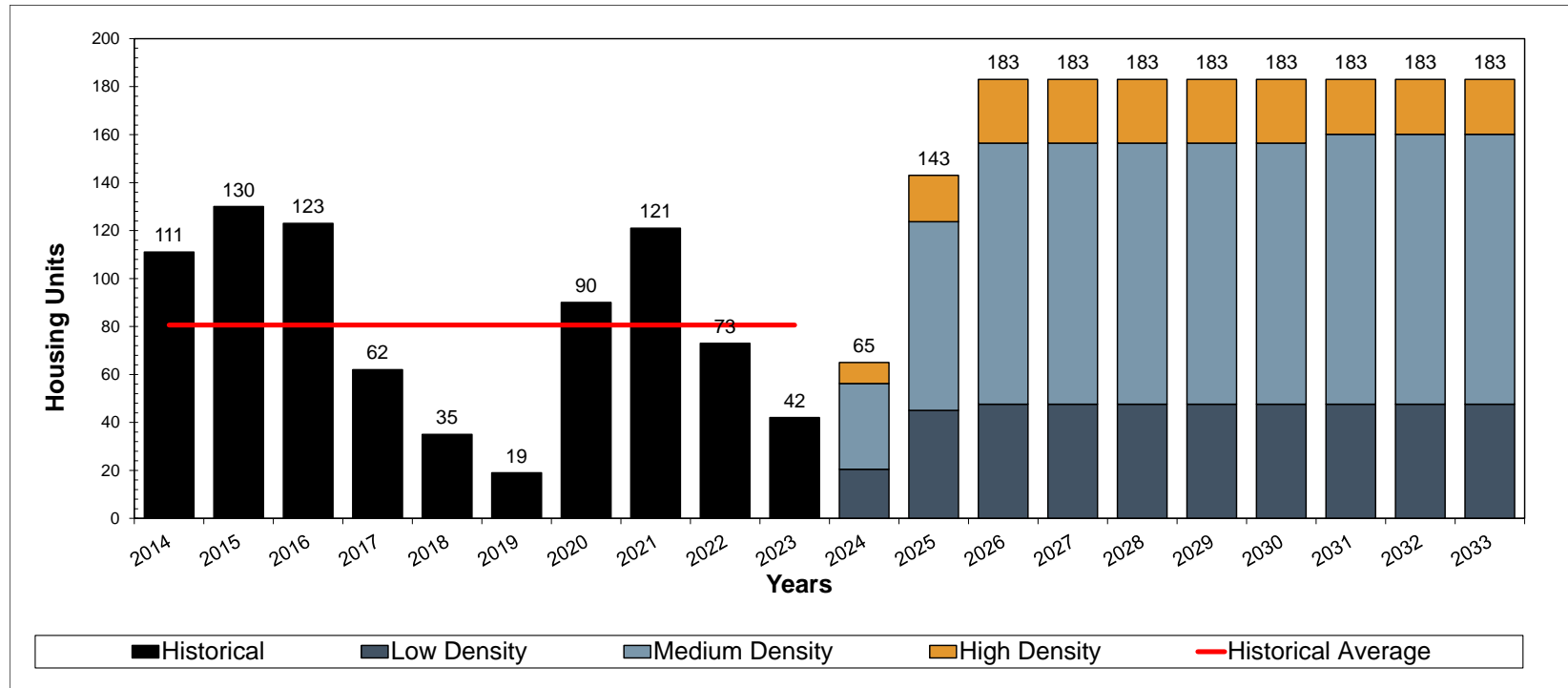
Notes: Numbers may not add due to rounding.

Source: Derived from Northumberland County Municipal Comprehensive Review – Long-term Growth Forecast and Urban Land Needs Analysis, December 2021, Watson & Associates Economists Ltd., and discussions with Municipality of Port Hope staff regarding available urban land supply by Watson & Associates Economists Ltd.





Figure 3-2  
Municipality of Port Hope  
Annual Housing Forecast <sup>[1]</sup>



<sup>[1]</sup> Growth forecast represents calendar year.

Source: Historical housing activity derived from Municipality of Port Hope building permit data, 2014 to 2023.



Provided below is a summary of the key assumptions and findings regarding the Municipality of Port Hope D.C. growth forecast:

1. Unit Mix (Appendix A – Schedules 1, 6 and 7)

- The housing unit mix for the Municipality was derived from a detailed review of historical development activity (as per Schedule 7), as well as active residential development applications (as per Schedule 6) and discussions with Municipality staff regarding anticipated development trends for the Municipality of Port Hope.
- Based on the above indicators, the 2024 to urban buildout household growth forecast for the Municipality is comprised of a unit mix of 26% low density units (single detached and semi-detached), 61% medium density (multiples except apartments) and 13% high density (bachelor, 1-bedroom and 2-bedroom apartments).

2. Geographic Location of Residential Development (Appendix A – Schedule 2)

- Schedule 2 summarizes the anticipated amount, type, and location of development by area for the Municipality of Port Hope;
- In accordance with forecast demand and available land supply, the amount and percentage of forecast housing growth between 2024 and urban buildout by development location is summarized below.

Table 3-2  
Municipality of Port Hope  
Geographic Location of Residential Development

Development Location	Amount of Housing Growth, 2024 to Buildout	Percentage of Housing Growth, 2024 to Buildout
Urban	2,090	92%
Rural	180	8%
<b>Municipality of Port Hope</b>	<b>2,270</b>	<b>100%</b>

Note: Figures may not sum precisely due to rounding.



### 3. Planning Period

- Short- and longer-term time horizons are required for the D.C. process. The D.C.A. limits the planning horizon for transit services to a 10-year planning horizon. All other services can utilize a longer planning period if the municipality has identified the growth-related capital infrastructure needs associated with the longer-term growth planning period.

### 4. Population in New Units (Appendix A – Schedules 3, 4 and 5)

- The number of housing units to be constructed by 2034 in the Municipality of Port Hope over the forecast period is presented in Table 3-1. Over the 10-year forecast period, the Municipality of Port Hope is anticipated to average approximately 167 new housing units per year.
- Institutional population <sup>[1]</sup> is anticipated to increase by approximately 100 people between 2024 to urban buildout.
- Population in new units is derived from Schedules 3, 4 and 5, which incorporate historical development activity, anticipated units (see unit mix discussion) and average persons per unit (P.P.U.) by dwelling type for new units.
- Schedule 8a summarizes the average P.P.U. assumed for new housing units by age and type of dwelling based on Statistics Canada 2021 custom Census data for the Municipality of Port Hope. Due to data limitations medium and high density P.P.U. data was derived from Northumberland County which includes the Municipality of Port Hope, and is outlined in Schedule 8b. The total calculated P.P.U. for all density types has been adjusted accordingly to account for the P.P.U. trends which has been recently experienced in both new and older units. Forecasted 15-year average P.P.U.s by dwelling type are as follows:
  - Low density: 2.311
  - Medium density: 1.807
  - High density: 1.581

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<sup>[1]</sup> Institutional population largely includes special care facilities such as nursing home or residences for senior citizens. A P.P.U. of 1.100 depicts 1-bedroom and 2-or-more-bedroom units in collective households.



## 5. Existing Units and Population Change (Appendix A – Schedules 3, 4, and 5)

- Existing households for mid-2024 are based on the 2021 Census households, plus estimated residential units constructed between mid-2021 to the beginning of the growth period, assuming a minimum six-month lag between construction and occupancy (see Schedule 3).
- The change in average occupancy levels for existing housing units is calculated in Schedules 3 through 5.<sup>[1]</sup> The forecast population change in existing households over the 2024 to urban buildout forecast period is forecast to remain relatively stable.

## 6. Employment (Appendix A – Schedules 10a, 10b and 10c)

- The employment projections provided herein are largely based on the activity rate method, which is defined as the number of jobs in the Municipality divided by the number of residents. Key employment sectors include primary, industrial, commercial/population-related, institutional, and work at home, which are considered individually below.
- 2016 employment data <sup>[2],[3]</sup> (place of work) for the Municipality of Port Hope is outlined in Schedule 10a. The 2016 employment base is comprised of the following sectors:
  - 135 primary (2%);
  - 675 work at home employment (12%);
  - 1,508 industrial (27%);
  - 2,048 commercial/population-related (36%); and
  - 1,325 institutional (23%).
- The 2016 employment by usual place of work, including work at home, is 5,690. An additional 1,100 employees have been identified for the

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<sup>[2]</sup> Change in occupancy levels for existing households occurs due to aging of the population and family life cycle changes, lower fertility rates and changing economic conditions.

<sup>[3]</sup> 2016 employment is based on Statistics Canada 2016 Place of Work Employment dataset by Watson & Associates Economists Ltd.

<sup>[4]</sup> Statistics Canada 2021 Census place of work employment data has been reviewed. The 2021 Census employment results have not been utilized due to a significant increase in work at home employment captured due to Census enumeration occurring during the provincial COVID-19 lockdown from April 1, 2021 to June 14, 2021.



Municipality of Port Hope in 2016 that have no fixed place of work (N.F.P.O.W.).<sup>[1]</sup>

- Total employment, including work at home and N.F.P.O.W. for the Municipality of Port Hope is anticipated to reach approximately 8,630 by mid-2034 and 9,240 by urban buildout. This represents an employment increase of approximately 1,010 for the 10-year forecast period and 1,630 for the urban buildout forecast period.
- Schedule 10b, Appendix A, summarizes the employment forecast, excluding work at home employment and N.F.P.O.W. employment, which is the basis for the D.C. employment forecast. The impact on municipal services from work at home employees has already been included in the population forecast. The need for municipal services related to N.F.P.O.W. employees has largely been included in the employment forecast by usual place of work (i.e., employment and gross floor area generated from N.F.P.O.W. construction employment). Furthermore, since these employees have no fixed work address, they cannot be captured in the non-residential G.F.A. calculation. Accordingly, work at home and N.F.P.O.W. employees have been removed from the D.C.A. employment forecast and calculation.
- Total employment for the Municipality of Port Hope (excluding work at home and N.F.P.O.W. employment) is anticipated to reach approximately 6,440 by mid-2034 and 7,000 by urban buildout. This represents an employment increase of approximately 760 for the 10-year forecast period and 1,320 for the urban buildout forecast period. <sup>[2]</sup>

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[2] No fixed place of work is defined by Statistics Canada as "persons who do not go from home to the same workplace location at the beginning of each shift. Such persons include building and landscape contractors, travelling salespersons, independent truck drivers, etc."

[1] G.F.A. and employment associated within special care institutional dwellings treated as residential, resulting in an institutional employment difference between Schedules 10a and 10b. Total employment growth in Schedule 10b (excluding work at home and N.F.P.O.W. employment) has been downwardly adjusted to account for institutional employment associated with special care facilities. Total employment in Schedule 10b is anticipated to reach approximately 6,400 by mid-2034 and 6,950 by urban buildout.



## 7. Non-Residential sq.ft. Estimates (G.F.A.), Appendix A – Schedule 10b)

- Square footage estimates were calculated in Schedule 10b based on the following employee density assumptions:
  - 1,500 sq.ft. per employee for industrial;
  - 500 sq.ft. per employee for commercial/population-related; and
  - 674 sq.ft. per employee for institutional employment.
- The Municipal-wide incremental G.F.A. is anticipated to increase by 746,400 sq.ft. over the 10-year forecast period and 1,397,900sq.ft. over the urban buildout forecast period.
- In terms of percentage growth, the 2024 to urban buildout incremental G.F.A. forecast by sector is broken down as follows:
  - Industrial – 78%;
  - Commercial/population-related – 12%; and
  - Institutional – 10%.

## 8. Geographic Location of Non-Residential Development (Appendix A, Schedule 10c)

- Schedule 10c summarizes the anticipated amount, type and location of non-residential development in the Municipality of Port Hope by area.
- The amount and percentage of forecast total non-residential growth between 2024 and urban buildout by development location is summarized below.



Table 3-3  
Municipality of Port Hope  
Geographic Location of Non-Residential Development

Development Location	Amount of Non-Residential G.F.A. (sq.ft.), 2024 to Buildout	Percentage of Non-Residential G.F.A., 2024 to Buildout
Urban Area	1,225,900	88%
Rural Area	172,000	12%
<b>Municipality of Port Hope</b>	<b>1,397,900</b>	<b>100%</b>

Note: Figures may not sum precisely due to rounding



# Chapter 4

## The Approach to the Calculation of the Charge





## 4. The Approach to the Calculation of the Charge

### 4.1 Introduction

---

This chapter addresses the requirements of subsection 5 (1) of the D.C.A. with respect to the establishment of the need for service which underpins the D.C. calculation. These requirements are illustrated schematically in Figure 4-1.

### 4.2 Services Potentially Involved

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Table 4-1 lists the full range of municipal services that are provided within the Municipality.

A number of these services are not listed as eligible services for inclusion in the D.C. by-law as per subsection 2 (4) of the D.C.A. These are shown as “ineligible” on Table 4-1. Two ineligible costs defined in subsection 5 (3) of the D.C.A. are “computer equipment” and “rolling stock with an estimated useful life of (less than) seven years.” In addition, local roads are covered separately under subdivision agreements and related means (as are other local services). Services which are potentially eligible for inclusion in the Municipality’s D.C. are indicated with a “Yes.”

### 4.3 Increase in the Need for Service

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The D.C. calculation commences with an estimate of “the increase in the need for service attributable to the anticipated development,” for each service to be covered by the by-law. There must be some form of link or attribution between the anticipated development and the estimated increase in the need for service. While the need could conceivably be expressed generally in terms of units of capacity, paragraph 3 of subsection 5 (1), which requires that Council indicate that it intends to ensure that such an increase in need will be met, suggests that a project-specific expression of need would be most appropriate.



Figure 4-1  
The Process of Calculating a Development Charge under the Act  
that must be followed

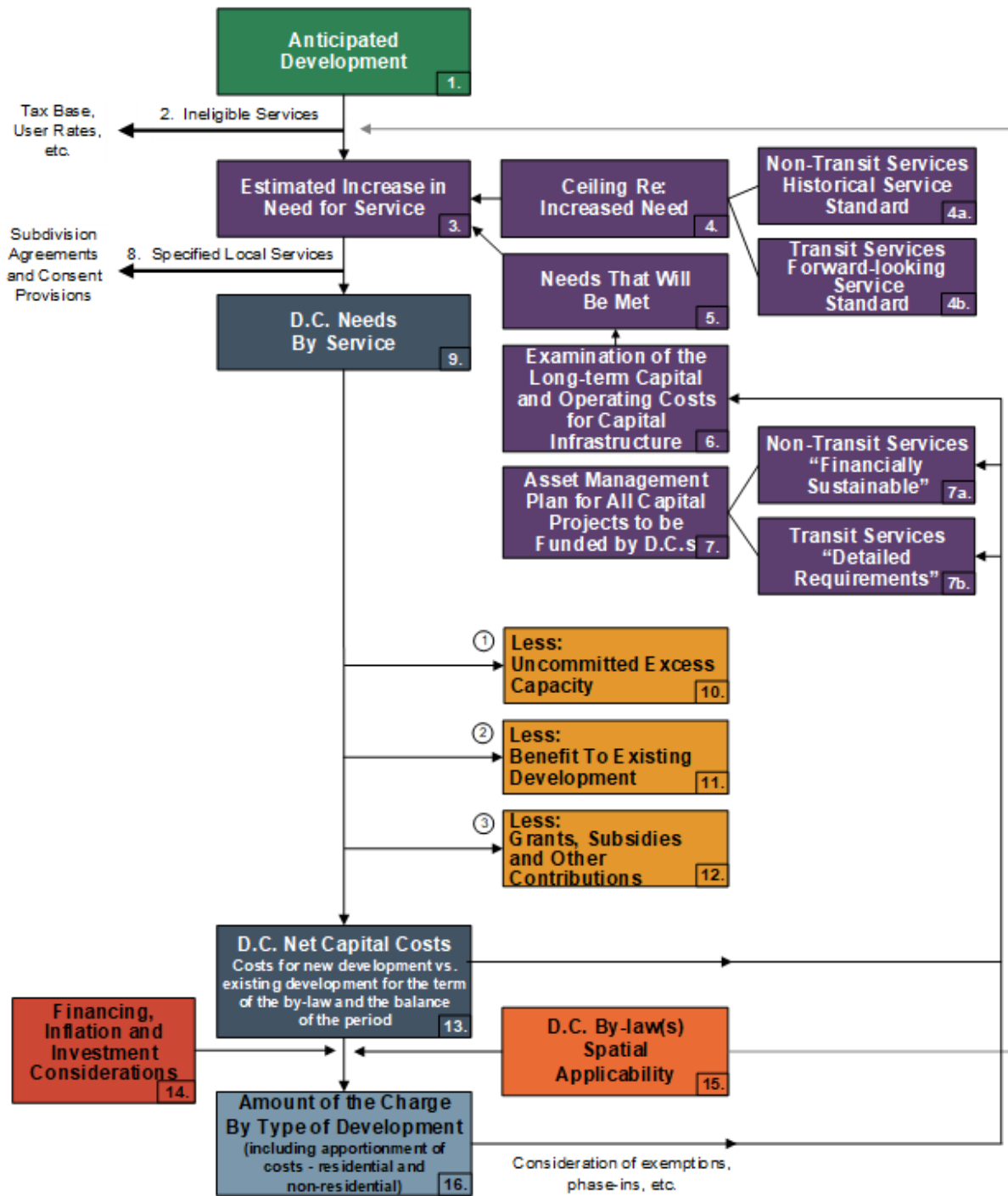




Table 4-1  
Categories of Municipal Services to be Addressed as Part of the Calculation

Categories of Municipal Services	Inclusion in the D.C. Calculation	Service Components
1. Water supply services, including distribution and treatment services	Yes Yes No Yes	1.1 Treatment plants 1.2 Distribution systems 1.3 Local systems 1.4 Vehicles and equipment <sup>1</sup>
2. Wastewater services, including sewers and treatment services	Yes Yes No Yes	2.1 Treatment plants 2.2 Sewage trunks 2.3 Local systems 2.4 Vehicles and equipment <sup>1</sup>
3. Stormwater Drainage and Control Services	Yes No No	3.1 Main channels and drainage trunks 3.2 Channel connections 3.3 Retention/detention ponds
4. Services Related to a Highway	Yes Yes Yes No Yes Yes Yes Yes Yes	4.1 Arterial roads 4.2 Collector roads 4.3 Bridges, Culverts and Roundabouts 4.4 Local roads 4.5 Traffic signals 4.6 Sidewalks and streetlights 4.7 Active Transportation 4.8 Works Yard 4.9 Rolling stock <sup>2</sup>
5. Electrical Power Services	n/a n/a n/a	5.1 Electrical substations 5.2 Electrical distribution system 5.3 Electrical system rolling stock <sup>1</sup>
6. Transit Services	No No	6.1 Transit vehicles <sup>1</sup> & facilities 6.2 Other transit infrastructure
7. Waste Diversion Services	n/a n/a	7.1 Waste diversion facilities 7.2 Waste diversion vehicles and equipment <sup>1</sup>
8. Policing Services	Yes Yes Yes No	8.1 Police detachments 8.2 Police rolling stock <sup>1</sup> 8.3 Small equipment and gear 8.4 Policing Contract

<sup>1</sup> with a 7+ year useful life

<sup>2</sup> with a 7+ year useful life



Categories of Municipal Services	Inclusion in the D.C. Calculation	Service Components
9. Fire Protection Services	Yes Yes Yes	9.1 Fire stations 9.2 Fire Vehicles <sup>1</sup> 9.3 Fire Equipment and gear
10. Ambulance Services	n/a n/a	10.1 Ambulance station space 10.2 Vehicles <sup>1</sup>
11. Services provided by a board within the meaning of the <i>Public Libraries Act</i>	Yes  n/a Yes	11.1 Public library space (incl. furniture and equipment) 11.2 Library vehicles <sup>1</sup> 11.3 Library materials
12. Services Related to Long-Term Care	n/a n/a	12.1 Long-Term Care space 12.2 Vehicles <sup>1</sup>
13. Parks and Recreation Services	Ineligible  Yes Yes Yes  Yes	13.1 Acquisition of land for parks, woodlots, and E.S.A.s 13.2 Development of municipal parks 13.3 Parks rolling stock <sup>1</sup> and yards 13.4 Facilities, such as arenas, indoor pools, fitness facilities, community centres, etc. 13.5 Recreation vehicles and equipment <sup>1</sup>
14. Services Related to Public Health	n/a n/a	14.1 Public Health department space 14.2 Public Health department vehicles <sup>1</sup>
15. Child Care and Early Years Programs and Services within the meaning of Part VI of the <i>Child Care and Early Years Act, 2014</i> and any related services.	n/a	15.1 Childcare space
16. Services related to proceedings under the <i>Provincial Offences Act, including by-law enforcement services and municipally administered court services</i>	No  Yes	16.1 P.O.A. space, including by-law enforcement and municipally administered court services 16.2 Vehicles <sup>1</sup>

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<sup>1</sup> with a 7+ year useful life



Categories of Municipal Services	Inclusion in the D.C. Calculation	Service Components
17. Services Related to Emergency Preparedness	No No	17.1 Emergency Preparedness Space 17.2 Equipment
18. Services Related to Airports	n/a Ineligible	18.1 Airports (in the Regional Municipality of Waterloo) 18.2 Other Airports
19. Other	Yes	19.1 Interest on money borrowed to pay for growth-related capital

Table 4-2  
Categories of Municipal Services to be Addressed as Part of the Calculation – Eligibility Legend

Eligibility for Inclusion in the D.C. Calculation	Description
Yes	Municipality provides the service – service has been included in the D.C. calculation.
No	Municipality provides the service – service has not been included in the D.C. calculation.
n/a	Municipality does not provide the service.
Ineligible	Service is ineligible for inclusion in the D.C. calculation.

## 4.4 Local Service Policy

Some of the need for services generated by additional development consists of local services related to a plan of subdivision. As such, they will be required as a condition of subdivision agreements or consent conditions. The Municipality’s Local Service Policy is included in Appendix D.

## 4.5 Capital Forecast

Paragraph 7 of subsection 5 (1) of the D.C.A. requires that “the capital costs necessary to provide the increased services must be estimated.” The Act goes on to require two potential cost reductions and the regulation sets out the way in which such costs are to be presented. These requirements are outlined below.



These estimates involve capital costing of the increased services discussed above. This entails costing actual projects or the provision of service units, depending on how each service has been addressed.

The capital costs include:

- a) costs to acquire land or an interest therein (including a leasehold interest);
- b) costs to improve land;
- c) costs to acquire, lease, construct or improve buildings and structures;
- d) costs to acquire, lease or improve facilities, including rolling stock (with a useful life of 7 or more years), furniture and equipment (other than computer equipment), materials acquired for library circulation, reference, or information purposes; and
- e) interest on money borrowed to pay for the above-referenced costs.

In order for an increase in need for service to be included in the D.C. calculation, municipal Council must indicate “that it intends to ensure that such an increase in need will be met” (paragraph 3 of subsection 5 (1)). This can be done if the increase in service forms part of a Council-approved Official Plan, capital forecast, or similar expression of the intention of Council (O. Reg. 82/98 section 3). The capital program contained herein reflects the Municipality’s approved and proposed capital budgets and master servicing/needs studies.

## 4.6 Treatment of Credits

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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 Municipality currently has an agreement with AON Inc. (AON) for the provision of services on behalf of the Municipality. Under the terms of the agreement, AON is responsible for the emplacement of specific road, wastewater, and water service infrastructure. In return, AON receives development charge credits (including interest)



against future payments. The outstanding D.C. credit obligations (including accrued interest) included in the calculation of the charge are summarized as follows:

Class of Service	Credit Amount (\$)
Wastewater	\$2,868,324

## 4.7 Classes of Services

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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 or portions of services to be included in 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 two classes of service – “Wastewater” and “Wastewater Treatment Plants” to align with the Municipality’s historical practice of managing those respective service components.

## 4.8 Eligible Debt and Committed Excess Capacity

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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.

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 Municipality’s adjusted 2023 closing D.C. reserve fund balances, by service, are presented in Table 4-3 below. The adjustments include settling of outstanding credit obligations and previous commitments not yet funded from the D.C. reserve funds. These balances have been applied against future spending requirements within the respective service areas.

Table 4-3  
Municipality of Port Hope  
Adjusted D.C. Reserve Funds Balances

Service/Class of Service	Balance as of 12/31/2023	Adjustments	Adjusted Balance as of 12/31/2023
Services Related to a Highway	\$ 71,221	\$ 69,025	\$ 140,246
Fire Protection Services	\$ 243,793	\$ (14,477)	\$ 229,315
Parks and Recreation Services	\$ 168,845	\$ (31,632)	\$ 137,213
Library Services	\$ 136,949	\$ (58,500)	\$ 78,449
Police Services (P.H.P.S.)	\$ (204,031)	\$ (2,000)	\$ (206,031)
Growth-related Studies	\$ 27,841	\$ (42,350)	\$ (14,509)
Wastewater Services	\$ (777,021)	\$ (235,344)	\$ (1,012,365)
Wastewater Treatment Plant	\$ 1,394,012	\$ 13,000	\$ 1,407,012
Water Services	\$ (1,335,629)	\$ (7,377)	\$ (1,343,006)
<b>Total</b>	<b>\$ (274,021)</b>	<b>\$ (309,656)</b>	<b>\$ (583,676)</b>

## 4.10 Deductions

The D.C.A. potentially requires that four 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; and
- anticipated grants, subsidies, and other contributions.

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 described in section 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 municipality over the 15-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.

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 subsection 5 (1) requires a deduction from the increase in the need for service attributable to the anticipated development that can be met using the Municipality’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 repair or unexpanded replacement of existing assets that are in need of repair;
- an increase in average service level of quantity or quality;
- 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 service cap in section 4.10.1 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 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 municipal-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 Wednesdays in one arena and Thursdays 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 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. 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 (O. Reg. 82/98, section 6).

### **4.11 Municipal-wide vs. Area Rating**

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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 amended 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. Further discussion is provided in section 7.3.8.

### **4.12 Allocation of Development**

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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.



## 4.13 Mandatory Phase-in of a D.C.

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For all D.C. by-laws passed after January 1, 2022, the charge must be phased-in relative to the maximum charge that could be imposed under the by-law. The phase-in for the first 5-years that the by-law is in force, is as follows:

- Year 1- 80% of the maximum charge;
- Year 2 – 85% of the maximum charge;
- Year 3 – 90% of the maximum charge;
- Year 4 – 95% of the maximum charge; and
- Year 5 to expiry – 100% of the maximum charge.

Note that the phase-in is not part of the methodology required for calculating the charge, but a rule that has to be included in the by-laws which informs implementation. Further, based on the release of Bill 185 (as discussed in section 1.3.9), it is anticipated that the mandatory phase-in will be removed from the D.C.A.

## 4.14 Mandatory Discount for Rental Housing Development

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For all rental housing developments that are subject to D.C.s, where a by-law is passed after November 28, 2022, the charge is discounted for the rental housing development relative to the maximum charge that could be imposed under the by-law. The amount of the discount is dependent on the number of bedrooms in each unit, as follows:

- 1) Residential units intended for use as a rented residential premises with three (3) or more bedrooms – 25% discount.
- 2) Residential units intended for use as a rented residential premises with two (2) bedrooms – 20% discount.
- 3) Residential units intended for use as a rented residential premises not referred to 1) or 2) above – 15% discount.

Note that these discounts are not part of the methodology required for calculating the charge, but a rule that has to be included in the by-laws which informs implementation.



# Chapter 5

## Development Charge Eligible Cost Analysis by Service



## 5. Development Charge Eligible Cost Analysis by Service

### 5.1 Introduction

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This chapter outlines the basis for calculating eligible costs for the D.C.s to be applied on a uniform basis. In each case, the required calculation process set out in subsection 5 (1) paragraphs 2 to 7 of the D.C.A. and described in Chapter 4 herein was followed in determining D.C. eligible costs.

The nature of the capital projects and timing identified in the Chapter reflects Council's current intention. Over time, however, a municipality's projects and Council priorities may shift; accordingly, Council's intentions may change, and different capital projects (and timing) may be necessary to meet the need for services required by new growth.

A map showing the location of projects related to services related to a highway, water services, and wastewater services included in the calculation of the charge is included on the next page.





## 5.2 Service Levels and 10-Year Capital Costs for D.C. Calculation

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This section evaluates the development-related capital requirements for all of the Municipality-wide services assessed over a 10-year planning period (2024-2034).

### 5.2.1 Services Related to a Highway

The Municipality has a road network spanning approximately 103 kilometres. In addition, the Municipality's public works department utilizes 41,053 square feet of facility space and operates a fleet of 36 vehicles and equipment. This historical level of service equates to approximately \$10,298 per capita, resulting in a D.C.-eligible cap of approximately \$33.7 million.

CIMA+ reviewed the Municipality's roads needs for the forecast period and identified approximately \$19.2 million in gross capital costs. These capital needs consist of various road construction, reconstruction, widening, oversizing, and urbanization projects, as well as various intersection signalization and improvement projects, watercourse crossings, and active transportation projects to address the needs of future development. Deductions of approximately \$3.4 million have been included in recognition of benefits to existing, in addition to \$40,000 to recognize other contributions attributable to development. Furthermore, approximately \$140,200 has been deducted to reflect the funds available in the D.C. reserve fund. As a result, approximately \$15.6 million in capital needs has been included in the D.C. calculation.

The net growth-related costs for services related to a highway have been allocated between future residential and non-residential development on the basis of incremental population to employment growth over the forecast period (i.e., 82% residential/ 18% non-residential).

### 5.2.2 Fire Protection Services

The Municipality currently owns and operates three fire stations which provide a combined 15,218 square feet of floor space. The fire department also has a current inventory of 19 vehicles and large equipment, 75 sets of equipment for firefighter outfitting, and 119 items of various equipment and gear for firefighters. In total, the





inventory of fire protection assets provides a historical average level of service of \$1,412 per capita. The historical level of investment in fire services provides for a D.C. eligible amount over the forecast period of approximately \$4.6 million.

Based on the Municipality's latest Fire Master Plan, capital plan, and discussions with staff, additional fire hall space, additional equipment and vehicles, and additional training space have been included in the development charge. The gross capital costs for these needs total approximately \$17.5 million. Deductions of approximately \$4.9 million in recognition of post period benefits and \$7.7 million to recognize the benefits to the existing community have been provided. Furthermore, approximately \$229,300 has been deducted to reflect the existing D.C. reserve fund balance for Fire Protection Services. As a result, approximately \$4.6 million in capital needs has been included in the D.C. calculation.

These costs are shared between residential and non-residential development based on the ratio of incremental growth in population to employment over the forecast period, resulting in 82% being allocated to residential development and 18% being allocated to non-residential development.

### **5.2.3 Parks and Recreation Services**

The Municipality currently maintains approximately 386 acres of developed parkland and 70 kilometres of trails within its jurisdiction. Furthermore, the Municipality operates 121,850 square feet of indoor recreation facility space and maintains an inventory of 46 vehicles and equipment. The Municipality's level of service over the historical 15-year period averaged \$8,373 per capita. In total, the maximum D.C. eligible amount for parks and recreation services over the 10-year forecast period is approximately \$27.4 million based on the established level of service standards.

Based on the Municipality's Leisure Services Master Plan, Waterfront and Riverwalk Master Plan, and discussion with staff, the 10-year capital needs for Parks and Recreation Services to accommodate growth have a total gross capital cost of approximately \$35.8 million. These capital needs include the development of new trails and parks, a new tractor, and projects improving the waterfront and riverwalk areas. Additionally, outstanding debt servicing costs and previously unfunded debt payment amounts associated with the Jack Burger Sports Complex have been included. A



deduction of approximately \$27.6 has been included to reflect the benefit to the existing population, and a further \$2.3 million has been deducted for post period benefits. Additionally, approximately \$137,200 has been deducted in recognition of the D.C. reserve fund balance. As a result, approximately \$5.8 million in capital needs has been included in the D.C. calculation.

As the predominant users of Parks and Recreation Services tend to be residents of the Municipality, the forecast growth-related costs have been allocated 95% to residential and 5% to non-residential development.

#### **5.2.4 Library Services**

The Municipality's Library Services are provided through 20,200 square feet of library space, 51,613 circulation and reference materials, and access to e-books and databases. The average level of service over the past 15 years was approximately \$1,359 per capita. Based on the application of this level of service to the incremental forecast population growth, the Municipality would be eligible to collect approximately \$4.4 million from D.C.s for library services over the forecast period.

The capital needs required to accommodate growth have a total gross capital cost estimate of approximately \$685,800, which consists of a provision for expansion of the library's collection materials. Approximately \$78,400 has been deducted from the calculation of the charge in recognition of existing reserve fund balances, resulting in net growth-related capital costs for inclusion in the calculation of approximately \$607,300.

As with Parks and Recreation Services, the predominant users of Library Services are residents of the Municipality, and therefore, the forecast growth-related costs have been allocated 95% to residential and 5% to non-residential.

#### **5.2.5 By-law Enforcement Services**

The Municipality's By-law Enforcement Services operates a fleet of one vehicle. The average level of service over the past 15 years was approximately \$4 per capita, resulting in a D.C.-eligible cap of approximately \$11,700.



The capital needs required to accommodate growth have a total gross capital cost estimate of \$60,000, consisting of a new vehicle. Approximately \$48,300 has been deducted from the calculation of the charge in recognition of post period benefits, resulting in net growth-related capital costs for inclusion in the calculation of approximately \$11,700.

These costs are shared between residential and non-residential development based on the ratio of incremental growth in population to employment over the forecast period, resulting in 82% being allocated to residential development and 18% being allocated to non-residential development.



**Table 5-1  
Infrastructure Costs covered in the D.C Calculation – Services Related to a Highway**

Proj. No.	Increased Service Needs Attributable to Anticipated Development  2024 to 2034	Timing (year)	Gross Capital Cost Estimate (2024\$)	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 82%	Non-Residential Share 18%
	<b>Reconstruction &amp; Widening</b>										
R2	Lavinia Street (Toronto Road to Victoria Street North)		1,205,960	-		1,205,960	383,800		822,160	674,171	147,989
R3	Victoria Street (Strachan Street to Ridout Street)		967,532	-		967,532	212,200		755,332	619,372	135,960
R4	Victoria Street (Trafalgar Street to Strachan Street)		975,663	-		975,663	201,500		774,163	634,814	139,349
R5	Trafalgar Street (Victoria Street South to Dorset Street)		764,302	-		764,302	163,100		601,202	492,986	108,216
R6	Cavan Street (Walton Street to Highland Drive)		2,627,087	-		2,627,087	1,013,600		1,613,487	1,323,060	290,428
R7a	Cavan Street (Highland Drive to Old Cavan Street)		1,220,128	-		1,220,128	634,500		585,628	480,215	105,413
R29	Croft Street (Rose Glen Road to 90m West of Rose Glen Road)		292,719	-		292,719	66,200		226,519	185,746	40,773
	<b>Collector Road Oversizing</b>										
R9b	Strachan Street (25m North Lakeshore Road to Future Lavinia Street)		566,211	-		566,211	-		566,211	464,293	101,918
R9c	Lavinia Street (West Urban Limit to Toronto Road)		629,909	-		629,909	-		629,909	516,526	113,384
R10b	Pemberton Drive (Henderson Street to 300m East of Henderson Street)		116,692	-		116,692	-		116,692	95,688	21,005
R10d	Henderson Street (Jocelyn Street to North End)		217,825	-		217,825	-		217,825	178,617	39,209
	<b>Urbanization</b>										
R14	Pemberton Drive (300m East of Henderson Street to Victoria Street North)		410,174	-		410,174	-		410,174	336,343	73,831
	<b>Widen &amp; Resurface</b>										
R11	Mill Street (Garden Hill) (7th Line to Ganaraska Road (County Road 9))		1,848,047	-		1,848,047	393,000		1,455,047	1,193,139	261,908
R12	7th Line (Mill Street (Garden Hill) to County Road 10)		882,372	-		882,372	189,100		693,272	568,483	124,789
	<b>Collector Road Top Lift Asphalt</b>										
R13b	Strachan Street (25m East of Potts Lane to 25m North Lakeshore Road)		82,718	-		82,718	-		82,718	67,829	14,889
R13c	Strachan Street (25m East of Potts Lane to Victoria Street South)		186,406	-		186,406	-		186,406	152,853	33,553
	<b>Road Construction</b>										
R25	Croft Street (Deblaquire Street North to 172m East of Deblaquire Street North)		564,320	-		564,320	-		564,320	462,743	101,578



Table 5-1 (continued)  
 Infrastructure Costs covered in the D.C Calculation – Services Related to a Highway

Proj. No.	Increased Service Needs Attributable to Anticipated Development  2024 to 2034	Timing (year)	Gross Capital Cost Estimate (2024\$)	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 82%	Non-Residential Share 18%
R26	<b>Active Transportation</b> Croft Street (172m East of Deblaquire Street North to 90m West of Rose Glen Road )		177,818	-		177,818	-		177,818	145,811	32,007
R27	Victoria Street (Klein Street to Jocelyn )		162,635	-		162,635	-		162,635	133,360	29,274
R28	Croft Steet (Ontario Street to 57m West of Deblaquire Street North)		86,979	-		86,979	-		86,979	71,322	15,656
R19	<b>Intersection Signalization</b> Jocelyn Street & Victoria Street Intersection		559,334	-		559,334	70,600		488,734	400,762	87,972
R15	Lavinia Street & Victoria Street North Intersection		328,802	-		328,802	31,100		297,702	244,116	53,586
R16	Lavinia Street & Toronto Road Intersection		256,095	-		256,095	-		256,095	209,998	46,097
R17	<b>Intersection Improvements</b> Ridout Street/Lakeshore Road & Victoria Street/Toronto Road Intersection		271,017	-		271,017	19,600		251,417	206,162	45,255
R23	Rose Glen Road & Ward Street Intersection		183,782	-		183,782	-	40,000	143,782	117,901	25,881
R24	Croft Street & Ontario Street Intersection		270,342	-		270,342	-		270,342	221,680	48,661
R20	<b>Watercourse Crossing</b> Croft Street		135,963	-		135,963	-		135,963	111,489	24,473
R21	Lavinia Street		3,165,124	-		3,165,124	-		3,165,124	2,595,402	569,722
	Reserve Fund Adjustment								(140,246)	(115,002)	(25,244)
	<b>Total</b>		<b>19,155,958</b>	<b>-</b>	<b>-</b>	<b>19,155,958</b>	<b>3,378,300</b>	<b>40,000</b>	<b>15,597,412</b>	<b>12,789,877</b>	<b>2,807,534</b>



**Table 5-2  
Infrastructure Costs covered in the D.C Calculation – Fire Protection Services**

Proj. No.	Increased Service Needs Attributable to Anticipated Development  2024 to 2034	Timing (year)	Gross Capital Cost Estimate (2024\$)	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 82%	Non-Residential Share 18%
1	Station 2 Generator	2024	30,000	-		30,000	25,300		4,700	3,854	846
2	Station 3 Outdoor Training Area	2025	25,000	-		25,000	-		25,000	20,500	4,500
3	Fire Station 2 Relocation & Expansion	2028	10,595,000	3,737,280		6,857,720	2,772,900		4,084,820	3,349,553	735,268
4	Dry Hydrant	2024	20,000	-		20,000	-		20,000	16,400	3,600
5	New Breathing Apparatuses (13)	2024-2034	239,200	143,500		95,700	-		95,700	78,474	17,226
6	UTV Upgrade	2024	65,000	-		65,000	21,700		43,300	35,506	7,794
7	New Trailer (for UTV)	2024	10,000	-		10,000	3,300		6,700	5,494	1,206
8	Tanker Upgrade (Station 2)	2025	1,300,000	-		1,300,000	1,083,300		216,700	177,694	39,006
9	Tanker Upgrade (Station 3)	2030	1,300,000	216,700		1,083,300	1,083,300		-	-	-
10	Mini Pumper Upgrade (Station 2)	2026	750,000	-		750,000	575,000		175,000	143,500	31,500
11	Mini Pumper Upgrade (Station 3)	2026	750,000	-		750,000	575,000		175,000	143,500	31,500
12	Pumper Upgrade (Station 1)	2028	1,200,000	400,000		800,000	800,000		-	-	-
13	Pumper Upgrade (Station 2)	2029	1,200,000	400,000		800,000	800,000		-	-	-
	Reserve Fund Adjustment								(229,315)	(188,038)	(41,277)
	<b>Total</b>		<b>17,484,200</b>	<b>4,897,480</b>	<b>-</b>	<b>12,586,720</b>	<b>7,739,800</b>	<b>-</b>	<b>4,617,605</b>	<b>3,786,436</b>	<b>831,169</b>



**Table 5-3**  
**Infrastructure Costs covered in the D.C Calculation – Parks and Recreation Services**

Proj. No.	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2024\$)	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
	2024 to 2034									95%	5%
1	<b>Paved Trails</b> From Rapley park south to lakeshore road as part of future development of Mason Homes (688m)		120,400	40,841		79,559	60,200		19,359	18,391	968
2	<b>Gravel Trails</b> Welcome (500m)	2024-2026	43,800	14,858		28,942	21,900		7,042	6,690	352
3	Jack Burger Sports Complex (1,858m)	2024-2026	162,600	55,156		107,444	81,300		26,144	24,837	1,307
4	<b>Parks</b> Pump Park Development		250,000	-		250,000	-		250,000	237,500	12,500
5	Lions Park Playground Equipment		100,000	-		100,000	-		100,000	95,000	5,000
6	Canton Hub Park Playground Equipment		100,000	-		100,000	-		100,000	95,000	5,000
7	<b>Vehicles &amp; Equipment</b> Tractor for Winter Trail Maintenance	2024	110,000	-		110,000	-		110,000	104,500	5,500
8	<b>Debt Payments</b> Jack Burger Sports Complex (Future Debt Payments)		1,870,442	-		1,870,442	1,393,000		477,442	453,570	23,872
9	Jack Burger Sports Complex (Previously Unfunded Debt Payments)		467,193	-		467,193	-		467,193	443,833	23,360
	<b>Riverwalk &amp; Waterfront</b>										
	<u>Central Waterfront</u>										
CW1.1	Harbour Trail - Waterside Promenade	2030-2034	7,390,500	787,956		6,602,544	6,229,100		373,444	354,772	18,672
CW1.3.1	Harbour Trail - East Channel Replace and Extend Existing Boardwalk	2030-2034	2,359,500	125,782		2,233,718	2,174,100		59,618	56,637	2,981
CW1.3.2	Harbour Trail - Waterside Open Space	2030-2034	5,687,500	-		5,687,500	5,240,600		446,900	424,555	22,345



Table 5-3 (continued)  
 Infrastructure Costs covered in the D.C Calculation – Parks and Recreation Services

Proj. No.	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2024\$)	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
	2024 to 2034								95%	5%	
CW1.3.3	Harbour Trail - East Channel Existing Path Upgrades	2024-2029	91,500	4,878		86,622	84,300		2,322	2,206	116
CW2.2	Inner Harbour Plaza	2030-2034	3,185,000	-		3,185,000	2,684,500		500,500	475,475	25,025
CW2.6	Lookout Park	2030-2034	5,687,500	-		5,687,500	4,793,700		893,800	849,110	44,690
	<u>East Beach Programmed Beach Amenities</u>										
EB1.1	Washrooms (Incl. demo)	2024-2034	290,000	-		290,000	145,000		145,000	137,750	7,250
EB1.2	Waterside Trail	2030-2034	760,500	515,944		244,556	-		244,556	232,329	12,228
EB1.3	Water Access	2030-2034	195,000	-		195,000	-		195,000	185,250	9,750
EB1.4.1	Playground	2030-2034	162,500	-		162,500	81,300		81,200	77,140	4,060
EB1.4.2	Splash Pad	2030-2034	130,000	-		130,000	-		130,000	123,500	6,500
EB1.4.3	Exercise Equipment	2030-2034	32,500	-		32,500	-		32,500	30,875	1,625
EB1.5.1	Seating Areas	2030-2034	32,500	-		32,500	-		32,500	30,875	1,625
EB1.5.2	Amenity Lawn	2030-2034	19,500	-		19,500	9,800		9,700	9,215	485
EB1.5.3	Picnic / BBQ	2030-2034	19,500	-		19,500	9,800		9,700	9,215	485
	<u>East Beach - A.K. Sculthorpe Marsh</u>										
EB2.1	Trails & Boardwalk	2030-2034	195,000	132,293		62,707	-		62,707	59,571	3,135
EB2.2	Lake Street Trail	2030-2034	901,875	96,156		805,719	760,100		45,619	43,338	2,281
	<u>West Beach</u>										
WB1.2	Dune System	2024-2034	79,688	-		79,688	67,200		12,488	11,863	624
WB1.3	Raised Boardwalk	2030-2034	1,462,500	155,928		1,306,572	1,232,700		73,872	70,178	3,694
WB2.1	West Beach (West) - Public Amenities (Washrooms)	2030-2034	260,000	-		260,000	219,100		40,900	38,855	2,045
WB2.2	West Beach (West) - Gazebo / Event Space (powered)	2030-2034	195,000	-		195,000	164,400		30,600	29,070	1,530





Table 5-3 (continued)  
Infrastructure Costs covered in the D.C Calculation – Parks and Recreation Services

Proj. No.	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2024\$)	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
	2024 to 2034									95%	5%
WB2.3	West Beach (West) - All-Ages Play Spaces	2030-2034	162,500	-		162,500	149,700		12,800	12,160	640
WB2.4.1	West Beach (West) - Amenity Lawn	2030-2034	19,500	-		19,500	18,000		1,500	1,425	75
WB2.4.2	West Beach (West) - Low Impact Multi-use Games Courts	2030-2034	16,250	-		16,250	13,700		2,550	2,423	128
WB3.1	West Beach (East) - Public Amenities	2030-2034	260,000	-		260,000	219,100		40,900	38,855	2,045
WB3.2.1	West Beach (East) - Seating Areas	2030-2034	32,500	-		32,500	27,400		5,100	4,845	255
WB3.2.2	West Beach (East) - Grass Courts	2030-2034	111,638	-		111,638	94,100		17,538	16,661	877
WB3.3	West Beach (East) - Boardwalk	2030-2034	1,306,500	139,296		1,167,204	1,101,200		66,004	62,704	3,300
	<u>Ganaraska River and Riverwalk</u>										
GR4.1	Riverwalk Improvements	2024-2029	721,500	-		721,500	360,800		360,700	342,665	18,035
GR4.2	Hiking Trails	2024-2029	306,750	104,054		202,696	153,400		49,296	46,831	2,465
GR4.4	Washrooms	2030-2034	260,000	-		260,000	-		260,000	247,000	13,000
GR4.6	Choate Road Multi-Use Path	2024-2029	135,000	91,588		43,412	-		43,412	41,242	2,171
	<u>Streetscape Improvements</u>										
ST4	Lent Lane Improvements	2024-2029	75,000	-		75,000	-		75,000	71,250	3,750
	Reserve Fund Adjustment								(137,213)	(130,352)	(6,861)
	<b>Total</b>		<b>35,769,135</b>	<b>2,264,728</b>	<b>-</b>	<b>33,504,407</b>	<b>27,589,500</b>	<b>-</b>	<b>5,777,694</b>	<b>5,488,810</b>	<b>288,885</b>



**Table 5-4  
Infrastructure Costs covered in the D.C Calculation – Library Services**

Proj. No.	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2024\$)	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
	2024 to 2034									95%	5%
1	Library Collection Additions	2024-2034	685,798	-		685,798	-		685,798	651,508	34,290
	Reserve Fund Adjustment								(78,449)	(74,526)	(3,922)
	<b>Total</b>		<b>685,798</b>	<b>-</b>	<b>-</b>	<b>685,798</b>	<b>-</b>	<b>-</b>	<b>607,349</b>	<b>576,982</b>	<b>30,367</b>



Table 5-5  
 Infrastructure Costs covered in the D.C Calculation – By-law Enforcement Services

Proj. No.	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2024\$)	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
	2024 to 2034									82%	18%
1	New By-law Vehicle	2025	60,000	48,290		11,710	-		11,710	9,602	2,108
				-		-	-		-	-	-
				-		-	-		-	-	-
				-		-	-		-	-	-
				-		-	-		-	-	-
				-		-	-		-	-	-
				-		-	-		-	-	-
				-		-	-		-	-	-
				-		-	-		-	-	-
				-		-	-		-	-	-
	<b>Total</b>		<b>60,000</b>	<b>48,290</b>	<b>-</b>	<b>11,710</b>	<b>-</b>	<b>-</b>	<b>11,710</b>	<b>9,602</b>	<b>2,108</b>



## 5.3 10-Year Capital Costs for Area-Specific D.C. Calculation

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This section evaluates the development-related capital requirements for area-specific services assessed over a 10-year planning period (2024-2034).

The anticipated development-related capital requirements for Wastewater and Water Services have been developed by CIMA+, in consultation with the Municipality's staff.

### 5.3.1 Policing Services (P.H.P.S.)

The P.H.P.S. provides policing services in the Municipality's urban area. P.H.P.S. operates out of an 11,000 square foot police station and garage, in addition to providing outfitting and equipment for 32 uniformed officers, 2 automatic license plate readers, and 13 vehicles. In total, the inventory of police assets provides a historical average level of service of \$410 per capita. The historical level of investment in police services provides for a D.C. eligible amount over the forecast period of approximately \$1.2 million.

Based on the Municipality's P.H.P.S. Strategic Plan and discussion with staff, the 10-year capital needs to accommodate growth have a total gross capital cost of approximately \$4.8 million. These costs include approximately \$707,700 in unfunded debt payments related to the construction of the police station in 2016 and \$206,000 in previously acquired but unfunded growth-related capital. Furthermore, these costs include future debt payments related to the construction of the police station in 2016 (i.e. committed excess capacity), additional police station and storage facilities, additional police officer equipment, and a police vehicle. Deductions of approximately \$2.6 million for post period benefits related to the police station expansion and police station debenture repayments and \$902,400 for the benefit to existing development have been applied. As a result, approximately \$1.2 million of growth-related costs have been included in the calculation of the charge for the 10-year forecast period.

The D.C. recoverable capital costs have been allocated 83% residential and 17% non-residential based on the incremental growth in population to employment within the urban area for the 10-year forecast period.



### **5.3.2 Wastewater**

Wastewater includes wastewater pumping stations and sanitary sewers. The capital program includes upgrades to the pumping station access road and the Mill Street Pumping Station and additional wastewater equipment. Furthermore, outstanding credits and associated financing costs related to the works emplaced by AON will continue to be recovered through the D.C.

In total, the gross capital cost estimates amount to approximately \$4.4 million, including \$1.0 million in unfunded D.C. recoverable costs previously incurred. A Deduction of \$16,000 for benefit to existing development has been included. The net capital costs identified for inclusion in the calculation of the charge total approximately \$4.4 million.

Costs related to wastewater pumping stations were allocated 95% to residential and 5% to non-residential development, due to this service being fundamentally directed towards residential users. For all other projects, the costs have been allocated 69% residential and 31% non-residential, based on contributing equivalent-population flows.

### **5.3.3 Wastewater Treatment Plants**

The Municipality will continue to recover committed excess capacity for new development within the wastewater treatment plant. This committed excess capacity is included within unfunded growth-related debt payments and future debt payments for the Wastewater Treatment Plant upgrades and expansion, totaling approximately \$15.0 million. Approximately \$1.4 million has been deducted in recognition of the D.C. reserve fund balance, resulting in \$13.6 million in capital needs being included in the D.C. calculation.

The allocation of this cost to residential and non-residential development is 69% and 31% respectively, based on contributing equivalent-population flows.

### **5.3.4 Water Services**

Similar to the wastewater treatment plant, the Municipality will continue to recover the committed excess capacity within the water treatment plant available to service new development. These costs include unfunded growth-related debt payments of the Water Treatment Plant upgrades and expansion. Furthermore, the capital program



includes the replacement, oversizing, and construction of watermains, as well as upgrades to pumping stations and unfunded D.C. recoverable costs previously incurred. In total, the gross capital cost estimates over the forecast period total approximately \$20.2 million. Deductions of approximately \$1.4 million in recognition of post period benefits and \$9.0 million to recognize the benefits to the existing community have been provided. As a result, approximately \$9.7 million in capital needs has been included in the D.C. calculation.

These D.C. recoverable capital costs have been allocated 69% to residential development, and 31% to non-residential development, based on contributing equivalent-population flows.



**Table 5-5**  
**Infrastructure Costs covered in the D.C Calculation – Policing Services (P.H.P.S.)**

Proj. No.	Increased Service Needs Attributable to Anticipated Development  2024 to 2034	Timing (year)	Gross Capital Cost Estimate (2024\$)	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 83%	Non-Residential Share 17%
1	Additional Officer Outfitting (5)		62,000	-		62,000	-		62,000	51,460	10,540
2	C8 Carbine		3,500	-		3,500	-		3,500	2,905	595
3	External Storage Building		144,000	-		144,000	-		144,000	119,520	24,480
4	Police Station Expansion	2028	2,000,000	2,000,000		-	-		-	-	-
5	Additional Police Vehicle		75,000	-		75,000	-		75,000	62,250	12,750
<b>Debt Payments</b>											
6	New Police Station (Future Debt Payments)		1,558,702	640,153		918,549	902,400		16,149	13,404	2,745
7	New Police Station (Previously Unfunded Debt Payments)		707,671	-		707,671	-		707,671	587,367	120,304
	Previously Unfunded Amounts		206,031	-		206,031	-		206,031	171,006	35,025
	<b>Total</b>		<b>4,756,904</b>	<b>2,640,153</b>	<b>-</b>	<b>2,116,751</b>	<b>902,400</b>	<b>-</b>	<b>1,214,351</b>	<b>1,007,911</b>	<b>206,440</b>



**Table 5-6  
Infrastructure Costs covered in the D.C Calculation – Wastewater**

Proj. No.	Increased Service Needs Attributable to Anticipated Development  2024 to 2034 (Urban)	Timing (year)	Gross Capital Cost Estimate (2024\$)	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
	<b>Pumping Stations</b>										
SP1	Pumping Station Access Road (South of Lakeshore Road)		424,114	-		424,114	-		424,114	402,908	21,206
SP2	Mill Street (Mill Street Pumping Station)		106,029	-		106,029	-		106,029	100,727	5,301
	<b>Equipment</b>										
WW2	Additional Portable Sewer Camera System		12,000	-		12,000	6,000		6,000	4,135	1,865
WW3	Upgraded Vehicle based Sewer Inspection Camera System		20,000	-		20,000	10,000		10,000	6,892	3,108
1	AON Growth-Related Outstanding Credits and Net Financing Costs (Sewers)		679,206	-		679,206	-		679,206	468,124	211,082
2	AON Growth-Related Outstanding Credits and Net Financing Costs (Pumping Stations)		2,189,118	-		2,189,118	-		2,189,118	2,079,662	109,456
	Previously Unfunded Amounts		1,012,365	-		1,012,365	-		1,012,365	907,994	104,371
	<b>Total</b>		<b>4,442,832</b>	<b>-</b>	<b>-</b>	<b>4,442,832</b>	<b>16,000</b>	<b>-</b>	<b>4,426,832</b>	<b>3,970,443</b>	<b>456,388</b>





**Table 5-7**  
**Infrastructure Costs covered in the D.C Calculation – Wastewater Treatment Plants**

Proj. No.	Increased Service Needs Attributable to Anticipated Development  2024 to 2034 (Urban)	Timing (year)	Gross Capital Cost Estimate (2024\$)	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 69%	Non-Residential Share 31%
1	<b>Debt Payments</b> WWTP Upgrades & Expansion (Growth Share of Future Debt Payments)		8,150,315	-		8,150,315	-		8,150,315	5,617,378	2,532,937
2	WWTP Upgrades & Expansion (Previously Unfunded Debt Payments)		6,879,590	-		6,879,590	-		6,879,590	4,741,566	2,138,024
	Reserve Fund Adjustment								(1,407,012)	(969,744)	(437,268)
	<b>Total</b>		<b>15,029,905</b>	<b>-</b>	<b>-</b>	<b>15,029,905</b>	<b>-</b>	<b>-</b>	<b>13,622,892</b>	<b>9,389,200</b>	<b>4,233,693</b>



**Table 5-8  
Infrastructure Costs covered in the D.C Calculation – Water Services**

Proj. No.	Increased Service Needs Attributable to Anticipated Development  2024 to 2034 (Urban)	Timing (year)	Gross Capital Cost Estimate (2024\$)	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 69%	Non-Residential Share 31%
W1	<b>Watermain Replacement</b> Victoria Street South (Ridout Street to Strachan Street)		395,643	-		395,643	311,500		84,143	57,993	26,150
W2	Toronto Road (Fraser Street to Ridout Street)		1,652,495	-		1,652,495	929,700		722,795	498,166	224,629
W3a	<b>Watermain Oversizing</b> Ontario Street (Croft Street to Walton Street)		130,750	-		130,750	95,700		35,050	24,157	10,893
W3b	Croft Street (200m West of Rose Glen Road to Deblaire Street)		39,067	-		39,067	28,600		10,467	7,214	3,253
W4c	Pemberton Drive (Henderson Street to 300m East of Henderson Street)		35,659	-		35,659	-		35,659	24,577	11,082
W4d	<b>Watermain Construction</b> Pemberton Drive (300m East of Henderson Street to Victoria Street North)		195,410	-		195,410	-		195,410	134,681	60,729
W7	<b>Pumping Upgrades</b> Victoria Street Booster Pumping Station		286,002	-		286,002	57,200		228,802	157,696	71,107
W8	Future Zone 1 Floating Storage Site		12,120,789	1,425,200		10,695,589	7,607,300		3,088,289	2,128,517	959,772
1	<b>Debt Payments</b> WTP Upgrades & Expansion (Previously Unfunded Debt Payments)		3,960,396	-		3,960,396	-		3,960,396	2,729,593	1,230,803
	Previously Unfunded Amounts		1,343,006	-		1,343,006	-		1,343,006	925,630	417,376
	<b>Total</b>		<b>20,159,217</b>	<b>1,425,200</b>	<b>-</b>	<b>18,734,017</b>	<b>9,030,000</b>	<b>-</b>	<b>9,704,017</b>	<b>6,688,224</b>	<b>3,015,793</b>



# Chapter 6

## D.C. Calculation



## 6. D.C. Calculation

This chapter presents the D.C. calculations for the growth-related capital costs identified in Chapter 5. Table 6-1 calculates the proposed area-specific D.C. to be imposed on anticipated development in the urban area over the 10-year forecast period. Table 6-2 calculates the proposed Municipality-wide D.C.s to be imposed on anticipated development in the Municipality over the 10-year forecast period.

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, all other multiples, and special care dwelling units). The non-residential D.C.s have been calculated on a per square foot of gross floor area basis for non-residential development.

The D.C. eligible costs for each service component are provided in Chapter 5 for all municipal services, based on their proposed capital programs.

For the residential calculations, the total cost is divided by the population associated with new units to determine the per capita amount. The eligible-D.C. cost calculations set out in Chapter 5 are based on the forecast new unit population less any decline in the existing population, where applicable. The cost per capita is then multiplied by the average occupancy of the new units (Appendix A, Schedule 4) to calculate the charges in Table 6-1 to Table 6-2.

With respect to non-residential development, the total costs in the uniform charge allocated to non-residential development (based on need for service) have been divided by the anticipated development over the respective planning periods to calculate a cost per sq.ft. of G.F.A.

Table 6-3 summarizes the calculated schedule of charges, reflecting the maximum D.C.s by residential dwelling unit type and non-residential G.F.A. for municipal-wide and area-specific services.

Table 6-4 and Table 6-5 compare the existing charges to the charges proposed for a single detached residential dwelling unit and per square foot of G.F.A. for non-residential development, respectively. Table 6-5 provides the comparison separately for industrial and all other non-residential, in order to capture the Municipality's historical



practice of only charging the water and wastewater components of the charge to industrial development.

In total, the proposed charge for a single detached dwelling unit would increase by 39% (+ \$4,462) in the rural area and would increase by 17% (+ \$4,650) in the urban area.

For industrial development, the proposed D.C. in the urban area would increase by 9% (+ \$1.04 per sq.ft. of G.F.A.) relative to the current charge.

For all other non-residential development, the proposed D.C. in the rural area would increase by 22% (+ \$0.97 per sq.ft. of G.F.A.) relative to the current charge. In the urban area, the proposed D.C. would increase by 13% (+ \$2.16 per sq.ft. of G.F.A.) relative to the current charge.



Table 6-1  
Area-Specific Services D.C Calculation – Urban Area  
2024-2034

SERVICE/CLASS OF SERVICE	2024\$ D.C.-Eligible Cost		2024\$ D.C.-Eligible Cost	
	Residential	Non-Residential	S.D.U.	per sq.ft.
	\$	\$	\$	\$
1. Policing Services (P.H.P.S.)	1,007,911	206,440	786	0.34
2. Wastewater Services				
2.1 Wastewater	3,970,443	456,388	3,096	0.75
2.2 Wastewater Treatment Plants	9,389,200	4,233,693	7,321	6.96
3. Water Services	6,688,224	3,015,793	5,215	4.96
<b>TOTAL</b>	<b>\$21,055,778</b>	<b>\$7,912,314</b>	<b>\$16,418</b>	<b>\$13.01</b>
D.C.-Eligible Capital Cost	\$21,055,778	\$7,912,314		
10-Year Urban Gross Population/GFA Growth (sq.ft.)	2,964	608,400		
<b>Cost Per Capita/Non-Residential GFA (sq.ft.)</b>	<b>\$7,103.84</b>	<b>\$13.01</b>		
<b>By Residential Unit Type</b>	<b>P.P.U.</b>			
Single and Semi-Detached Dwelling	2.311	\$16,417		
Other Multiples	1.701	\$12,084		
Apartments - 2 Bedrooms +	1.691	\$12,013		
Apartments - Bachelor and 1 Bedroom	1.358	\$9,647		
Special Care Dwelling Units	1.100	\$7,814		

Table 6-2  
Municipality-wide Services D.C Calculation  
2024-2034

SERVICE/CLASS OF SERVICE	2024\$ D.C.-Eligible Cost		2024\$ D.C.-Eligible Cost	
	Residential	Non-Residential	S.D.U.	per sq.ft.
	\$	\$	\$	\$
4. Services Related to a Highway	12,789,877	2,807,534	9,034	3.76
5. Fire Protection Services	3,786,436	831,169	2,674	1.11
6. Parks and Recreation Services	5,488,810	288,885	3,877	0.39
7. Library Services	576,982	30,367	408	0.04
8. By-law Enforcement Services	9,602	2,108	7	-
<b>TOTAL</b>	<b>\$22,651,708</b>	<b>\$3,960,063</b>	<b>\$16,000</b>	<b>\$5.30</b>
D.C.-Eligible Capital Cost	\$22,651,708	\$3,960,063		
10-Year Gross Population/GFA Growth (sq.ft.)	3,272	746,400		
<b>Cost Per Capita/Non-Residential GFA (sq.ft.)</b>	<b>\$6,922.89</b>	<b>\$5.31</b>		
<b>By Residential Unit Type</b>	<b>P.P.U.</b>			
Single and Semi-Detached Dwelling	2.311	\$15,999		
Other Multiples	1.701	\$11,776		
Apartments - 2 Bedrooms +	1.691	\$11,707		
Apartments - Bachelor and 1 Bedroom	1.358	\$9,401		
Special Care Dwelling Units	1.100	\$7,615		



**Table 6-3  
Calculated Schedule of D.C. Charges**

Service/Class of Service	RESIDENTIAL					NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care Dwelling Units	(per sq.ft. of Gross Floor Area)
<b>Municipal Wide Services/Class of Service:</b>						
Services Related to a Highway	\$ 9,034	\$ 6,649	\$ 6,610	\$ 5,309	\$ 4,300	\$ 3.76
Fire Protection Services	\$ 2,674	\$ 1,968	\$ 1,957	\$ 1,571	\$ 1,273	\$ 1.11
Parks and Recreation Services	\$ 3,877	\$ 2,854	\$ 2,837	\$ 2,278	\$ 1,845	\$ 0.39
Library Services	\$ 408	\$ 300	\$ 299	\$ 240	\$ 194	\$ 0.04
By-law Enforcement Services	\$ 7	\$ 5	\$ 5	\$ 4	\$ 3	\$ -
<b>Total Municipal Wide Services/Class of Services</b>	<b>\$ 16,000</b>	<b>\$ 11,776</b>	<b>\$ 11,708</b>	<b>\$ 9,402</b>	<b>\$ 7,615</b>	<b>\$ 5.30</b>
<b>Area Specific Services (Urban Area)</b>						
Policing Services (P.H.P.S.)	\$ 786	\$ 579	\$ 575	\$ 462	\$ 374	\$ 0.34
<b>Total Area Specific Services (Urban Area)</b>	<b>\$ 786</b>	<b>\$ 579</b>	<b>\$ 575</b>	<b>\$ 462</b>	<b>\$ 374</b>	<b>\$ 0.34</b>
<b>Urban Services</b>						
Wastewater	\$ 3,096	\$ 2,279	\$ 2,265	\$ 1,819	\$ 1,474	\$ 0.75
Wastewater Treatment Plants	\$ 7,321	\$ 5,389	\$ 5,357	\$ 4,302	\$ 3,485	\$ 6.96
Water Services	\$ 5,215	\$ 3,838	\$ 3,816	\$ 3,064	\$ 2,482	\$ 4.96
<b>Total Urban Services</b>	<b>\$ 15,632</b>	<b>\$ 11,506</b>	<b>\$ 11,438</b>	<b>\$ 9,185</b>	<b>\$ 7,441</b>	<b>\$ 12.67</b>
<b>GRAND TOTAL RURAL AREA</b>	<b>\$ 16,000</b>	<b>\$ 11,776</b>	<b>\$ 11,708</b>	<b>\$ 9,402</b>	<b>\$ 7,615</b>	<b>\$ 5.30</b>
<b>GRAND TOTAL URBAN AREA</b>	<b>\$ 32,418</b>	<b>\$ 23,861</b>	<b>\$ 23,721</b>	<b>\$ 19,049</b>	<b>\$ 15,430</b>	<b>\$ 18.31</b>



Table 6-4  
Comparison of Current and Proposed Residential (Single Detached) D.C.s

Service/Class of Service	Current	Proposed	Difference
<b>Municipal Wide Services/Classes:</b>			
Services Related to a Highway	\$ 8,484	\$ 9,034	\$ 550
Fire Protection Services	\$ 716	\$ 2,674	\$ 1,958
Parks and Recreation Services	\$ 1,767	\$ 3,877	\$ 2,110
Library Services	\$ 345	\$ 408	\$ 63
By-law Enforcement Services	\$ -	\$ 7	\$ 7
Growth-related Studies	\$ 226	\$ -	\$ (226)
<b>Total Municipal Wide Services/Classes</b>	<b>\$ 11,538</b>	<b>\$ 16,000</b>	<b>\$ 4,462</b>
<b>Area Specific Services (Urban Area)</b>			
Policing Services (P.H.P.S.)	\$ 514	\$ 786	\$ 272
<b>Total Area Specific Services (Urban Area)</b>	<b>\$ 514</b>	<b>\$ 786</b>	<b>\$ 272</b>
<b>Urban Services</b>			
Wastewater	\$ 5,163	\$ 3,096	\$ (2,067)
Wastewater Treatment Plants	\$ 7,041	\$ 7,321	\$ 280
Water Services	\$ 3,512	\$ 5,215	\$ 1,703
<b>Total Urban Services</b>	<b>\$ 15,716</b>	<b>\$ 15,632</b>	<b>\$ (84)</b>
<b>Grand Total - Rural Area</b>	<b>\$ 11,538</b>	<b>\$ 16,000</b>	<b>\$ 4,462</b>
<b>Grand Total - Urban Area</b>	<b>\$ 27,768</b>	<b>\$ 32,418</b>	<b>\$ 4,650</b>





Table 6-5  
Comparison of Current and Proposed Non-Residential D.C. (per sq.ft. of G.F.A.)

Service/Class of Service	All Other (per sq.ft. of G.F.A.)			Industrial (per sq.ft. of G.F.A.)		
	Current	Proposed	Difference	Current	Proposed	Difference
<b>Municipal Wide Services/Classes:</b>						
Services Related to a Highway	\$ 3.88	\$ 3.76	\$ (0.12)	\$ -	\$ -	\$ -
Fire Protection Services	\$ 0.19	\$ 1.11	\$ 0.92	\$ -	\$ -	\$ -
Parks and Recreation Services	\$ 0.14	\$ 0.39	\$ 0.25	\$ -	\$ -	\$ -
Library Services	\$ 0.02	\$ 0.04	\$ 0.02	\$ -	\$ -	\$ -
By-law Enforcement Services	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Growth-related Studies	\$ 0.10	\$ -	\$ (0.10)	\$ -	\$ -	\$ -
<b>Total Municipal Wide Services/Classes</b>	<b>\$ 4.33</b>	<b>\$ 5.30</b>	<b>\$ 0.97</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Area Specific Services (Urban Area)</b>						
Policing Services (P.H.P.S.)	\$ 0.19	\$ 0.34	\$ 0.15	\$ -	\$ -	\$ -
<b>Total Area Specific Services (Urban Area)</b>	<b>\$ 0.19</b>	<b>\$ 0.34</b>	<b>\$ 0.15</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Urban Services</b>						
Wastewater	\$ 0.84	\$ 0.75	\$ (0.09)	\$ 0.84	\$ 0.75	\$ (0.09)
Wastewater Treatment Plants	\$ 7.20	\$ 6.96	\$ (0.24)	\$ 7.20	\$ 6.96	\$ (0.24)
Water Services	\$ 3.59	\$ 4.96	\$ 1.37	\$ 3.59	\$ 4.96	\$ 1.37
<b>Total Urban Services</b>	<b>\$ 11.63</b>	<b>\$ 12.67</b>	<b>\$ 1.04</b>	<b>\$ 11.63</b>	<b>\$ 12.67</b>	<b>\$ 1.04</b>
<b>Grand Total - Rural Area</b>	<b>\$ 4.33</b>	<b>\$ 5.30</b>	<b>\$ 0.97</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Grand Total - Urban Area</b>	<b>\$ 16.15</b>	<b>\$ 18.31</b>	<b>\$ 2.16</b>	<b>\$ 11.63</b>	<b>\$ 12.67</b>	<b>\$ 1.04</b>



# Chapter 7

## D.C. Policy Recommendations and D.C. By-law Rules



## 7. D.C. Policy Recommendations and D.C. By-law Rules

### 7.1 Introduction

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This chapter outlines the D.C. policy recommendations and by-law rules.

Subsection 5 (1), paragraph 9 of the D.C.A. states that rules must be developed:

“to determine if a development charge is payable in any particular case and to determine the amount of the charge, subject to the limitations set out in subsection 6.”

Paragraph 10 of the section goes on to state that the rules may provide for exemptions, phasing in and/or indexing of D.C.s.

Subsection 5 (6) establishes the following restrictions on the rules:

- the total of all D.C.s that would be imposed on anticipated development must not exceed the capital costs determined under subsection 5 (1) 2-7 for all services involved;
- if the rules expressly identify a type of development, they must not provide for it to pay D.C.s that exceed the capital costs that arise from the increase in the need for service for that type of development; however, this requirement does not relate to any particular development; and
- if the rules provide for a type of development to have a lower D.C. than is allowed, the rules for determining D.C.s may not provide for any resulting shortfall to be made up via other development.

With respect to “the rules,” section 6 states that a D.C. by-law must expressly address the matters referred to above in subsection 5 (1) paragraphs 9 and 10, as well as how the rules apply to the redevelopment of land.

The rules provided give consideration for the recent amendments to the D.C.A. as summarized in section 1.3. However, these policies are provided for Council’s consideration and may be refined prior to adoption of the by-law.



## 7.2 D.C. By-law Structure

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It is recommended that:

- the Municipality impose a Municipality-wide D.C. calculation for all municipal services, except for P.H.P.S., wastewater services, and water services;
- the Municipality impose D.C.s for P.H.P.S. in the urban area only;
- the Municipality impose D.C.s for wastewater and water services in the water and wastewater serviced areas only;
- the Municipality uses individual D.C. by-laws for each eligible service to be recovered through D.C.s for ease of future updates that may be required prior to the anticipated 10-year expiry date; and
- the Municipality implement the amendments identified in section 7.3.9 if Bill 185 comes into force before Council approves the D.C. by-laws.

## 7.3 D.C. By-law Rules

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The following sets out the recommended rules governing the calculation, payment, and collection of D.C.s in accordance with section 6 of the D.C.A.

It is recommended that the following provides the basis for the D.C.s:

### 7.3.1 *Payment in any Particular Case*

In accordance with the D.C.A., subsection 2 (2), a D.C. be calculated, payable and collected where the development requires one or more of the following:

- (a) the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*;
- (b) the approval of a minor variance under section 45 of the *Planning Act*;
- (c) a conveyance of land to which a by-law passed under 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, 1998*; or



- (g) the issuing of a permit under the *Building Code Act, 1992* in relation to a building or structure.

### **7.3.2 Determination of the Amount of the Charge**

The following conventions be adopted:

- 1) Costs allocated to residential uses will be assigned to different types of residential units based on the average occupancy for each housing type constructed during the previous decade. Costs allocated to non-residential uses will be assigned based on the amount of square feet of G.F.A. constructed for eligible uses (i.e., industrial, commercial, and institutional).
- 2) Costs allocated to residential and non-residential uses are based upon a number of conventions, as may be suited to each municipal circumstance and are summarized in Chapter 5.

### **7.3.3 Application to Redevelopment of Land (Demolition and Conversion)**

Where, as a result of the redevelopment of land, a building or structure existing on the same land within five years prior to the date of payment of D.C.s in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate the redevelopment, the D.C.s otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

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

The demolition/conversion credit is allowed only if the land was improved by occupied structures, and if the demolition permit related to the site was issued less than 5 years prior to the issuance of a building permit.



The credit can, in no case, exceed the amount of development charges that would otherwise be payable.

### **7.3.4 Exemptions (full or partial)**

a) Statutory exemptions include the following:

- Partial exemption for industrial building additions of up to and including 50% of the existing G.F.A. (defined in O. Reg. 82/98, section 1) of the building; for industrial building additions that exceed 50% of the existing G.F.A., only the portion of the addition in excess of 50% is subject to D.C.s (subsection 4 (3) of the D.C.A.);
- Full exemption for buildings or structures owned by and used for the purposes of any municipality, local board, or Board of Education;
- Full exemption for additional residential development within or ancillary to existing buildings: 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 limits set out in subsection 2 (3.2) of the Act);
- Full exemption for additional residential development within or ancillary to new dwellings: development that includes the creation of up to two additional dwelling units (based on limits set out in subsection 2 (3.3) of the Act);
- Full exemption for the creation of the greater of one residential unit or 1% of the existing residential units in an existing rental residential building;
- Full exemption for a university in Ontario that receives direct, regular, and ongoing operating funding from the Government of Ontario;
- Full exemption for affordable units (effective June 1, 2024);
- Full exemption for affordable units and attainable units, (in effect on a day to be named by proclamation of the Lieutenant Governor);
- Full exemption for affordable inclusionary zoning units;
- Full exemption for non-profit housing developments; and
- Partial exemption through a discount for rental housing units based on bedroom size as prescribed (i.e., three or more bedrooms - 25% discount, two bedrooms - 20% discount, and all others - 15% discount).

b) Non-statutory exemptions included for consideration in the draft by-laws include:

- Lands, buildings or structures used or to be used for a place of worship or for the purposes of a churchyard or cemetery exempt from taxation under the *Assessment Act*,



- The construction of a non-residential farm building or structure constructed for a bona fide farm operation;
- Buildings used as hospitals as governed by the *Public Hospitals Act*, and
- For industrial uses, only the water and wastewater portions of the development charge are applicable.

### **7.3.5 Mandatory Phasing in**

As required by the *More Homes Built Faster Act*, the calculated D.C. will be phased-in over a five-year period as follows:

- Year 1 - 80% of the maximum charge;
- Year 2 - 85% of the maximum charge;
- Year 3 - 90% of the maximum charge;
- Year 4 - 95% of the maximum charge; and
- Year 5 to expiry - 100% of the maximum charge.

### **7.3.6 Timing of Collection**

The D.C.s for all services and classes 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 Municipality and an owner under section 27 of the D.C.A.

Rental housing and institutional developments will pay D.C.s in six equal annual payments commencing at occupancy. Moreover, the D.C. amount for all developments occurring within two (2) years of a Site Plan or Zoning By-law Amendment planning approval (for applications submitted after January 1, 2020), shall be determined based on the D.C. in effect on the day of the applicable Site Plan or Zoning By-law Amendment application was deemed complete.

Installment payments and payments determined at the time of Site Plan or Zoning By-law Amendment application are subject to annual interest charges. The interest rate the Municipality can impose is governed by the Municipality's Council approved Development Charges Interest Policy.



### **7.3.7 Indexing**

Indexing of the D.C.s shall be implemented on a mandatory basis annually on January 1<sup>st</sup> of each year, in accordance with the Statistics Canada Quarterly, Non-Residential Building Construction Price Index for Toronto (currently Table 18-10-0276-02) for the most recent year-over-year period.

### **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. Subsections 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. The D.C.A. now requires municipalities to consider the application of municipal-wide and area-specific D.C.s. Subsection 10 (2), clause (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.

Based on the foregoing and historical practice in the Municipality, it is proposed that uniform Municipality-wide D.C.s for all services excluding P.H.P.S., wastewater services, and water services be imposed. Wastewater and water services D.C.s will continue to be imposed on an area-specific basis for development in the wastewater and water serviced areas. P.H.P.S. D.C.s will continue to be imposed on an area-specific basis for development in the urban area.

### **7.3.9 Proposed Amendments Upon Enactment of Bill 185**

Should Bill 185 come into force before Council approves the proposed D.C. by-laws, the following amendments to the calculation of the D.C. and the draft D.C. by-laws are recommended:

- Consolidate proposed D.C. by-laws into a single D.C. by-law covering all eligible services, for ease of administration;
- Add to the by-law a charge for growth-related studies;
- Remove from the by-law reference to the mandatory phase-in of D.C.s; and





- Amend the timeline for calculating D.C.s payable for developments that had an accompanying Site Plan or Zoning By-law Amendment planning approval from within 2 years of the application being approved to within 18 months of the application being approved (for applications submitted after Bill 185 comes into force).

## **7.4 Other D.C. By-law Provisions**

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**It is recommended that:**

### ***7.4.1 Categories of Services for Reserve Fund and Credit Purposes***

It is recommended that the Municipality's D.C. collections be contributed into nine (9) separate reserve funds, including:

- Services Related to a Highway;
- Fire Protection Services;
- Parks and Recreation Services;
- Library Services;
- By-law Enforcement Services;
- Policing Services (P.H.P.S.);
- Wastewater;
- Wastewater Treatment Plants; and
- Water Services.

### ***7.4.2 By-law In-force Date***

It is proposed that the new D.C. by-laws will come into force on July 10, 2024 (i.e., ahead of the expiry date of the Municipality's current D.C. by-law).

### ***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 come into force (as per section 11 of O. Reg. 82/98).



## 7.5 Other Recommendations

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### **It is recommended that Council:**

“Whenever appropriate, request that grants, subsidies and other contributions be clearly designated by the donor as being to the benefit of existing development or new development, as applicable;”

“Adopt the assumptions contained herein as an ‘anticipation’ with respect to capital grants, subsidies, and other contributions;”

“Adopt the D.C. approach to calculate the charges on a uniform -wide basis for all services, except for police services which will be imposed in the urban area, and water and wastewater services which will be imposed in the urban serviced areas;”

“Approve the capital project listing set out in Chapter 5 of the D.C. Background Study dated May 10, 2024, subject to further annual review during the capital budget process;”

“Approve the D.C. Background Study dated May 10, 2024;”

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

“Approve the D.C. By-laws as set out in Appendices F through M.”



# Chapter 8

## By-law Implementation



## 8. By-law Implementation

### 8.1 Public Consultation Process

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#### **8.1.1 Introduction**

This chapter addresses the mandatory, formal public consultation process (section 8.1.2), as well as the optional, informal consultation process (section 8.1.3). The latter is designed to seek the co-operation and participation of those involved, in order to produce the most suitable policy. Section 8.2 addresses the anticipated impact of the D.C. on development from a generic viewpoint.

#### **8.1.2 Public Meeting of Council**

Section 12 of the D.C.A. indicates that before passing a D.C. by-law, Council must hold at least one public meeting, giving at least 20 clear days' notice thereof, in accordance with the Regulation. Council must also ensure that the proposed by-law and background report are made available to the public at least two weeks prior to the (first) meeting.

Any person who attends such a meeting may make representations related to the proposed by-law.

If a proposed by-law is changed following such a meeting, Council must determine whether a further meeting (under this section) is necessary (i.e., if the proposed by-law which is proposed for adoption has been changed in any respect, Council should formally consider whether an additional public meeting is required, incorporating this determination as part of the final by-law or associated resolution. It is noted that Council's decision, once made, is final and not subject to review by a Court or the Ontario Land Tribunal (O.L.T.) (formerly the Local Planning Appeal Tribunal).

#### **8.1.3 Other Consultation Activity**

There are three broad groupings of the public who are generally the most concerned with municipal D.C. policy:

1. The first grouping is the residential development community, consisting of land developers and builders, who are typically responsible for generating the majority



of the D.C. revenues. Others, such as realtors, are directly impacted by D.C. policy. They are, therefore, potentially interested in all aspects of the charge, particularly the quantum by unit type, projects to be funded by the D.C. and the timing thereof, and municipal policy with respect to development agreements, D.C. credits and front-ending requirements.

2. The second public grouping embraces the public at large and includes taxpayer coalition groups and others interested in public policy.
3. The third grouping is the industrial/commercial/institutional/primary development sector, consisting of land developers and major owners or organizations with significant construction plans, such as hotels, entertainment complexes, shopping centres, offices, industrial buildings, institutional buildings, and buildings on agricultural lands. Also involved are organizations such as Industry Associations, the Chamber of Commerce, the Board of Trade, and the Economic Development Agencies, who are all potentially interested in Municipal D.C. policy. Their primary concern is frequently with the quantum of the charge, gross floor area exclusions such as basements, mechanical or indoor parking areas, or exemptions and phase-in or capping provisions in order to moderate the impact.

## 8.2 Anticipated Impact of the Charge on Development

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The establishment of sound D.C. policy often requires the achievement of an acceptable balance between two competing realities. The first is that high non-residential D.C.s can, to some degree, represent a barrier to increased economic activity and sustained industrial/commercial growth, particularly for capital intensive uses. Also, in many cases, increased residential D.C.s can ultimately be expected to be recovered via housing prices and can impact project feasibility in some cases (e.g. rental apartments).

On the other hand, D.C.s or other municipal capital funding sources need to be obtained in order to help ensure that the necessary infrastructure and amenities are installed. The timely installation of such works is a key initiative in providing adequate service levels and in facilitating strong economic growth, investment, and wealth generation.



## 8.3 Implementation Requirements

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### 8.3.1 Introduction

Once the Municipality has calculated the charge, prepared the complete background study, carried out the public process and passed a new by-law, the emphasis shifts to implementation matters. These include notices, potential appeals and complaints, credits, front-ending agreements, subdivision agreement conditions and finally the collection of revenues and funding of projects.

The sections that follow present an overview of the requirements in each case.

### 8.3.2 Notice of Passage

In accordance with section 13 of the D.C.A., when a D.C. by-law is passed, the Municipality Clerk shall give written notice of the passing and of the last day for appealing the by-law (the day that is 40 days after the day it was passed). Such notice must be given no later than 20 days after the day the by-law is passed (i.e., as of the day of newspaper publication or the mailing of the notice).

Section 10 of O. Reg. 82/98 further defines the notice requirements which are summarized as follows:

- notice may be given by publication in a newspaper which is (in the Clerk's opinion) of sufficient circulation to give the public reasonable notice, or by personal service, fax, or mail to every owner of land in the area to which the by-law relates;
- subsection 10 (4) lists the persons/organizations who must be given notice; and
- subsection 10 (5) lists the eight items that the notice must cover.

### 8.3.3 By-law Pamphlet

In addition to the “notice” information, the Municipality must prepare a “pamphlet” explaining each D.C. by-law in force, setting out:

- a description of the general purpose of the D.C.s;
- the "rules" for determining if a charge is payable in a particular case and for determining the amount of the charge;



- the services to which the D.C.s relate; and
- a description of the general purpose of the Treasurer's statement and where it may be received by the public.

Where a by-law is not appealed to the O.L.T., the pamphlet must be made available within 60 days after the by-law comes into force. Later dates apply to appealed by-laws.

The Municipality must give one copy of the most recent pamphlet without charge, to any person who requests one.

### **8.3.4 Appeals**

Sections 13 to 19 of the D.C.A. set out the requirements relative to making and processing a D.C. by-law appeal and O.L.T. hearing in response to an appeal. Any person or organization may appeal a D.C. by-law to the O.L.T. by filing a notice of appeal with the Municipality Clerk, setting out the objection to the by-law and the reasons supporting the objection. This must be done by the last day for appealing the by-law, which is 40 days after the by-law is passed.

The Municipality is conducting a public consultation process in order to address the issues that come forward as part of that process, thereby avoiding or reducing the need for an appeal to be made.

### **8.3.5 Complaints**

A person required to pay a D.C., or his agent, may complain to the Council imposing the charge that:

- the amount of the charge was incorrectly determined;
- the reduction to be used against the D.C. was incorrectly determined; or
- there was an error in the application of the D.C.

Sections 20 to 25 of the D.C.A. set out the requirements that exist, including the fact that a complaint may not be made later than 90 days after a D.C. (or any part of it) is payable. A complainant may appeal the decision of Council to the O.L.T.



### **8.3.6 Credits**

Sections 38 to 41 of the D.C.A. set out a number of credit requirements, which apply where a municipality agrees to allow a person to perform work in the future that relates to a service in the D.C. by-law.

These credits would be used to reduce the amount of D.C.s to be paid. The value of the credit is limited to the reasonable cost of the work which does not exceed the average level of service. The credit applies only to the service to which the work relates unless the municipality agrees to expand the credit to other services for which a D.C. is payable.

### **8.3.7 Front-Ending Agreements**

The Municipality and one or more landowners may enter into a front-ending agreement that provides for the costs of a project that will benefit an area in the Municipality to which the D.C. by-law applies. Such an agreement can provide for the costs to be borne by one or more parties to the agreement who are, in turn, reimbursed in future by persons who develop land defined in the agreement.

Part III of the D.C.A. (sections 44 to 58) addresses front-ending agreements and removes some of the obstacles to their use which were contained in the *Development Charges Act, 1989*. Accordingly, the Municipality assesses whether this mechanism is appropriate for its use, as part of funding projects prior to Municipality funds being available.

### **8.3.8 Severance and Subdivision Agreement Conditions**

Section 59 of the D.C.A. prevents a municipality from imposing directly or indirectly, a charge related to development or a requirement to construct a service related to development, by way of a condition or agreement under section 51 or section 53 of the *Planning Act*, except for:

- "local services, related to a plan of subdivision or within the area to which the plan relates, to be installed or paid for by the owner as a condition of approval under section 51 of the *Planning Act*;" and
- "local services to be installed or paid for by the owner as a condition of approval under section 53 of the *Planning Act*."





It is also noted that subsection 59 (4) of the D.C.A. requires that the municipal approval authority for a draft plan of subdivision under subsection 51 (31) of the *Planning Act*, use its power to impose conditions to ensure that the first purchaser of newly subdivided land is informed of all the D.C.s related to the development, at the time the land is transferred.

In this regard, if the municipality in question is a commenting agency, in order to comply with subsection 59 (4) of the D.C.A. it would need to provide to the approval authority information regarding the applicable municipal D.C.s related to the site.

If the Municipality is an approval authority for the purposes of section 51 of the *Planning Act*, it would be responsible to ensure that it collects information from all entities that can impose a D.C.

The most effective way to ensure that purchasers are aware of this condition would be to require it as a provision in a registered subdivision agreement, so that any purchaser of the property would be aware of the charges at the time the title was searched prior to closing a transaction conveying the lands.



# Appendices



# Appendix A

## Background Information on Residential and Non- Residential Growth Forecast



## Schedule 1 Municipality of Port Hope Residential Growth Forecast Summary

Year	Population (Including Census Undercount) <sup>[1]</sup>	Excluding Census Undercount			Housing Units					Person Per Unit (P.P.U.): Total Population/ Total Households	
		Population	Institutional Population	Population Excluding Institutional Population	Singles & Semi-Detached	Multiple Dwellings <sup>[2]</sup>	Apartments <sup>[3]</sup>	Other	Total Households		
Historical	<i>Mid 2011</i>	16,590	16,214	504	15,710	5,140	411	968	33	6,552	2.475
	<i>Mid 2016</i>	17,150	16,753	468	16,285	5,455	490	1,105	25	7,075	2.368
	<i>Mid 2021</i>	17,700	17,294	409	16,885	5,560	520	1,215	20	7,315	2.364
Forecast	<i>Mid 2024</i>	18,110	17,697	420	17,277	5,718	544	1,269	20	7,551	2.344
	<i>Mid 2034</i>	21,460	20,968	498	20,470	6,164	1,540	1,498	20	9,223	2.273
	<i>Buildout</i>	22,649	22,130	524	21,606	6,298	1,939	1,566	20	9,823	2.253
Incremental	<b>Mid 2011 - Mid 2016</b>	<b>560</b>	<b>539</b>	<b>-36</b>	<b>575</b>	<b>315</b>	<b>79</b>	<b>137</b>	<b>-8</b>	<b>523</b>	
	<b>Mid 2016 - Mid 2021</b>	<b>550</b>	<b>541</b>	<b>-59</b>	<b>600</b>	<b>105</b>	<b>30</b>	<b>110</b>	<b>-5</b>	<b>240</b>	
	<b>Mid 2021 - Mid 2024</b>	<b>410</b>	<b>403</b>	<b>11</b>	<b>392</b>	<b>158</b>	<b>24</b>	<b>54</b>	<b>0</b>	<b>236</b>	
	<b>Mid 2024 - Mid 2034</b>	<b>3,350</b>	<b>3,271</b>	<b>78</b>	<b>3,193</b>	<b>446</b>	<b>996</b>	<b>229</b>	<b>0</b>	<b>1,672</b>	
	<b>Mid 2024 - Buildout</b>	<b>4,539</b>	<b>4,433</b>	<b>104</b>	<b>4,329</b>	<b>580</b>	<b>1,395</b>	<b>297</b>	<b>0</b>	<b>2,272</b>	

<sup>[1]</sup> Population includes the Census undercount estimated at approximately 2.3% and has been rounded.

<sup>[2]</sup> Includes townhouses and apartments in duplexes.

<sup>[3]</sup> Includes bachelor, 1-bedroom, and 2-bedroom+ apartment units.

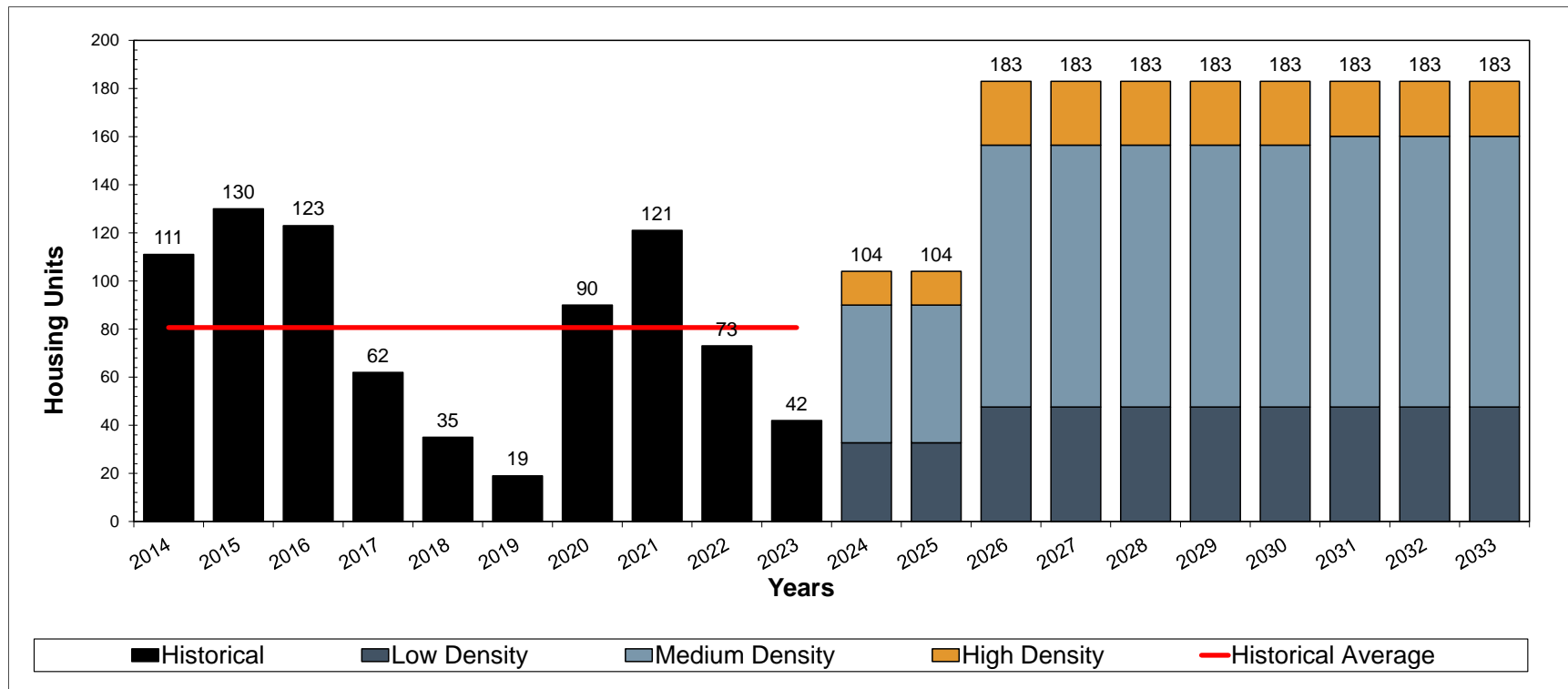
**Notes:**

Numbers may not add due to rounding.

Source: Derived from Northumberland County Municipal Comprehensive Review – Long-term Growth Forecast and Urban Land Needs Analysis, December 2021, Watson & Associates Economists Ltd., and discussions with Municipality of Port Hope staff regarding available urban land supply by Watson & Associates Economists Ltd.



Figure 1  
Municipality of Port Hope  
Annual Housing Forecast [1]



[1] Growth forecast represents calendar year.

Source: Historical housing activity derived from Municipality of Port Hope building permit data, 2014 to 2023.



**Schedule 2**  
**Municipality of Port Hope**  
**Estimate of the Anticipated Amount, Type and Location of**  
**Residential Development for Which Development Charges can be Imposed**

Development Location	Timing	Single & Semi-Detached	Multiples <sup>[1]</sup>	Apartments <sup>[2]</sup>	Total Residential Units	Gross Population In New Units	Existing Unit Population Change	Net Population Increase, Excluding Institutional	Institutional Population	Net Population Including Institutional
Urban	2024 - 2034	313	996	229	1,539	2,886	-1	2,886	78	2,964
	2024 - Buildout	400	1,395	297	2,092	3,914	-1	3,913	104	4,017
Rural	2024 - 2034	133	0	0	133	307	-0	307	0	307
	2024 - Buildout	180	0	0	180	416	-0	416	0	416
Municipality of Port Hope	2024 - 2034	446	996	229	1,672	3,194	-1	3,193	78	3,271
	2024 - Buildout	580	1,395	297	2,272	4,330	-1	4,329	104	4,433

<sup>[1]</sup> Includes townhouses and apartments in duplexes.

<sup>[2]</sup> Includes bachelor, 1-bedroom, and 2-bedroom+ apartment units.

Note: Figures have been rounded and may not add up precisely.

Source: Derived from Northumberland County Municipal Comprehensive Review - Long-term Growth Forecast and Urban Land Needs Analysis by Watson & Associates Economists Ltd.



**Schedule 3  
Municipality of Port Hope  
Current Year Growth Forecast  
Mid-2021 to Mid-2024**

		Population
Mid 2021 Population		17,294
Occupants of New Housing Units, Mid 2021 to Mid 2024	<i>Units (2)</i>	236
	<i>multiplied by P.P.U. (3)</i>	2,345
	<i>gross population increase</i>	553
Occupants of New Equivalent Institutional Units, Mid 2021 to Mid 2024	<i>Units</i>	10
	<i>multiplied by P.P.U. (3)</i>	1,100
	<i>gross population increase</i>	11
Decline in Housing Unit Occupancy, Mid 2021 to Mid 2024	<i>Units (4)</i>	7,315
	<i>multiplied by P.P.U. decline rate (5)</i>	-0.022
	<i>total decline in population</i>	-161
Population Estimate to Mid 2024		17,697
<i>Net Population Increase, Mid 2021 to Mid 2024</i>		403

- (1) 2021 population based on Statistics Canada Census unadjusted for Census undercount.
- (2) Estimated residential units constructed, Mid-2021 to the beginning of the growth period assuming a six-month lag between construction and occupancy.
- (3) Average number of persons per unit (P.P.U.) is assumed to be:

Structural Type	Persons Per Unit <sup>[1]</sup> (P.P.U.)	% Distribution of Estimated Units <sup>[2]</sup>	Weighted Persons Per Unit Average
<i>Singles &amp; Semi Detached</i>	2.647	67%	1.772
<i>Multiples (6)</i>	2.150	10%	0.219
<i>Apartments (7)</i>	1.548	23%	0.354
<b>Total</b>		100%	2.345

<sup>[1]</sup> Based on 2021 Census custom database

<sup>[2]</sup> Based on Building permit/completion activity

- (4) 2021 households taken from Statistics Canada Census.
- (5) Decline occurs due to aging of the population and family life cycle changes, lower fertility rates and changing economic conditions.
- (6) Includes townhouses and apartments in duplexes.
- (7) Includes bachelor, 1-bedroom and 2-bedroom+ apartments.

Note: Numbers may not add to total due to rounding



**Schedule 4  
Municipality of Port Hope  
10-Year Growth Forecast  
Mid-2024 to Mid-2034**

		Population
<b>Mid 2024 Population</b>		<b>17,697</b>
Occupants of New Housing Units, Mid 2024 to Mid 2034	<i>Units (2)</i>	1,672
	<i>multiplied by P.P.U. (3)</i>	1,910
	<i>gross population increase</i>	3,194
Occupants of New Equivalent Institutional Units, Mid 2024 to Mid 2034	<i>Units</i>	71
	<i>multiplied by P.P.U. (3)</i>	1,100
	<i>gross population increase</i>	78
Decline in Housing Unit Occupancy, Mid 2024 to Mid 2034	<i>Units (4)</i>	7,551
	<i>multiplied by P.P.U. decline rate (5)</i>	0.000
	<i>total decline in population</i>	-1
<b>Population Estimate to Mid 2034</b>		<b>20,968</b>
<i>Net Population Increase, Mid 2024 to Mid 2034</i>		<i>3,271</i>

(1) Mid 2024 Population based on:

2021 Population (17,294) + Mid 2021 to Mid 2024 estimated housing units to beginning of forecast period (236 x 2.345 = 553) + (10 x 1.1 = 11) + (7,315 x -0.022 = -161) = 17,697

(2) Based upon forecast building permits/completions assuming a lag between construction and occupancy.

(3) Average number of persons per unit (P.P.U.) is assumed to be:

Structural Type	Persons Per Unit <sup>[1]</sup> (P.P.U.)	% Distribution of Estimated Units <sup>[2]</sup>	Weighted Persons Per Unit Average
<i>Singles &amp; Semi Detached</i>	2.311	27%	0.617
<i>Multiples (6)</i>	1.807	60%	1.077
<i>Apartments (7)</i>	1.581	14%	0.217
<i>one bedroom or less</i>	1.358		
<i>two bedrooms or more</i>	1.691		
<b>Total</b>		100%	1.910

<sup>[1]</sup> Persons per unit based on Statistics Canada Custom 2021 Census database.

<sup>[2]</sup> Forecast unit mix based upon historical trends and housing units in the development process.

(4) Mid 2024 households based upon 2021 Census (7,315 units) + Mid 2021 to Mid 2024 unit estimate (236 units) = 7,551 units.

(5) Decline occurs due to aging of the population and family life cycle changes, lower fertility rates and changing economic conditions.

(6) Includes townhouses and apartments in duplexes.

(7) Includes bachelor, 1-bedroom and 2-bedroom+ apartments.

Note: Numbers may not add to total due to rounding.





**Schedule 5  
Municipality of Port Hope  
Long-Term Growth Forecast  
Mid-2024 to Buildout**

		Population
<b>Mid 2024 Population</b>		<b>17,697</b>
Occupants of New Housing Units, Mid 2024 to Buildout	<i>Units (2)</i>	2,272
	<i>multiplied by P.P.U. (3)</i>	1.906
	<i>gross population increase</i>	4,330
Occupants of New Equivalent Institutional Units, Mid 2024 to Buildout	<i>Units</i>	94
	<i>multiplied by P.P.U. (3)</i>	1.100
	<i>gross population increase</i>	103
Decline in Housing Unit Occupancy, Mid 2024 to Buildout	<i>Units (4)</i>	7,551
	<i>multiplied by P.P.U. decline rate (5)</i>	0.000
	<i>total decline in population</i>	-1
<b>Population Estimate to Buildout</b>		<b>22,130</b>
<i>Net Population Increase, Mid 2024 to Buildout</i>		<i>4,433</i>

(1) Mid 2024 Population based on:

2021 Population (17,294) + Mid 2021 to Mid 2024 estimated housing units to beginning of forecast period (236 x 2.345 = 553) + (10 x 1.1 = 11) + (7,315 x -0.022 = -161) = 17,697

(2) Based upon forecast building permits/completions assuming a lag between construction and occupancy.

(3) Average number of persons per unit (P.P.U.) is assumed to be:

Structural Type	Persons Per Unit <sup>[1]</sup> (P.P.U.)	% Distribution of Estimated Units <sup>[2]</sup>	Weighted Persons Per Unit Average
<i>Singles &amp; Semi Detached</i>	2.311	26%	0.590
<i>Multiples (6)</i>	1.807	61%	1.109
<i>Apartments (7)</i>	1.581	13%	0.207
<i>one bedroom or less</i>	1.358		
<i>two bedrooms or more</i>	1.691		
<b>Total</b>		<b>100%</b>	<b>1.906</b>

<sup>[1]</sup> Persons per unit based on Statistics Canada Custom 2021 Census database.

<sup>[2]</sup> Forecast unit mix based upon historical trends and housing units in the development process.

(4) Mid 2024 households based upon 2021 Census (7,315 units) + Mid 2021 to Mid 2024 unit estimate (236 units) = 7,551 units.

(5) Decline occurs due to aging of the population and family life cycle changes, lower fertility rates and changing economic conditions.

(6) Includes townhouses and apartments in duplexes.

(7) Includes bachelor, 1-bedroom and 2-bedroom+ apartments.

Note: Numbers may not add to total due to rounding.



Schedule 6  
Municipality of Port Hope  
Summary of Active Development Applications, Vacant Land Supply and Intensification  
Housing Potential as of 2024

Stage of Development	Density Type				
	Singles & Semi-Detached	Multiples <sup>[1]</sup>	Apartments <sup>[2]</sup>	Institutional <sup>[3]</sup>	Total
Registered & Draft Approved	353	115	21	74	<b>563</b>
<i>% Breakdown</i>	63%	20%	4%	13%	100%
Vacant Lands Designated for Residential	41	43	28	0	<b>112</b>
<i>% Breakdown</i>	37%	38%	25%	0%	100%
Additional Intensification <sup>[4]</sup>	6	1,237	248	0	<b>1,491</b>
<i>% Breakdown</i>	0%	83%	17%	0%	100%
<b>Total</b>	<b>400</b>	<b>1,395</b>	<b>297</b>	<b>74</b>	<b>2,166</b>
<b><i>% Breakdown</i></b>	<b>18%</b>	<b>64%</b>	<b>14%</b>	<b>3%</b>	<b>100%</b>

[1] Includes townhomes and apartments in duplexes.

[2] Includes bachelor, 1 bedroom and 2 bedroom+ apartments.

[3] Includes special care/special needs/collective dwellings that are a commercial, institutional or communal in nature.

[4] Derived from intensification opportunities identified in the Municipality of Port Hope in the Northumberland County Municipal Comprehensive Review – Long-term Growth Forecast and Urban Land Needs Analysis, December 2021, by Watson & Associates Economists Ltd  
Source: Derived from housing supply potential identified in the Northumberland County Municipal Comprehensive Review – Long-term Growth Forecast and Urban Land Needs Analysis, December 2021, by Watson & Associates Economists Ltd. and updated by Planning Staff at the Municipality of Port Hope, summarized by Watson & Associates Economists Ltd.



Schedule 7  
Municipality of Port Hope  
Historical Residential Building Permits  
Years 2014 to 2023

Year	Residential Building Permits			
	Singles & Semi Detached	Multiples <sup>[1]</sup>	Apartments <sup>[2]</sup>	Total
2014	110	0	1	111
2015	111	15	4	130
2016	106	4	13	123
2017	45	17	0	62
2018	19	16	0	35
Sub-total	391	52	18	461
<b>Average (2014 - 2018)</b>	<b>78</b>	<b>10</b>	<b>4</b>	<b>92</b>
% Breakdown	84.8%	11.3%	3.9%	100.0%
2019	8	0	11	19
2020	71	16	3	90
2021	83	24	14	121
2022	39	0	34	73
2023	36	0	6	42
Sub-total	237	40	68	345
<b>Average (2019 - 2023)</b>	<b>47</b>	<b>8</b>	<b>14</b>	<b>69</b>
% Breakdown	68.7%	11.6%	19.7%	100.0%
2014 - 2023				
Total	628	92	86	806
<b>Average</b>	<b>63</b>	<b>9</b>	<b>9</b>	<b>81</b>
% Breakdown	77.9%	11.4%	10.7%	100.0%

[1] Includes townhouses and apartments in duplexes.

[2] Includes bachelor, 1-bedroom, and 2-bedroom+ apartment units.

Source: Historical housing activity derived from Municipality of Port Hope data, 2014 to 2023; by Watson & Associates Economists Ltd.



Schedule 8a  
Municipality of Port Hope  
Person Per Unit by Age and Type of Dwelling  
(2021 Census)

Age of Dwelling	Singles and Semi-Detached						15 Year Average	15 Year Average Adjusted <sup>[1]</sup>
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total		
1-5	-	-	-	2.652	-	2.647		
6-10	-	-	1.667	2.355	-	2.222		
11-15	-	-	1.857	2.523	-	2.344	2.405	2.311
16-20	-	-	1.818	2.436	-	2.361		
20-25	-	-	-	2.810	-	2.654		
25-35	-	-	-	2.879	-	2.825		
35+	-	1.650	1.770	2.614	3.478	2.499		
<b>Total</b>	<b>0.727</b>	<b>1.880</b>	<b>1.781</b>	<b>2.604</b>	<b>3.627</b>	<b>2.489</b>		

Age of Dwelling	All Density Types					
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total
1-5	-	-	1.750	2.621	-	2.305
6-10	-	1.273	1.727	2.316	-	1.986
11-15	-	-	1.842	2.429	-	2.195
16-20	-	-	1.846	2.467	-	2.376
20-25	-	-	-	2.818	-	2.600
25-35	-	-	-	2.722	-	2.612
35+	-	1.242	1.778	2.620	3.438	2.314
<b>Total</b>	<b>-</b>	<b>1.274</b>	<b>1.776</b>	<b>2.596</b>	<b>3.613</b>	<b>2.311</b>

<sup>[1]</sup> Adjusted based on historical trends.

Note: Does not include Statistics Canada data classified as "Other."

P.P.U. Not calculated for samples less than or equal to 50 dwelling units and does not include institutional population.



Schedule 8b  
Northumberland County  
Person Per Unit by Age and Type of Dwelling  
(2021 Census)

Age of Dwelling	Multiples <sup>[1]</sup>						15 Year Average	15 Year Average Adjusted <sup>[3]</sup>
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total		
1-5	-	-	1.667	3.154	-	2.150		
6-10	-	-	1.613	1.875	-	1.692		
11-15	-	-	1.686	2.412	-	1.797	1.880	1.807
16-20	-	-	1.500	-	-	1.818		
20-25	-	-	2.000	-	-	1.882		
25-35	-	-	2.214	3.917	-	2.893		
35+	0.625	1.255	1.893	2.760	-	2.064		
<b>Total</b>	<b>0.552</b>	<b>1.338</b>	<b>1.795</b>	<b>2.754</b>	<b>-</b>	<b>2.028</b>		

Age of Dwelling	Apartments <sup>[2]</sup>						15 Year Average	15 Year Average Adjusted <sup>[3]</sup>
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total		
1-5	-	-	1.645	-	-	1.548		
6-10	-	-	1.609	-	-	1.571		
11-15	-	1.364	1.800	-	-	1.635	1.585	1.581
16-20	-	1.286	1.571	-	-	1.525		
20-25	-	-	1.818	-	-	1.571		
25-35	-	1.000	1.619	-	-	1.632		
35+	0.591	1.181	1.769	2.756	-	1.560		
<b>Total</b>	<b>0.769</b>	<b>1.201</b>	<b>1.738</b>	<b>2.649</b>	<b>-</b>	<b>1.566</b>		

Age of Dwelling	All Density Types					
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total
1-5	-	1.750	1.839	2.676	3.833	2.400
6-10	-	1.409	1.762	2.570	3.793	2.369
11-15	-	1.417	1.814	2.583	2.769	2.289
16-20	-	1.417	1.760	2.537	3.878	2.392
20-25	-	1.462	1.651	2.598	4.250	2.459
25-35	-	1.053	1.928	2.645	4.091	2.572
35+	1.130	1.268	1.827	2.529	3.489	2.303
<b>Total</b>	<b>1.833</b>	<b>1.305</b>	<b>1.813</b>	<b>2.552</b>	<b>3.612</b>	<b>2.339</b>

[1] Includes townhouses and apartments in duplexes.

[2] Includes bachelor, 1 bedroom and 2 bedroom+ apartments.

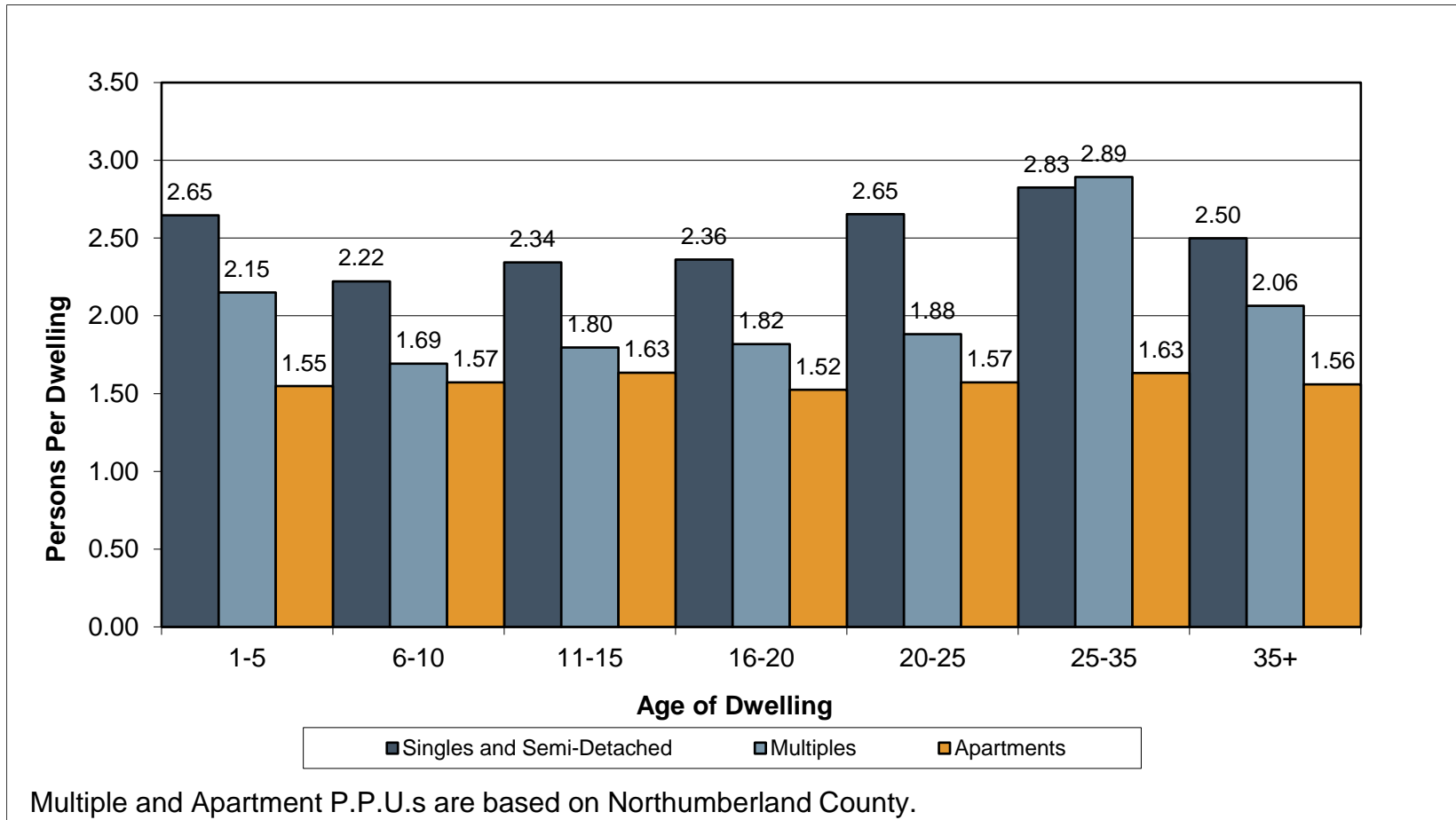
[3] Adjusted based on historical trends.

Note: Does not include Statistics Canada data classified as "Other."

P.P.U. Not calculated for samples less than or equal to 50 dwelling units and does not include institutional population



Schedule 9  
Municipality of Port Hope  
Person Per Unit Structural Type and Age of Dwelling  
(2021 Census)





## Schedule 10a Municipality of Port Hope Employment Forecast, 2024 to Buildout

Period	Population	Activity Rate								Employment								Employment
		Primary	Work at Home	Industrial	Commercial/ Population Related	Institutional	Total	N.F.P.O.W. <sup>[1]</sup>	Total Including N.F.P.O.W.	Primary	Work at Home	Industrial	Commercial/ Population Related	Institutional	Total	N.F.P.O.W. <sup>[1]</sup>	Total Employment (Including N.F.P.O.W.)	Total (Excluding Work at Home and N.F.P.O.W.)
Mid 2011	16,214	0.011	0.035	0.102	0.117	0.109	0.373	0.065	0.438	180	560	1,653	1,903	1,760	6,055	1,052	7,107	5,495
Mid 2016	16,753	0.008	0.040	0.090	0.122	0.079	0.340	0.065	0.405	135	675	1,508	2,048	1,325	5,690	1,095	6,785	5,015
Mid 2024	17,697	0.008	0.048	0.095	0.132	0.086	0.369	0.061	0.430	148	854	1,673	2,331	1,522	6,528	1,085	7,613	5,674
Mid 2034	20,968	0.007	0.045	0.097	0.122	0.081	0.352	0.059	0.411	148	946	2,036	2,564	1,688	7,382	1,245	8,627	6,436
Buildout	22,130	0.007	0.044	0.108	0.121	0.080	0.360	0.058	0.418	148	964	2,399	2,675	1,773	7,959	1,284	9,243	6,995
Incremental Change																		
Mid 2011 - Mid 2016	539	-0.003	0.006	-0.012	0.005	-0.029	-0.034	0.000	-0.033	-45	115	-145	145	-435	-365	43	-322	-480
Mid 2016 - Mid 2024	944	0.000	0.008	0.005	0.010	0.007	0.029	-0.004	0.025	13	179	166	284	197	838	-10	828	659
Mid 2024 - Mid 2034	3,271	-0.001	-0.003	0.003	-0.009	-0.005	-0.017	-0.002	-0.019	0	92	363	233	166	854	160	1,014	762
Mid 2024 - Buildout	4,433	-0.002	-0.005	0.014	-0.011	-0.006	-0.009	-0.003	-0.013	0	110	726	344	251	1,431	199	1,630	1,321
Annual Average																		
Mid 2011 - Mid 2016	108	0.00	0.00	0.00	0.00	-0.01	-0.01	0.00	-0.01	-9	23	-29	29	-87	-73	9	-64	-96
Mid 2016 - Mid 2024	118	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2	22	21	35	25	105	-1	104	82
Mid 2024 - Mid 2034	327	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0	9	36	23	17	85	16	101	76

<sup>[1]</sup> Statistics Canada defines no fixed place of work (N.F.P.O.W.) employees as "persons who do not go from home to the same workplace location at the beginning of each shift. Such persons include building and landscape contractors, travelling salespersons, independent truck drivers, etc."

Note: Statistics Canada 2021 Census place of work employment data has been reviewed. The 2021 Census employment results have not been utilized due to a significant increase in work at home employment captured due to Census enumeration occurring during the provincial COVID-19 lockdown from April 1, 2021 to June 14, 2021.

Source: Derived from Northumberland County Municipal Comprehensive Review - Long-term Growth Forecast and Urban Land Needs Analysis by Watson & Associates Economists Ltd.



Schedule 10b  
Municipality of Port Hope  
Employment and Gross Floor Area (G.F.A.) Forecast, 2024 to Buildout

Period	Population	Employment					Gross Floor Area in Square Feet (Estimated) <sup>[1]</sup>				
		Primary	Industrial	Commercial/ Population Related	Institutional <sup>[2]</sup>	Total	Industrial	Commercial/ Population Related	Institutional <sup>[2]</sup>	Total	
Mid 2011	16,214	180	1,653	1,903	1,760	5,495					
Mid 2016	16,753	135	1,508	2,048	1,325	5,015					
Mid 2024	17,697	148	1,673	2,331	1,522	5,674					
Mid 2034	20,968	148	2,036	2,564	1,652	6,400					
Buildout	22,130	148	2,399	2,675	1,725	6,947					
<b>Incremental Change</b>											
Mid 2011 - Mid 2016	539	-45	-145	145	-435	-480					
Mid 2016 - Mid 2024	944	13	166	284	197	659					
Mid 2024 - Mid 2034	3,271	0	363	233	130	726	544,500	116,500	85,400	746,400	
Mid 2024 - Buildout	4,433	0	726	344	203	1,273	1,089,000	172,000	136,900	1,397,900	
<b>Annual Average</b>											
Mid 2011 - Mid 2016	108	-9	-29	29	-87	-96					
Mid 2016 - Mid 2024	118	2	21	35	25	82					
Mid 2024 - Mid 2034	327	0	36	23	13	73	54,450	11,650	8,540	74,640	

<sup>[1]</sup> Square Foot Per Employee Assumptions

Industrial	1,500
Commercial/Population-Related	500
Institutional	674

<sup>[2]</sup> Forecast institutional employment and gross floor area has been adjusted downward to account for employment associated with special care units.

\*Reflects Mid-2024 to urban buildout forecast period.

Note: Numbers may not add up precisely due to rounding.

Source: Watson & Associates Economists Ltd.





Schedule 10c  
Municipality of Port Hope  
Estimate of the Anticipated Amount, Type and Location of  
Non-Residential Development for Which Development Charges Can Be Imposed

Development Location	Timing	Industrial G.F.A. S.F. <sup>[1]</sup>	Commercial G.F.A. S.F. <sup>[1]</sup>	Institutional G.F.A. S.F. <sup>[1], [2]</sup>	Total Non-Residential G.F.A. S.F.	Employment Increase <sup>[3]</sup>
Urban Area	2024 - 2034	418,500	104,500	85,400	608,400	618
	2024 - Buildout	933,000	156,000	136,900	1,225,900	1,137
Rural Area	2024 - 2034	126,000	12,000	-	138,000	108
	2024 - Buildout	156,000	16,000	-	172,000	136
Municipality of Port Hope	2024 - 2034	544,500	116,500	85,400	746,400	726
	2024 - Buildout	1,089,000	172,000	136,900	1,397,900	1,273

<sup>[1]</sup> Square Foot Per Employee Assumptions

Industrial	1,500
Commercial/Population-Related	500
Institutional	674

<sup>[2]</sup> Primary industry includes bona-fide, non bona-fide farming and cannabis growing operation related employment.

<sup>[3]</sup> Forecast institutional employment and gross floor area has been adjusted downward to account for employment associated with special care units.

<sup>[4]</sup> Employment Increase does not include No Fixed Place of Work.

\*Reflects Mid-2024 to urban buildout forecast period.

Note: Numbers may not add up precisely due to rounding.

Source: Derived from Northumberland County Municipal Comprehensive Review - Long-term Growth Forecast and Urban Land Needs Analysis by Watson & Associates Economists Ltd.



Schedule 11  
Municipality of Port Hope  
Employment Categories by Major Employment Sector

NAICS	Employment by industry	Comments
	<b><u>Primary Industry Employment</u></b>	
<b>11</b>	<i>Agriculture, forestry, fishing and hunting</i>	Categories which relate to local land-based resources
<b>21</b>	<i>Mining and oil and gas extraction</i>	
	<b><u>Industrial and Other Employment</u></b>	
<b>22</b>	<i>Utilities</i>	Categories which relate primarily to industrial land supply and demand
<b>23</b>	<i>Construction</i>	
<b>31-33</b>	<i>Manufacturing</i>	
<b>41</b>	<i>Wholesale trade</i>	
<b>48-49</b>	<i>Transportation and warehousing</i>	
<b>56</b>	<i>Administrative and support</i>	
	<b><u>Population Related Employment</u></b>	
<b>44-45</b>	<i>Retail trade</i>	Categories which relate primarily to population growth within the municipality
<b>51</b>	<i>Information and cultural industries</i>	
<b>52</b>	<i>Finance and insurance</i>	
<b>53</b>	<i>Real estate and rental and leasing</i>	
<b>54</b>	<i>Professional, scientific and technical services</i>	
<b>55</b>	<i>Management of companies and enterprises</i>	
<b>56</b>	<i>Administrative and support</i>	
<b>71</b>	<i>Arts, entertainment and recreation</i>	
<b>72</b>	<i>Accommodation and food services</i>	
<b>81</b>	<i>Other services (except public administration)</i>	
	<b><u>Institutional</u></b>	
<b>61</b>	<i>Educational services</i>	
<b>62</b>	<i>Health care and social assistance</i>	
<b>91</b>	<i>Public administration</i>	

Note: Employment is classified by North American Industry Classification System (NAICS) Code.

Source: Watson & Associates Economists Ltd.



# Appendix B

## Level of Service



**Table B-1  
Historical Level of Service Calculation  
Services Related to a Highway – Roads  
Length (kilometres) of Roadways**

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 Value (\$/km)
2 Lane Rural Arterial	13.9	13.9	13.9	13.9	13.9	13.9	13.9	13.9	13.9	13.9	13.9	13.9	13.9	13.9	13.9	\$1,052,000
2 Lane Semi-Urban Arterial	3.7	3.7	3.7	3.7	3.7	3.7	3.7	3.7	3.7	3.7	3.7	3.0	3.0	3.0	2.7	\$1,576,000
2 Lane Urban Arterial	5.7	5.7	5.7	5.7	5.7	5.7	5.7	5.7	5.7	5.7	5.7	6.4	6.4	6.4	6.7	\$3,012,000
3 Lane Urban Arterial	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	\$3,755,000
4 Lane Urban Arterial	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	\$4,319,000
2 Lane Rural Collector	49.9	49.9	49.9	49.9	49.9	49.9	49.9	49.9	49.9	49.9	49.9	49.9	49.9	49.9	49.9	\$873,000
2 Lane Semi-Urban Collector	9.0	8.0	8.0	8.5	8.5	8.3	8.3	8.3	8.3	8.3	8.3	8.3	8.3	8.3	7.7	\$1,392,000
2 Lane Urban Collector	15.4	16.5	16.5	16.5	16.5	16.8	16.9	16.9	16.9	16.9	17.7	18.0	18.0	18.0	18.6	\$2,624,000
4 Lane Urban Collector	-	-	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	\$3,831,000
<b>Total</b>	<b>100.8</b>	<b>100.8</b>	<b>100.9</b>	<b>101.5</b>	<b>101.5</b>	<b>101.5</b>	<b>101.6</b>	<b>101.6</b>	<b>101.6</b>	<b>101.6</b>	<b>102.4</b>	<b>102.7</b>	<b>102.7</b>	<b>102.7</b>	<b>102.7</b>	

Population	16,441	16,357	16,214	16,127	16,176	16,399	16,559	16,753	16,988	17,089	17,129	17,130	17,293	17,294	17,543
Per Capita Standard	0.0061	0.0062	0.0062	0.0063	0.0063	0.0062	0.0061	0.0061	0.0060	0.0059	0.0060	0.0060	0.0059	0.0059	0.0059

15 Year Average	2009 to 2023
Quantity Standard	0.0061
Quality Standard	\$1,479,225
Service Standard	\$9,023

D.C. Amount (before deductions)	10 Year
Forecast Population	3,271
\$ per Capita	\$9,023
Eligible Amount	\$29,515,116



**Table B-2**  
**Historical Level of Service Calculation**  
**Services Related to a Highway – Public Works Facilities**  
**Square Feet of Building Area**

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 Bid'g Value (\$/sq.ft.)	Value/sq.ft. with land, site works, etc.
Victoria Works Garage - Urban Area	5,668	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$314	\$350
Victoria Works Storage Shed - Urban Area	2,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$63	\$73
Victoria Works Sand Storage Shed - Urban Area	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	\$63	\$73
Canton Works Garage - Rural Area	8,181	8,181	8,181	8,181	8,181	8,181	8,181	8,181	8,181	8,181	8,181	8,181	8,181	8,181	8,181	\$193	\$216
Canton Works Sand/Salt Dome - Rural Area	9,500	9,500	9,500	9,500	9,500	9,500	9,500	9,500	9,500	9,500	9,500	9,500	9,500	9,500	9,500	\$68	\$79
Canton Works Fuel Shed - Rural Area	240	240	240	240	240	240	240	240	240	240	240	240	240	240	240	\$1,117	\$1,235
Canton Works - South Storage Building	3,200	3,200	3,200	3,200	3,200	3,200	3,200	3,200	3,200	3,200	3,200	3,200	3,200	3,200	3,200	\$99	\$113
Joint Operations Centre	-	14,932	14,932	14,932	14,932	14,932	14,932	14,932	14,932	14,932	14,932	14,932	14,932	14,932	14,932	\$445	\$494
<b>Total</b>	<b>33,789</b>	<b>41,053</b>	<b>41,053</b>	<b>41,053</b>	<b>41,053</b>	<b>41,053</b>	<b>41,053</b>	<b>41,053</b>	<b>41,053</b>	<b>41,053</b>	<b>41,053</b>	<b>41,053</b>	<b>41,053</b>	<b>41,053</b>	<b>41,053</b>		

Population	16,441	16,357	16,214	16,127	16,176	16,399	16,559	16,753	16,988	17,089	17,129	17,130	17,293	17,294	17,543
Per Capita Standard	2.0552	2.5098	2.5319	2.5456	2.5379	2.5034	2.4792	2.4505	2.4166	2.4023	2.3967	2.3966	2.3740	2.3738	2.3401

15 Year Average	2009 to 2023
Quantity Standard	2.4209
Quality Standard	\$260
Service Standard	\$630

D.C. Amount (before deductions)	10 Year
Forecast Population	3,271
\$ per Capita	\$630
Eligible Amount	\$2,061,842



**Table B-3**  
**Historical Level of Service Calculation**  
**Services Related to a Highway – Public Works Vehicles**  
**Number of Vehicles and Equipment**

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 Value (\$/Vehicle)
1976 Champion Grader	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	\$665,000
1982 Homemade Trailer - New Paint Trailer	1	1	1	1	1	1	1	1	1	1	-	-	-	-	-	\$78,900
1987 Dresser Loader	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	\$225,400
1988 John Deere 690D LC (Rural Excavator)	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$473,100
1990 JC Trailer	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$78,900
1994 Volvo Loader - #17	1	1	1	1	1	1	1	1	1	1	1	1	-	-	-	\$354,900
1996 John Deere Backhoe/Loader 310D	1	1	1	1	1	1	1	1	1	1	1	1	1	1	-	\$268,100
1996 John Deere Loader M/544G	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$354,900
1997 Champion Grader M/740	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$665,000
1997 Ford CC D/T - One Tonne - Truck #1	1	1	1	1	1	1	1	1	1	1	1	1	1	-	-	\$76,400
1998 Oshkosh P2526 Snow Plow	1	1	1	1	1	-	-	-	-	-	-	-	-	-	-	\$563,700
1998 Trackless - # 68	1	1	1	1	1	-	-	-	-	-	-	-	-	-	-	\$206,600
1999 Chevrolet Astrovan	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	\$52,200
1999 Volvo Loader - #13	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$354,900
2000 Dynaweld Float	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$78,900
2002 Johnson Sweeper- #14	1	1	1	1	1	1	1	1	1	1	1	1	1	-	-	\$591,500
2003 Massey Tractor M/481 with Laurin Cab - #15	1	1	1	1	1	1	1	1	1	1	1	-	-	-	-	\$110,500
2004 Chevrolet Pickup (Roads # 2)	3	3	3	3	3	3	3	3	3	1	1	1	1	-	-	\$52,200
2004 International Tandem Dump/Plow/Sander	3	3	3	3	3	3	3	3	3	2	2	2	2	1	-	\$493,500
2004 International Single Axle Dump	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$430,800
2004 John Deere M/6320 Tractor with flail mower	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$276,000
2005 Homemade Trailer (Fuel Trailer)	1	1	1	1	1	1	1	1	1	-	-	-	-	-	-	\$2,000
2006 Bush Hog Mower	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$38,600
2006 International Tandem Dump/Plow/Sander	2	2	2	2	2	2	2	2	2	2	2	2	2	1	-	\$493,500
2006 Komatsu WA250PT Loader - #70	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$354,900
2008 International 7600 Dump/Plow (#3-08, #9-08, #12-08)	3	3	3	3	3	3	3	3	3	3	3	3	3	3	1	\$493,500



Table B-3 (continued)  
 Historical Level of Service Calculation  
 Services Related to a Highway – Public Works Vehicles  
 Number of Vehicles and Equipment

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 Value (\$/Vehicle)
2008 Trackless - MT5T Tractor & Mower/Plow Attachments - #69	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$283,900
2009 Chevrolet Silverado Crew Cab	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$67,600
2010 John Deere Skid Steer - #72	-	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$157,800
2011 Chevrolet 3/4 ton HD #11-5	-	-	1	1	1	1	1	1	1	1	1	1	1	1	-	\$67,600
2012 Dodge Ram	-	-	-	1	1	1	1	1	1	1	1	1	1	1	1	\$67,600
2013 John Deere 544K	-	-	-	-	1	1	1	1	1	1	1	1	1	1	1	\$354,900
2014 International 7600 Plow/Wing	-	-	-	-	1	1	1	1	1	1	1	1	1	1	1	\$493,500
2015 GMC Sierra 2500 4x4 Pick up Truck	-	-	-	-	-	-	1	1	1	1	1	1	1	1	1	\$67,600
2017 Trackless MT7 Municipal Tractor	-	-	-	-	-	-	-	-	1	1	1	1	1	1	1	\$180,200
2018 International Tandem Axle Snow Plow	-	-	-	-	-	-	-	-	-	1	1	1	1	1	1	\$493,500
2018 International Single Axle Snow Plow	-	-	-	-	-	-	-	-	-	1	1	1	1	1	1	\$430,800
580SN/W Loader Backhoe	-	-	-	-	-	-	-	-	-	1	1	1	1	1	1	\$197,600
2017 Chevrolet Silverado WT 3500	-	-	-	-	-	-	-	-	-	1	1	1	1	1	1	\$76,400
2018 Chevrolet 3500 1 Tonne/Snow Plow	-	-	-	-	-	-	-	-	-	1	1	1	1	1	1	\$76,400
2019 International Tandem Snow Plow	-	-	-	-	-	-	-	-	-	-	1	1	1	1	1	\$493,500
2020 International Tandem Snow Plow	-	-	-	-	-	-	-	-	-	-	1	1	1	1	1	\$493,500
2021 International Tandem Snow Plow	-	-	-	-	-	-	-	-	-	-	-	1	1	1	1	\$493,500
2020 Chevrolet 1/2 Ton Pickup	-	-	-	-	-	-	-	-	-	-	-	1	1	1	1	\$52,200
2020 Chevrolet 3500 1 Ton	-	-	-	-	-	-	-	-	-	-	-	-	1	1	1	\$76,400
2022 Chevrolet 3500 1 Ton	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	\$76,400
2022 Whirlwind Vacuum Street Sweeper	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	\$76,400
2022 Chevrolet 3500 1 Ton	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	\$76,400
2023 Chevrolet 2500 3/4 Ton Pickup	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	\$67,600
2024 Chevrolet 2500 3/4 Ton Pickup	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	\$67,600
2023 International 7600 Tandem Snow Plow	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	\$493,500



Table B-3 (continued)  
 Historical Level of Service Calculation  
 Services Related to a Highway – Public Works Vehicles  
 Number of Vehicles and Equipment

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 Value (\$/Vehicle)
2023 International 7600 Tandem Snow Plow	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	\$493,500
2023 International 7600 Tandem Snow Plow	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	\$493,500
<b>Total</b>	<b>35</b>	<b>35</b>	<b>35</b>	<b>34</b>	<b>36</b>	<b>34</b>	<b>35</b>	<b>35</b>	<b>36</b>	<b>37</b>	<b>38</b>	<b>40</b>	<b>39</b>	<b>37</b>	<b>36</b>	

Population	16,441	16,357	16,214	16,127	16,176	16,399	16,559	16,753	16,988	17,089	17,129	17,130	17,293	17,294	17,543
Per Capita Standard	0.0021	0.0021	0.0022	0.0021	0.0022	0.0021	0.0021	0.0021	0.0021	0.0022	0.0022	0.0023	0.0023	0.0021	0.0021

15 Year Average	2009 to 2023
Quantity Standard	0.0022
Quality Standard	\$293,082
Service Standard	\$645

D.C. Amount (before deductions)	10 Year
Forecast Population	3,271
\$ per Capita	\$645
Eligible Amount	\$2,109,075





**Table B-4  
Historical Level of Service Calculation  
Fire Protection Services – Fire Stations  
Square Feet of Building Area**

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 Bid'g Value (\$/sq.ft.)	Value/sq.ft. with land, site works, etc.
Fire Hall - Port Hope (Station #1)	7,273	7,273	7,273	7,273	7,273	7,273	7,273	7,273	7,273	7,273	7,273	7,273	7,273	7,273	7,273	\$653	\$757
Fire Hall - Welcome (Station #2)	3,664	3,664	3,664	3,664	3,664	3,664	3,664	3,664	3,664	3,664	3,664	3,664	3,664	3,664	3,664	\$653	\$757
Fire Hall - Garden Hill (Station #3)	2,664	2,664	2,664	2,664	2,664	2,664	2,664	2,664	2,664	2,664	4,281	4,281	4,281	4,281	4,281	\$653	\$757
<b>Total</b>	<b>13,601</b>	<b>13,601</b>	<b>13,601</b>	<b>13,601</b>	<b>13,601</b>	<b>13,601</b>	<b>13,601</b>	<b>13,601</b>	<b>13,601</b>	<b>13,601</b>	<b>15,218</b>	<b>15,218</b>	<b>15,218</b>	<b>15,218</b>	<b>15,218</b>		

Population	16,441	16,357	16,214	16,127	16,176	16,399	16,559	16,753	16,988	17,089	17,129	17,130	17,293	17,294	17,543
Per Capita Standard	0.8273	0.8315	0.8388	0.8434	0.8408	0.8294	0.8214	0.8119	0.8006	0.7959	0.8884	0.8884	0.8800	0.8800	0.8675

15 Year Average	2009 to 2023
Quantity Standard	0.8430
Quality Standard	\$757
Service Standard	\$638

D.C. Amount (before deductions)	10 Year
Forecast Population	3,271
\$ per Capita	\$638
Eligible Amount	\$2,087,421



**Table B-5**  
**Historical Level of Service Calculation**  
**Fire Protection Services – Fire Vehicles**  
**Number of Vehicles**

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 Value (\$/Vehicle)
<b>Port Hope (Station #1)</b>																
191 - 1996 Rescue - GMC Top Kick CC70C Van	1	1	1	1	1	1	1	1	1	1	1	1	1	1	-	\$416,700
195 - 2005 Chevrolet Kodiak C5500 Pumper	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$575,000
199 - 2008 Dependable/Crimson Aerial Platform	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$3,000,000
171 - 2012 Pumper Truck - International	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$1,200,000
102 - 2016 Dodge Journey	-	-	-	-	-	-	-	1	1	1	1	1	1	1	1	\$85,000
102 - 2008 Chevrolet Silverado	1	1	1	1	1	1	1	1	1	1	1	1	1	-	-	\$70,900
107 - 2013 Grand Caravan SE	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$55,000
191 - 2022 Dependable Light Rescue	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	\$455,000
101 - 2021 GMC Sierra	-	-	-	-	-	-	-	-	-	-	-	-	1	1	1	\$95,000
103 - 2022 Dodge Ram 1500	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	\$95,000
<b>Welcome (Station #2)</b>																
184 - 1994 Tanker	1	1	1	1	1	1	1	1	1	1	1	-	-	-	-	\$454,200
192 - 2000 Rescue - Ford Van F550/V8	1	1	1	1	1	1	1	1	1	1	1	1	1	1	-	\$418,200
182 - 2002 Pumper/Tanker - Freightliner FL80	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$1,300,000
172 - 2011 Pumper Truck - International	-	-	1	1	1	1	1	1	1	1	1	1	1	1	1	\$1,200,000
190 - 2023 Heavy Rescue Spartan	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	\$1,100,000
192 - 2005 Chevrolet Kodiak C5500 Mini Pumper	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$575,000
<b>Garden Hill (Station #3)</b>																
173 - 1995 Pumper - GMC Top Kick	1	1	1	1	1	1	1	-	-	-	-	-	-	-	-	\$750,000
197 - 2003 Tahoe	1	1	1	1	1	1	1	-	-	-	-	-	-	-	-	\$64,900
183 - 2010 Station 3 Tanker	-	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$1,300,000
196 - 2011 Kubota ATV	-	-	1	1	1	1	1	1	1	1	1	1	1	1	1	\$65,000
173 - 2016 Dependable Spartan Rescue Pumper	-	-	-	-	-	-	-	1	1	1	1	1	1	1	1	\$1,200,000
198 - 2017 Atlas 8x14' Enclosed Cargo Trailer	-	-	-	-	-	-	-	-	1	1	1	1	1	1	1	\$15,000
197 - 2019 Chevrolet Silverado	-	-	-	-	-	-	-	-	-	1	1	1	1	1	1	\$95,000



Table B-5 (continued)  
 Historical Level of Service Calculation  
 Fire Protection Services – Fire Vehicles  
 Number of Vehicles

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 Value (\$/Vehicle)
1976 Grass/Brush Truck	1	1	1	1	1	1	1	-	-	-	-	-	-	-	-	\$86,500
2011 Fire Safety Trailer	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$12,000
Inflatable Fire Safety House	-	-	-	1	1	1	1	1	1	1	1	1	1	1	1	\$17,500
2008 Dodge Charger	1	1	1	1	1	1	1	-	-	-	-	-	-	-	-	\$57,700
<b>Total</b>	<b>15</b>	<b>16</b>	<b>18</b>	<b>19</b>	<b>19</b>	<b>19</b>	<b>19</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>19</b>	<b>18</b>	<b>19</b>	<b>18</b>	<b>19</b>	

Population	16,441	16,357	16,214	16,127	16,176	16,399	16,559	16,753	16,988	17,089	17,129	17,130	17,293	17,294	17,543
Per Capita Standard	0.0009	0.0010	0.0011	0.0012	0.0012	0.0012	0.0011	0.0010	0.0011	0.0011	0.0011	0.0011	0.0011	0.0010	0.0011

15 Year Average		2009 to 2023
Quantity Standard		0.0011
Quality Standard		\$624,655
Service Standard		\$687

D.C. Amount (before deductions)		10 Year
Forecast Population		3,271
\$ per Capita		\$687
Eligible Amount		\$2,247,570



Table B-6  
 Historical Level of Service Calculation  
 Fire Protection Services – Fire Equipment  
 Number of Equipment and Gear

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 Value (\$/item)
Fire Fighters - Port Hope Hall	27	27	27	27	27	27	28	29	29	30	30	30	30	30	30	\$7,200
Fire Fighters - Welcome Hall	22	22	22	22	22	22	23	24	24	25	25	25	25	25	25	\$7,200
Fire Fighters - Garden Hill Hall	22	22	22	22	22	21	21	21	20	20	20	20	20	20	20	\$7,200
Breathing Apparatus	40	40	40	40	40	40	40	40	40	40	40	40	40	45	45	\$18,400
Dry Hydrants	1	1	2	2	3	3	4	4	5	5	5	5	5	5	5	\$10,800
Portable Radios	64	64	64	64	64	64	66	68	67	69	69	69	69	69	69	\$2,077
<b>Total</b>	<b>175</b>	<b>175</b>	<b>176</b>	<b>176</b>	<b>177</b>	<b>177</b>	<b>182</b>	<b>186</b>	<b>185</b>	<b>189</b>	<b>189</b>	<b>189</b>	<b>189</b>	<b>194</b>	<b>194</b>	

Population	16,441	16,357	16,214	16,127	16,176	16,399	16,559	16,753	16,988	17,089	17,129	17,130	17,293	17,294	17,543
Per Capita Standard	0.0106	0.0107	0.0109	0.0109	0.0109	0.0108	0.0110	0.0111	0.0109	0.0111	0.0110	0.0110	0.0109	0.0112	0.0111

15 Year Average	2009 to 2023
Quantity Standard	0.0109
Quality Standard	\$7,927
Service Standard	\$86

D.C. Amount (before deductions)	10 Year
Forecast Population	3,271
\$ per Capita	\$86
Eligible Amount	\$282,614



Table B-7  
 Historical Level of Service Calculation  
 Parks and Recreation Services – Parkland Development  
 Acres of Parkland

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 Value (\$/Acre)
Community Parks	212	212	212	232	232	232	232	232	232	232	232	232	232	232	232	\$142,200
Neighbourhood Parks	61	61	61	61	61	61	61	61	61	62	63	63	63	63	63	\$66,200
Natural Environment Parks	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	\$6,100
Skate Park	-	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$628,300
<b>Total</b>	<b>363</b>	<b>364</b>	<b>364</b>	<b>384</b>	<b>384</b>	<b>384</b>	<b>384</b>	<b>384</b>	<b>384</b>	<b>385</b>	<b>386</b>	<b>386</b>	<b>386</b>	<b>386</b>	<b>386</b>	

Population	16,441	16,357	16,214	16,127	16,176	16,399	16,559	16,753	16,988	17,089	17,129	17,130	17,293	17,294	17,543
Per Capita Standard	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02

15 Year Average	2009 to 2023
Quantity Standard	0.0227
Quality Standard	\$98,925
Service Standard	\$2,246

D.C. Amount (before deductions)	10 Year
Forecast Population	3,271
\$ per Capita	\$2,246
Eligible Amount	\$7,345,325



**Table B-8**  
**Historical Level of Service Calculation**  
**Parks and Recreation Services – Trails**  
**Linear Kilometres of Trails**

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 Value (\$/ Linear Kilometre)
Hiking Trails/kilometres	34.0	34.0	34.0	34.0	34.0	34.0	34.0	34.0	34.0	34.0	34.0	34.0	34.0	34.0	34.0	\$6,600
Paved Trail/kilometres	1.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.9	2.9	2.9	2.9	2.9	2.9	3.5	\$250,000
Gravel Trail/kilometres	29.0	30.0	30.0	31.0	33.0	33.0	33.0	33.0	32.6	32.6	32.6	32.6	32.6	32.6	32.1	\$125,000
Boardwalk Trail/kilometres	0.1	0.1	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	\$2,500,000
<b>Total</b>	<b>64.1</b>	<b>66.1</b>	<b>66.3</b>	<b>67.3</b>	<b>69.3</b>	<b>69.3</b>	<b>69.3</b>	<b>69.3</b>	<b>69.8</b>	<b>69.8</b>	<b>69.8</b>	<b>69.8</b>	<b>69.8</b>	<b>69.8</b>	<b>69.9</b>	

Population	16,441	16,357	16,214	16,127	16,176	16,399	16,559	16,753	16,988	17,089	17,129	17,130	17,293	17,294	17,543
Per Capita Standard	0.0039	0.0040	0.0041	0.0042	0.0043	0.0042	0.0042	0.0041	0.0041	0.0041	0.0041	0.0041	0.0040	0.0040	0.0040

15 Year Average	2009 to 2023
Quantity Standard	0.0041
Quality Standard	\$80,044
Service Standard	\$328

D.C. Amount (before deductions)	10 Year
Forecast Population	3,271
\$ per Capita	\$328
Eligible Amount	\$1,073,477



**Table B-9**  
**Historical Level of Service Calculation**  
**Parks and Recreation Services – Recreation Facilities**  
**Square Feet of Building Area**

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 Bld'g Value (\$/sq.ft.)	Value/sq.ft. with land, site works, etc.
Jack Burger Sports Complex	46,000	46,000	46,000	46,000	46,000	46,000	46,000	61,330	61,330	61,330	61,330	61,330	61,330	61,330	61,330	\$915	\$1,012
Lions Recreation Centre	9,200	9,200	9,200	9,200	9,200	9,200	9,200	9,200	9,200	9,200	9,200	9,200	9,200	9,200	9,200	\$915	\$1,012
Ruth Clarke Activity Centre	5,400	5,400	5,400	5,400	5,400	5,400	5,400	5,400	5,400	5,400	5,400	5,400	5,400	5,400	5,400	\$915	\$1,012
Town Park Recreation Centre	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	13,500	20,700	\$915	\$1,012
Fall Fair Building	13,300	13,300	13,300	13,300	13,300	13,300	13,300	13,300	13,300	13,300	13,300	13,300	13,300	13,300	13,300	\$288	\$321
Vincent Massey (VMMC)	14,100	14,100	-	-	-	-	-	-	-	-	-	-	-	-	-	\$373	\$415
Canton Municipal Office (Parks and Rec. Space)	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	1,900	\$627	\$695
95 Mill Street South (Parks Storage)	1,152	1,152	1,152	1,152	1,152	1,152	1,152	1,152	1,152	-	-	-	-	-	-	\$124	\$140
Fish Cleaning Station	1,452	1,452	1,452	1,452	1,452	1,452	1,452	1,452	1,452	1,452	1,452	1,452	1,452	1,452	1,452	\$218	\$244
Joint Operation Centre - (Parks and Rec. Space)	-	5,668	5,668	5,668	5,668	5,668	5,668	5,668	5,668	5,668	5,668	5,668	5,668	5,668	5,668	\$627	\$695
Marina	1,600	1,600	1,600	1,600	1,600	1,600	1,600	1,600	1,600	1,600	1,600	1,600	1,600	1,600	1,600	\$433	\$481
Wladyka Park Washroom	500	500	500	500	500	500	500	500	500	700	700	700	700	700	700	\$433	\$481
Town Park Washroom	400	400	400	400	400	400	400	400	400	400	400	400	400	400	400	\$433	\$481
Alex Carruthers Memorial Park Washroom/Canteen	600	600	600	600	600	600	600	600	600	600	200	200	200	200	200	\$433	\$481
<b>Total</b>	<b>109,104</b>	<b>114,772</b>	<b>100,672</b>	<b>100,672</b>	<b>100,672</b>	<b>100,672</b>	<b>100,672</b>	<b>116,002</b>	<b>116,002</b>	<b>115,050</b>	<b>114,650</b>	<b>114,650</b>	<b>114,650</b>	<b>114,650</b>	<b>121,850</b>		

Population	16,441	16,357	16,214	16,127	16,176	16,399	16,559	16,753	16,988	17,089	17,129	17,130	17,293	17,294	17,543
Per Capita Standard	6.6361	7.0167	6.2090	6.2425	6.2235	6.1389	6.0796	6.9243	6.8285	6.7324	6.6933	6.6929	6.6299	6.6295	6.9458

15 Year Average	2009 to 2023
Quantity Standard	6.5749
Quality Standard	\$867
Service Standard	\$5,701

D.C. Amount (before deductions)	10 Year
Forecast Population	3,271
\$ per Capita	\$5,701
Eligible Amount	\$18,648,004



Table B-10  
 Historical Level of Service Calculation  
 Parks and Recreation Services – Parks & Recreation Vehicles and Equipment  
 Number of Vehicles and Equipment

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 Value (\$/Vehicle)
1978 Case Loader 580C	1	1	1	1	1	-	-	-	-	-	-	-	-	-	-	\$93,900
1991 Ford Tractor	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$78,900
1994 Chevrolet Crew Cab	1	1	1	1	1	-	-	-	-	-	-	-	-	-	-	\$52,200
1996 Polaris ATV	1	1	1	1	1	1	1	1	1	1	1	1	1	1	-	\$31,600
1997 Miska Trailer	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$18,900
1998 Kubota Lawn Tractor	1	1	1	1	1	1	1	1	-	-	-	-	-	-	-	\$41,400
1999 Chevrolet Silverado P/U	1	1	1	1	1	1	-	-	-	-	-	-	-	-	-	\$52,200
2000 Chevrolet Pickup	1	1	1	1	1	1	1	-	-	-	-	-	-	-	-	\$52,200
2000 Zamboni Ice Resurfacers S/5204246	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$141,900
2002 UT162 Utility Trailer	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$11,500
2003 New Holland TC40 Tractor	1	1	1	1	1	1	1	1	1	-	-	-	-	-	-	\$56,400
2005 Ventrac 4200 VXD Tractor	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$44,100
2007 Chevrolet Silverado (Dump Box)	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$52,200
2007 Toro Sandpro 5040 & attachments	1	1	1	1	1	1	1	1	1	1	1	1	-	-	-	\$36,300
2019 Toro Sandpro 5040 & attachments	-	-	-	-	-	-	-	-	-	-	-	1	1	1	1	\$36,300
2008 Advantage Landscape Trailer LS610	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$7,500
2008 Pickup GMC 1/2 ton	1	1	1	1	1	1	1	1	1	1	1	-	-	-	-	\$52,200
Toro Z Master Lawn Mower	1	1	1	1	1	1	-	-	-	-	-	-	-	-	-	\$28,300
Toro Z Master Mower	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	\$30,400
Toro Z Master Mower	1	1	1	1	-	-	-	-	-	-	-	-	-	-	-	\$30,400
Toro Riding Mower	1	1	1	1	1	-	-	-	-	-	-	-	-	-	-	\$13,700
Z-Master 48 Turbo Force Mower	1	1	1	1	1	1	1	1	1	1	1	-	-	-	-	\$18,900
Zamboni Model 525	-	1	1	1	1	1	1	1	1	1	1	1	-	-	-	\$141,900
2010 Chev Silverado s/n 239897	-	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$52,200
2010 GMC Sierra s/n 117161	-	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$52,200
2011 John Deere Mower	-	-	1	1	1	1	1	1	-	-	-	-	-	-	-	\$15,400
Natural Gas Refuelling Station	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$23,600
Walk Behind Floor Scrubber	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$11,100
Blademaster Skate Sharpening Machine	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$18,200
JBSC Arena Score Clock & Controller	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$50,500
Sand Spreader - Equifab	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$11,100
TPRC Score Clock	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$28,800





Table B-10 (continued)  
 Historical Level of Service Calculation  
 Parks and Recreation Services – Parks & Recreation Vehicles and Equipment  
 Number of Vehicles and Equipment

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 Value (\$/Vehicle)
Snow Plow Attachment	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$13,400
Commercial Leaf Vacuum	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$31,600
Garburator - Fish Cleaning Station	1	1	1	1	1	1	1	1	1	1	1	1	1	-	-	\$16,600
Aquatic Sound System	-	1	1	1	1	1	1	1	1	1	1	1	1	-	-	\$15,700
Casket Lowering Device	-	-	1	1	1	1	1	1	1	1	1	1	1	1	1	\$7,900
John Deere Parks Mower	-	-	-	1	1	1	1	1	1	1	1	1	1	1	1	\$37,900
GMC Pick Up Truck	-	-	-	-	1	1	1	1	1	1	1	1	1	1	1	\$52,200
Z Master Cemetery Mower	-	-	-	-	1	1	1	1	1	1	1	1	1	1	1	\$18,900
JBSC Floor Scrubber	-	-	-	-	-	-	-	-	1	1	1	1	1	1	1	\$10,100
2014 Dodge Ram 2500 ST	-	-	-	-	-	1	1	1	1	1	1	1	1	1	1	\$67,600
Lawn Mower	-	-	-	-	-	-	1	1	1	1	1	1	1	-	-	\$31,600
John Deere Gas Mower	-	-	-	-	-	-	-	1	1	1	1	1	1	1	1	\$37,900
Boom Lift	-	-	-	-	-	-	-	1	1	1	1	1	1	-	-	\$39,400
2017 John Deere 4066M	-	-	-	-	-	-	-	-	1	1	1	1	1	1	1	\$79,300
2017 John Deere Z997R	-	-	-	-	-	-	-	-	1	1	1	1	1	1	1	\$36,000
2017 Chevrolet Silverado K2500	-	-	-	-	-	-	-	-	1	1	1	1	1	1	1	\$67,600
2017 New Holland Boomer 40	-	-	-	-	-	-	-	-	1	1	1	1	1	1	1	\$57,700
2014 Ford Sedan	-	-	-	-	-	-	-	-	1	1	1	1	1	1	1	\$50,500
Arena Sound System	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$43,300
TPRC Sound System	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$28,800
2018 Chevrolet Silverado WT2500	-	-	-	-	-	-	-	-	-	1	1	1	1	1	1	\$67,600
2018 GMC Sierra 1500 - Facility Vehicle	-	-	-	-	-	-	-	-	-	1	1	1	1	1	1	\$52,200
2017 John Deere Mower - Z997R Diesel Z Track	-	-	-	-	-	-	-	-	-	1	1	1	1	1	1	\$36,000
2019 John Deere Z920M Zero Turn Mower	-	-	-	-	-	-	-	-	-	-	1	1	1	1	1	\$36,000
2019 Chevrolet Silverado LD 1500	-	-	-	-	-	-	-	-	-	-	1	1	1	1	1	\$52,200
2019 Lift Gate for Asset 17517 - 2018 GMC Sierra 1500	-	-	-	-	-	-	-	-	-	-	1	2	2	2	2	\$5,220
2020 Olympia Arena Ice Resurfacer	-	-	-	-	-	-	-	-	-	-	-	1	1	1	1	\$141,900
2019 Toro Sandpro 5040	-	-	-	-	-	-	-	-	-	-	-	1	1	1	1	\$36,300



Table B-10 (continued)  
 Historical Level of Service Calculation  
 Parks and Recreation Services – Parks & Recreation Vehicles and Equipment  
 Number of Vehicles and Equipment

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 Value (\$/Vehicle)
2021 John Deere Z977r lawn tractor	-	-	-	-	-	-	-	-	-	-	-	-	1	1	1	\$36,000
2021 GMC Sierra 1500 Reg	-	-	-	-	-	-	-	-	-	-	-	-	1	1	1	\$52,200
2005 Tuff Vac 4000 - Leaf Vac	-	-	-	-	-	-	-	-	-	-	-	-	1	1	1	\$31,600
2022 Advantage Landscape Trailer LS610	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	\$7,500
2022 GMC Sierra 1500	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	\$52,200
<b>Total</b>	<b>32</b>	<b>36</b>	<b>38</b>	<b>38</b>	<b>39</b>	<b>37</b>	<b>36</b>	<b>37</b>	<b>41</b>	<b>43</b>	<b>46</b>	<b>48</b>	<b>49</b>	<b>47</b>	<b>46</b>	

Population	16,441	16,357	16,214	16,127	16,176	16,399	16,559	16,753	16,988	17,089	17,129	17,130	17,293	17,294	17,543
Per Capita Standard	0.0019	0.0022	0.0023	0.0024	0.0024	0.0023	0.0022	0.0022	0.0024	0.0025	0.0027	0.0028	0.0028	0.0027	0.0026

15 Year Average	2009 to 2023
Quantity Standard	0.0024
Quality Standard	\$40,913
Service Standard	\$98

D.C. Amount (before deductions)	10 Year
Forecast Population	3,271
\$ per Capita	\$98
Eligible Amount	\$321,179



**Table B-11**  
**Historical Level of Service Calculation**  
**Library Services – Library Facilities**  
**Square Feet of Building Area**

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 Bid'g Value (\$/sq.ft.)	Value/sq.ft. with land, site works, etc.
Mary J. Benson Branch	17,200	17,200	17,200	17,200	17,200	17,200	17,200	17,200	17,200	17,200	17,200	17,200	17,200	17,200	17,200	\$825	\$1,000
Garden Hill Branch	1,617	1,617	1,617	1,617	1,617	1,617	1,617	1,617	1,617	1,617	-	-	-	-	-	\$825	\$1,000
Hub Branch at Canton	-	-	-	-	-	-	-	-	-	-	3,000	3,000	3,000	3,000	3,000	\$825	\$1,000
<b>Total</b>	<b>18,817</b>	<b>18,817</b>	<b>18,817</b>	<b>18,817</b>	<b>18,817</b>	<b>18,817</b>	<b>18,817</b>	<b>18,817</b>	<b>18,817</b>	<b>18,817</b>	<b>20,200</b>	<b>20,200</b>	<b>20,200</b>	<b>20,200</b>	<b>20,200</b>		

Population	16,441	16,357	16,214	16,127	16,176	16,399	16,559	16,753	16,988	17,089	17,129	17,130	17,293	17,294	17,543
Per Capita Standard	1.1445	1.1504	1.1605	1.1668	1.1633	1.1474	1.1364	1.1232	1.1077	1.1011	1.1793	1.1792	1.1681	1.1680	1.1515

15 Year Average	2009 to 2023
Quantity Standard	1.1498
Quality Standard	\$1,000
Service Standard	\$1,150

D.C. Amount (before deductions)	10 Year
Forecast Population	3,271
\$ per Capita	\$1,150
Eligible Amount	\$3,761,094



Table B-12  
 Historical Level of Service Calculation  
 Library Services – Library Collection Materials  
 Number of Library Collection Materials

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 Value (\$/item)
Books	59,364	59,562	62,716	60,789	53,547	63,197	62,881	63,375	59,588	55,348	40,917	49,361	32,289	38,723	40,124	\$40
Periodicals	84	86	81	81	93	68	55	54	72	61	63	61	58	48	48	\$100
Videocassettes	3,910	4,966	5,368	6,637	6,850	-	-	-	-	-	-	-	-	-	-	\$70
CD/DVD	738	915	928	939	1,020	10,902	11,752	10,909	10,786	8,656	9,224	9,450	11,615	12,133	11,409	\$110
Database Subscriptions	-	-	-	16	16	18	18	15	21	14	8	4	2	1	1	\$45,800
E-Resources and E-Books (consortium licencing)	-	-	-	0.41	0.37	0.55	0.52	0.95	0.93	1.00	1.20	0.89	0.91	1.00	1.00	\$12,450
Library of Objects	-	-	-	-	-	-	-	-	-	-	-	-	-	-	32	\$87
<b>Total</b>	<b>64,096</b>	<b>65,529</b>	<b>69,093</b>	<b>68,462</b>	<b>61,526</b>	<b>74,186</b>	<b>74,707</b>	<b>74,354</b>	<b>70,468</b>	<b>64,080</b>	<b>50,213</b>	<b>58,877</b>	<b>43,965</b>	<b>50,906</b>	<b>51,615</b>	

Population	16,441	16,357	16,214	16,127	16,176	16,399	16,559	16,753	16,988	17,089	17,129	17,130	17,293	17,294	17,543
Per Capita Standard	3.90	4.01	4.26	4.25	3.80	4.52	4.51	4.44	4.15	3.75	2.93	3.44	2.54	2.94	2.94

15 Year Average	2009 to 2023
Quantity Standard	3.7589
Quality Standard	\$56
Service Standard	\$210

D.C. Amount (before deductions)	10 Year
Forecast Population	3,271
\$ per Capita	\$210
Eligible Amount	\$685,798



**Table B-13**  
**Historical Level of Service Calculation**  
**By-law Enforcement Services – By-law Enforcement Vehicles and Equipment**  
**Number of Vehicles and Equipment**

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 Value (\$/Vehicle)
By-law Vehicles	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	\$60,000
<b>Total</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	

Population	16,441	16,357	16,214	16,127	16,176	16,399	16,559	16,753	16,988	17,089	17,129	17,130	17,293	17,294	17,543
Per Capita Standard	0.0001	0.0001	0.0001	0.0001	0.0001	0.0001	0.0001	0.0001	0.0001	0.0001	0.0001	0.0001	0.0001	0.0001	0.0001

15 Year Average	2009 to 2023
Quantity Standard	0.0001
Quality Standard	\$35,800
Service Standard	\$4

D.C. Amount (before deductions)	10 Year
Forecast Population	3,271
\$ per Capita	\$4
Eligible Amount	\$11,710



**Table B-14**  
**Historical Level of Service Calculation**  
**Police Services (Port Hope Police Service (P.H.P.S.)) – Police Facilities**  
**Square Feet of Building Area**

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 Bld'g Value (\$/sq.ft.)	Value/sq.ft. with land, site works, etc.
Police Station - 230 Walton	5,500	5,500	5,500	5,500	5,500	5,500	5,500	-	-	-	-	-	-	-	-	\$593	\$688
Police Station - 55 Fox Road N	-	-	-	-	-	-	-	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	\$593	\$688
Garage - 55 Fox Road N	-	-	-	-	-	-	-	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	\$593	\$688
<b>Total</b>	<b>5,500</b>	<b>5,500</b>	<b>5,500</b>	<b>5,500</b>	<b>5,500</b>	<b>5,500</b>	<b>5,500</b>	<b>11,000</b>	<b>11,000</b>	<b>11,000</b>	<b>11,000</b>	<b>11,000</b>	<b>11,000</b>	<b>11,000</b>	<b>11,000</b>		

Population	16,441	16,357	16,214	16,127	16,176	16,399	16,559	16,753	16,988	17,089	17,129	17,130	17,293	17,294	17,543
Per Capita Standard	0.3345	0.3362	0.3392	0.3410	0.3400	0.3354	0.3321	0.6566	0.6475	0.6437	0.6422	0.6421	0.6361	0.6361	0.6270

15 Year Average	2009 to 2023
Quantity Standard	0.4993
Quality Standard	688
Service Standard	\$344

D.C. Amount (before deductions)	Urban 10 Year
Forecast Population	2,964
\$ per Capita	\$344
Eligible Amount	\$1,018,253



Table B-15  
 Historical Level of Service Calculation  
 Police Services (P.H.P.S.) – Police Vehicles and Equipment  
 Number of Vehicles and Equipment

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024 Value (\$/item)
Police Officer Outfitting	26	26	26	25	23	23	23	23	24	24	26	26	28	30	32	\$12,400
Automatic License Plate Reader	-	-	-	-	-	-	-	2	2	2	2	2	2	2	2	\$40,000
Police Vehicles	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	\$75,000
Admin Vehicles	5	5	5	5	5	6	6	6	6	6	7	7	7	7	7	\$50,000
<b>Total</b>	<b>37.0</b>	<b>37.0</b>	<b>37.0</b>	<b>36.0</b>	<b>34.0</b>	<b>35.0</b>	<b>35.0</b>	<b>37.0</b>	<b>38.0</b>	<b>38.0</b>	<b>41.0</b>	<b>41.0</b>	<b>43.0</b>	<b>45.0</b>	<b>47.0</b>	

Population	16,441	16,357	16,214	16,127	16,176	16,399	16,559	16,753	16,988	17,089	17,129	17,130	17,293	17,294	17,543
Per Capita Standard	0.0023	0.0023	0.0023	0.0022	0.0021	0.0021	0.0021	0.0022	0.0022	0.0022	0.0024	0.0024	0.0025	0.0026	0.0027

15 Year Average	2009 to 2023
Quantity Standard	0.0023
Quality Standard	\$28,765
Service Standard	\$66

D.C. Amount (before deductions)	Urban 10 Year
Forecast Population	2,964
\$ per Capita	\$66
Eligible Amount	\$196,098



# Appendix C

## Long-Term Capital and Operating Cost Examination





## Appendix C: Long-Term Capital and Operating Cost Examination

As a requirement of the D.C.A. under subsection 10 (2) (c), an analysis must be undertaken to assess the long-term capital and operating cost impacts for the capital infrastructure projects identified within the D.C. As part of this analysis, it was deemed necessary to isolate the incremental operating expenditures directly associated with these capital projects, factor in cost savings attributable to economies of scale or cost sharing where applicable and prorate the cost on a per unit basis (i.e., sq.ft. of building space, per vehicle, etc.). This was undertaken through a review of the Municipality's 2022 Financial Information Return.

In addition to the operational impacts, over time the initial capital projects will require replacement. This replacement of capital is often referred to as lifecycle cost. By definition, lifecycle costs are all the costs which are incurred during the life of a physical asset, from the time its acquisition is first considered, to the time it is taken out of service for disposal or redeployment. The method selected for lifecycle costing is the sinking fund method which provides that money will be contributed annually and invested, so that those funds will grow over time to equal the amount required for future replacement.

Table C-1 depicts the annual operating impact resulting from the proposed gross capital projects at the time they are all in place. It is important to note that, while municipal program expenditures will increase with growth in population, the costs associated with the new infrastructure (i.e., facilities) would be delayed until the time these works are in place.



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

SERVICE/CLASS OF SERVICE	ANNUAL LIFECYCLE EXPENDITURES	ANNUAL OPERATING EXPENDITURES	TOTAL ANNUAL EXPENDITURES
Services Related to a Highway	\$ 394,441	\$ 101,147	\$ 495,589
Fire Protection Services	\$ 256,653	\$ 73,608	\$ 330,261
Parks and Recreation Services	\$ 211,770	\$ 27,557	\$ 239,327
Library Services	\$ 68,580	\$ 6,444	\$ 75,023
By-law Enforcement Services	\$ 6,000	\$ 10,883	\$ 16,883
Policing Services (P.H.P.S.)	\$ 54,747	\$ 41,701	\$ 96,448
Wastewater	\$ 11,403	\$ 2,387	\$ 13,790
Wastewater Treatment Plants	\$ -	\$ -	\$ -
Water Services	\$ 109,293	\$ 18,984	\$ 128,277
<b>Total</b>	<b>\$ 1,112,886</b>	<b>\$ 282,712</b>	<b>\$ 1,395,598</b>



# Appendix D

## Local Service Policy



# Appendix D: Local Service Policy

This Appendix sets out the Municipality's General Policy Guidelines on Development Charges (D.C.) and local service funding. The guidelines outline, in general terms, the size and nature of engineered infrastructure that is included in the study as a D.C. project, versus infrastructure that is considered as a local service, to be emplaced separately by landowners, pursuant to a development agreement.

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

## 1. Collector and Internal Roads

- 1.1. Roads internal to development, abutting a development, or within the area to which the plan relates, up to 8.5m road width, plus one sidewalk, and two lifts of asphalt on residential roads and three lifts of asphalt on industrial/commercial roads – Direct developer responsibility under section 59 of the D.C.A. (as a local service).
- 1.2. Roads (collector and arterial) external to development and oversizing of collector roads beyond 1.1 above – Include in D.C. calculation to the extent permitted under subsection 5 (1) of the D.C.A. (dependent on local circumstances).
- 1.3. Stream crossing and rail crossing road works, excluding underground utilities but including all other works within lands to be dedicated to the Municipality or rail corridors – Include in D.C. calculation to the extent permitted under subsection 5 (1) of the D.C.A. (dependent on local circumstances).

## 2. Traffic Signals

- 2.1. Traffic signalization within or external to development – Include in D.C. calculation to the extent permitted under subsection 5 (1) of the D.C.A.



### **3. Intersection Improvements**

- 3.1. New roads (collector and arterial) and road (collector and arterial) improvements – Include as part of road costing noted in item 1, to limits of right of way.
- 3.2. Intersections improvements within specific developments and all works necessary to connect to entrances (private and specific subdivision) to the roadway – Direct developer responsibility under section 59 of D.C.A. (as a local service).
- 3.3. Intersection improvements on other roads due to development growth increasing traffic – Include in D.C. calculation.

### **4. Streetlights**

- 4.1. Streetlights on external roads – Include in Municipal D.C. (linked to collector road funding source in item 1).
- 4.2. Streetlights within specific developments – Direct developer responsibility under section 59 of D.C.A. (as a local service).

### **5. Sidewalks**

- 5.1. Sidewalks on Municipal roads – Linked to collector road funding source in item 1.
- 5.2. Other sidewalks external to development (which are a local service within the area to which the plan relates) – Direct developer responsibility as a local service provision (under section 59 of D.C.A.).

### **6. Bike Routes/Bike Lanes/Bike Paths/Multi-Use Trails/Naturalized Walkways**

- 6.1. Bike routes and bike lanes, within road allowance, external to development – Include in Municipal D.C.s consistent with the service standard provisions of the D.C.A., subsection 5 (1).
- 6.2. Bike paths/multi-use trails/naturalized walkways external to development – Include in Municipal D.C.s consistent with the service standard provisions of the D.C.A., subsection 5 (1).
- 6.3. Bike lanes, within road allowance, internal to development – Direct developer responsibility under section 59 of the D.C.A. (as a local service).

### **7. Noise Abatement Measures**

- 7.1. Internal to Development – Direct developer responsibility though local service provisions (section 59 of D.C.A.).



## **8. Traffic Control Systems**

- 8.1. Include in DC calculation.

## **9. Land Acquisition for Road Allowances**

- 9.1. Land Acquisition for arterial roads – Dedication under the *Planning Act* subdivision provisions (section 51) through development lands; in areas with limited or no development, include in Municipal D.C. (to the extent eligible).
- 9.2. Land Acquisition for collector roads – Dedication under the *Planning Act* subdivision provision (section 51) through development lands (up to 27 metre right-of-way); in areas with limited or no development, include in Municipal D.C. (to the extent eligible).
- 9.3. Land Acquisition for grade separations (beyond normal dedication requirements) – Include in the Municipal D.C. to the extent eligible.

## **10. Land Acquisition for Easements**

- 10.1. Easement costs external to subdivisions shall be included in D.C. calculation.

## **11. Storm Water Management**

- 11.1. Quality and Quantity Works, direct developer responsibility through local service provisions (section 59 of D.C.A.).
- 11.2. Oversizing of stormwater management works for development external to developments will be subject to best efforts clauses by Municipality.

## **12. Water**

- 12.1. Pumping stations and works associated with Zone boundaries, external to plan of subdivision, to be included within the D.C.
- 12.2. Watermains external to subdivisions included in the D.C.
- 12.3. Marginal costs of waterworks within the subdivision included in D.C. at 300 mm nominal diameter or above.
- 12.4. Connections to trunk mains and pumping stations to service specific areas, to be direct developer responsibility.

## **13. Wastewater**

- 13.1. Pumping stations shall be included in the D.C.
- 13.2. Sanitary sewers external to subdivisions included in the D.C.
- 13.3. Connections to trunk mains and pumping stations to service specific areas, to be direct developer responsibility.



- 13.4. Marginal costs of sanitary sewer works within the subdivision included in D.C. above 200mm nominal diameter and extra depth to accommodate external lands.



# Appendix E

## Asset Management Plan





## Appendix E: Asset Management Plan

The *Development Charges Act, 1997*, as amended (D.C.A.) (clause (c.2) of subsection 10 (2)) requires that the background study must include an asset management plan (A.M.P.) related to new infrastructure. Section 10 (3) of the D.C.A. provides:

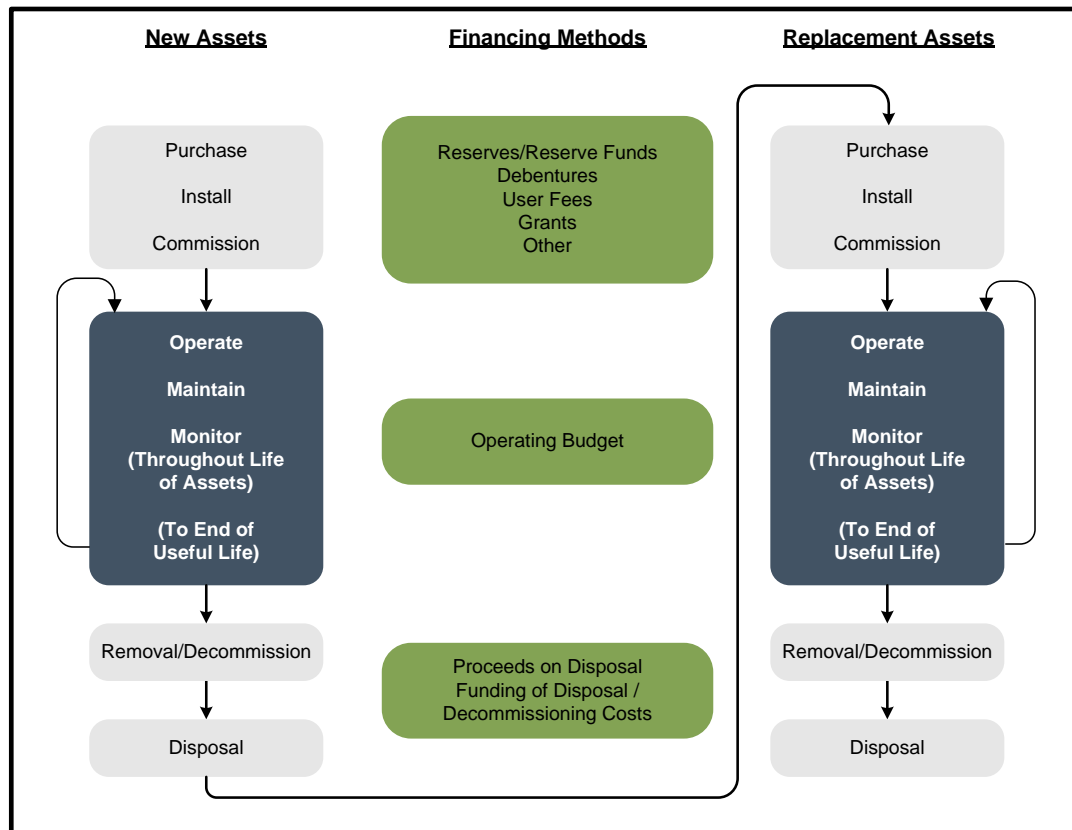
“The asset management plan shall,

- (a) deal with all assets whose capital costs are proposed to be funded under the development charge by-law;
- (b) demonstrate that all the assets mentioned in clause (a) are financially sustainable over their full life cycle;
- (c) contain any other information that is prescribed; and
- (d) be prepared in the prescribed manner.”

In regard to the above, section 8 of the regulations was amended to include subsections (2), (3), and (4) which set out specific detailed requirements for transit (only). For all services except transit, there are no prescribed requirements at this time, thus requiring the municipality to define the approach to include in the background study.

At a broad level, the A.M.P. provides for the long-term investment in an asset over its entire useful life along with the funding. The schematic below identifies the costs for an asset through its entire lifecycle. For growth-related works, the majority of capital costs will be funded by the development charge (D.C.). Non-growth-related expenditures will then be funded from non-D.C. revenues as noted below. During the useful life of the asset, there will be minor maintenance costs to extend the life of the asset along with additional program-related expenditures to provide the full services to the residents. At the end of the life of the asset, it will be replaced by non-D.C. financing sources.

It should be noted that with the passing of the *Infrastructure for Jobs and Prosperity Act* (I.J.P.A.) municipalities are now required to complete A.M.P.s, based on certain criteria, which are to be completed by 2022 for core municipal services and 2024 for all other services. The amendments to the D.C.A. do not require municipalities to complete these A.M.P.s (required under I.J.P.A.) for the D.C. background study, rather the D.C.A. requires that the D.C. background study include information to show the assets to be funded by the D.C. are sustainable over their full lifecycle.



In 2012, the Province developed Building Together: Guide for municipal asset management plans which outlines the key elements for an A.M.P., as follows:

**State of local infrastructure:** asset types, quantities, age, condition, financial accounting valuation and replacement cost valuation.

**Desired levels of service:** defines levels of service through performance measures and discusses any external trends or issues that may affect expected levels of service or the municipality's ability to meet them (for example, new accessibility standards, climate change impacts).

**Asset management strategy:** the asset management strategy is the set of planned actions that will seek to generate the desired levels of service in a sustainable way, while managing risk, at the lowest lifecycle cost.

**Financing strategy:** having a financial plan is critical for putting an A.M.P. into action. By having a strong financial plan, municipalities can also demonstrate that they have made a concerted effort to integrate the A.M.P. with financial planning and municipal budgeting and are making full use of all available infrastructure financing tools.



Commensurate with the above, the Municipality prepared several A.M.P.s in 2022 for its existing core infrastructure assets; however, it did not take into account future growth-related assets. As a result, the asset management requirement for the D.C. must be undertaken in the absence of this information.

In recognition to the schematic above, the following table (presented in 2024 \$) 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. As well, as all capital costs included in the D.C. eligible capital costs are not included in the Municipality's A.M.P., the present infrastructure gap and associated funding plan have not been considered at this time. Hence 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 that will require financing from municipal financial resources (i.e. taxation, rates, fees, etc.). This amount has been presented as an annual debt charge amount based on 20-year financing.
2. Lifecycle costs for the 2024 D.C. capital works 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 incremental annualized expenditures are approximately \$5.6 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 estimated at approximately \$6.3 million.
6. In consideration of the above, the capital plan is deemed to be financially sustainable.



Table E-1  
Asset Management – Future Expenditures and Associated Revenues  
2024\$

	2034 (Total)
<b>Expenditures (Annualized)</b>	
Annual Debt Payment on Non-Growth Related Capital <sup>1</sup>	\$ 3,411,294
Annual Debt Payment on Post Period Capital <sup>2</sup>	\$ 782,593
Annual Lifecycle - Municipal-wide Services	\$ 937,444
Annual Lifecycle - Area-specific Services <sup>3</sup>	\$ 175,442
<b>Incremental Operating Costs (for D.C. Services)</b>	\$ 282,712
<b>Total Expenditures</b>	<b>\$ 5,589,485</b>
<b>Revenue (Annualized)</b>	
Total Existing Revenue <sup>4</sup>	\$ 46,984,393
Incremental Tax and Non-Tax Revenue (User Fees, Fines, Licences, etc.)	\$ 6,322,598
<b>Total Revenues</b>	<b>\$ 53,306,991</b>

<sup>1</sup> Non-Growth Related component of Projects

<sup>2</sup> Interim Debt Financing for Post Period Benefit

<sup>3</sup> All infrastructure costs included in Area Specific by-laws have been included

<sup>4</sup> As per Sch. 10 of FIR



# Appendix F

## Proposed D.C. By-law – Services Related to a Highway



THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE

BY-LAW NO. XX/2024

*Being a By-law for the Imposition of Development Charges For  
Services Related to a Highway*

WHEREAS the Municipality of Port Hope is expected to experience growth through development and redevelopment;

AND WHEREAS development and redevelopment require the provision of physical and social services by the Corporation of the Municipality of Port Hope, hereinafter referred to as the "Municipality";

AND WHEREAS Council desires to ensure that the capital cost of meeting growth-related demands for, or burden on, municipal services does not place an excessive financial burden on the Municipality of Port Hope or its existing taxpayers while at the same time ensuring new taxpayers contribute no more than the net capital cost attributable to providing the current level of municipal services;

AND WHEREAS the *Development Charges Act, 1997* (the "Act") as amended provides that the council of a municipality may by by-law impose development charges against land to pay for increased capital costs required because of increased needs for services;

AND WHEREAS Council retained the services of Watson & Associates Economists Ltd. to prepare a Development Charge Background Study and make recommendations with respect to a development charge policy;

AND WHEREAS Council has received and studied a report "Municipality of Port Hope 2024 Development Charge Background Study" prepared by Watson & Associates Economists Ltd., dated May 10, 2024 (hereinafter referred to as the "Watson Report");

AND WHEREAS the Council of The Corporation of the Municipality of Port Hope has given notice of, and held, a public meeting on the 18<sup>th</sup> day of June 2024 in accordance with the Act and the Regulations thereto;



AND WHEREAS Council has considered the comments of people at the said public meeting and comments subsequently received;

AND WHEREAS Council has complied with the pre-enactment requirements set out in sections 10, 11 and 12 of the Act;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE ENACTS AS FOLLOWS:

## **1. DEFINITIONS**

1.1 In this By-law, unless a contrary intention appears, a term has the same meaning as that which exists in the Act or any Regulation made pursuant to sections 60 or 68 of the Act, both as amended from time to time.

1.2 In this by-law:

"Act" means the *Development Charges Act, 1997*, as amended, or any successor thereof.

"Accessory use" shall mean a use customarily incidental and subordinate to, and exclusively devoted to the principle or main use of the lot, building or structure and located on the same lot as such principal or main use.

"Accessory building or structure" shall mean a detached building or structure that is not used for human habitation and the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot therewith.

"Additional dwelling unit" means a dwelling unit, whether contained within a proposed single detached dwelling, semi-detached dwelling or row dwelling, or ancillary to a single detached dwelling, a semi-detached dwelling, or a row dwelling including but not limited to a coach house, laneway suite or structure constructed above an existing garage or other structure separate from the primary dwelling unit, and which is not capable of being legally conveyed as a separate parcel of land from the primary dwelling unit.



"Advance services" means services identified within the by-law relating to water services, wastewater services and services related to a highway.

"Affordable Residential Unit" means a residential unit that meets the criteria set out in section 4.1 of the Act.

"Agricultural use" means the use of land and/or buildings for the cultivation or foraging of crops, livestock or poultry production, raising or training of horses, and orchards, market gardening, maple sugar bushes, tobacco crops or other forms of specialized crop production.

"Attainable Residential Unit" means a residential unit that meets the criteria set out in section 4.1 of the Act.

"Bank of Canada rate" means the policy interest rate established by the Bank of Canada.

"Bedroom" means a room over 4.65 square metres in area, used for sleeping, a computer room, den, recreation room, and a sunroom (more than 7 square metres in area), study or other similar area, but does not include a room with kitchen or sanitary facilities if such room is not used for sleeping.

"Board of education" has the same meaning as set out in the *Education Act*, as amended, or any successor thereof.

"Bona fide farm operation" means the proposed development will qualify as a farm business operating with a valid Farm Business Registration Number issued by the Ontario Ministry of Agriculture, Food and Rural Affairs and be assessed in the Farmland Realty Tax Class by the Municipal Property Assessment Corporation.

"Building Code Act" means the *Building Code Act, 1992*, as amended, or any successor thereof.

"Capital cost" means capital costs as defined in subsection 5 (3) of the Act.

"Commercial use" means any use of land, structures or buildings for the purposes of buying or selling commodities and services, including hotels, motels,





motor inns and boarding, lodging and rooming houses. Commercial use does not include industrial uses, agricultural uses, or home occupations as defined in the applicable zoning by-law.

"Council" means the Council of the Municipality of Port Hope.

"Development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure with the effect of increasing the size of usability thereof, and includes redevelopment. Development is residential, non-residential or mixed.

"Development charge" means a charge imposed with respect to this by-law.

"Dwelling unit" means a suite operated as a housekeeping unit, used or intended to be used as a domicile by 1 or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities for their exclusive use, and includes:

1. a basement apartment;
2. a park model home;
3. a bedroom in a students' or seniors' residence; and
4. a building, or portion of a building, used for residential purposes as defined by residential use in this by-law.

"Existing" means the number, use and size that existed as of the date this by-law was passed.

"Farm building" means that part of a bona fide farming operation encompassing barns, silos and other ancillary development to an agricultural use, but excluding a residential use.

"Grade" means the average level of proposed or finished ground adjoining a building or structure at all exterior walls.



"Gross floor area" means:

1. in the case of a residential building or structure, the total area of all floors above grade of a dwelling unit measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing the dwelling unit from any other dwelling unit or other portion of a building; and
2. in the case of a non-residential building or structure, or in the case of a mixed-use building or structure in respect of the non-residential portion thereof, the total area of all building floors above or below grade measured between the outside surfaces of the exterior walls, or between the outside surfaces of exterior walls and the centre line of party walls dividing a non-residential use and a residential use, except for:
  - a. a room or enclosed area within the building or structure above or below that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical or telecommunications equipment that service the building;
  - b. loading facilities above or below grade; and
  - c. a part of the building or structure below grade that is used for the parking of motor vehicles or for storage or other accessory use.

"Inclusionary zoning residential unit" means residential units that are affordable housing units required to be included in a development or redevelopment pursuant to a by-law passed under section 34 of the *Planning Act* to give effect to the policies described in subsection 16 (4) of that Act.

"Industrial" 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, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use, but does not include the sale of commodities to the general public through a warehouse club or an agricultural use.



"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 section 3.19 institutional means development of a building or structure intended for use:

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

"Local Board" means a school board, public utility, commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board, or any other board, commission, committee, 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, including school purposes, of the Municipality of Port Hope or any part or parts thereof.

"Local services" means those services, facilities or things 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 in respect of the lands under sections 41, 51 or 53 of the *Planning Act*, as amended, or any successor thereof.

"Mixed use building" means a building, structure or development with portions which are to be used for residential development and other portions for non-residential development.

"Non-profit housing" means a development of a building or structure intended for use as residential premises by:

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

"Non-residential development" means development other than residential development as defined below, and includes development for agricultural, commercial, industrial and institutional uses.

"Official Plan" means the Official Plan adopted for the Municipality, as amended and approved.

"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.

"Place of worship" means that part of a building or structure that is exempt from taxation as a place of worship under the *Assessment Act*, as amended, or any successor thereof.

"Regulation" means any regulation made pursuant to the Act.



“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.

"Residential use" means designed, adopted or used as a home or residence of one or more individuals who reside or dwell there permanently or for a considerable period of time and includes:

1. "apartment dwelling" means any dwelling unit within a building containing four or more dwelling units, which is not a single detached dwelling, a semi-detached dwelling, a row dwelling, a special care dwelling, hotel, motel, tourist home, student residence, barracks, or any other development included in non-residential development;
2. "multiple dwellings" means all dwellings other than an apartment dwelling, a semi-detached dwelling, a single detached dwelling, and a special care dwelling;
3. "row dwelling" means a residential building containing not less than three dwelling units with each unit separated by a common or party wall or walls with a separate outside entrance to each unit. For the purposes of this definition, a row dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a row dwelling;
4. "semi-detached dwelling" means a residential building that is divided vertically into two dwelling units. For the purposes of this definition, a semi-detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a semi-detached dwelling;
5. "single detached dwelling" means a residential building consisting of one dwelling unit and not attached to another structure. For the purposes of this definition, a single detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a single detached dwelling;
6. "special care dwelling" means a building not otherwise defined herein containing more than four dwelling units: where the occupants have the right to use in common, halls, stairs, yards, common rooms and accessory buildings; which dwelling units may or may not have exclusive sanitary and/or culinary facilities; that is designed to accommodate individuals with



specific needs, where meals are provided within the development on a regular basis and includes a bedroom, student residence, retirement home and lodge, nursing home, granny flat, accessory dwelling and group home.

"Residential development" means development used, or intended to be used, in the whole or in part for residential uses and includes: a special care dwelling, the residential portion of a mixed development, and an apartment building but does not include a place of worship, hotel, motel, bed and breakfast where people typically stay less than one week.

"Residential unit" means the same as dwelling unit as defined in this by-law.

"Service" means a service designed in section 2.1 to this by-law, and "services" shall have a corresponding meaning.

"Suite" means one or more rooms used or capable of being used for human habitation.

"Urban service area" means that area within the Municipality of Port Hope delineated on Schedule "B".

"Use" means occupation and utilization for a particular purpose, practice or benefit. For the purposes of this by-law uses are either residential or non-residential.

## **2. DESIGNATION OF SERVICES**

2.1 The categories of services for which development charges are imposed under this by-law are as follows:

1. Services Related to a Highway.

## **3. APPLICATION OF BY-LAW RULES**

3.1 Development charges shall be payable by the Owner in the amounts set out in this by-law where:

1. the lands are located in the area described in section 3.2; and



2. the development of the lands requires any of the approvals set out in subsection 3.4 (1).

### **Area to Which By-law Applies**

- 3.2 Subject to section 3.3, this by-law applies to all lands in the Municipality of Port Hope whether or not the land or use thereof is exempt from taxation under section 13 of the *Assessment Act*.
- 3.3. Notwithstanding section 3.2 above, this by-law shall not apply to lands that are owned by and used for the purposes of:
  1. the Municipality or a local board thereof;
  2. a board of education;
  3. the Corporation of the County of Northumberland or a local board thereof;  
or
  4. a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education.

### **Approvals for Development**

- 3.4 1. Development charges shall be imposed on all lands, buildings or structures that are developed for residential or non-residential uses if the development requires:
  - a. the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*,
  - b. the approval of a minor variance under section 45 of the *Planning Act*,
  - c. a conveyance of land to which a by-law passed under 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, 1998*, or any successor thereof; or
  - g. the issuing of a permit under the *Building Code Act* in relation to a building or structure.
2. No more than one development charge for each service designated in section 2.1 shall be imposed upon any lands, buildings or structures to which this by-law applies even though two or more of the actions described in subsection (1) are required before the lands, buildings or structures can be developed.
  3. Despite subsection (2), if two or more of the actions described in subsection (1) occur at different times, additional development charges shall be imposed if the subsequent action has the effect of increasing the need for services.

## **Exemptions**

### **Residential Units in Existing Residential**

- 3.5 This by-law shall not apply to that category of exempt development described in subsections 2 (3), 2 (3.1), and 2 (3.2) of the Act, namely:
1. An enlargement to an existing dwelling unit;
  2. A second residential unit in an existing detached house, semi-detached house, or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the existing detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
  3. A third residential unit in an existing detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure





ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units;

4. One residential unit in a building or structure ancillary to an existing detached house, semi-detached house or rowhouse on a parcel of residential land, if the existing detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units; or
5. In an existing rental residential building, which contains four or more residential units, the creation of the greater of one residential unit or one per cent of the existing residential units.

#### Residential Units in New Residential

3.6 This by-law shall not apply to that category of exempt development described in subsection 2 (3.3) of the Act, namely:

1. A second residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the new detached house, semi-detached house or rowhouse cumulatively will contain no more than one residential unit;
2. A third residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units; or
3. One residential unit in a building or structure ancillary to a new detached house, semi-detached house or rowhouse on a parcel of residential land, if the new detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units.



## Enlargement of an Existing Industrial Development

- 3.7 This by-law does not apply to that category of exempt development described in section 4 of the Act, namely:
1. the enlargement of the gross floor area of an existing industrial building, if the gross floor area is enlarged by 50 percent or less;
  2. for the purpose of subsection (1) the terms “gross floor area” and “existing industrial building” shall have the same meaning as those terms have in O. Reg. 82/98 made under the Act.
  3. Notwithstanding subsection (1), if the gross floor area of an existing industrial building is enlarged by more than 50 percent, development charges shall be calculated and collected in accordance with Schedule “A” on the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement.
  4. For the purpose of the application of section 4 of the Act to the operation of this by-law:
    - a. the gross floor area of an existing industrial building shall be calculated as it existed prior to the first enlargement in respect of that building for which an exemption under section 4 of the Act is sought; and
    - b. the enlargement of the gross floor area of the existing building must:
      - i. be attached to the existing industrial building;
      - ii. not be attached to the existing industrial building by means only of a tunnel, bridge, canopy, corridor or other passageway, shared below-grade connection, foundation, footing, parking facility, service tunnel or service pipe;
      - iii. be for use or in connection with an industrial purpose as set out in this by-law; and



- iv. constitute a bona fide increase in the size of the existing building.

### Non-Profit, Inclusionary Zoning, Affordable, and Attainable

- 3.8 This by-law shall not apply to that category of exempt development described in section 4.2 of the Act, namely that development charges shall not be imposed with respect to non-profit housing development.
- 3.9 This by-law shall not apply to that category of exempt development described in section 4.3 of the Act, namely that development charges shall not be imposed with respect to inclusionary zoning residential unit development.
- 3.10 As of the date that section 3 of Schedule 3 of the *More Homes Built Faster Act, 2022* comes into force, affordable residential units and attainable residential units will be exempt from development charges in accordance with section 4.1 of the Act.

### Other Exemptions

- 3.11 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to:
  1. Lands, buildings or structures used or to be used for a place of worship or for the purposes of a churchyard or cemetery exempt from taxation under the *Assessment Act*.
  2. The construction of a non-residential farm building or structure constructed for a bona fide farm operation.
  3. Buildings used as hospitals as governed by the *Public Hospitals Act*.
  4. For industrial uses, only the water and wastewater portions of the development charge identified in Schedule “A” are applicable.



## **Amount of Charges**

### **Residential**

3.12 The development charges set out in Schedule “A” to this by-law shall be imposed on residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use and, in the case of a mixed-use building or structure, on the residential uses in the mixed-use building or structure, according to the type of residential unit, and calculated with respect to each of the services according to the type of residential use.

### **Non-Residential**

3.13 The development charges described in Schedule “A” to this by-law shall be imposed on non-residential uses of lands, buildings or structures, and, in the case of a mixed-use building or structure, on the non-residential uses in the mixed-use building or structure, and calculated with respect to each of the services according to the total floor area of the non-residential use.

## **Reduction of Development Charges for Redevelopment**

3.14 Despite any other provisions of this by-law, where, as a result of the redevelopment of land, a building or structure existing on the same land within 60 months prior to the date of payment of development charges in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

1. in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge under section 312 by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and
2. in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed-use



building or structure, an amount calculated by multiplying the applicable development charges under section 3.13, by the gross floor area that has been or will be demolished or converted to another principal use;

provided that:

- (a) no credit or reduction shall be given for the components pertaining to Wastewater Treatment Plants and Water Services, and;
- (b) such amounts shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment.

3.15 Notwithstanding section 3.14, a full development charge credit (including Wastewater Treatment Plants and Water Services) will be provided for redevelopments where no additional residential units or non-residential gross floor area are created.

### **Rebated Components – Urban Service Area**

3.16 Where a development charge is paid pursuant to this by-law for development located within the Urban Service Area and:

1. land is not within a plan, or pending plan of subdivision under section 51 of the *Planning Act* registered after September 10, 1973;
2. there is no Municipal water service and/or Municipal wastewater service feasibly available within five hundred feet of the front lot line;
3. no Municipal water service and/or Municipal wastewater service is scheduled to service the subject lands within five years of the date of approval of the building itself, and
4. the current registered owner(s) of the land who applies within 24 months of the date of payment of the applicable development charge and provides proof that adequate private water and/or sanitary services, as the case may be, have been installed and are properly functioning so as to provide service to the subject lands satisfactory to the Director of Municipal Engineering Services.



The Treasurer of the Municipality shall rebate to the then current registered owner(s) the Municipal water services component and/or the Municipal wastewater service component of the development charge for the service(s) which is not available.

### **Timing of Payment of Development Charges**

- 3.17 Development charges imposed under this by-law are calculated, payable, and collected on the date a building permit is issued in relation to the development; except for advance services (i.e. services related to a highway, wastewater and water services) where at the discretion of Council shall be payable immediately upon the owner entering into subdivision agreement or in instances where a plan of subdivision has not been pursued development charges are payable prior to the release of holding provisions on the implementing zoning by-law amendment.
- 3.18 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.
- 3.19 Notwithstanding section 3.17 and 3.18, 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 as provided in the Municipality's Council approved Development Charge Interest Policy, payable on the anniversary date each year thereafter.
- 3.20 Where the development of land results from the approval of a Site Plan or Zoning By-law Amendment made on or after January 1, 2020, and the approval of the application occurred within 2 years of building permit issuance, the development charges under sections 3.17 and 3.19 shall be calculated based on the rates set out in Schedule "A" on the date the planning application was made, including interest as provided in the Municipality's Council approved Development Charge Interest Policy. Where both planning applications apply, Development Charges under sections 3.17 and 3.19 shall be calculated based on the rates, including interest as provided in the Municipality's Council approved Development Charge Interest Policy, set out in Schedule "A" on the date of the later planning application.



3.21 Despite sections 3.17, 3.19, and 3.20, Council from time to time, and at any time, may enter into agreements providing for all or any part of a development charge to be paid before or after it would otherwise be payable, in accordance with section 27 of the Act.

### **Development Charge Reductions**

3.22 Notwithstanding the provisions of this by-law, development charges for rental housing developments will be reduced based on the number of bedrooms in each unit as follows:

1. Three or more bedrooms – 25% reduction;
2. Two bedrooms – 20% reduction; and
3. All other bedroom quantities – 15% reduction.

### **Phasing In of Development Charges**

3.23 The amount of the development charges set out in Schedule “A” to this by-law shall be reduced as follows, in accordance with subsection 5 (6) of the Act:

1. the first year that the by-law is in force - 80 percent of the development charge that could otherwise be charged;
2. the second year that the by-law is in force - 85 percent of the development charge that could otherwise be charged;
3. the third year that the by-law is in force - 90 percent of the development charge that could otherwise be charged;
4. the fourth year that the by-law is in force - 95 percent of the development charge that could otherwise be charged; and
5. the fifth to tenth years that the by-law is in force - 100 percent of the development charge will be imposed.



#### **4. PAYMENT BY SERVICES**

- 4.1 Despite the payment required under sections 3.12 and 3.13, Council may, by agreement, give a credit towards a development charge in exchange for work that relates to a service to which a development charge relates under this by-law.

#### **5. INDEXING**

- 5.1 Development charges imposed pursuant to this by-law shall be adjusted annually on January 1<sup>st</sup>, without amendment to this by-law, in accordance with the most recent available twelve month change in the Toronto series of the prescribed index in the Act (currently Statistics Canada Table 18-10-0276-02).

#### **6. CONFLICTS**

- 6.1 Where the Municipality and an owner or former owner have entered into an agreement with respect to land within the area to which this by-law applies, and a conflict exists between the provisions of this by-law and such agreement, the provisions of the agreement shall prevail to the extent that there is a conflict.
- 6.2 Notwithstanding section 6.1, where a development which is the subject of an agreement to which section 6.1 applies, is subsequently the subject of one or more of the actions described in subsection 3.4 (1), an additional development charge in respect of the development permitted by the action shall be calculated, payable and collected in accordance with the provisions of this by-law if the development has the effect of increasing the need for services, unless such agreement provides otherwise.

#### **7. BY-LAW AMENDMENT OR REPEAL**

- 7.1 Where this by-law or any development charge prescribed there under is amended or repealed by order of the Ontario Land Tribunal 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.
- 7.2 Refunds that are required to be paid under section 7.1 shall be paid to the registered owner of the land on the date on which the refund is paid.





7.3 Refunds that are required to be paid under section 7.1 shall be paid with interest to be calculated as follows:

1. interest shall be calculated from the date on which the overpayment was collected to the day on which the refund is paid;
2. the refund shall include the interest owed under this section;
3. interest shall be paid at the Bank of Canada rate in effect on the date of enactment of this by-law.

## **8. SEVERABILITY**

8.1 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 the by-law shall remain in full force and effect.

## **9. HEADINGS FOR REFERENCE ONLY**

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

## **10. SCHEDULES**

10.1 The following schedules shall form part of this by-law:

Schedule A – Schedule of Development Charges

Schedule B – Urban Service Area (Map)

## **11. DATE BY-LAW IN FORCE**

11.1 This By-law shall come into effect at 12:01 AM on July 10, 2024.

## **12. DATE BY-LAW EXPIRES**

12.1 This By-law will expire at 12:01 AM on July 10, 2034 unless it is repealed by Council at an earlier date.



**13. REPEAL FORMER DEVELOPMENT CHARGES BY-LAW**

13.1 Upon the passing of this by-law, By-law 53/2019 being a By-law for the Imposition of Development Charges is hereby repealed.

READ a FIRST, SECOND and THIRD time and finally passed on this 9<sup>th</sup> day of July, 2024.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



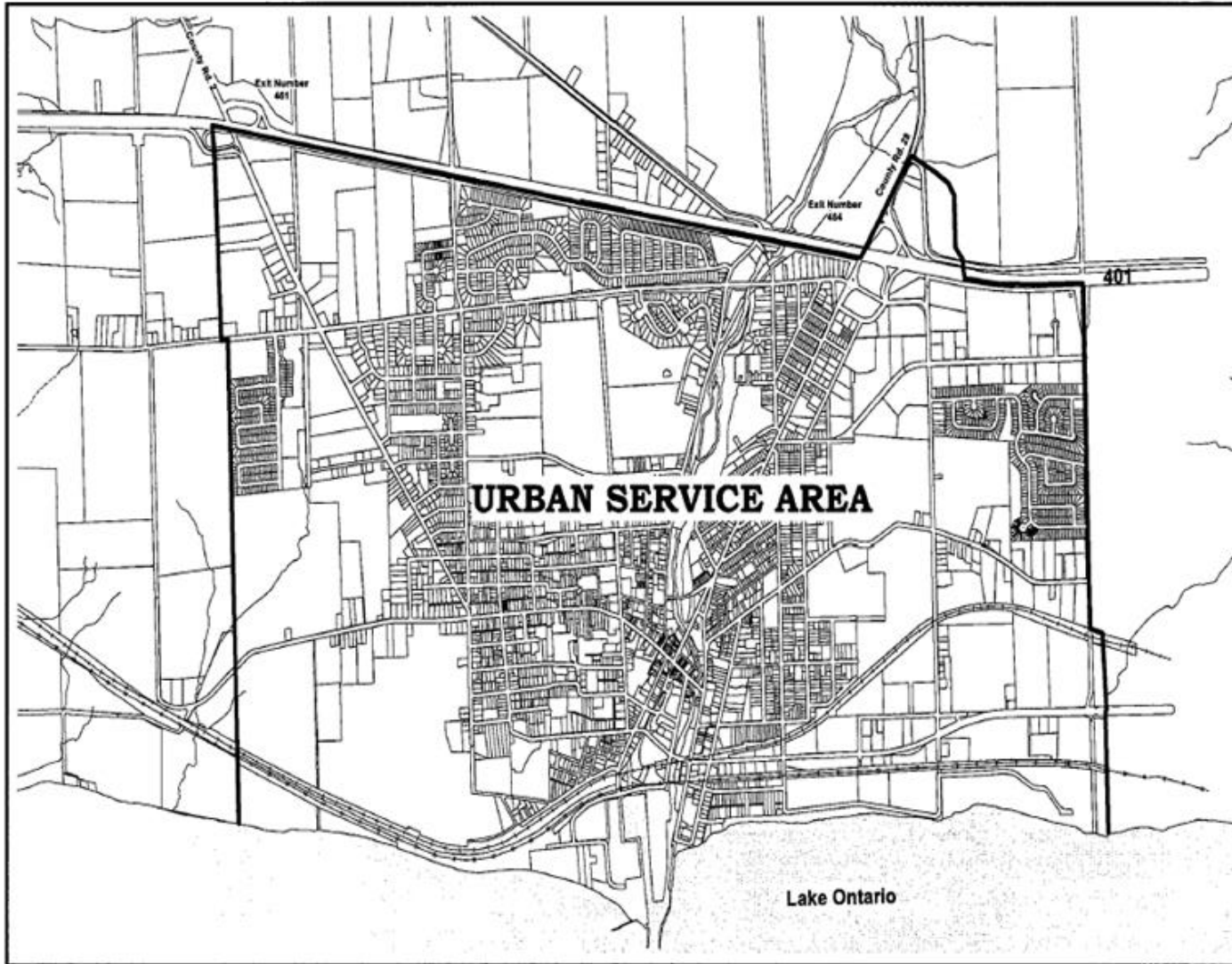
**SCHEDULE "A" TO BY-LAW \_\_\_/24**

**SCHEDULE OF DEVELOPMENT CHARGES**

Service/Class of Service	RESIDENTIAL (per Dwelling Unit)					NON-RESIDENTIAL (per sq.ft. of Gross Floor Area)	
	Single and Semi-Detached Dwelling	Other Multiple	Apartment Dwelling Unit – 2 Bedrooms +	Apartment Dwelling Unit – Bachelor and 1 Bedroom	Special Care Dwelling Unit	All Other Non-Residential	Industrial
Services Related to a Highway	\$9,034	\$6,649	\$6,610	\$5,309	\$4,300	\$3.76	\$0



**SCHEDULE "B" TO BY-LAW \_\_\_/24**  
**URBAN SERVICE AREA**





# Appendix G

## Proposed D.C. By-law – Fire Protection Services



THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE

BY-LAW NO. XX/2024

*Being a By-law for the Imposition of Development Charges For  
Fire Protection Services*

WHEREAS the Municipality of Port Hope is expected to experience growth through development and redevelopment;

AND WHEREAS development and redevelopment require the provision of physical and social services by the Corporation of the Municipality of Port Hope, hereinafter referred to as the "Municipality";

AND WHEREAS Council desires to ensure that the capital cost of meeting growth-related demands for, or burden on, municipal services does not place an excessive financial burden on the Municipality of Port Hope or its existing taxpayers while at the same time ensuring new taxpayers contribute no more than the net capital cost attributable to providing the current level of municipal services;

AND WHEREAS the *Development Charges Act, 1997* (the "Act") as amended provides that the council of a municipality may by by-law impose development charges against land to pay for increased capital costs required because of increased needs for services;

AND WHEREAS Council retained the services of Watson & Associates Economists Ltd. to prepare a Development Charge Background Study and make recommendations with respect to a development charge policy;

AND WHEREAS Council has received and studied a report "Municipality of Port Hope 2024 Development Charge Background Study" prepared by Watson & Associates Economists Ltd., dated May 10, 2024 (hereinafter referred to as the "Watson Report");

AND WHEREAS the Council of The Corporation of the Municipality of Port Hope has given notice of, and held, a public meeting on the 18<sup>th</sup> day of June 2024 in accordance with the Act and the Regulations thereto;



AND WHEREAS Council has considered the comments of people at the said public meeting and comments subsequently received;

AND WHEREAS Council has complied with the pre-enactment requirements set out in sections 10, 11 and 12 of the Act;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE ENACTS AS FOLLOWS:

## 1. DEFINITIONS

1.1 In this By-law, unless a contrary intention appears, a term has the same meaning as that which exists in the Act or any Regulation made pursuant to sections 60 or 68 of the Act, both as amended from time to time.

1.2 In this by-law:

"Act" means the *Development Charges Act, 1997*, as amended, or any successor thereof.

"Accessory use" shall mean a use customarily incidental and subordinate to, and exclusively devoted to the principle or main use of the lot, building or structure and located on the same lot as such principal or main use.

"Accessory building or structure" shall mean a detached building or structure that is not used for human habitation and the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot therewith.

"Additional dwelling unit" means a dwelling unit, whether contained within a proposed single detached dwelling, semi-detached dwelling or row dwelling, or ancillary to a single detached dwelling, a semi-detached dwelling, or a row dwelling including but not limited to a coach house, laneway suite or structure constructed above an existing garage or other structure separate from the primary dwelling unit, and which is not capable of being legally conveyed as a separate parcel of land from the primary dwelling unit.



"Advance services" means services identified within the by-law relating to water services, wastewater services and services related to a highway.

"Affordable Residential Unit" means a residential unit that meets the criteria set out in section 4.1 of the Act.

"Agricultural use" means the use of land and/or buildings for the cultivation or foraging of crops, livestock or poultry production, raising or training of horses, and orchards, market gardening, maple sugar bushes, tobacco crops or other forms of specialized crop production.

"Attainable Residential Unit" means a residential unit that meets the criteria set out in section 4.1 of the Act.

"Bank of Canada rate" means the policy interest rate established by the Bank of Canada.

"Bedroom" means a room over 4.65 square metres in area, used for sleeping, a computer room, den, recreation room, and a sunroom (more than 7 square metres in area), study or other similar area, but does not include a room with kitchen or sanitary facilities if such room is not used for sleeping.

"Board of education" has the same meaning as set out in the *Education Act*, as amended, or any successor thereof.

"Bona fide farm operation" means the proposed development will qualify as a farm business operating with a valid Farm Business Registration Number issued by the Ontario Ministry of Agriculture, Food and Rural Affairs and be assessed in the Farmland Realty Tax Class by the Municipal Property Assessment Corporation.

"Building Code Act" means the *Building Code Act, 1992*, as amended, or any successor thereof.

"Capital cost" means capital costs as defined in subsection 5 (3) of the Act.

"Commercial use" means any use of land, structures or buildings for the purposes of buying or selling commodities and services, including hotels, motels,





motor inns and boarding, lodging and rooming houses. Commercial use does not include industrial uses, agricultural uses, or home occupations as defined in the applicable zoning by-law.

"Council" means the Council of the Municipality of Port Hope.

"Development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure with the effect of increasing the size of usability thereof, and includes redevelopment. Development is residential, non-residential or mixed.

"Development charge" means a charge imposed with respect to this by-law.

"Dwelling unit" means a suite operated as a housekeeping unit, used or intended to be used as a domicile by 1 or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities for their exclusive use, and includes:

1. a basement apartment;
2. a park model home;
3. a bedroom in a students' or seniors' residence; and
4. a building, or portion of a building, used for residential purposes as defined by residential use in this by-law.

"Existing" means the number, use and size that existed as of the date this by-law was passed.

"Farm building" means that part of a bona fide farming operation encompassing barns, silos and other ancillary development to an agricultural use, but excluding a residential use.

"Grade" means the average level of proposed or finished ground adjoining a building or structure at all exterior walls.



"Gross floor area" means:

1. in the case of a residential building or structure, the total area of all floors above grade of a dwelling unit measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing the dwelling unit from any other dwelling unit or other portion of a building; and
2. in the case of a non-residential building or structure, or in the case of a mixed-use building or structure in respect of the non-residential portion thereof, the total area of all building floors above or below grade measured between the outside surfaces of the exterior walls, or between the outside surfaces of exterior walls and the centre line of party walls dividing a non-residential use and a residential use, except for:
  - a. a room or enclosed area within the building or structure above or below that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical or telecommunications equipment that service the building;
  - b. loading facilities above or below grade; and
  - c. a part of the building or structure below grade that is used for the parking of motor vehicles or for storage or other accessory use.

"Inclusionary zoning residential unit" means residential units that are affordable housing units required to be included in a development or redevelopment pursuant to a by-law passed under section 34 of the *Planning Act* to give effect to the policies described in subsection 16 (4) of that Act.

"Industrial" 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, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use, but does not include the sale of commodities to the general public through a warehouse club or an agricultural use.



"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 section 3.19 institutional means development of a building or structure intended for use:

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

"Local Board" means a school board, public utility, commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board, or any other board, commission, committee, 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, including school purposes, of the Municipality of Port Hope or any part or parts thereof.

"Local services" means those services, facilities or things 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 in respect of the lands under sections 41, 51 or 53 of the *Planning Act*, as amended, or any successor thereof.

"Mixed use building" means a building, structure or development with portions which are to be used for residential development and other portions for non-residential development.

"Non-profit housing" means a development of a building or structure intended for use as residential premises by:

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

"Non-residential development" means development other than residential development as defined below, and includes development for agricultural, commercial, industrial and institutional uses.

"Official Plan" means the Official Plan adopted for the Municipality, as amended and approved.

"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.

"Place of worship" means that part of a building or structure that is exempt from taxation as a place of worship under the *Assessment Act*, as amended, or any successor thereof.

"Regulation" means any regulation made pursuant to the Act.



“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.

"Residential use" means designed, adopted or used as a home or residence of one or more individuals who reside or dwell there permanently or for a considerable period of time and includes:

1. "apartment dwelling" means any dwelling unit within a building containing four or more dwelling units, which is not a single detached dwelling, a semi-detached dwelling, a row dwelling, a special care dwelling, hotel, motel, tourist home, student residence, barracks, or any other development included in non-residential development;
2. "multiple dwellings" means all dwellings other than an apartment dwelling, a semi-detached dwelling, a single detached dwelling, and a special care dwelling;
3. "row dwelling" means a residential building containing not less than three dwelling units with each unit separated by a common or party wall or walls with a separate outside entrance to each unit. For the purposes of this definition, a row dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a row dwelling;
4. "semi-detached dwelling" means a residential building that is divided vertically into two dwelling units. For the purposes of this definition, a semi-detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a semi-detached dwelling;
5. "single detached dwelling" means a residential building consisting of one dwelling unit and not attached to another structure. For the purposes of this definition, a single detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a single detached dwelling;
6. "special care dwelling" means a building not otherwise defined herein containing more than four dwelling units: where the occupants have the right to use in common, halls, stairs, yards, common rooms and accessory buildings; which dwelling units may or may not have exclusive sanitary and/or culinary facilities; that is designed to accommodate individuals with



specific needs, where meals are provided within the development on a regular basis and includes a bedroom, student residence, retirement home and lodge, nursing home, granny flat, accessory dwelling and group home.

"Residential development" means development used, or intended to be used, in the whole or in part for residential uses and includes: a special care dwelling, the residential portion of a mixed development, and an apartment building but does not include a place of worship, hotel, motel, bed and breakfast where people typically stay less than one week.

"Residential unit" means the same as dwelling unit as defined in this by-law.

"Service" means a service designed in section 2.1 to this by-law, and "services" shall have a corresponding meaning.

"Suite" means one or more rooms used or capable of being used for human habitation.

"Urban service area" means that area within the Municipality of Port Hope delineated on Schedule "B".

"Use" means occupation and utilization for a particular purpose, practice or benefit. For the purposes of this by-law uses are either residential or non-residential.

## **2. DESIGNATION OF SERVICES**

2.1 The categories of services for which development charges are imposed under this by-law are as follows:

1. Fire Protection Services.

## **3. APPLICATION OF BY-LAW RULES**

3.1 Development charges shall be payable by the Owner in the amounts set out in this by-law where:

1. the lands are located in the area described in section 3.2; and



2. the development of the lands requires any of the approvals set out in subsection 3.4 (1).

### **Area to Which By-law Applies**

- 3.2 Subject to section 3.3, this by-law applies to all lands in the Municipality of Port Hope whether or not the land or use thereof is exempt from taxation under section 13 of the *Assessment Act*.
- 3.3. Notwithstanding section 3.2 above, this by-law shall not apply to lands that are owned by and used for the purposes of:
  1. the Municipality or a local board thereof;
  2. a board of education;
  3. the Corporation of the County of Northumberland or a local board thereof;  
or
  4. a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education.

### **Approvals for Development**

- 3.4 1. Development charges shall be imposed on all lands, buildings or structures that are developed for residential or non-residential uses if the development requires:
  - a. the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*,
  - b. the approval of a minor variance under section 45 of the *Planning Act*,
  - c. a conveyance of land to which a by-law passed under 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, 1998*, or any successor thereof; or
  - g. the issuing of a permit under the *Building Code Act* in relation to a building or structure.
2. No more than one development charge for each service designated in section 2.1 shall be imposed upon any lands, buildings or structures to which this by-law applies even though two or more of the actions described in subsection (1) are required before the lands, buildings or structures can be developed.
  3. Despite subsection (2), if two or more of the actions described in subsection (1) occur at different times, additional development charges shall be imposed if the subsequent action has the effect of increasing the need for services.

## **Exemptions**

### **Residential Units in Existing Residential**

- 3.5 This by-law shall not apply to that category of exempt development described in subsections 2 (3), 2 (3.1), and 2 (3.2) of the Act, namely:
1. An enlargement to an existing dwelling unit;
  2. A second residential unit in an existing detached house, semi-detached house, or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the existing detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
  3. A third residential unit in an existing detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure





ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units;

4. One residential unit in a building or structure ancillary to an existing detached house, semi-detached house or rowhouse on a parcel of residential land, if the existing detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units; or
5. In an existing rental residential building, which contains four or more residential units, the creation of the greater of one residential unit or one per cent of the existing residential units.

#### Residential Units in New Residential

3.6 This by-law shall not apply to that category of exempt development described in subsection 2 (3.3) of the Act, namely:

1. A second residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the new detached house, semi-detached house or rowhouse cumulatively will contain no more than one residential unit;
2. A third residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units; or
3. One residential unit in a building or structure ancillary to a new detached house, semi-detached house or rowhouse on a parcel of residential land, if the new detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units.



## Enlargement of an Existing Industrial Development

- 3.7 This by-law does not apply to that category of exempt development described in section 4 of the Act, namely:
1. the enlargement of the gross floor area of an existing industrial building, if the gross floor area is enlarged by 50 percent or less;
  2. for the purpose of subsection (1) the terms “gross floor area” and “existing industrial building” shall have the same meaning as those terms have in O. Reg. 82/98 made under the Act.
  3. Notwithstanding subsection (1), if the gross floor area of an existing industrial building is enlarged by more than 50 percent, development charges shall be calculated and collected in accordance with Schedule “A” on the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement.
  4. For the purpose of the application of section 4 of the Act to the operation of this by-law:
    - a. the gross floor area of an existing industrial building shall be calculated as it existed prior to the first enlargement in respect of that building for which an exemption under section 4 of the Act is sought; and
    - b. the enlargement of the gross floor area of the existing building must:
      - i. be attached to the existing industrial building;
      - ii. not be attached to the existing industrial building by means only of a tunnel, bridge, canopy, corridor or other passageway, shared below-grade connection, foundation, footing, parking facility, service tunnel or service pipe;
      - iii. be for use or in connection with an industrial purpose as set out in this by-law; and



- iv. constitute a bona fide increase in the size of the existing building.

#### Non-Profit, Inclusionary Zoning, Affordable, and Attainable

- 3.8 This by-law shall not apply to that category of exempt development described in section 4.2 of the Act, namely that development charges shall not be imposed with respect to non-profit housing development.
- 3.9 This by-law shall not apply to that category of exempt development described in section 4.3 of the Act, namely that development charges shall not be imposed with respect to inclusionary zoning residential unit development.
- 3.10 As of the date that section 3 of Schedule 3 of the *More Homes Built Faster Act, 2022* comes into force, affordable residential units and attainable residential units will be exempt from development charges in accordance with section 4.1 of the Act.

#### Other Exemptions

- 3.11 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to:
  1. Lands, buildings or structures used or to be used for a place of worship or for the purposes of a churchyard or cemetery exempt from taxation under the *Assessment Act*.
  2. The construction of a non-residential farm building or structure constructed for a bona fide farm operation.
  3. Buildings used as hospitals as governed by the *Public Hospitals Act*.
  4. For industrial uses, only the water and wastewater portions of the development charge identified in Schedule “A” are applicable.



## **Amount of Charges**

### **Residential**

3.12 The development charges set out in Schedule “A” to this by-law shall be imposed on residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use and, in the case of a mixed-use building or structure, on the residential uses in the mixed-use building or structure, according to the type of residential unit, and calculated with respect to each of the services according to the type of residential use.

### **Non-Residential**

3.13 The development charges described in Schedule “A” to this by-law shall be imposed on non-residential uses of lands, buildings or structures, and, in the case of a mixed-use building or structure, on the non-residential uses in the mixed-use building or structure, and calculated with respect to each of the services according to the total floor area of the non-residential use.

## **Reduction of Development Charges for Redevelopment**

3.14 Despite any other provisions of this by-law, where, as a result of the redevelopment of land, a building or structure existing on the same land within 60 months prior to the date of payment of development charges in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

1. in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge under section 312 by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and
2. in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed-use



building or structure, an amount calculated by multiplying the applicable development charges under section 3.13, by the gross floor area that has been or will be demolished or converted to another principal use;

provided that:

- (a) no credit or reduction shall be given for the components pertaining to Wastewater Treatment Plants and Water Services, and;
- (b) such amounts shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment.

3.15 Notwithstanding section 3.14, a full development charge credit (including Wastewater Treatment Plants and Water Services) will be provided for redevelopments where no additional residential units or non-residential gross floor area are created.

#### **Rebated Components – Urban Service Area**

3.16 Where a development charge is paid pursuant to this by-law for development located within the Urban Service Area and:

1. land is not within a plan, or pending plan of subdivision under section 51 of the *Planning Act* registered after September 10, 1973;
2. there is no Municipal water service and/or Municipal wastewater service feasibly available within five hundred feet of the front lot line;
3. no Municipal water service and/or Municipal wastewater service is scheduled to service the subject lands within five years of the date of approval of the building itself, and
4. the current registered owner(s) of the land who applies within 24 months of the date of payment of the applicable development charge and provides proof that adequate private water and/or sanitary services, as the case may be, have been installed and are properly functioning so as to provide service to the subject lands satisfactory to the Director of Municipal Engineering Services.



The Treasurer of the Municipality shall rebate to the then current registered owner(s) the Municipal water services component and/or the Municipal wastewater service component of the development charge for the service(s) which is not available.

### **Timing of Payment of Development Charges**

- 3.17 Development charges imposed under this by-law are calculated, payable, and collected on the date a building permit is issued in relation to the development; except for advance services (i.e. services related to a highway, wastewater and water services) where at the discretion of Council shall be payable immediately upon the owner entering into subdivision agreement or in instances where a plan of subdivision has not been pursued development charges are payable prior to the release of holding provisions on the implementing zoning by-law amendment.
- 3.18 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.
- 3.19 Notwithstanding section 3.17 and 3.18, 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 as provided in the Municipality's Council approved Development Charge Interest Policy, payable on the anniversary date each year thereafter.
- 3.20 Where the development of land results from the approval of a Site Plan or Zoning By-law Amendment made on or after January 1, 2020, and the approval of the application occurred within 2 years of building permit issuance, the development charges under sections 3.17 and 3.19 shall be calculated based on the rates set out in Schedule "A" on the date the planning application was made, including interest as provided in the Municipality's Council approved Development Charge Interest Policy. Where both planning applications apply, Development Charges under sections 3.17 and 3.19 shall be calculated based on the rates, including interest as provided in the Municipality's Council approved Development Charge Interest Policy, set out in Schedule "A" on the date of the later planning application.



3.21 Despite sections 3.17, 3.19, and 3.20, Council from time to time, and at any time, may enter into agreements providing for all or any part of a development charge to be paid before or after it would otherwise be payable, in accordance with section 27 of the Act.

### **Development Charge Reductions**

3.22 Notwithstanding the provisions of this by-law, development charges for rental housing developments will be reduced based on the number of bedrooms in each unit as follows:

1. Three or more bedrooms – 25% reduction;
2. Two bedrooms – 20% reduction; and
3. All other bedroom quantities – 15% reduction.

### **Phasing In of Development Charges**

3.23 The amount of the development charges set out in Schedule “A” to this by-law shall be reduced as follows, in accordance with subsection 5 (6) of the Act:

1. the first year that the by-law is in force - 80 percent of the development charge that could otherwise be charged;
2. the second year that the by-law is in force - 85 percent of the development charge that could otherwise be charged;
3. the third year that the by-law is in force - 90 percent of the development charge that could otherwise be charged;
4. the fourth year that the by-law is in force - 95 percent of the development charge that could otherwise be charged; and
5. the fifth to tenth years that the by-law is in force - 100 percent of the development charge will be imposed.



#### **4. PAYMENT BY SERVICES**

- 4.1 Despite the payment required under sections 3.12 and 3.13, Council may, by agreement, give a credit towards a development charge in exchange for work that relates to a service to which a development charge relates under this by-law.

#### **5. INDEXING**

- 5.1 Development charges imposed pursuant to this by-law shall be adjusted annually on January 1<sup>st</sup>, without amendment to this by-law, in accordance with the most recent available twelve month change in the Toronto series of the prescribed index in the Act (currently Statistics Canada Table 18-10-0276-02).

#### **6. CONFLICTS**

- 6.1 Where the Municipality and an owner or former owner have entered into an agreement with respect to land within the area to which this by-law applies, and a conflict exists between the provisions of this by-law and such agreement, the provisions of the agreement shall prevail to the extent that there is a conflict.
- 6.2 Notwithstanding section 6.1, where a development which is the subject of an agreement to which section 6.1 applies, is subsequently the subject of one or more of the actions described in subsection 3.4 (1), an additional development charge in respect of the development permitted by the action shall be calculated, payable and collected in accordance with the provisions of this by-law if the development has the effect of increasing the need for services, unless such agreement provides otherwise.

#### **7. BY-LAW AMENDMENT OR REPEAL**

- 7.1 Where this by-law or any development charge prescribed there under is amended or repealed by order of the Ontario Land Tribunal 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.
- 7.2 Refunds that are required to be paid under section 7.1 shall be paid to the registered owner of the land on the date on which the refund is paid.





7.3 Refunds that are required to be paid under section 7.1 shall be paid with interest to be calculated as follows:

1. interest shall be calculated from the date on which the overpayment was collected to the day on which the refund is paid;
2. the refund shall include the interest owed under this section;
3. interest shall be paid at the Bank of Canada rate in effect on the date of enactment of this by-law.

## **8. SEVERABILITY**

8.1 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 the by-law shall remain in full force and effect.

## **9. HEADINGS FOR REFERENCE ONLY**

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

## **10. SCHEDULES**

10.1 The following schedules shall form part of this by-law:

Schedule A – Schedule of Development Charges

Schedule B – Urban Service Area (Map)

## **11. DATE BY-LAW IN FORCE**

11.1 This By-law shall come into effect at 12:01 AM on July 10, 2024.

## **12. DATE BY-LAW EXPIRES**

12.1 This By-law will expire at 12:01 AM on July 10, 2034 unless it is repealed by Council at an earlier date.



**13. REPEAL FORMER DEVELOPMENT CHARGES BY-LAW**

13.1 Upon the passing of this by-law, By-law 53/2019 being a By-law for the Imposition of Development Charges is hereby repealed.

READ a FIRST, SECOND and THIRD time and finally passed on this 9<sup>th</sup> day of July, 2024.

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Mayor

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Clerk



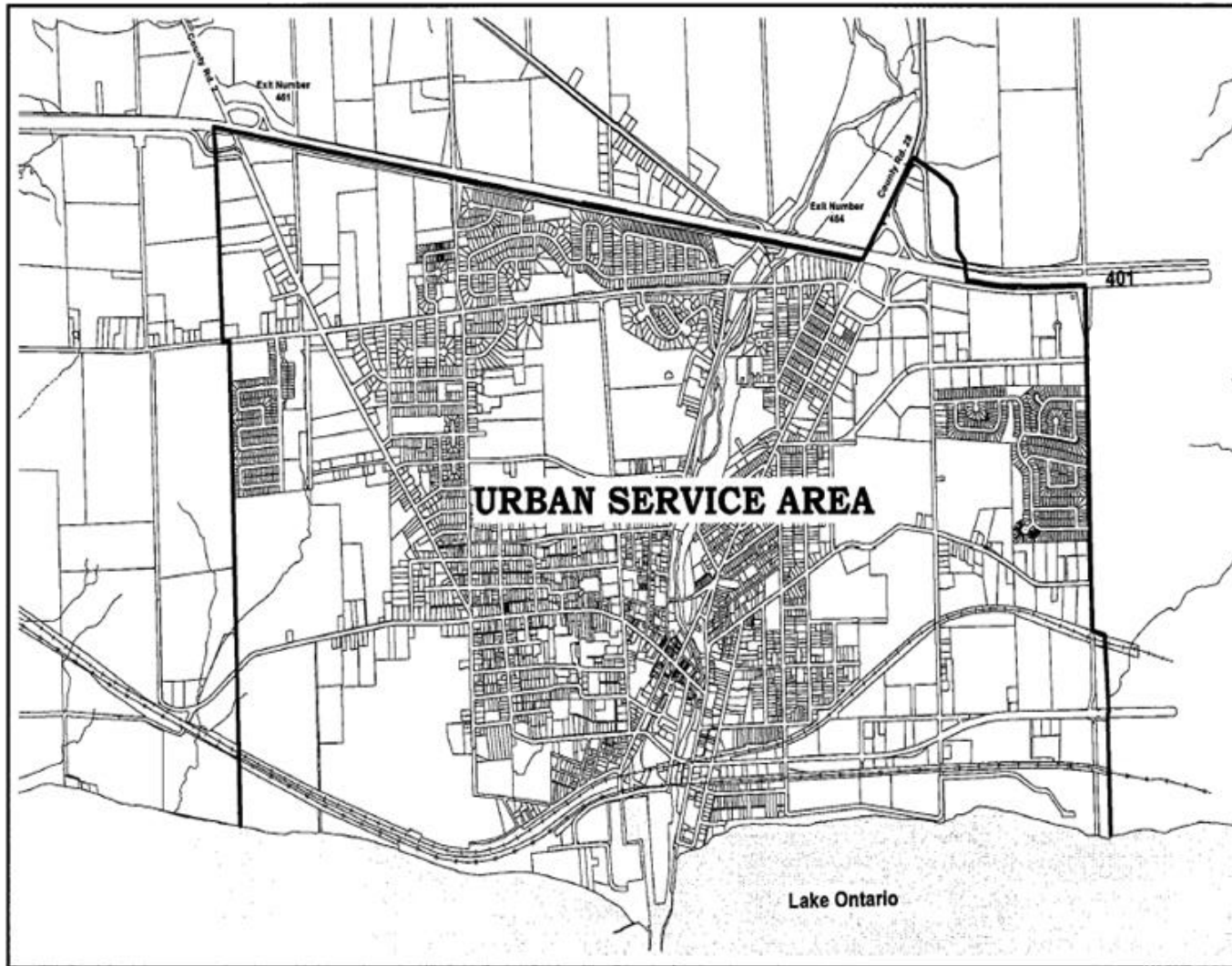
**SCHEDULE "A" TO BY-LAW \_\_\_/24**

**SCHEDULE OF DEVELOPMENT CHARGES**

Service/Class of Service	RESIDENTIAL (per Dwelling Unit)					NON-RESIDENTIAL (per sq.ft. of Gross Floor Area)	
	Single and Semi-Detached Dwelling	Other Multiple	Apartment Dwelling Unit – 2 Bedrooms +	Apartment Dwelling Unit – Bachelor and 1 Bedroom	Special Care Dwelling Unit	All Other Non-Residential	Industrial
Fire Protection Services	\$2,674	\$1,968	\$1,957	\$1,571	\$1,273	\$1.11	\$0



**SCHEDULE "B" TO BY-LAW \_\_\_/24  
URBAN SERVICE AREA**





# Appendix H

## Proposed D.C. By-law – Parks and Recreation Services



THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE

BY-LAW NO. XX/2024

*Being a By-law for the Imposition of Development Charges For  
Parks and Recreation Services*

WHEREAS the Municipality of Port Hope is expected to experience growth through development and redevelopment;

AND WHEREAS development and redevelopment require the provision of physical and social services by the Corporation of the Municipality of Port Hope, hereinafter referred to as the "Municipality";

AND WHEREAS Council desires to ensure that the capital cost of meeting growth-related demands for, or burden on, municipal services does not place an excessive financial burden on the Municipality of Port Hope or its existing taxpayers while at the same time ensuring new taxpayers contribute no more than the net capital cost attributable to providing the current level of municipal services;

AND WHEREAS the *Development Charges Act, 1997* (the "Act") as amended provides that the council of a municipality may by by-law impose development charges against land to pay for increased capital costs required because of increased needs for services;

AND WHEREAS Council retained the services of Watson & Associates Economists Ltd. to prepare a Development Charge Background Study and make recommendations with respect to a development charge policy;

AND WHEREAS Council has received and studied a report "Municipality of Port Hope 2024 Development Charge Background Study" prepared by Watson & Associates Economists Ltd., dated May 10, 2024 (hereinafter referred to as the "Watson Report");

AND WHEREAS the Council of The Corporation of the Municipality of Port Hope has given notice of, and held, a public meeting on the 18<sup>th</sup> day of June 2024 in accordance with the Act and the Regulations thereto;



AND WHEREAS Council has considered the comments of people at the said public meeting and comments subsequently received;

AND WHEREAS Council has complied with the pre-enactment requirements set out in sections 10, 11 and 12 of the Act;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE ENACTS AS FOLLOWS:

## 1. DEFINITIONS

1.1 In this By-law, unless a contrary intention appears, a term has the same meaning as that which exists in the Act or any Regulation made pursuant to sections 60 or 68 of the Act, both as amended from time to time.

1.2 In this by-law:

"Act" means the *Development Charges Act, 1997*, as amended, or any successor thereof.

"Accessory use" shall mean a use customarily incidental and subordinate to, and exclusively devoted to the principle or main use of the lot, building or structure and located on the same lot as such principal or main use.

"Accessory building or structure" shall mean a detached building or structure that is not used for human habitation and the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot therewith.

"Additional dwelling unit" means a dwelling unit, whether contained within a proposed single detached dwelling, semi-detached dwelling or row dwelling, or ancillary to a single detached dwelling, a semi-detached dwelling, or a row dwelling including but not limited to a coach house, laneway suite or structure constructed above an existing garage or other structure separate from the primary dwelling unit, and which is not capable of being legally conveyed as a separate parcel of land from the primary dwelling unit.



"Advance services" means services identified within the by-law relating to water services, wastewater services and services related to a highway.

"Affordable Residential Unit" means a residential unit that meets the criteria set out in section 4.1 of the Act.

"Agricultural use" means the use of land and/or buildings for the cultivation or foraging of crops, livestock or poultry production, raising or training of horses, and orchards, market gardening, maple sugar bushes, tobacco crops or other forms of specialized crop production.

"Attainable Residential Unit" means a residential unit that meets the criteria set out in section 4.1 of the Act.

"Bank of Canada rate" means the policy interest rate established by the Bank of Canada.

"Bedroom" means a room over 4.65 square metres in area, used for sleeping, a computer room, den, recreation room, and a sunroom (more than 7 square metres in area), study or other similar area, but does not include a room with kitchen or sanitary facilities if such room is not used for sleeping.

"Board of education" has the same meaning as set out in the *Education Act*, as amended, or any successor thereof.

"Bona fide farm operation" means the proposed development will qualify as a farm business operating with a valid Farm Business Registration Number issued by the Ontario Ministry of Agriculture, Food and Rural Affairs and be assessed in the Farmland Realty Tax Class by the Municipal Property Assessment Corporation.

"Building Code Act" means the *Building Code Act, 1992*, as amended, or any successor thereof.

"Capital cost" means capital costs as defined in subsection 5 (3) of the Act.

"Commercial use" means any use of land, structures or buildings for the purposes of buying or selling commodities and services, including hotels, motels,





motor inns and boarding, lodging and rooming houses. Commercial use does not include industrial uses, agricultural uses, or home occupations as defined in the applicable zoning by-law.

"Council" means the Council of the Municipality of Port Hope.

"Development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure with the effect of increasing the size of usability thereof, and includes redevelopment. Development is residential, non-residential or mixed.

"Development charge" means a charge imposed with respect to this by-law.

"Dwelling unit" means a suite operated as a housekeeping unit, used or intended to be used as a domicile by 1 or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities for their exclusive use, and includes:

1. a basement apartment;
2. a park model home;
3. a bedroom in a students' or seniors' residence; and
4. a building, or portion of a building, used for residential purposes as defined by residential use in this by-law.

"Existing" means the number, use and size that existed as of the date this by-law was passed.

"Farm building" means that part of a bona fide farming operation encompassing barns, silos and other ancillary development to an agricultural use, but excluding a residential use.

"Grade" means the average level of proposed or finished ground adjoining a building or structure at all exterior walls.



"Gross floor area" means:

1. in the case of a residential building or structure, the total area of all floors above grade of a dwelling unit measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing the dwelling unit from any other dwelling unit or other portion of a building; and
2. in the case of a non-residential building or structure, or in the case of a mixed-use building or structure in respect of the non-residential portion thereof, the total area of all building floors above or below grade measured between the outside surfaces of the exterior walls, or between the outside surfaces of exterior walls and the centre line of party walls dividing a non-residential use and a residential use, except for:
  - a. a room or enclosed area within the building or structure above or below that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical or telecommunications equipment that service the building;
  - b. loading facilities above or below grade; and
  - c. a part of the building or structure below grade that is used for the parking of motor vehicles or for storage or other accessory use.

"Inclusionary zoning residential unit" means residential units that are affordable housing units required to be included in a development or redevelopment pursuant to a by-law passed under section 34 of the *Planning Act* to give effect to the policies described in subsection 16 (4) of that Act.

"Industrial" 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, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use, but does not include the sale of commodities to the general public through a warehouse club or an agricultural use.



"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 section 3.19 institutional means development of a building or structure intended for use:

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

"Local Board" means a school board, public utility, commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board, or any other board, commission, committee, 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, including school purposes, of the Municipality of Port Hope or any part or parts thereof.

"Local services" means those services, facilities or things 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 in respect of the lands under sections 41, 51 or 53 of the *Planning Act*, as amended, or any successor thereof.

"Mixed use building" means a building, structure or development with portions which are to be used for residential development and other portions for non-residential development.

"Non-profit housing" means a development of a building or structure intended for use as residential premises by:

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

"Non-residential development" means development other than residential development as defined below, and includes development for agricultural, commercial, industrial and institutional uses.

"Official Plan" means the Official Plan adopted for the Municipality, as amended and approved.

"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.

"Place of worship" means that part of a building or structure that is exempt from taxation as a place of worship under the *Assessment Act*, as amended, or any successor thereof.

"Regulation" means any regulation made pursuant to the Act.



“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.

"Residential use" means designed, adopted or used as a home or residence of one or more individuals who reside or dwell there permanently or for a considerable period of time and includes:

1. "apartment dwelling" means any dwelling unit within a building containing four or more dwelling units, which is not a single detached dwelling, a semi-detached dwelling, a row dwelling, a special care dwelling, hotel, motel, tourist home, student residence, barracks, or any other development included in non-residential development;
2. "multiple dwellings" means all dwellings other than an apartment dwelling, a semi-detached dwelling, a single detached dwelling, and a special care dwelling;
3. "row dwelling" means a residential building containing not less than three dwelling units with each unit separated by a common or party wall or walls with a separate outside entrance to each unit. For the purposes of this definition, a row dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a row dwelling;
4. "semi-detached dwelling" means a residential building that is divided vertically into two dwelling units. For the purposes of this definition, a semi-detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a semi-detached dwelling;
5. "single detached dwelling" means a residential building consisting of one dwelling unit and not attached to another structure. For the purposes of this definition, a single detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a single detached dwelling;
6. "special care dwelling" means a building not otherwise defined herein containing more than four dwelling units: where the occupants have the right to use in common, halls, stairs, yards, common rooms and accessory buildings; which dwelling units may or may not have exclusive sanitary and/or culinary facilities; that is designed to accommodate individuals with



specific needs, where meals are provided within the development on a regular basis and includes a bedroom, student residence, retirement home and lodge, nursing home, granny flat, accessory dwelling and group home.

"Residential development" means development used, or intended to be used, in the whole or in part for residential uses and includes: a special care dwelling, the residential portion of a mixed development, and an apartment building but does not include a place of worship, hotel, motel, bed and breakfast where people typically stay less than one week.

"Residential unit" means the same as dwelling unit as defined in this by-law.

"Service" means a service designed in section 2.1 to this by-law, and "services" shall have a corresponding meaning.

"Suite" means one or more rooms used or capable of being used for human habitation.

"Urban service area" means that area within the Municipality of Port Hope delineated on Schedule "B".

"Use" means occupation and utilization for a particular purpose, practice or benefit. For the purposes of this by-law uses are either residential or non-residential.

## **2. DESIGNATION OF SERVICES**

2.1 The categories of services for which development charges are imposed under this by-law are as follows:

1. Parks and Recreation Services.

## **3. APPLICATION OF BY-LAW RULES**

3.1 Development charges shall be payable by the Owner in the amounts set out in this by-law where:

1. the lands are located in the area described in section 3.2; and



2. the development of the lands requires any of the approvals set out in subsection 3.4 (1).

### **Area to Which By-law Applies**

- 3.2 Subject to section 3.3, this by-law applies to all lands in the Municipality of Port Hope whether or not the land or use thereof is exempt from taxation under section 13 of the *Assessment Act*.
- 3.3. Notwithstanding section 3.2 above, this by-law shall not apply to lands that are owned by and used for the purposes of:
  1. the Municipality or a local board thereof;
  2. a board of education;
  3. the Corporation of the County of Northumberland or a local board thereof;  
or
  4. a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education.

### **Approvals for Development**

- 3.4 1. Development charges shall be imposed on all lands, buildings or structures that are developed for residential or non-residential uses if the development requires:
  - a. the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*,
  - b. the approval of a minor variance under section 45 of the *Planning Act*,
  - c. a conveyance of land to which a by-law passed under 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, 1998*, or any successor thereof; or
  - g. the issuing of a permit under the *Building Code Act* in relation to a building or structure.
2. No more than one development charge for each service designated in section 2.1 shall be imposed upon any lands, buildings or structures to which this by-law applies even though two or more of the actions described in subsection (1) are required before the lands, buildings or structures can be developed.
  3. Despite subsection (2), if two or more of the actions described in subsection (1) occur at different times, additional development charges shall be imposed if the subsequent action has the effect of increasing the need for services.

## **Exemptions**

### **Residential Units in Existing Residential**

- 3.5 This by-law shall not apply to that category of exempt development described in subsections 2 (3), 2 (3.1), and 2 (3.2) of the Act, namely:
1. An enlargement to an existing dwelling unit;
  2. A second residential unit in an existing detached house, semi-detached house, or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the existing detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
  3. A third residential unit in an existing detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure





ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units;

4. One residential unit in a building or structure ancillary to an existing detached house, semi-detached house or rowhouse on a parcel of residential land, if the existing detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units; or
5. In an existing rental residential building, which contains four or more residential units, the creation of the greater of one residential unit or one per cent of the existing residential units.

#### Residential Units in New Residential

3.6 This by-law shall not apply to that category of exempt development described in subsection 2 (3.3) of the Act, namely:

1. A second residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the new detached house, semi-detached house or rowhouse cumulatively will contain no more than one residential unit;
2. A third residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units; or
3. One residential unit in a building or structure ancillary to a new detached house, semi-detached house or rowhouse on a parcel of residential land, if the new detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units.



## Enlargement of an Existing Industrial Development

- 3.7 This by-law does not apply to that category of exempt development described in section 4 of the Act, namely:
1. the enlargement of the gross floor area of an existing industrial building, if the gross floor area is enlarged by 50 percent or less;
  2. for the purpose of subsection (1) the terms “gross floor area” and “existing industrial building” shall have the same meaning as those terms have in O. Reg. 82/98 made under the Act.
  3. Notwithstanding subsection (1), if the gross floor area of an existing industrial building is enlarged by more than 50 percent, development charges shall be calculated and collected in accordance with Schedule “A” on the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement.
  4. For the purpose of the application of section 4 of the Act to the operation of this by-law:
    - a. the gross floor area of an existing industrial building shall be calculated as it existed prior to the first enlargement in respect of that building for which an exemption under section 4 of the Act is sought; and
    - b. the enlargement of the gross floor area of the existing building must:
      - i. be attached to the existing industrial building;
      - ii. not be attached to the existing industrial building by means only of a tunnel, bridge, canopy, corridor or other passageway, shared below-grade connection, foundation, footing, parking facility, service tunnel or service pipe;
      - iii. be for use or in connection with an industrial purpose as set out in this by-law; and



- iv. constitute a bona fide increase in the size of the existing building.

#### Non-Profit, Inclusionary Zoning, Affordable, and Attainable

- 3.8 This by-law shall not apply to that category of exempt development described in section 4.2 of the Act, namely that development charges shall not be imposed with respect to non-profit housing development.
- 3.9 This by-law shall not apply to that category of exempt development described in section 4.3 of the Act, namely that development charges shall not be imposed with respect to inclusionary zoning residential unit development.
- 3.10 As of the date that section 3 of Schedule 3 of the *More Homes Built Faster Act, 2022* comes into force, affordable residential units and attainable residential units will be exempt from development charges in accordance with section 4.1 of the Act.

#### Other Exemptions

- 3.11 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to:
  1. Lands, buildings or structures used or to be used for a place of worship or for the purposes of a churchyard or cemetery exempt from taxation under the *Assessment Act*.
  2. The construction of a non-residential farm building or structure constructed for a bona fide farm operation.
  3. Buildings used as hospitals as governed by the *Public Hospitals Act*.
  4. For industrial uses, only the water and wastewater portions of the development charge identified in Schedule “A” are applicable.



## **Amount of Charges**

### **Residential**

3.12 The development charges set out in Schedule “A” to this by-law shall be imposed on residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use and, in the case of a mixed-use building or structure, on the residential uses in the mixed-use building or structure, according to the type of residential unit, and calculated with respect to each of the services according to the type of residential use.

### **Non-Residential**

3.13 The development charges described in Schedule “A” to this by-law shall be imposed on non-residential uses of lands, buildings or structures, and, in the case of a mixed-use building or structure, on the non-residential uses in the mixed-use building or structure, and calculated with respect to each of the services according to the total floor area of the non-residential use.

## **Reduction of Development Charges for Redevelopment**

3.14 Despite any other provisions of this by-law, where, as a result of the redevelopment of land, a building or structure existing on the same land within 60 months prior to the date of payment of development charges in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

1. in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge under section 312 by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and
2. in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed-use



building or structure, an amount calculated by multiplying the applicable development charges under section 3.13, by the gross floor area that has been or will be demolished or converted to another principal use;

provided that:

- (a) no credit or reduction shall be given for the components pertaining to Wastewater Treatment Plants and Water Services, and;
- (b) such amounts shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment.

3.15 Notwithstanding section 3.14, a full development charge credit (including Wastewater Treatment Plants and Water Services) will be provided for redevelopments where no additional residential units or non-residential gross floor area are created.

### **Rebated Components – Urban Service Area**

3.16 Where a development charge is paid pursuant to this by-law for development located within the Urban Service Area and:

- 1. land is not within a plan, or pending plan of subdivision under section 51 of the *Planning Act* registered after September 10, 1973;
- 2. there is no Municipal water service and/or Municipal wastewater service feasibly available within five hundred feet of the front lot line;
- 3. no Municipal water service and/or Municipal wastewater service is scheduled to service the subject lands within five years of the date of approval of the building itself, and
- 4. the current registered owner(s) of the land who applies within 24 months of the date of payment of the applicable development charge and provides proof that adequate private water and/or sanitary services, as the case may be, have been installed and are properly functioning so as to provide service to the subject lands satisfactory to the Director of Municipal Engineering Services.



The Treasurer of the Municipality shall rebate to the then current registered owner(s) the Municipal water services component and/or the Municipal wastewater service component of the development charge for the service(s) which is not available.

### **Timing of Payment of Development Charges**

- 3.17 Development charges imposed under this by-law are calculated, payable, and collected on the date a building permit is issued in relation to the development; except for advance services (i.e. services related to a highway, wastewater and water services) where at the discretion of Council shall be payable immediately upon the owner entering into subdivision agreement or in instances where a plan of subdivision has not been pursued development charges are payable prior to the release of holding provisions on the implementing zoning by-law amendment.
- 3.18 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.
- 3.19 Notwithstanding section 3.17 and 3.18, 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 as provided in the Municipality's Council approved Development Charge Interest Policy, payable on the anniversary date each year thereafter.
- 3.20 Where the development of land results from the approval of a Site Plan or Zoning By-law Amendment made on or after January 1, 2020, and the approval of the application occurred within 2 years of building permit issuance, the development charges under sections 3.17 and 3.19 shall be calculated based on the rates set out in Schedule "A" on the date the planning application was made, including interest as provided in the Municipality's Council approved Development Charge Interest Policy. Where both planning applications apply, Development Charges under sections 3.17 and 3.19 shall be calculated based on the rates, including interest as provided in the Municipality's Council approved Development Charge Interest Policy, set out in Schedule "A" on the date of the later planning application.



3.21 Despite sections 3.17, 3.19, and 3.20, Council from time to time, and at any time, may enter into agreements providing for all or any part of a development charge to be paid before or after it would otherwise be payable, in accordance with section 27 of the Act.

### **Development Charge Reductions**

3.22 Notwithstanding the provisions of this by-law, development charges for rental housing developments will be reduced based on the number of bedrooms in each unit as follows:

1. Three or more bedrooms – 25% reduction;
2. Two bedrooms – 20% reduction; and
3. All other bedroom quantities – 15% reduction.

### **Phasing In of Development Charges**

3.23 The amount of the development charges set out in Schedule “A” to this by-law shall be reduced as follows, in accordance with subsection 5 (6) of the Act:

1. the first year that the by-law is in force - 80 percent of the development charge that could otherwise be charged;
2. the second year that the by-law is in force - 85 percent of the development charge that could otherwise be charged;
3. the third year that the by-law is in force - 90 percent of the development charge that could otherwise be charged;
4. the fourth year that the by-law is in force - 95 percent of the development charge that could otherwise be charged; and
5. the fifth to tenth years that the by-law is in force - 100 percent of the development charge will be imposed.



#### **4. PAYMENT BY SERVICES**

- 4.1 Despite the payment required under sections 3.12 and 3.13, Council may, by agreement, give a credit towards a development charge in exchange for work that relates to a service to which a development charge relates under this by-law.

#### **5. INDEXING**

- 5.1 Development charges imposed pursuant to this by-law shall be adjusted annually on January 1<sup>st</sup>, without amendment to this by-law, in accordance with the most recent available twelve month change in the Toronto series of the prescribed index in the Act (currently Statistics Canada Table 18-10-0276-02).

#### **6. CONFLICTS**

- 6.1 Where the Municipality and an owner or former owner have entered into an agreement with respect to land within the area to which this by-law applies, and a conflict exists between the provisions of this by-law and such agreement, the provisions of the agreement shall prevail to the extent that there is a conflict.
- 6.2 Notwithstanding section 6.1, where a development which is the subject of an agreement to which section 6.1 applies, is subsequently the subject of one or more of the actions described in subsection 3.4 (1), an additional development charge in respect of the development permitted by the action shall be calculated, payable and collected in accordance with the provisions of this by-law if the development has the effect of increasing the need for services, unless such agreement provides otherwise.

#### **7. BY-LAW AMENDMENT OR REPEAL**

- 7.1 Where this by-law or any development charge prescribed there under is amended or repealed by order of the Ontario Land Tribunal 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.
- 7.2 Refunds that are required to be paid under section 7.1 shall be paid to the registered owner of the land on the date on which the refund is paid.





7.3 Refunds that are required to be paid under section 7.1 shall be paid with interest to be calculated as follows:

1. interest shall be calculated from the date on which the overpayment was collected to the day on which the refund is paid;
2. the refund shall include the interest owed under this section;
3. interest shall be paid at the Bank of Canada rate in effect on the date of enactment of this by-law.

## **8. SEVERABILITY**

8.1 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 the by-law shall remain in full force and effect.

## **9. HEADINGS FOR REFERENCE ONLY**

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

## **10. SCHEDULES**

10.1 The following schedules shall form part of this by-law:

Schedule A – Schedule of Development Charges

Schedule B – Urban Service Area (Map)

## **11. DATE BY-LAW IN FORCE**

11.1 This By-law shall come into effect at 12:01 AM on July 10, 2024.

## **12. DATE BY-LAW EXPIRES**

12.1 This By-law will expire at 12:01 AM on July 10, 2034 unless it is repealed by Council at an earlier date.



### **13. REPEAL FORMER DEVELOPMENT CHARGES BY-LAW**

13.1 Upon the passing of this by-law, By-law 53/2019 being a By-law for the Imposition of Development Charges is hereby repealed.

READ a FIRST, SECOND and THIRD time and finally passed on this 9<sup>th</sup> day of July, 2024.

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Mayor

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Clerk



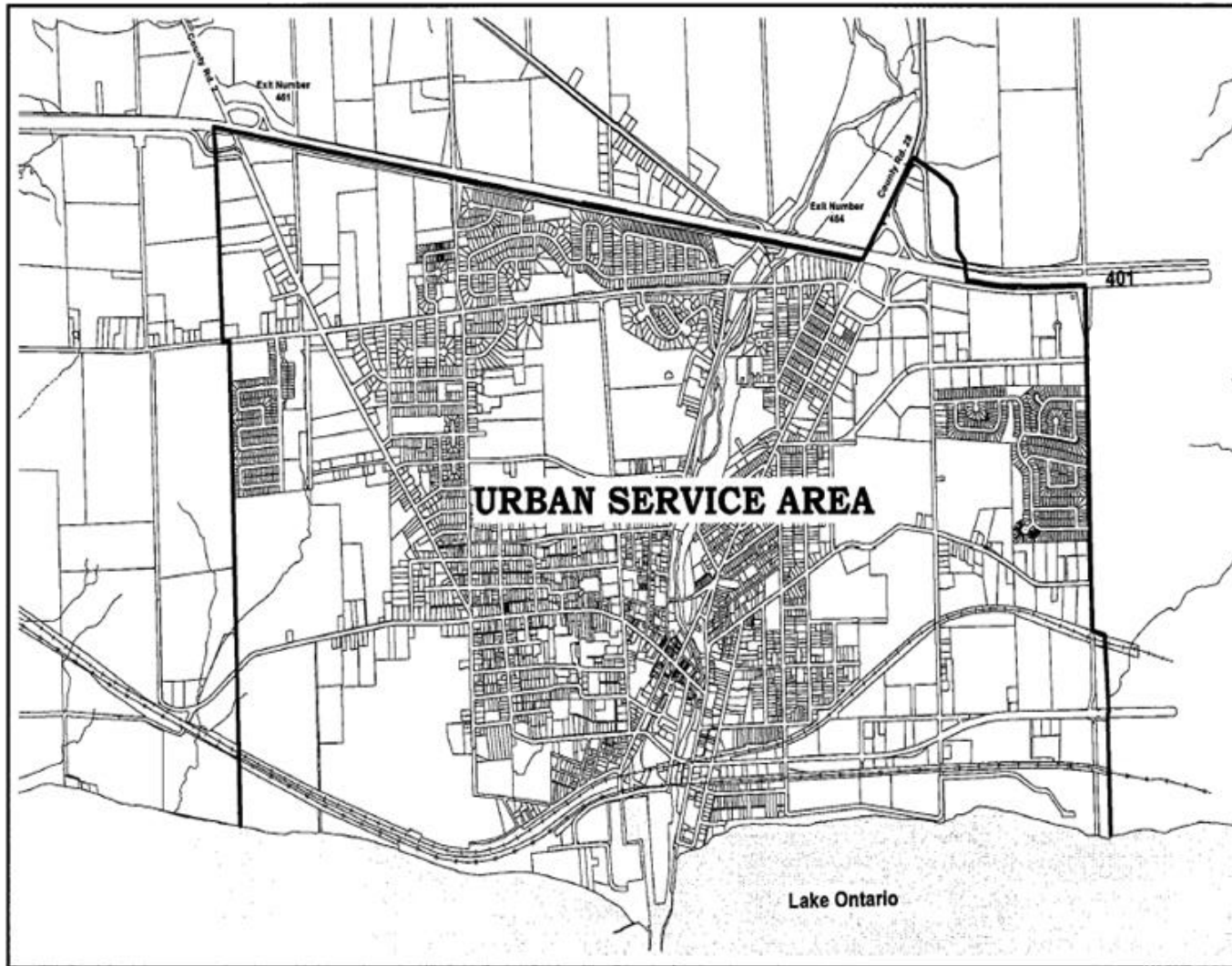
**SCHEDULE "A" TO BY-LAW \_\_\_/24**

**SCHEDULE OF DEVELOPMENT CHARGES**

Service/Class of Service	RESIDENTIAL (per Dwelling Unit)					NON-RESIDENTIAL (per sq.ft. of Gross Floor Area)	
	Single and Semi-Detached Dwelling	Other Multiple	Apartment Dwelling Unit – 2 Bedrooms +	Apartment Dwelling Unit – Bachelor and 1 Bedroom	Special Care Dwelling Unit	All Other Non-Residential	Industrial
Parks and Recreation Services	\$3,877	\$2,854	\$2,837	\$2,278	\$1,845	\$0.39	\$0



**SCHEDULE "B" TO BY-LAW \_\_\_/24**  
**URBAN SERVICE AREA**





# Appendix I

## Proposed D.C. By-law – Library Services



THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE

BY-LAW NO. XX/2024

*Being a By-law for the Imposition of Development Charges For  
Library Services*

WHEREAS the Municipality of Port Hope is expected to experience growth through development and redevelopment;

AND WHEREAS development and redevelopment require the provision of physical and social services by the Corporation of the Municipality of Port Hope, hereinafter referred to as the "Municipality";

AND WHEREAS Council desires to ensure that the capital cost of meeting growth-related demands for, or burden on, municipal services does not place an excessive financial burden on the Municipality of Port Hope or its existing taxpayers while at the same time ensuring new taxpayers contribute no more than the net capital cost attributable to providing the current level of municipal services;

AND WHEREAS the *Development Charges Act, 1997* (the "Act") as amended provides that the council of a municipality may by by-law impose development charges against land to pay for increased capital costs required because of increased needs for services;

AND WHEREAS Council retained the services of Watson & Associates Economists Ltd. to prepare a Development Charge Background Study and make recommendations with respect to a development charge policy;

AND WHEREAS Council has received and studied a report "Municipality of Port Hope 2024 Development Charge Background Study" prepared by Watson & Associates Economists Ltd., dated May 10, 2024 (hereinafter referred to as the "Watson Report");

AND WHEREAS the Council of The Corporation of the Municipality of Port Hope has given notice of, and held, a public meeting on the 18<sup>th</sup> day of June 2024 in accordance with the Act and the Regulations thereto;



AND WHEREAS Council has considered the comments of people at the said public meeting and comments subsequently received;

AND WHEREAS Council has complied with the pre-enactment requirements set out in sections 10, 11 and 12 of the Act;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE ENACTS AS FOLLOWS:

## 1. DEFINITIONS

1.1 In this By-law, unless a contrary intention appears, a term has the same meaning as that which exists in the Act or any Regulation made pursuant to sections 60 or 68 of the Act, both as amended from time to time.

1.2 In this by-law:

"Act" means the *Development Charges Act, 1997*, as amended, or any successor thereof.

"Accessory use" shall mean a use customarily incidental and subordinate to, and exclusively devoted to the principle or main use of the lot, building or structure and located on the same lot as such principal or main use.

"Accessory building or structure" shall mean a detached building or structure that is not used for human habitation and the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot therewith.

"Additional dwelling unit" means a dwelling unit, whether contained within a proposed single detached dwelling, semi-detached dwelling or row dwelling, or ancillary to a single detached dwelling, a semi-detached dwelling, or a row dwelling including but not limited to a coach house, laneway suite or structure constructed above an existing garage or other structure separate from the primary dwelling unit, and which is not capable of being legally conveyed as a separate parcel of land from the primary dwelling unit.



"Advance services" means services identified within the by-law relating to water services, wastewater services and services related to a highway.

"Affordable Residential Unit" means a residential unit that meets the criteria set out in section 4.1 of the Act.

"Agricultural use" means the use of land and/or buildings for the cultivation or foraging of crops, livestock or poultry production, raising or training of horses, and orchards, market gardening, maple sugar bushes, tobacco crops or other forms of specialized crop production.

"Attainable Residential Unit" means a residential unit that meets the criteria set out in section 4.1 of the Act.

"Bank of Canada rate" means the policy interest rate established by the Bank of Canada.

"Bedroom" means a room over 4.65 square metres in area, used for sleeping, a computer room, den, recreation room, and a sunroom (more than 7 square metres in area), study or other similar area, but does not include a room with kitchen or sanitary facilities if such room is not used for sleeping.

"Board of education" has the same meaning as set out in the *Education Act*, as amended, or any successor thereof.

"Bona fide farm operation" means the proposed development will qualify as a farm business operating with a valid Farm Business Registration Number issued by the Ontario Ministry of Agriculture, Food and Rural Affairs and be assessed in the Farmland Realty Tax Class by the Municipal Property Assessment Corporation.

"Building Code Act" means the *Building Code Act, 1992*, as amended, or any successor thereof.

"Capital cost" means capital costs as defined in subsection 5 (3) of the Act.

"Commercial use" means any use of land, structures or buildings for the purposes of buying or selling commodities and services, including hotels, motels,





motor inns and boarding, lodging and rooming houses. Commercial use does not include industrial uses, agricultural uses, or home occupations as defined in the applicable zoning by-law.

"Council" means the Council of the Municipality of Port Hope.

"Development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure with the effect of increasing the size of usability thereof, and includes redevelopment. Development is residential, non-residential or mixed.

"Development charge" means a charge imposed with respect to this by-law.

"Dwelling unit" means a suite operated as a housekeeping unit, used or intended to be used as a domicile by 1 or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities for their exclusive use, and includes:

1. a basement apartment;
2. a park model home;
3. a bedroom in a students' or seniors' residence; and
4. a building, or portion of a building, used for residential purposes as defined by residential use in this by-law.

"Existing" means the number, use and size that existed as of the date this by-law was passed.

"Farm building" means that part of a bona fide farming operation encompassing barns, silos and other ancillary development to an agricultural use, but excluding a residential use.

"Grade" means the average level of proposed or finished ground adjoining a building or structure at all exterior walls.



"Gross floor area" means:

1. in the case of a residential building or structure, the total area of all floors above grade of a dwelling unit measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing the dwelling unit from any other dwelling unit or other portion of a building; and
2. in the case of a non-residential building or structure, or in the case of a mixed-use building or structure in respect of the non-residential portion thereof, the total area of all building floors above or below grade measured between the outside surfaces of the exterior walls, or between the outside surfaces of exterior walls and the centre line of party walls dividing a non-residential use and a residential use, except for:
  - a. a room or enclosed area within the building or structure above or below that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical or telecommunications equipment that service the building;
  - b. loading facilities above or below grade; and
  - c. a part of the building or structure below grade that is used for the parking of motor vehicles or for storage or other accessory use.

"Inclusionary zoning residential unit" means residential units that are affordable housing units required to be included in a development or redevelopment pursuant to a by-law passed under section 34 of the *Planning Act* to give effect to the policies described in subsection 16 (4) of that Act.

"Industrial" 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, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use, but does not include the sale of commodities to the general public through a warehouse club or an agricultural use.



"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 section 3.19 institutional means development of a building or structure intended for use:

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

"Local Board" means a school board, public utility, commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board, or any other board, commission, committee, 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, including school purposes, of the Municipality of Port Hope or any part or parts thereof.

"Local services" means those services, facilities or things 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 in respect of the lands under sections 41, 51 or 53 of the *Planning Act*, as amended, or any successor thereof.

"Mixed use building" means a building, structure or development with portions which are to be used for residential development and other portions for non-residential development.

"Non-profit housing" means a development of a building or structure intended for use as residential premises by:

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

"Non-residential development" means development other than residential development as defined below, and includes development for agricultural, commercial, industrial and institutional uses.

"Official Plan" means the Official Plan adopted for the Municipality, as amended and approved.

"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.

"Place of worship" means that part of a building or structure that is exempt from taxation as a place of worship under the *Assessment Act*, as amended, or any successor thereof.

"Regulation" means any regulation made pursuant to the Act.



“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.

"Residential use" means designed, adopted or used as a home or residence of one or more individuals who reside or dwell there permanently or for a considerable period of time and includes:

1. "apartment dwelling" means any dwelling unit within a building containing four or more dwelling units, which is not a single detached dwelling, a semi-detached dwelling, a row dwelling, a special care dwelling, hotel, motel, tourist home, student residence, barracks, or any other development included in non-residential development;
2. "multiple dwellings" means all dwellings other than an apartment dwelling, a semi-detached dwelling, a single detached dwelling, and a special care dwelling;
3. "row dwelling" means a residential building containing not less than three dwelling units with each unit separated by a common or party wall or walls with a separate outside entrance to each unit. For the purposes of this definition, a row dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a row dwelling;
4. "semi-detached dwelling" means a residential building that is divided vertically into two dwelling units. For the purposes of this definition, a semi-detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a semi-detached dwelling;
5. "single detached dwelling" means a residential building consisting of one dwelling unit and not attached to another structure. For the purposes of this definition, a single detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a single detached dwelling;
6. "special care dwelling" means a building not otherwise defined herein containing more than four dwelling units: where the occupants have the right to use in common, halls, stairs, yards, common rooms and accessory buildings; which dwelling units may or may not have exclusive sanitary and/or culinary facilities; that is designed to accommodate individuals with



specific needs, where meals are provided within the development on a regular basis and includes a bedroom, student residence, retirement home and lodge, nursing home, granny flat, accessory dwelling and group home.

"Residential development" means development used, or intended to be used, in the whole or in part for residential uses and includes: a special care dwelling, the residential portion of a mixed development, and an apartment building but does not include a place of worship, hotel, motel, bed and breakfast where people typically stay less than one week.

"Residential unit" means the same as dwelling unit as defined in this by-law.

"Service" means a service designed in section 2.1 to this by-law, and "services" shall have a corresponding meaning.

"Suite" means one or more rooms used or capable of being used for human habitation.

"Urban service area" means that area within the Municipality of Port Hope delineated on Schedule "B".

"Use" means occupation and utilization for a particular purpose, practice or benefit. For the purposes of this by-law uses are either residential or non-residential.

## **2. DESIGNATION OF SERVICES**

2.1 The categories of services for which development charges are imposed under this by-law are as follows:

1. Library Services.

## **3. APPLICATION OF BY-LAW RULES**

3.1 Development charges shall be payable by the Owner in the amounts set out in this by-law where:

1. the lands are located in the area described in section 3.2; and



2. the development of the lands requires any of the approvals set out in subsection 3.4 (1).

### **Area to Which By-law Applies**

- 3.2 Subject to section 3.3, this by-law applies to all lands in the Municipality of Port Hope whether or not the land or use thereof is exempt from taxation under section 13 of the *Assessment Act*.
- 3.3. Notwithstanding section 3.2 above, this by-law shall not apply to lands that are owned by and used for the purposes of:
  1. the Municipality or a local board thereof;
  2. a board of education;
  3. the Corporation of the County of Northumberland or a local board thereof;  
or
  4. a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education.

### **Approvals for Development**

- 3.4 1. Development charges shall be imposed on all lands, buildings or structures that are developed for residential or non-residential uses if the development requires:
  - a. the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*,
  - b. the approval of a minor variance under section 45 of the *Planning Act*,
  - c. a conveyance of land to which a by-law passed under 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, 1998*, or any successor thereof; or
  - g. the issuing of a permit under the *Building Code Act* in relation to a building or structure.
2. No more than one development charge for each service designated in section 2.1 shall be imposed upon any lands, buildings or structures to which this by-law applies even though two or more of the actions described in subsection (1) are required before the lands, buildings or structures can be developed.
  3. Despite subsection (2), if two or more of the actions described in subsection (1) occur at different times, additional development charges shall be imposed if the subsequent action has the effect of increasing the need for services.

## **Exemptions**

### **Residential Units in Existing Residential**

- 3.5 This by-law shall not apply to that category of exempt development described in subsections 2 (3), 2 (3.1), and 2 (3.2) of the Act, namely:
1. An enlargement to an existing dwelling unit;
  2. A second residential unit in an existing detached house, semi-detached house, or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the existing detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
  3. A third residential unit in an existing detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure





ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units;

4. One residential unit in a building or structure ancillary to an existing detached house, semi-detached house or rowhouse on a parcel of residential land, if the existing detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units; or
5. In an existing rental residential building, which contains four or more residential units, the creation of the greater of one residential unit or one per cent of the existing residential units.

#### Residential Units in New Residential

3.6 This by-law shall not apply to that category of exempt development described in subsection 2 (3.3) of the Act, namely:

1. A second residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the new detached house, semi-detached house or rowhouse cumulatively will contain no more than one residential unit;
2. A third residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units; or
3. One residential unit in a building or structure ancillary to a new detached house, semi-detached house or rowhouse on a parcel of residential land, if the new detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units.



## Enlargement of an Existing Industrial Development

- 3.7 This by-law does not apply to that category of exempt development described in section 4 of the Act, namely:
1. the enlargement of the gross floor area of an existing industrial building, if the gross floor area is enlarged by 50 percent or less;
  2. for the purpose of subsection (1) the terms “gross floor area” and “existing industrial building” shall have the same meaning as those terms have in O. Reg. 82/98 made under the Act.
  3. Notwithstanding subsection (1), if the gross floor area of an existing industrial building is enlarged by more than 50 percent, development charges shall be calculated and collected in accordance with Schedule “A” on the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement.
  4. For the purpose of the application of section 4 of the Act to the operation of this by-law:
    - a. the gross floor area of an existing industrial building shall be calculated as it existed prior to the first enlargement in respect of that building for which an exemption under section 4 of the Act is sought; and
    - b. the enlargement of the gross floor area of the existing building must:
      - i. be attached to the existing industrial building;
      - ii. not be attached to the existing industrial building by means only of a tunnel, bridge, canopy, corridor or other passageway, shared below-grade connection, foundation, footing, parking facility, service tunnel or service pipe;
      - iii. be for use or in connection with an industrial purpose as set out in this by-law; and



- iv. constitute a bona fide increase in the size of the existing building.

#### Non-Profit, Inclusionary Zoning, Affordable, and Attainable

- 3.8 This by-law shall not apply to that category of exempt development described in section 4.2 of the Act, namely that development charges shall not be imposed with respect to non-profit housing development.
- 3.9 This by-law shall not apply to that category of exempt development described in section 4.3 of the Act, namely that development charges shall not be imposed with respect to inclusionary zoning residential unit development.
- 3.10 As of the date that section 3 of Schedule 3 of the *More Homes Built Faster Act, 2022* comes into force, affordable residential units and attainable residential units will be exempt from development charges in accordance with section 4.1 of the Act.

#### Other Exemptions

- 3.11 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to:
  1. Lands, buildings or structures used or to be used for a place of worship or for the purposes of a churchyard or cemetery exempt from taxation under the *Assessment Act*.
  2. The construction of a non-residential farm building or structure constructed for a bona fide farm operation.
  3. Buildings used as hospitals as governed by the *Public Hospitals Act*.
  4. For industrial uses, only the water and wastewater portions of the development charge identified in Schedule “A” are applicable.



## **Amount of Charges**

### **Residential**

3.12 The development charges set out in Schedule “A” to this by-law shall be imposed on residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use and, in the case of a mixed-use building or structure, on the residential uses in the mixed-use building or structure, according to the type of residential unit, and calculated with respect to each of the services according to the type of residential use.

### **Non-Residential**

3.13 The development charges described in Schedule “A” to this by-law shall be imposed on non-residential uses of lands, buildings or structures, and, in the case of a mixed-use building or structure, on the non-residential uses in the mixed-use building or structure, and calculated with respect to each of the services according to the total floor area of the non-residential use.

## **Reduction of Development Charges for Redevelopment**

3.14 Despite any other provisions of this by-law, where, as a result of the redevelopment of land, a building or structure existing on the same land within 60 months prior to the date of payment of development charges in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

1. in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge under section 312 by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and
2. in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed-use



building or structure, an amount calculated by multiplying the applicable development charges under section 3.13, by the gross floor area that has been or will be demolished or converted to another principal use;

provided that:

- (a) no credit or reduction shall be given for the components pertaining to Wastewater Treatment Plants and Water Services, and;
- (b) such amounts shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment.

3.15 Notwithstanding section 3.14, a full development charge credit (including Wastewater Treatment Plants and Water Services) will be provided for redevelopments where no additional residential units or non-residential gross floor area are created.

### **Rebated Components – Urban Service Area**

3.16 Where a development charge is paid pursuant to this by-law for development located within the Urban Service Area and:

- 1. land is not within a plan, or pending plan of subdivision under section 51 of the *Planning Act* registered after September 10, 1973;
- 2. there is no Municipal water service and/or Municipal wastewater service feasibly available within five hundred feet of the front lot line;
- 3. no Municipal water service and/or Municipal wastewater service is scheduled to service the subject lands within five years of the date of approval of the building itself, and
- 4. the current registered owner(s) of the land who applies within 24 months of the date of payment of the applicable development charge and provides proof that adequate private water and/or sanitary services, as the case may be, have been installed and are properly functioning so as to provide service to the subject lands satisfactory to the Director of Municipal Engineering Services.



The Treasurer of the Municipality shall rebate to the then current registered owner(s) the Municipal water services component and/or the Municipal wastewater service component of the development charge for the service(s) which is not available.

### **Timing of Payment of Development Charges**

- 3.17 Development charges imposed under this by-law are calculated, payable, and collected on the date a building permit is issued in relation to the development; except for advance services (i.e. services related to a highway, wastewater and water services) where at the discretion of Council shall be payable immediately upon the owner entering into subdivision agreement or in instances where a plan of subdivision has not been pursued development charges are payable prior to the release of holding provisions on the implementing zoning by-law amendment.
- 3.18 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.
- 3.19 Notwithstanding section 3.17 and 3.18, 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 as provided in the Municipality's Council approved Development Charge Interest Policy, payable on the anniversary date each year thereafter.
- 3.20 Where the development of land results from the approval of a Site Plan or Zoning By-law Amendment made on or after January 1, 2020, and the approval of the application occurred within 2 years of building permit issuance, the development charges under sections 3.17 and 3.19 shall be calculated based on the rates set out in Schedule "A" on the date the planning application was made, including interest as provided in the Municipality's Council approved Development Charge Interest Policy. Where both planning applications apply, Development Charges under sections 3.17 and 3.19 shall be calculated based on the rates, including interest as provided in the Municipality's Council approved Development Charge Interest Policy, set out in Schedule "A" on the date of the later planning application.



3.21 Despite sections 3.17, 3.19, and 3.20, Council from time to time, and at any time, may enter into agreements providing for all or any part of a development charge to be paid before or after it would otherwise be payable, in accordance with section 27 of the Act.

### **Development Charge Reductions**

3.22 Notwithstanding the provisions of this by-law, development charges for rental housing developments will be reduced based on the number of bedrooms in each unit as follows:

1. Three or more bedrooms – 25% reduction;
2. Two bedrooms – 20% reduction; and
3. All other bedroom quantities – 15% reduction.

### **Phasing In of Development Charges**

3.23 The amount of the development charges set out in Schedule “A” to this by-law shall be reduced as follows, in accordance with subsection 5 (6) of the Act:

1. the first year that the by-law is in force - 80 percent of the development charge that could otherwise be charged;
2. the second year that the by-law is in force - 85 percent of the development charge that could otherwise be charged;
3. the third year that the by-law is in force - 90 percent of the development charge that could otherwise be charged;
4. the fourth year that the by-law is in force - 95 percent of the development charge that could otherwise be charged; and
5. the fifth to tenth years that the by-law is in force - 100 percent of the development charge will be imposed.



#### **4. PAYMENT BY SERVICES**

- 4.1 Despite the payment required under sections 3.12 and 3.13, Council may, by agreement, give a credit towards a development charge in exchange for work that relates to a service to which a development charge relates under this by-law.

#### **5. INDEXING**

- 5.1 Development charges imposed pursuant to this by-law shall be adjusted annually on January 1<sup>st</sup>, without amendment to this by-law, in accordance with the most recent available twelve month change in the Toronto series of the prescribed index in the Act (currently Statistics Canada Table 18-10-0276-02).

#### **6. CONFLICTS**

- 6.1 Where the Municipality and an owner or former owner have entered into an agreement with respect to land within the area to which this by-law applies, and a conflict exists between the provisions of this by-law and such agreement, the provisions of the agreement shall prevail to the extent that there is a conflict.
- 6.2 Notwithstanding section 6.1, where a development which is the subject of an agreement to which section 6.1 applies, is subsequently the subject of one or more of the actions described in subsection 3.4 (1), an additional development charge in respect of the development permitted by the action shall be calculated, payable and collected in accordance with the provisions of this by-law if the development has the effect of increasing the need for services, unless such agreement provides otherwise.

#### **7. BY-LAW AMENDMENT OR REPEAL**

- 7.1 Where this by-law or any development charge prescribed there under is amended or repealed by order of the Ontario Land Tribunal 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.
- 7.2 Refunds that are required to be paid under section 7.1 shall be paid to the registered owner of the land on the date on which the refund is paid.





7.3 Refunds that are required to be paid under section 7.1 shall be paid with interest to be calculated as follows:

1. interest shall be calculated from the date on which the overpayment was collected to the day on which the refund is paid;
2. the refund shall include the interest owed under this section;
3. interest shall be paid at the Bank of Canada rate in effect on the date of enactment of this by-law.

## **8. SEVERABILITY**

8.1 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 the by-law shall remain in full force and effect.

## **9. HEADINGS FOR REFERENCE ONLY**

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

## **10. SCHEDULES**

10.1 The following schedules shall form part of this by-law:

Schedule A – Schedule of Development Charges

Schedule B – Urban Service Area (Map)

## **11. DATE BY-LAW IN FORCE**

11.1 This By-law shall come into effect at 12:01 AM on July 10, 2024.

## **12. DATE BY-LAW EXPIRES**

12.1 This By-law will expire at 12:01 AM on July 10, 2034 unless it is repealed by Council at an earlier date.



### **13. REPEAL FORMER DEVELOPMENT CHARGES BY-LAW**

13.1 Upon the passing of this by-law, By-law 53/2019 being a By-law for the Imposition of Development Charges is hereby repealed.

READ a FIRST, SECOND and THIRD time and finally passed on this 9<sup>th</sup> day of July, 2024.

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Mayor

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Clerk



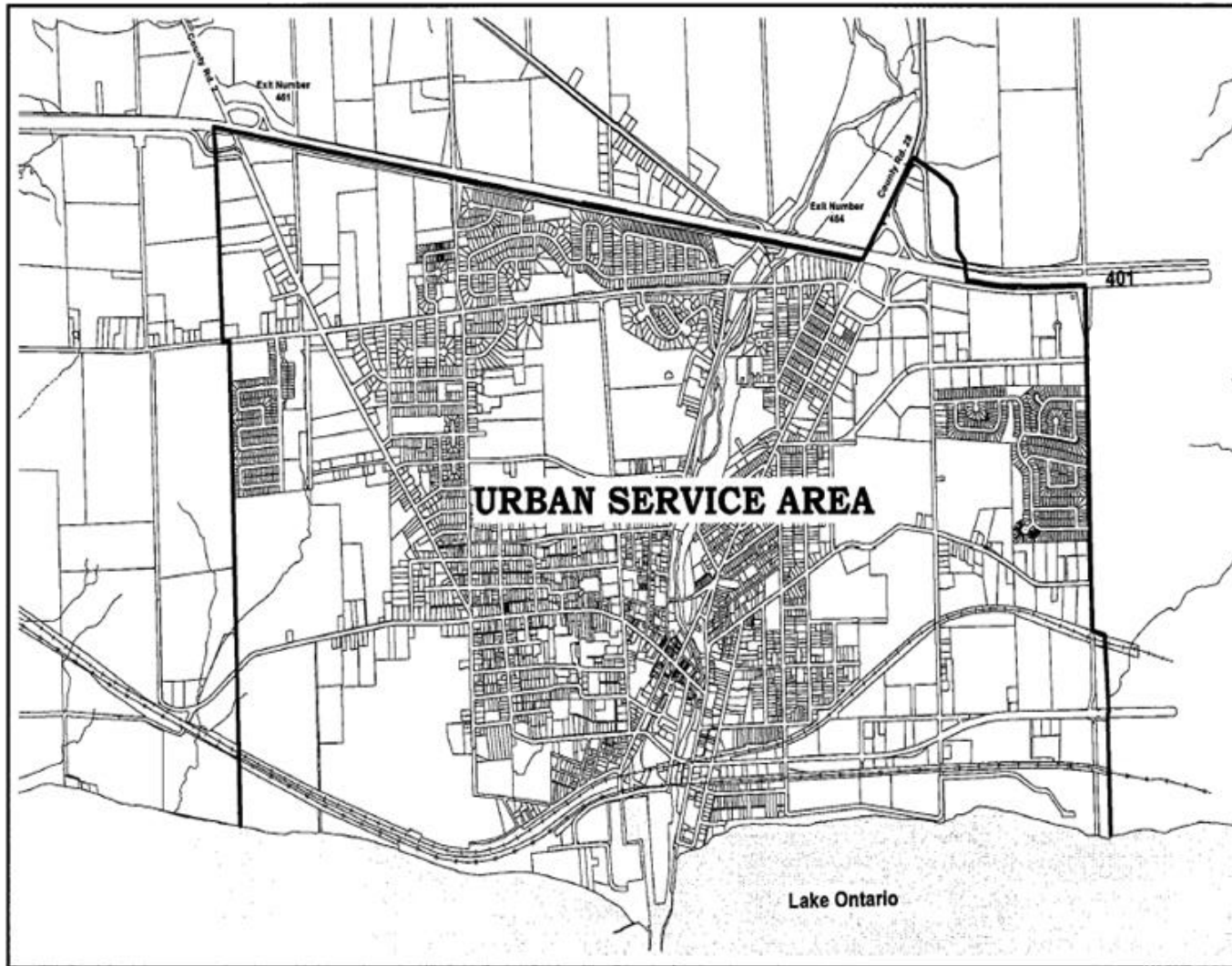
**SCHEDULE "A" TO BY-LAW \_\_\_/24**

**SCHEDULE OF DEVELOPMENT CHARGES**

Service/Class of Service	RESIDENTIAL (per Dwelling Unit)					NON-RESIDENTIAL (per sq.ft. of Gross Floor Area)	
	Single and Semi-Detached Dwelling	Other Multiple	Apartment Dwelling Unit – 2 Bedrooms +	Apartment Dwelling Unit – Bachelor and 1 Bedroom	Special Care Dwelling Unit	All Other Non-Residential	Industrial
Library Services	\$408	\$300	\$299	\$240	\$194	\$0.04	\$0



**SCHEDULE "B" TO BY-LAW \_\_\_/24  
URBAN SERVICE AREA**





# Appendix J

## Proposed D.C. By-law – By-law Enforcement Services



THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE

BY-LAW NO. XX/2024

*Being a By-law for the Imposition of Development Charges For  
By-law Enforcement Services*

WHEREAS the Municipality of Port Hope is expected to experience growth through development and redevelopment;

AND WHEREAS development and redevelopment require the provision of physical and social services by the Corporation of the Municipality of Port Hope, hereinafter referred to as the "Municipality";

AND WHEREAS Council desires to ensure that the capital cost of meeting growth-related demands for, or burden on, municipal services does not place an excessive financial burden on the Municipality of Port Hope or its existing taxpayers while at the same time ensuring new taxpayers contribute no more than the net capital cost attributable to providing the current level of municipal services;

AND WHEREAS the *Development Charges Act, 1997* (the "Act") as amended provides that the council of a municipality may by by-law impose development charges against land to pay for increased capital costs required because of increased needs for services;

AND WHEREAS Council retained the services of Watson & Associates Economists Ltd. to prepare a Development Charge Background Study and make recommendations with respect to a development charge policy;

AND WHEREAS Council has received and studied a report "Municipality of Port Hope 2024 Development Charge Background Study" prepared by Watson & Associates Economists Ltd., dated May 10, 2024 (hereinafter referred to as the "Watson Report");

AND WHEREAS the Council of The Corporation of the Municipality of Port Hope has given notice of, and held, a public meeting on the 18<sup>th</sup> day of June 2024 in accordance with the Act and the Regulations thereto;



AND WHEREAS Council has considered the comments of people at the said public meeting and comments subsequently received;

AND WHEREAS Council has complied with the pre-enactment requirements set out in sections 10, 11 and 12 of the Act;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE ENACTS AS FOLLOWS:

## 1. DEFINITIONS

1.1 In this By-law, unless a contrary intention appears, a term has the same meaning as that which exists in the Act or any Regulation made pursuant to sections 60 or 68 of the Act, both as amended from time to time.

1.2 In this by-law:

"Act" means the *Development Charges Act, 1997*, as amended, or any successor thereof.

"Accessory use" shall mean a use customarily incidental and subordinate to, and exclusively devoted to the principle or main use of the lot, building or structure and located on the same lot as such principal or main use.

"Accessory building or structure" shall mean a detached building or structure that is not used for human habitation and the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot therewith.

"Additional dwelling unit" means a dwelling unit, whether contained within a proposed single detached dwelling, semi-detached dwelling or row dwelling, or ancillary to a single detached dwelling, a semi-detached dwelling, or a row dwelling including but not limited to a coach house, laneway suite or structure constructed above an existing garage or other structure separate from the primary dwelling unit, and which is not capable of being legally conveyed as a separate parcel of land from the primary dwelling unit.



"Advance services" means services identified within the by-law relating to water services, wastewater services and services related to a highway.

"Affordable Residential Unit" means a residential unit that meets the criteria set out in section 4.1 of the Act.

"Agricultural use" means the use of land and/or buildings for the cultivation or foraging of crops, livestock or poultry production, raising or training of horses, and orchards, market gardening, maple sugar bushes, tobacco crops or other forms of specialized crop production.

"Attainable Residential Unit" means a residential unit that meets the criteria set out in section 4.1 of the Act.

"Bank of Canada rate" means the policy interest rate established by the Bank of Canada.

"Bedroom" means a room over 4.65 square metres in area, used for sleeping, a computer room, den, recreation room, and a sunroom (more than 7 square metres in area), study or other similar area, but does not include a room with kitchen or sanitary facilities if such room is not used for sleeping.

"Board of education" has the same meaning as set out in the *Education Act*, as amended, or any successor thereof.

"Bona fide farm operation" means the proposed development will qualify as a farm business operating with a valid Farm Business Registration Number issued by the Ontario Ministry of Agriculture, Food and Rural Affairs and be assessed in the Farmland Realty Tax Class by the Municipal Property Assessment Corporation.

"Building Code Act" means the *Building Code Act, 1992*, as amended, or any successor thereof.

"Capital cost" means capital costs as defined in subsection 5 (3) of the Act.

"Commercial use" means any use of land, structures or buildings for the purposes of buying or selling commodities and services, including hotels, motels,





motor inns and boarding, lodging and rooming houses. Commercial use does not include industrial uses, agricultural uses, or home occupations as defined in the applicable zoning by-law.

"Council" means the Council of the Municipality of Port Hope.

"Development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure with the effect of increasing the size of usability thereof, and includes redevelopment. Development is residential, non-residential or mixed.

"Development charge" means a charge imposed with respect to this by-law.

"Dwelling unit" means a suite operated as a housekeeping unit, used or intended to be used as a domicile by 1 or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities for their exclusive use, and includes:

1. a basement apartment;
2. a park model home;
3. a bedroom in a students' or seniors' residence; and
4. a building, or portion of a building, used for residential purposes as defined by residential use in this by-law.

"Existing" means the number, use and size that existed as of the date this by-law was passed.

"Farm building" means that part of a bona fide farming operation encompassing barns, silos and other ancillary development to an agricultural use, but excluding a residential use.

"Grade" means the average level of proposed or finished ground adjoining a building or structure at all exterior walls.



"Gross floor area" means:

1. in the case of a residential building or structure, the total area of all floors above grade of a dwelling unit measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing the dwelling unit from any other dwelling unit or other portion of a building; and
2. in the case of a non-residential building or structure, or in the case of a mixed-use building or structure in respect of the non-residential portion thereof, the total area of all building floors above or below grade measured between the outside surfaces of the exterior walls, or between the outside surfaces of exterior walls and the centre line of party walls dividing a non-residential use and a residential use, except for:
  - a. a room or enclosed area within the building or structure above or below that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical or telecommunications equipment that service the building;
  - b. loading facilities above or below grade; and
  - c. a part of the building or structure below grade that is used for the parking of motor vehicles or for storage or other accessory use.

"Inclusionary zoning residential unit" means residential units that are affordable housing units required to be included in a development or redevelopment pursuant to a by-law passed under section 34 of the *Planning Act* to give effect to the policies described in subsection 16 (4) of that Act.

"Industrial" 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, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use, but does not include the sale of commodities to the general public through a warehouse club or an agricultural use.



"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 section 3.19 institutional means development of a building or structure intended for use:

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

"Local Board" means a school board, public utility, commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board, or any other board, commission, committee, 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, including school purposes, of the Municipality of Port Hope or any part or parts thereof.

"Local services" means those services, facilities or things 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 in respect of the lands under sections 41, 51 or 53 of the *Planning Act*, as amended, or any successor thereof.

"Mixed use building" means a building, structure or development with portions which are to be used for residential development and other portions for non-residential development.

"Non-profit housing" means a development of a building or structure intended for use as residential premises by:

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

"Non-residential development" means development other than residential development as defined below, and includes development for agricultural, commercial, industrial and institutional uses.

"Official Plan" means the Official Plan adopted for the Municipality, as amended and approved.

"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.

"Place of worship" means that part of a building or structure that is exempt from taxation as a place of worship under the *Assessment Act*, as amended, or any successor thereof.

"Regulation" means any regulation made pursuant to the Act.



“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.

"Residential use" means designed, adopted or used as a home or residence of one or more individuals who reside or dwell there permanently or for a considerable period of time and includes:

1. "apartment dwelling" means any dwelling unit within a building containing four or more dwelling units, which is not a single detached dwelling, a semi-detached dwelling, a row dwelling, a special care dwelling, hotel, motel, tourist home, student residence, barracks, or any other development included in non-residential development;
2. "multiple dwellings" means all dwellings other than an apartment dwelling, a semi-detached dwelling, a single detached dwelling, and a special care dwelling;
3. "row dwelling" means a residential building containing not less than three dwelling units with each unit separated by a common or party wall or walls with a separate outside entrance to each unit. For the purposes of this definition, a row dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a row dwelling;
4. "semi-detached dwelling" means a residential building that is divided vertically into two dwelling units. For the purposes of this definition, a semi-detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a semi-detached dwelling;
5. "single detached dwelling" means a residential building consisting of one dwelling unit and not attached to another structure. For the purposes of this definition, a single detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a single detached dwelling;
6. "special care dwelling" means a building not otherwise defined herein containing more than four dwelling units: where the occupants have the right to use in common, halls, stairs, yards, common rooms and accessory buildings; which dwelling units may or may not have exclusive sanitary and/or culinary facilities; that is designed to accommodate individuals with



specific needs, where meals are provided within the development on a regular basis and includes a bedroom, student residence, retirement home and lodge, nursing home, granny flat, accessory dwelling and group home.

"Residential development" means development used, or intended to be used, in the whole or in part for residential uses and includes: a special care dwelling, the residential portion of a mixed development, and an apartment building but does not include a place of worship, hotel, motel, bed and breakfast where people typically stay less than one week.

"Residential unit" means the same as dwelling unit as defined in this by-law.

"Service" means a service designed in section 2.1 to this by-law, and "services" shall have a corresponding meaning.

"Suite" means one or more rooms used or capable of being used for human habitation.

"Urban service area" means that area within the Municipality of Port Hope delineated on Schedule "B".

"Use" means occupation and utilization for a particular purpose, practice or benefit. For the purposes of this by-law uses are either residential or non-residential.

## **2. DESIGNATION OF SERVICES**

2.1 The categories of services for which development charges are imposed under this by-law are as follows:

1. By-law Enforcement Services.

## **3. APPLICATION OF BY-LAW RULES**

3.1 Development charges shall be payable by the Owner in the amounts set out in this by-law where:

1. the lands are located in the area described in section 3.2; and



2. the development of the lands requires any of the approvals set out in subsection 3.4 (1).

### **Area to Which By-law Applies**

- 3.2 Subject to section 3.3, this by-law applies to all lands in the Municipality of Port Hope whether or not the land or use thereof is exempt from taxation under section 13 of the *Assessment Act*.
- 3.3. Notwithstanding section 3.2 above, this by-law shall not apply to lands that are owned by and used for the purposes of:
  1. the Municipality or a local board thereof;
  2. a board of education;
  3. the Corporation of the County of Northumberland or a local board thereof;  
or
  4. a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education.

### **Approvals for Development**

- 3.4 1. Development charges shall be imposed on all lands, buildings or structures that are developed for residential or non-residential uses if the development requires:
  - a. the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*,
  - b. the approval of a minor variance under section 45 of the *Planning Act*,
  - c. a conveyance of land to which a by-law passed under 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, 1998*, or any successor thereof; or
  - g. the issuing of a permit under the *Building Code Act* in relation to a building or structure.
2. No more than one development charge for each service designated in section 2.1 shall be imposed upon any lands, buildings or structures to which this by-law applies even though two or more of the actions described in subsection (1) are required before the lands, buildings or structures can be developed.
  3. Despite subsection (2), if two or more of the actions described in subsection (1) occur at different times, additional development charges shall be imposed if the subsequent action has the effect of increasing the need for services.

## **Exemptions**

### **Residential Units in Existing Residential**

- 3.5 This by-law shall not apply to that category of exempt development described in subsections 2 (3), 2 (3.1), and 2 (3.2) of the Act, namely:
1. An enlargement to an existing dwelling unit;
  2. A second residential unit in an existing detached house, semi-detached house, or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the existing detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
  3. A third residential unit in an existing detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure





ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units;

4. One residential unit in a building or structure ancillary to an existing detached house, semi-detached house or rowhouse on a parcel of residential land, if the existing detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units; or
5. In an existing rental residential building, which contains four or more residential units, the creation of the greater of one residential unit or one per cent of the existing residential units.

#### Residential Units in New Residential

3.6 This by-law shall not apply to that category of exempt development described in subsection 2 (3.3) of the Act, namely:

1. A second residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the new detached house, semi-detached house or rowhouse cumulatively will contain no more than one residential unit;
2. A third residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units; or
3. One residential unit in a building or structure ancillary to a new detached house, semi-detached house or rowhouse on a parcel of residential land, if the new detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units.



## Enlargement of an Existing Industrial Development

- 3.7 This by-law does not apply to that category of exempt development described in section 4 of the Act, namely:
1. the enlargement of the gross floor area of an existing industrial building, if the gross floor area is enlarged by 50 percent or less;
  2. for the purpose of subsection (1) the terms “gross floor area” and “existing industrial building” shall have the same meaning as those terms have in O. Reg. 82/98 made under the Act.
  3. Notwithstanding subsection (1), if the gross floor area of an existing industrial building is enlarged by more than 50 percent, development charges shall be calculated and collected in accordance with Schedule “A” on the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement.
  4. For the purpose of the application of section 4 of the Act to the operation of this by-law:
    - a. the gross floor area of an existing industrial building shall be calculated as it existed prior to the first enlargement in respect of that building for which an exemption under section 4 of the Act is sought; and
    - b. the enlargement of the gross floor area of the existing building must:
      - i. be attached to the existing industrial building;
      - ii. not be attached to the existing industrial building by means only of a tunnel, bridge, canopy, corridor or other passageway, shared below-grade connection, foundation, footing, parking facility, service tunnel or service pipe;
      - iii. be for use or in connection with an industrial purpose as set out in this by-law; and



- iv. constitute a bona fide increase in the size of the existing building.

#### Non-Profit, Inclusionary Zoning, Affordable, and Attainable

- 3.8 This by-law shall not apply to that category of exempt development described in section 4.2 of the Act, namely that development charges shall not be imposed with respect to non-profit housing development.
- 3.9 This by-law shall not apply to that category of exempt development described in section 4.3 of the Act, namely that development charges shall not be imposed with respect to inclusionary zoning residential unit development.
- 3.10 As of the date that section 3 of Schedule 3 of the *More Homes Built Faster Act, 2022* comes into force, affordable residential units and attainable residential units will be exempt from development charges in accordance with section 4.1 of the Act.

#### Other Exemptions

- 3.11 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to:
  1. Lands, buildings or structures used or to be used for a place of worship or for the purposes of a churchyard or cemetery exempt from taxation under the *Assessment Act*.
  2. The construction of a non-residential farm building or structure constructed for a bona fide farm operation.
  3. Buildings used as hospitals as governed by the *Public Hospitals Act*.
  4. For industrial uses, only the water and wastewater portions of the development charge identified in Schedule “A” are applicable.



## **Amount of Charges**

### **Residential**

3.12 The development charges set out in Schedule “A” to this by-law shall be imposed on residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use and, in the case of a mixed-use building or structure, on the residential uses in the mixed-use building or structure, according to the type of residential unit, and calculated with respect to each of the services according to the type of residential use.

### **Non-Residential**

3.13 The development charges described in Schedule “A” to this by-law shall be imposed on non-residential uses of lands, buildings or structures, and, in the case of a mixed-use building or structure, on the non-residential uses in the mixed-use building or structure, and calculated with respect to each of the services according to the total floor area of the non-residential use.

## **Reduction of Development Charges for Redevelopment**

3.14 Despite any other provisions of this by-law, where, as a result of the redevelopment of land, a building or structure existing on the same land within 60 months prior to the date of payment of development charges in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

1. in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge under section 312 by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and
2. in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed-use



building or structure, an amount calculated by multiplying the applicable development charges under section 3.13, by the gross floor area that has been or will be demolished or converted to another principal use;

provided that:

- (a) no credit or reduction shall be given for the components pertaining to Wastewater Treatment Plants and Water Services, and;
- (b) such amounts shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment.

3.15 Notwithstanding section 3.14, a full development charge credit (including Wastewater Treatment Plants and Water Services) will be provided for redevelopments where no additional residential units or non-residential gross floor area are created.

#### **Rebated Components – Urban Service Area**

3.16 Where a development charge is paid pursuant to this by-law for development located within the Urban Service Area and:

- 1. land is not within a plan, or pending plan of subdivision under section 51 of the *Planning Act* registered after September 10, 1973;
- 2. there is no Municipal water service and/or Municipal wastewater service feasibly available within five hundred feet of the front lot line;
- 3. no Municipal water service and/or Municipal wastewater service is scheduled to service the subject lands within five years of the date of approval of the building itself, and
- 4. the current registered owner(s) of the land who applies within 24 months of the date of payment of the applicable development charge and provides proof that adequate private water and/or sanitary services, as the case may be, have been installed and are properly functioning so as to provide service to the subject lands satisfactory to the Director of Municipal Engineering Services.



The Treasurer of the Municipality shall rebate to the then current registered owner(s) the Municipal water services component and/or the Municipal wastewater service component of the development charge for the service(s) which is not available.

### **Timing of Payment of Development Charges**

- 3.17 Development charges imposed under this by-law are calculated, payable, and collected on the date a building permit is issued in relation to the development; except for advance services (i.e. services related to a highway, wastewater and water services) where at the discretion of Council shall be payable immediately upon the owner entering into subdivision agreement or in instances where a plan of subdivision has not been pursued development charges are payable prior to the release of holding provisions on the implementing zoning by-law amendment.
- 3.18 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.
- 3.19 Notwithstanding section 3.17 and 3.18, 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 as provided in the Municipality's Council approved Development Charge Interest Policy, payable on the anniversary date each year thereafter.
- 3.20 Where the development of land results from the approval of a Site Plan or Zoning By-law Amendment made on or after January 1, 2020, and the approval of the application occurred within 2 years of building permit issuance, the development charges under sections 3.17 and 3.19 shall be calculated based on the rates set out in Schedule "A" on the date the planning application was made, including interest as provided in the Municipality's Council approved Development Charge Interest Policy. Where both planning applications apply, Development Charges under sections 3.17 and 3.19 shall be calculated based on the rates, including interest as provided in the Municipality's Council approved Development Charge Interest Policy, set out in Schedule "A" on the date of the later planning application.



3.21 Despite sections 3.17, 3.19, and 3.20, Council from time to time, and at any time, may enter into agreements providing for all or any part of a development charge to be paid before or after it would otherwise be payable, in accordance with section 27 of the Act.

### **Development Charge Reductions**

3.22 Notwithstanding the provisions of this by-law, development charges for rental housing developments will be reduced based on the number of bedrooms in each unit as follows:

1. Three or more bedrooms – 25% reduction;
2. Two bedrooms – 20% reduction; and
3. All other bedroom quantities – 15% reduction.

### **Phasing In of Development Charges**

3.23 The amount of the development charges set out in Schedule “A” to this by-law shall be reduced as follows, in accordance with subsection 5 (6) of the Act:

1. the first year that the by-law is in force - 80 percent of the development charge that could otherwise be charged;
2. the second year that the by-law is in force - 85 percent of the development charge that could otherwise be charged;
3. the third year that the by-law is in force - 90 percent of the development charge that could otherwise be charged;
4. the fourth year that the by-law is in force - 95 percent of the development charge that could otherwise be charged; and
5. the fifth to tenth years that the by-law is in force - 100 percent of the development charge will be imposed.



#### **4. PAYMENT BY SERVICES**

- 4.1 Despite the payment required under sections 3.12 and 3.13, Council may, by agreement, give a credit towards a development charge in exchange for work that relates to a service to which a development charge relates under this by-law.

#### **5. INDEXING**

- 5.1 Development charges imposed pursuant to this by-law shall be adjusted annually on January 1<sup>st</sup>, without amendment to this by-law, in accordance with the most recent available twelve month change in the Toronto series of the prescribed index in the Act (currently Statistics Canada Table 18-10-0276-02).

#### **6. CONFLICTS**

- 6.1 Where the Municipality and an owner or former owner have entered into an agreement with respect to land within the area to which this by-law applies, and a conflict exists between the provisions of this by-law and such agreement, the provisions of the agreement shall prevail to the extent that there is a conflict.
- 6.2 Notwithstanding section 6.1, where a development which is the subject of an agreement to which section 6.1 applies, is subsequently the subject of one or more of the actions described in subsection 3.4 (1), an additional development charge in respect of the development permitted by the action shall be calculated, payable and collected in accordance with the provisions of this by-law if the development has the effect of increasing the need for services, unless such agreement provides otherwise.

#### **7. BY-LAW AMENDMENT OR REPEAL**

- 7.1 Where this by-law or any development charge prescribed there under is amended or repealed by order of the Ontario Land Tribunal 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.
- 7.2 Refunds that are required to be paid under section 7.1 shall be paid to the registered owner of the land on the date on which the refund is paid.





7.3 Refunds that are required to be paid under section 7.1 shall be paid with interest to be calculated as follows:

1. interest shall be calculated from the date on which the overpayment was collected to the day on which the refund is paid;
2. the refund shall include the interest owed under this section;
3. interest shall be paid at the Bank of Canada rate in effect on the date of enactment of this by-law.

## **8. SEVERABILITY**

8.1 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 the by-law shall remain in full force and effect.

## **9. HEADINGS FOR REFERENCE ONLY**

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

## **10. SCHEDULES**

10.1 The following schedules shall form part of this by-law:

Schedule A – Schedule of Development Charges

Schedule B – Urban Service Area (Map)

## **11. DATE BY-LAW IN FORCE**

11.1 This By-law shall come into effect at 12:01 AM on July 10, 2024.

## **12. DATE BY-LAW EXPIRES**

12.1 This By-law will expire at 12:01 AM on July 10, 2034 unless it is repealed by Council at an earlier date.



### **13. REPEAL FORMER DEVELOPMENT CHARGES BY-LAW**

13.1 Upon the passing of this by-law, By-law 53/2019 being a By-law for the Imposition of Development Charges is hereby repealed.

READ a FIRST, SECOND and THIRD time and finally passed on this 9<sup>th</sup> day of July, 2024.

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Mayor

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Clerk



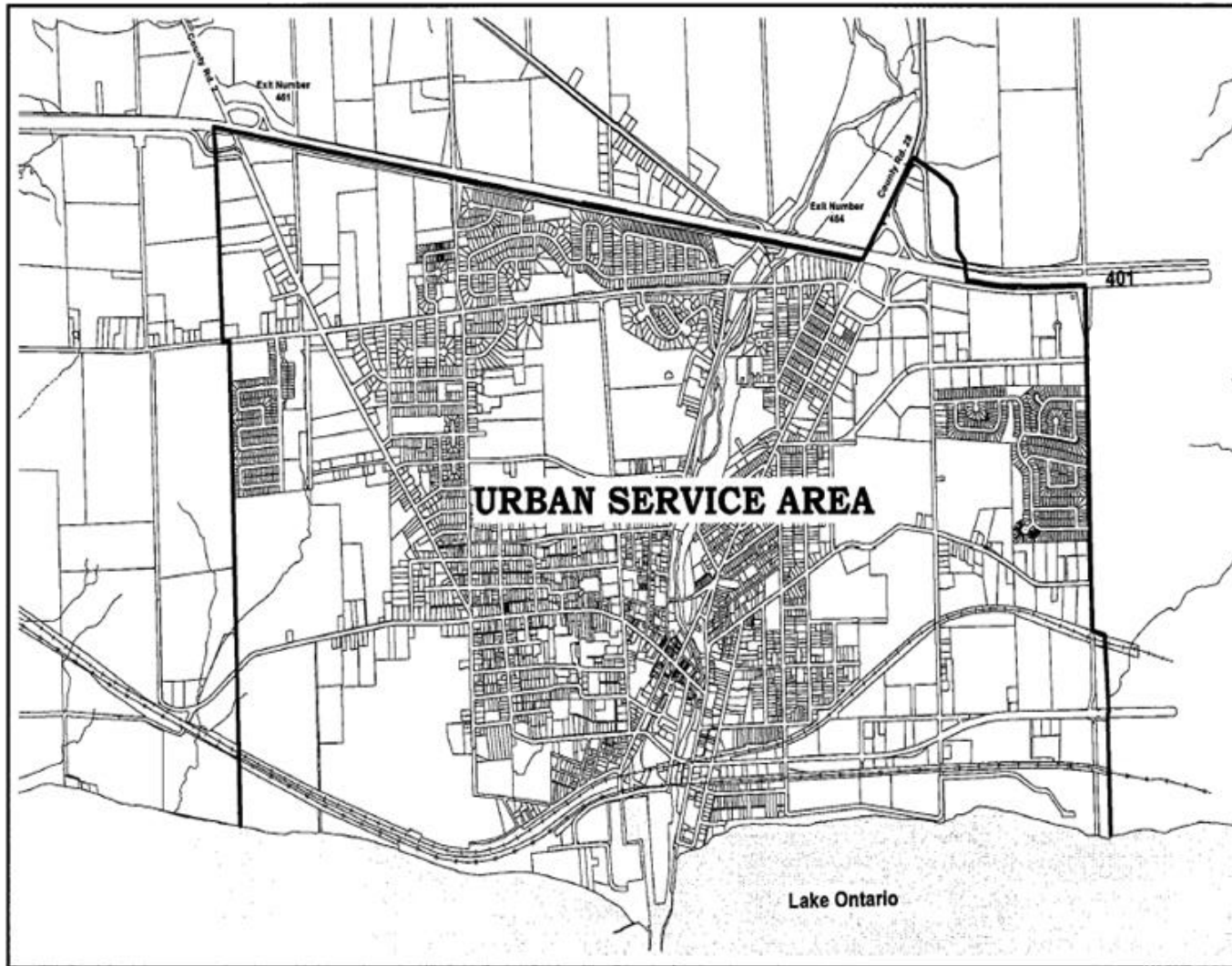
**SCHEDULE "A" TO BY-LAW \_\_\_/24**

**SCHEDULE OF DEVELOPMENT CHARGES**

Service/Class of Service	RESIDENTIAL (per Dwelling Unit)					NON-RESIDENTIAL (per sq.ft. of Gross Floor Area)	
	Single and Semi-Detached Dwelling	Other Multiple	Apartment Dwelling Unit – 2 Bedrooms +	Apartment Dwelling Unit – Bachelor and 1 Bedroom	Special Care Dwelling Unit	All Other Non-Residential	Industrial
By-law Enforcement Services	\$7	\$5	\$5	\$4	\$3	\$0	\$0



**SCHEDULE "B" TO BY-LAW \_\_\_/24  
URBAN SERVICE AREA**





# Appendix K

## Proposed D.C. By-law – Policing Services (P.H.P.S.)



THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE

BY-LAW NO. XX/2024

*Being a By-law for the Imposition of Development Charges For  
Policing Services (Port Hope Police Services)*

WHEREAS the Municipality of Port Hope is expected to experience growth through development and redevelopment;

AND WHEREAS development and redevelopment require the provision of physical and social services by the Corporation of the Municipality of Port Hope, hereinafter referred to as the "Municipality";

AND WHEREAS Council desires to ensure that the capital cost of meeting growth-related demands for, or burden on, municipal services does not place an excessive financial burden on the Municipality of Port Hope or its existing taxpayers while at the same time ensuring new taxpayers contribute no more than the net capital cost attributable to providing the current level of municipal services;

AND WHEREAS the *Development Charges Act, 1997* (the "Act") as amended provides that the council of a municipality may by by-law impose development charges against land to pay for increased capital costs required because of increased needs for services;

AND WHEREAS Council retained the services of Watson & Associates Economists Ltd. to prepare a Development Charge Background Study and make recommendations with respect to a development charge policy;

AND WHEREAS Council has received and studied a report "Municipality of Port Hope 2024 Development Charge Background Study" prepared by Watson & Associates Economists Ltd., dated May 10, 2024 (hereinafter referred to as the "Watson Report");

AND WHEREAS the Council of The Corporation of the Municipality of Port Hope has given notice of, and held, a public meeting on the 18<sup>th</sup> day of June 2024 in accordance with the Act and the Regulations thereto;



AND WHEREAS Council has considered the comments of people at the said public meeting and comments subsequently received;

AND WHEREAS Council has complied with the pre-enactment requirements set out in sections 10, 11 and 12 of the Act;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE ENACTS AS FOLLOWS:

## 1. DEFINITIONS

1.1 In this By-law, unless a contrary intention appears, a term has the same meaning as that which exists in the Act or any Regulation made pursuant to sections 60 or 68 of the Act, both as amended from time to time.

1.2 In this by-law:

"Act" means the *Development Charges Act, 1997*, as amended, or any successor thereof.

"Accessory use" shall mean a use customarily incidental and subordinate to, and exclusively devoted to the principle or main use of the lot, building or structure and located on the same lot as such principal or main use.

"Accessory building or structure" shall mean a detached building or structure that is not used for human habitation and the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot therewith.

"Additional dwelling unit" means a dwelling unit, whether contained within a proposed single detached dwelling, semi-detached dwelling or row dwelling, or ancillary to a single detached dwelling, a semi-detached dwelling, or a row dwelling including but not limited to a coach house, laneway suite or structure constructed above an existing garage or other structure separate from the primary dwelling unit, and which is not capable of being legally conveyed as a separate parcel of land from the primary dwelling unit.



"Advance services" means services identified within the by-law relating to water services, wastewater services and services related to a highway.

"Affordable Residential Unit" means a residential unit that meets the criteria set out in section 4.1 of the Act.

"Agricultural use" means the use of land and/or buildings for the cultivation or foraging of crops, livestock or poultry production, raising or training of horses, and orchards, market gardening, maple sugar bushes, tobacco crops or other forms of specialized crop production.

"Attainable Residential Unit" means a residential unit that meets the criteria set out in section 4.1 of the Act.

"Bank of Canada rate" means the policy interest rate established by the Bank of Canada.

"Bedroom" means a room over 4.65 square metres in area, used for sleeping, a computer room, den, recreation room, and a sunroom (more than 7 square metres in area), study or other similar area, but does not include a room with kitchen or sanitary facilities if such room is not used for sleeping.

"Board of education" has the same meaning as set out in the *Education Act*, as amended, or any successor thereof.

"Bona fide farm operation" means the proposed development will qualify as a farm business operating with a valid Farm Business Registration Number issued by the Ontario Ministry of Agriculture, Food and Rural Affairs and be assessed in the Farmland Realty Tax Class by the Municipal Property Assessment Corporation.

"Building Code Act" means the *Building Code Act, 1992*, as amended, or any successor thereof.

"Capital cost" means capital costs as defined in subsection 5 (3) of the Act.

"Commercial use" means any use of land, structures or buildings for the purposes of buying or selling commodities and services, including hotels, motels,





motor inns and boarding, lodging and rooming houses. Commercial use does not include industrial uses, agricultural uses, or home occupations as defined in the applicable zoning by-law.

"Council" means the Council of the Municipality of Port Hope.

"Development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure with the effect of increasing the size of usability thereof, and includes redevelopment. Development is residential, non-residential or mixed.

"Development charge" means a charge imposed with respect to this by-law.

"Dwelling unit" means a suite operated as a housekeeping unit, used or intended to be used as a domicile by 1 or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities for their exclusive use, and includes:

1. a basement apartment;
2. a park model home;
3. a bedroom in a students' or seniors' residence; and
4. a building, or portion of a building, used for residential purposes as defined by residential use in this by-law.

"Existing" means the number, use and size that existed as of the date this by-law was passed.

"Farm building" means that part of a bona fide farming operation encompassing barns, silos and other ancillary development to an agricultural use, but excluding a residential use.

"Grade" means the average level of proposed or finished ground adjoining a building or structure at all exterior walls.



"Gross floor area" means:

1. in the case of a residential building or structure, the total area of all floors above grade of a dwelling unit measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing the dwelling unit from any other dwelling unit or other portion of a building; and
2. in the case of a non-residential building or structure, or in the case of a mixed-use building or structure in respect of the non-residential portion thereof, the total area of all building floors above or below grade measured between the outside surfaces of the exterior walls, or between the outside surfaces of exterior walls and the centre line of party walls dividing a non-residential use and a residential use, except for:
  - a. a room or enclosed area within the building or structure above or below that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical or telecommunications equipment that service the building;
  - b. loading facilities above or below grade; and
  - c. a part of the building or structure below grade that is used for the parking of motor vehicles or for storage or other accessory use.

"Inclusionary zoning residential unit" means residential units that are affordable housing units required to be included in a development or redevelopment pursuant to a by-law passed under section 34 of the *Planning Act* to give effect to the policies described in subsection 16 (4) of that Act.

"Industrial" 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, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use, but does not include the sale of commodities to the general public through a warehouse club or an agricultural use.



"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 section 3.19 institutional means development of a building or structure intended for use:

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

"Local Board" means a school board, public utility, commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board, or any other board, commission, committee, 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, including school purposes, of the Municipality of Port Hope or any part or parts thereof.

"Local services" means those services, facilities or things 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 in respect of the lands under sections 41, 51 or 53 of the *Planning Act*, as amended, or any successor thereof.

"Mixed use building" means a building, structure or development with portions which are to be used for residential development and other portions for non-residential development.

"Non-profit housing" means a development of a building or structure intended for use as residential premises by:

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

"Non-residential development" means development other than residential development as defined below, and includes development for agricultural, commercial, industrial and institutional uses.

"Official Plan" means the Official Plan adopted for the Municipality, as amended and approved.

"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.

"Place of worship" means that part of a building or structure that is exempt from taxation as a place of worship under the *Assessment Act*, as amended, or any successor thereof.

"Regulation" means any regulation made pursuant to the Act.



“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.

"Residential use" means designed, adopted or used as a home or residence of one or more individuals who reside or dwell there permanently or for a considerable period of time and includes:

1. "apartment dwelling" means any dwelling unit within a building containing four or more dwelling units, which is not a single detached dwelling, a semi-detached dwelling, a row dwelling, a special care dwelling, hotel, motel, tourist home, student residence, barracks, or any other development included in non-residential development;
2. "multiple dwellings" means all dwellings other than an apartment dwelling, a semi-detached dwelling, a single detached dwelling, and a special care dwelling;
3. "row dwelling" means a residential building containing not less than three dwelling units with each unit separated by a common or party wall or walls with a separate outside entrance to each unit. For the purposes of this definition, a row dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a row dwelling;
4. "semi-detached dwelling" means a residential building that is divided vertically into two dwelling units. For the purposes of this definition, a semi-detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a semi-detached dwelling;
5. "single detached dwelling" means a residential building consisting of one dwelling unit and not attached to another structure. For the purposes of this definition, a single detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a single detached dwelling;
6. "special care dwelling" means a building not otherwise defined herein containing more than four dwelling units: where the occupants have the right to use in common, halls, stairs, yards, common rooms and accessory buildings; which dwelling units may or may not have exclusive sanitary and/or culinary facilities; that is designed to accommodate individuals with



specific needs, where meals are provided within the development on a regular basis and includes a bedroom, student residence, retirement home and lodge, nursing home, granny flat, accessory dwelling and group home.

"Residential development" means development used, or intended to be used, in the whole or in part for residential uses and includes: a special care dwelling, the residential portion of a mixed development, and an apartment building but does not include a place of worship, hotel, motel, bed and breakfast where people typically stay less than one week.

"Residential unit" means the same as dwelling unit as defined in this by-law.

"Service" means a service designed in section 2.1 to this by-law, and "services" shall have a corresponding meaning.

"Suite" means one or more rooms used or capable of being used for human habitation.

"Urban service area" means that area within the Municipality of Port Hope delineated on Schedule "B".

"Use" means occupation and utilization for a particular purpose, practice or benefit. For the purposes of this by-law uses are either residential or non-residential.

## **2. DESIGNATION OF SERVICES**

2.1 The categories of services for which development charges are imposed under this by-law are as follows:

1. Policing Services (Port Hope Police Services (P.H.P.S.)) (within the urban area only).

## **3. APPLICATION OF BY-LAW RULES**

3.1 Development charges shall be payable by the Owner in the amounts set out in this by-law where:



1. the lands are located in the area described in section 3.2; and
2. the development of the lands requires any of the approvals set out in subsection 3.4 (1).

### **Area to Which By-law Applies**

- 3.2 Subject to section 3.3, this by-law applies to all lands in the Municipality of Port Hope whether or not the land or use thereof is exempt from taxation under section 13 of the *Assessment Act*.
- 3.3. Notwithstanding section 3.2 above, this by-law shall not apply to lands that are owned by and used for the purposes of:
  1. the Municipality or a local board thereof;
  2. a board of education;
  3. the Corporation of the County of Northumberland or a local board thereof;  
or
  4. a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education.

### **Approvals for Development**

- 3.4 1. Development charges shall be imposed on all lands, buildings or structures that are developed for residential or non-residential uses if the development requires:
  - a. the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*,
  - b. the approval of a minor variance under section 45 of the *Planning Act*;
  - c. a conveyance of land to which a by-law passed under 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, 1998*, or any successor thereof; or
  - g. the issuing of a permit under the *Building Code Act* in relation to a building or structure.
2. No more than one development charge for each service designated in section 2.1 shall be imposed upon any lands, buildings or structures to which this by-law applies even though two or more of the actions described in subsection (1) are required before the lands, buildings or structures can be developed.
  3. Despite subsection (2), if two or more of the actions described in subsection (1) occur at different times, additional development charges shall be imposed if the subsequent action has the effect of increasing the need for services.

## **Exemptions**

### **Residential Units in Existing Residential**

- 3.5 This by-law shall not apply to that category of exempt development described in subsections 2 (3), 2 (3.1), and 2 (3.2) of the Act, namely:
1. An enlargement to an existing dwelling unit;
  2. A second residential unit in an existing detached house, semi-detached house, or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the existing detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
  3. A third residential unit in an existing detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other





than ancillary residential use, is permitted, if no building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units;

4. One residential unit in a building or structure ancillary to an existing detached house, semi-detached house or rowhouse on a parcel of residential land, if the existing detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units; or
5. In an existing rental residential building, which contains four or more residential units, the creation of the greater of one residential unit or one per cent of the existing residential units.

#### Residential Units in New Residential

3.6 This by-law shall not apply to that category of exempt development described in subsection 2 (3.3) of the Act, namely:

1. A second residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the new detached house, semi-detached house or rowhouse cumulatively will contain no more than one residential unit;
2. A third residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units; or
3. One residential unit in a building or structure ancillary to a new detached house, semi-detached house or rowhouse on a parcel of residential land, if the new detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units.



## Enlargement of an Existing Industrial Development

- 3.7 This by-law does not apply to that category of exempt development described in section 4 of the Act, namely:
1. the enlargement of the gross floor area of an existing industrial building, if the gross floor area is enlarged by 50 percent or less;
  2. for the purpose of subsection (1) the terms “gross floor area” and “existing industrial building” shall have the same meaning as those terms have in O. Reg. 82/98 made under the Act.
  3. Notwithstanding subsection (1), if the gross floor area of an existing industrial building is enlarged by more than 50 percent, development charges shall be calculated and collected in accordance with Schedule “A” on the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement.
  4. For the purpose of the application of section 4 of the Act to the operation of this by-law:
    - a. the gross floor area of an existing industrial building shall be calculated as it existed prior to the first enlargement in respect of that building for which an exemption under section 4 of the Act is sought; and
    - b. the enlargement of the gross floor area of the existing building must:
      - i. be attached to the existing industrial building;
      - ii. not be attached to the existing industrial building by means only of a tunnel, bridge, canopy, corridor or other passageway, shared below-grade connection, foundation, footing, parking facility, service tunnel or service pipe;
      - iii. be for use or in connection with an industrial purpose as set out in this by-law; and



- iv. constitute a bona fide increase in the size of the existing building.

#### Non-Profit, Inclusionary Zoning, Affordable, and Attainable

- 3.8 This by-law shall not apply to that category of exempt development described in section 4.2 of the Act, namely that development charges shall not be imposed with respect to non-profit housing development.
- 3.9 This by-law shall not apply to that category of exempt development described in section 4.3 of the Act, namely that development charges shall not be imposed with respect to inclusionary zoning residential unit development.
- 3.10 As of the date that section 3 of Schedule 3 of the *More Homes Built Faster Act, 2022* comes into force, affordable residential units and attainable residential units will be exempt from development charges in accordance with section 4.1 of the Act.

#### Other Exemptions

- 3.11 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to:
  1. Lands, buildings or structures used or to be used for a place of worship or for the purposes of a churchyard or cemetery exempt from taxation under the *Assessment Act*.
  2. The construction of a non-residential farm building or structure constructed for a bona fide farm operation.
  3. Buildings used as hospitals as governed by the *Public Hospitals Act*.
  4. For industrial uses, only the water and wastewater portions of the development charge identified in Schedule “A” are applicable.



## **Amount of Charges**

### **Residential**

3.12 The development charges set out in Schedule “A” to this by-law shall be imposed on residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use and, in the case of a mixed-use building or structure, on the residential uses in the mixed-use building or structure, according to the type of residential unit, and calculated with respect to each of the services according to the type of residential use.

### **Non-Residential**

3.13 The development charges described in Schedule “A” to this by-law shall be imposed on non-residential uses of lands, buildings or structures, and, in the case of a mixed-use building or structure, on the non-residential uses in the mixed-use building or structure, and calculated with respect to each of the services according to the total floor area of the non-residential use.

## **Reduction of Development Charges for Redevelopment**

3.14 Despite any other provisions of this by-law, where, as a result of the redevelopment of land, a building or structure existing on the same land within 60 months prior to the date of payment of development charges in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

1. in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge under section 312 by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and
2. in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed-use



building or structure, an amount calculated by multiplying the applicable development charges under section 3.13, by the gross floor area that has been or will be demolished or converted to another principal use;

provided that:

- (a) no credit or reduction shall be given for the components pertaining to Wastewater Treatment Plants and Water Services, and;
- (b) such amounts shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment.

3.15 Notwithstanding section 3.14, a full development charge credit (including Wastewater Treatment Plants and Water Services) will be provided for redevelopments where no additional residential units or non-residential gross floor area are created.

### **Rebated Components – Urban Service Area**

3.16 Where a development charge is paid pursuant to this by-law for development located within the Urban Service Area and:

- 1. land is not within a plan, or pending plan of subdivision under section 51 of the *Planning Act* registered after September 10, 1973;
- 2. there is no Municipal water service and/or Municipal wastewater service feasibly available within five hundred feet of the front lot line;
- 3. no Municipal water service and/or Municipal wastewater service is scheduled to service the subject lands within five years of the date of approval of the building itself, and
- 4. the current registered owner(s) of the land who applies within 24 months of the date of payment of the applicable development charge and provides proof that adequate private water and/or sanitary services, as the case may be, have been installed and are properly functioning so as to provide service to the subject lands satisfactory to the Director of Municipal Engineering Services.



The Treasurer of the Municipality shall rebate to the then current registered owner(s) the Municipal water services component and/or the Municipal wastewater service component of the development charge for the service(s) which is not available.

### **Timing of Payment of Development Charges**

- 3.17 Development charges imposed under this by-law are calculated, payable, and collected on the date a building permit is issued in relation to the development; except for advance services (i.e. services related to a highway, wastewater and water services) where at the discretion of Council shall be payable immediately upon the owner entering into subdivision agreement or in instances where a plan of subdivision has not been pursued development charges are payable prior to the release of holding provisions on the implementing zoning by-law amendment.
- 3.18 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.
- 3.19 Notwithstanding section 3.17 and 3.18, 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 as provided in the Municipality's Council approved Development Charge Interest Policy, payable on the anniversary date each year thereafter.
- 3.20 Where the development of land results from the approval of a Site Plan or Zoning By-law Amendment made on or after January 1, 2020, and the approval of the application occurred within 2 years of building permit issuance, the development charges under sections 3.17 and 3.19 shall be calculated based on the rates set out in Schedule "A" on the date the planning application was made, including interest as provided in the Municipality's Council approved Development Charge Interest Policy. Where both planning applications apply, Development Charges under sections 3.17 and 3.19 shall be calculated based on the rates, including interest as provided in the Municipality's Council approved Development Charge Interest Policy, set out in Schedule "A" on the date of the later planning application.



3.21 Despite sections 3.17, 3.19, and 3.20, Council from time to time, and at any time, may enter into agreements providing for all or any part of a development charge to be paid before or after it would otherwise be payable, in accordance with section 27 of the Act.

### **Development Charge Reductions**

3.22 Notwithstanding the provisions of this by-law, development charges for rental housing developments will be reduced based on the number of bedrooms in each unit as follows:

1. Three or more bedrooms – 25% reduction;
2. Two bedrooms – 20% reduction; and
3. All other bedroom quantities – 15% reduction.

### **Phasing In of Development Charges**

3.23 The amount of the development charges set out in Schedule “A” to this by-law shall be reduced as follows, in accordance with subsection 5 (6) of the Act:

1. the first year that the by-law is in force - 80 percent of the development charge that could otherwise be charged;
2. the second year that the by-law is in force - 85 percent of the development charge that could otherwise be charged;
3. the third year that the by-law is in force - 90 percent of the development charge that could otherwise be charged;
4. the fourth year that the by-law is in force - 95 percent of the development charge that could otherwise be charged; and
5. the fifth to tenth years that the by-law is in force - 100 percent of the development charge will be imposed.



#### **4. PAYMENT BY SERVICES**

- 4.1 Despite the payment required under sections 3.12 and 3.13, Council may, by agreement, give a credit towards a development charge in exchange for work that relates to a service to which a development charge relates under this by-law.

#### **5. INDEXING**

- 5.1 Development charges imposed pursuant to this by-law shall be adjusted annually on January 1<sup>st</sup>, without amendment to this by-law, in accordance with the most recent available twelve month change in the Toronto series of the prescribed index in the Act (currently Statistics Canada Table 18-10-0276-02).

#### **6. CONFLICTS**

- 6.1 Where the Municipality and an owner or former owner have entered into an agreement with respect to land within the area to which this by-law applies, and a conflict exists between the provisions of this by-law and such agreement, the provisions of the agreement shall prevail to the extent that there is a conflict.
- 6.2 Notwithstanding section 6.1, where a development which is the subject of an agreement to which section 6.1 applies, is subsequently the subject of one or more of the actions described in subsection 3.4 (1), an additional development charge in respect of the development permitted by the action shall be calculated, payable and collected in accordance with the provisions of this by-law if the development has the effect of increasing the need for services, unless such agreement provides otherwise.

#### **7. BY-LAW AMENDMENT OR REPEAL**

- 7.1 Where this by-law or any development charge prescribed there under is amended or repealed by order of the Ontario Land Tribunal 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.
- 7.2 Refunds that are required to be paid under section 7.1 shall be paid to the registered owner of the land on the date on which the refund is paid.





7.3 Refunds that are required to be paid under section 7.1 shall be paid with interest to be calculated as follows:

1. interest shall be calculated from the date on which the overpayment was collected to the day on which the refund is paid;
2. the refund shall include the interest owed under this section;
3. interest shall be paid at the Bank of Canada rate in effect on the date of enactment of this by-law.

## **8. SEVERABILITY**

8.1 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 the by-law shall remain in full force and effect.

## **9. HEADINGS FOR REFERENCE ONLY**

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

## **10. SCHEDULES**

10.1 The following schedules shall form part of this by-law:

Schedule A – Schedule of Development Charges

Schedule B – Urban Service Area (Map)

## **11. DATE BY-LAW IN FORCE**

11.1 This By-law shall come into effect at 12:01 AM on July 10, 2024.

## **12. DATE BY-LAW EXPIRES**

12.1 This By-law will expire at 12:01 AM on July 10, 2034 unless it is repealed by Council at an earlier date.



### **13. REPEAL FORMER DEVELOPMENT CHARGES BY-LAW**

13.1 Upon the passing of this by-law, By-law 53/2019 being a By-law for the Imposition of Development Charges is hereby repealed.

READ a FIRST, SECOND and THIRD time and finally passed on this 9<sup>th</sup> day of July, 2024.

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Mayor

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Clerk



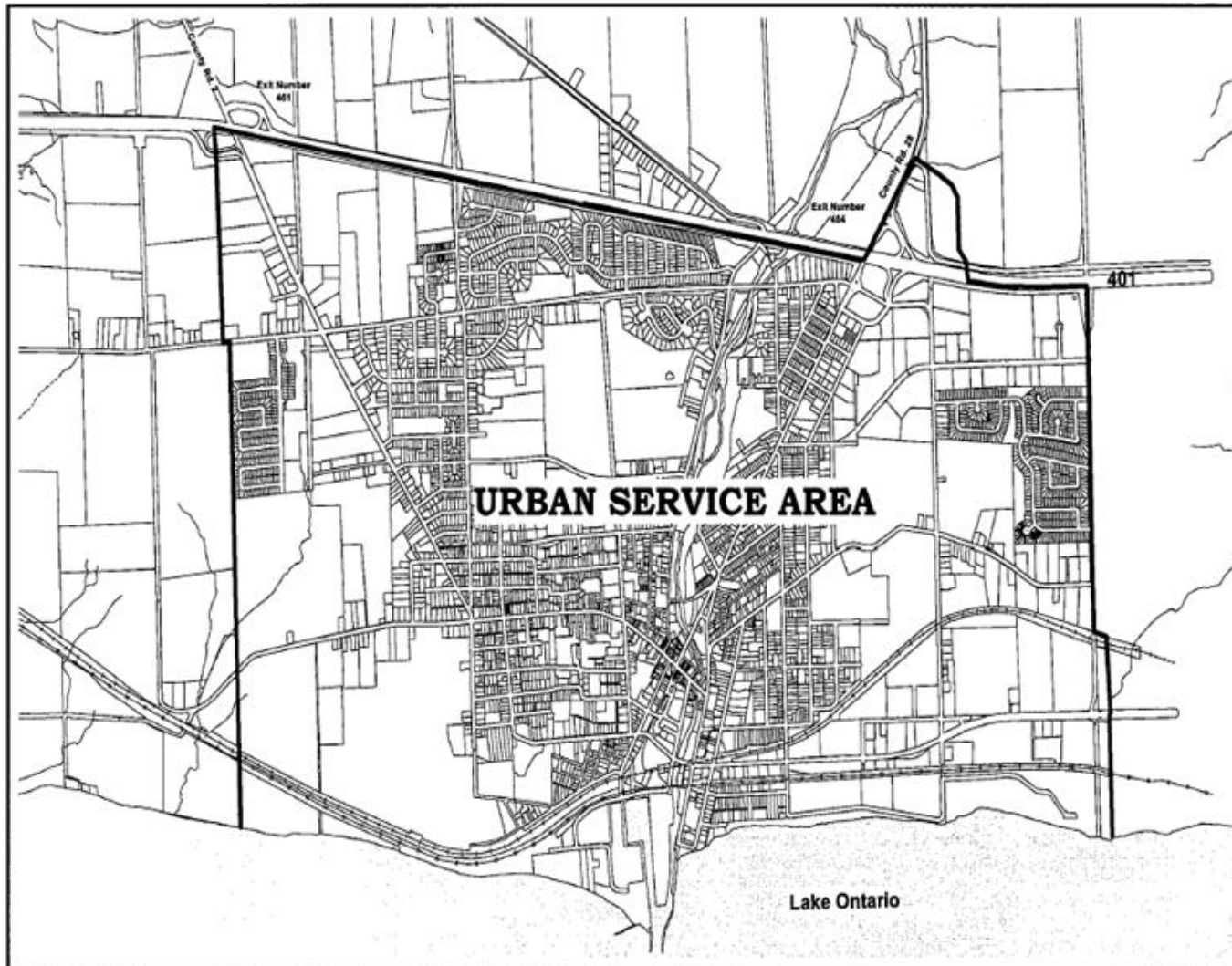
**SCHEDULE "A" TO BY-LAW \_\_\_/24**

**SCHEDULE OF DEVELOPMENT CHARGES**

Service/Class of Service	RESIDENTIAL (per Dwelling Unit)					NON-RESIDENTIAL (per sq.ft. of Gross Floor Area)	
	Single and Semi-Detached Dwelling	Other Multiple	Apartment Dwelling Unit – 2 Bedrooms +	Apartment Dwelling Unit – Bachelor and 1 Bedroom	Special Care Dwelling Unit	All Other Non-Residential	Industrial
Policing Services (P.H.P.S.)	\$786	\$579	\$575	\$462	\$374	\$0.34	\$0



**SCHEDULE "B" TO BY-LAW \_\_\_/24  
URBAN SERVICE AREA**





# Appendix L

## Proposed D.C. By-law – Wastewater Services



THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE

BY-LAW NO. XX/2024

*Being a By-law for the Imposition of Development Charges For  
Wastewater Services*

WHEREAS the Municipality of Port Hope is expected to experience growth through development and redevelopment;

AND WHEREAS development and redevelopment require the provision of physical and social services by the Corporation of the Municipality of Port Hope, hereinafter referred to as the "Municipality";

AND WHEREAS Council desires to ensure that the capital cost of meeting growth-related demands for, or burden on, municipal services does not place an excessive financial burden on the Municipality of Port Hope or its existing taxpayers while at the same time ensuring new taxpayers contribute no more than the net capital cost attributable to providing the current level of municipal services;

AND WHEREAS the *Development Charges Act, 1997* (the "Act") as amended provides that the council of a municipality may by by-law impose development charges against land to pay for increased capital costs required because of increased needs for services;

AND WHEREAS Council retained the services of Watson & Associates Economists Ltd. to prepare a Development Charge Background Study and make recommendations with respect to a development charge policy;

AND WHEREAS Council has received and studied a report "Municipality of Port Hope 2024 Development Charge Background Study" prepared by Watson & Associates Economists Ltd., dated May 10, 2024 (hereinafter referred to as the "Watson Report");

AND WHEREAS the Council of The Corporation of the Municipality of Port Hope has given notice of, and held, a public meeting on the 18<sup>th</sup> day of June 2024 in accordance with the Act and the Regulations thereto;



AND WHEREAS Council has considered the comments of people at the said public meeting and comments subsequently received;

AND WHEREAS Council has complied with the pre-enactment requirements set out in sections 10, 11 and 12 of the Act;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE ENACTS AS FOLLOWS:

## 1. DEFINITIONS

1.1 In this By-law, unless a contrary intention appears, a term has the same meaning as that which exists in the Act or any Regulation made pursuant to sections 60 or 68 of the Act, both as amended from time to time.

1.2 In this by-law:

"Act" means the *Development Charges Act, 1997*, as amended, or any successor thereof.

"Accessory use" shall mean a use customarily incidental and subordinate to, and exclusively devoted to the principle or main use of the lot, building or structure and located on the same lot as such principal or main use.

"Accessory building or structure" shall mean a detached building or structure that is not used for human habitation and the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot therewith.

"Additional dwelling unit" means a dwelling unit, whether contained within a proposed single detached dwelling, semi-detached dwelling or row dwelling, or ancillary to a single detached dwelling, a semi-detached dwelling, or a row dwelling including but not limited to a coach house, laneway suite or structure constructed above an existing garage or other structure separate from the primary dwelling unit, and which is not capable of being legally conveyed as a separate parcel of land from the primary dwelling unit.



"Advance services" means services identified within the by-law relating to water services, wastewater services and services related to a highway.

"Affordable Residential Unit" means a residential unit that meets the criteria set out in section 4.1 of the Act.

"Agricultural use" means the use of land and/or buildings for the cultivation or foraging of crops, livestock or poultry production, raising or training of horses, and orchards, market gardening, maple sugar bushes, tobacco crops or other forms of specialized crop production.

"Attainable Residential Unit" means a residential unit that meets the criteria set out in section 4.1 of the Act.

"Bank of Canada rate" means the policy interest rate established by the Bank of Canada.

"Bedroom" means a room over 4.65 square metres in area, used for sleeping, a computer room, den, recreation room, and a sunroom (more than 7 square metres in area), study or other similar area, but does not include a room with kitchen or sanitary facilities if such room is not used for sleeping.

"Board of education" has the same meaning as set out in the *Education Act*, as amended, or any successor thereof.

"Bona fide farm operation" means the proposed development will qualify as a farm business operating with a valid Farm Business Registration Number issued by the Ontario Ministry of Agriculture, Food and Rural Affairs and be assessed in the Farmland Realty Tax Class by the Municipal Property Assessment Corporation.

"Building Code Act" means the *Building Code Act, 1992*, as amended, or any successor thereof.

"Capital cost" means capital costs as defined in subsection 5 (3) of the Act.

"Commercial use" means any use of land, structures or buildings for the purposes of buying or selling commodities and services, including hotels, motels,





motor inns and boarding, lodging and rooming houses. Commercial use does not include industrial uses, agricultural uses, or home occupations as defined in the applicable zoning by-law.

"Council" means the Council of the Municipality of Port Hope.

"Development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure with the effect of increasing the size of usability thereof, and includes redevelopment. Development is residential, non-residential or mixed.

"Development charge" means a charge imposed with respect to this by-law.

"Dwelling unit" means a suite operated as a housekeeping unit, used or intended to be used as a domicile by 1 or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities for their exclusive use, and includes:

1. a basement apartment;
2. a park model home;
3. a bedroom in a students' or seniors' residence; and
4. a building, or portion of a building, used for residential purposes as defined by residential use in this by-law.

"Existing" means the number, use and size that existed as of the date this by-law was passed.

"Farm building" means that part of a bona fide farming operation encompassing barns, silos and other ancillary development to an agricultural use, but excluding a residential use.

"Grade" means the average level of proposed or finished ground adjoining a building or structure at all exterior walls.



"Gross floor area" means:

1. in the case of a residential building or structure, the total area of all floors above grade of a dwelling unit measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing the dwelling unit from any other dwelling unit or other portion of a building; and
2. in the case of a non-residential building or structure, or in the case of a mixed-use building or structure in respect of the non-residential portion thereof, the total area of all building floors above or below grade measured between the outside surfaces of the exterior walls, or between the outside surfaces of exterior walls and the centre line of party walls dividing a non-residential use and a residential use, except for:
  - a. a room or enclosed area within the building or structure above or below that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical or telecommunications equipment that service the building;
  - b. loading facilities above or below grade; and
  - c. a part of the building or structure below grade that is used for the parking of motor vehicles or for storage or other accessory use.

"Inclusionary zoning residential unit" means residential units that are affordable housing units required to be included in a development or redevelopment pursuant to a by-law passed under section 34 of the *Planning Act* to give effect to the policies described in subsection 16 (4) of that Act.

"Industrial" 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, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use, but does not include the sale of commodities to the general public through a warehouse club or an agricultural use.



"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 section 3.19 institutional means development of a building or structure intended for use:

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

"Local Board" means a school board, public utility, commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board, or any other board, commission, committee, 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, including school purposes, of the Municipality of Port Hope or any part or parts thereof.

"Local services" means those services, facilities or things 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 in respect of the lands under sections 41, 51 or 53 of the *Planning Act*, as amended, or any successor thereof.

"Mixed use building" means a building, structure or development with portions which are to be used for residential development and other portions for non-residential development.

"Non-profit housing" means a development of a building or structure intended for use as residential premises by:

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

"Non-residential development" means development other than residential development as defined below, and includes development for agricultural, commercial, industrial and institutional uses.

"Official Plan" means the Official Plan adopted for the Municipality, as amended and approved.

"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.

"Place of worship" means that part of a building or structure that is exempt from taxation as a place of worship under the *Assessment Act*, as amended, or any successor thereof.

"Regulation" means any regulation made pursuant to the Act.



"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.

"Residential use" means designed, adopted or used as a home or residence of one or more individuals who reside or dwell there permanently or for a considerable period of time and includes:

1. "apartment dwelling" means any dwelling unit within a building containing four or more dwelling units, which is not a single detached dwelling, a semi-detached dwelling, a row dwelling, a special care dwelling, hotel, motel, tourist home, student residence, barracks, or any other development included in non-residential development;
2. "multiple dwellings" means all dwellings other than an apartment dwelling, a semi-detached dwelling, a single detached dwelling, and a special care dwelling;
3. "row dwelling" means a residential building containing not less than three dwelling units with each unit separated by a common or party wall or walls with a separate outside entrance to each unit. For the purposes of this definition, a row dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a row dwelling;
4. "semi-detached dwelling" means a residential building that is divided vertically into two dwelling units. For the purposes of this definition, a semi-detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a semi-detached dwelling;
5. "single detached dwelling" means a residential building consisting of one dwelling unit and not attached to another structure. For the purposes of this definition, a single detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a single detached dwelling;
6. "special care dwelling" means a building not otherwise defined herein containing more than four dwelling units: where the occupants have the right to use in common, halls, stairs, yards, common rooms and accessory buildings; which dwelling units may or may not have exclusive sanitary and/or culinary facilities; that is designed to accommodate individuals with



specific needs, where meals are provided within the development on a regular basis and includes a bedroom, student residence, retirement home and lodge, nursing home, granny flat, accessory dwelling and group home.

"Residential development" means development used, or intended to be used, in the whole or in part for residential uses and includes: a special care dwelling, the residential portion of a mixed development, and an apartment building but does not include a place of worship, hotel, motel, bed and breakfast where people typically stay less than one week.

"Residential unit" means the same as dwelling unit as defined in this by-law.

"Service" means a service designed in section 2.1 to this by-law, and "services" shall have a corresponding meaning.

"Suite" means one or more rooms used or capable of being used for human habitation.

"Urban service area" means that area within the Municipality of Port Hope delineated on Schedule "B".

"Use" means occupation and utilization for a particular purpose, practice or benefit. For the purposes of this by-law uses are either residential or non-residential.

## **2. DESIGNATION OF SERVICES**

2.1 The categories of services/classes of service for which development charges are imposed under this by-law are as follows:

1. Wastewater (within the wastewater serviced area only); and
2. Wastewater Treatment Plants (within the wastewater serviced area only).

## **3. APPLICATION OF BY-LAW RULES**

3.1 Development charges shall be payable by the Owner in the amounts set out in this by-law where:



1. the lands are located in the area described in section 3.2; and
2. the development of the lands requires any of the approvals set out in subsection 3.4 (1).

### **Area to Which By-law Applies**

- 3.2 Subject to section 3.3, this by-law applies to all lands in the Municipality of Port Hope whether or not the land or use thereof is exempt from taxation under section 13 of the *Assessment Act*.
- 3.3. Notwithstanding section 3.2 above, this by-law shall not apply to lands that are owned by and used for the purposes of:
  1. the Municipality or a local board thereof;
  2. a board of education;
  3. the Corporation of the County of Northumberland or a local board thereof;  
or
  4. a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education.

### **Approvals for Development**

- 3.4 1. Development charges shall be imposed on all lands, buildings or structures that are developed for residential or non-residential uses if the development requires:
  - a. the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*,
  - b. the approval of a minor variance under section 45 of the *Planning Act*;
  - c. a conveyance of land to which a by-law passed under 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, 1998*, or any successor thereof; or
  - g. the issuing of a permit under the *Building Code Act* in relation to a building or structure.
2. No more than one development charge for each service designated in section 2.1 shall be imposed upon any lands, buildings or structures to which this by-law applies even though two or more of the actions described in subsection (1) are required before the lands, buildings or structures can be developed.
  3. Despite subsection (2), if two or more of the actions described in subsection (1) occur at different times, additional development charges shall be imposed if the subsequent action has the effect of increasing the need for services.

## **Exemptions**

### **Residential Units in Existing Residential**

- 3.5 This by-law shall not apply to that category of exempt development described in subsections 2 (3), 2 (3.1), and 2 (3.2) of the Act, namely:
1. An enlargement to an existing dwelling unit;
  2. A second residential unit in an existing detached house, semi-detached house, or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the existing detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
  3. A third residential unit in an existing detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other





than ancillary residential use, is permitted, if no building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units;

4. One residential unit in a building or structure ancillary to an existing detached house, semi-detached house or rowhouse on a parcel of residential land, if the existing detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units; or
5. In an existing rental residential building, which contains four or more residential units, the creation of the greater of one residential unit or one per cent of the existing residential units.

#### Residential Units in New Residential

3.6 This by-law shall not apply to that category of exempt development described in subsection 2 (3.3) of the Act, namely:

1. A second residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the new detached house, semi-detached house or rowhouse cumulatively will contain no more than one residential unit;
2. A third residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units; or
3. One residential unit in a building or structure ancillary to a new detached house, semi-detached house or rowhouse on a parcel of residential land, if the new detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units.



## Enlargement of an Existing Industrial Development

- 3.7 This by-law does not apply to that category of exempt development described in section 4 of the Act, namely:
1. the enlargement of the gross floor area of an existing industrial building, if the gross floor area is enlarged by 50 percent or less;
  2. for the purpose of subsection (1) the terms “gross floor area” and “existing industrial building” shall have the same meaning as those terms have in O. Reg. 82/98 made under the Act.
  3. Notwithstanding subsection (1), if the gross floor area of an existing industrial building is enlarged by more than 50 percent, development charges shall be calculated and collected in accordance with Schedule “A” on the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement.
  4. For the purpose of the application of section 4 of the Act to the operation of this by-law:
    - a. the gross floor area of an existing industrial building shall be calculated as it existed prior to the first enlargement in respect of that building for which an exemption under section 4 of the Act is sought; and
    - b. the enlargement of the gross floor area of the existing building must:
      - i. be attached to the existing industrial building;
      - ii. not be attached to the existing industrial building by means only of a tunnel, bridge, canopy, corridor or other passageway, shared below-grade connection, foundation, footing, parking facility, service tunnel or service pipe;
      - iii. be for use or in connection with an industrial purpose as set out in this by-law; and



- iv. constitute a bona fide increase in the size of the existing building.

#### Non-Profit, Inclusionary Zoning, Affordable, and Attainable

- 3.8 This by-law shall not apply to that category of exempt development described in section 4.2 of the Act, namely that development charges shall not be imposed with respect to non-profit housing development.
- 3.9 This by-law shall not apply to that category of exempt development described in section 4.3 of the Act, namely that development charges shall not be imposed with respect to inclusionary zoning residential unit development.
- 3.10 As of the date that section 3 of Schedule 3 of the *More Homes Built Faster Act, 2022* comes into force, affordable residential units and attainable residential units will be exempt from development charges in accordance with section 4.1 of the Act.

#### Other Exemptions

- 3.11 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to:
  1. Lands, buildings or structures used or to be used for a place of worship or for the purposes of a churchyard or cemetery exempt from taxation under the *Assessment Act*.
  2. The construction of a non-residential farm building or structure constructed for a bona fide farm operation.
  3. Buildings used as hospitals as governed by the *Public Hospitals Act*.
  4. For industrial uses, only the water and wastewater portions of the development charge identified in Schedule “A” are applicable.



## **Amount of Charges**

### **Residential**

3.12 The development charges set out in Schedule “A” to this by-law shall be imposed on residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use and, in the case of a mixed-use building or structure, on the residential uses in the mixed-use building or structure, according to the type of residential unit, and calculated with respect to each of the services according to the type of residential use.

### **Non-Residential**

3.13 The development charges described in Schedule “A” to this by-law shall be imposed on non-residential uses of lands, buildings or structures, and, in the case of a mixed-use building or structure, on the non-residential uses in the mixed-use building or structure, and calculated with respect to each of the services according to the total floor area of the non-residential use.

## **Reduction of Development Charges for Redevelopment**

3.14 Despite any other provisions of this by-law, where, as a result of the redevelopment of land, a building or structure existing on the same land within 60 months prior to the date of payment of development charges in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

1. in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge under section 312 by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and
2. in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed-use



building or structure, an amount calculated by multiplying the applicable development charges under section 3.13, by the gross floor area that has been or will be demolished or converted to another principal use;

provided that:

- (a) no credit or reduction shall be given for the components pertaining to Wastewater Treatment Plants and Water Services, and;
- (b) such amounts shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment.

3.15 Notwithstanding section 3.14, a full development charge credit (including Wastewater Treatment Plants and Water Services) will be provided for redevelopments where no additional residential units or non-residential gross floor area are created.

#### **Rebated Components – Urban Service Area**

3.16 Where a development charge is paid pursuant to this by-law for development located within the Urban Service Area and:

- 1. land is not within a plan, or pending plan of subdivision under section 51 of the *Planning Act* registered after September 10, 1973;
- 2. there is no Municipal water service and/or Municipal wastewater service feasibly available within five hundred feet of the front lot line;
- 3. no Municipal water service and/or Municipal wastewater service is scheduled to service the subject lands within five years of the date of approval of the building itself, and
- 4. the current registered owner(s) of the land who applies within 24 months of the date of payment of the applicable development charge and provides proof that adequate private water and/or sanitary services, as the case may be, have been installed and are properly functioning so as to provide service to the subject lands satisfactory to the Director of Municipal Engineering Services.



The Treasurer of the Municipality shall rebate to the then current registered owner(s) the Municipal water services component and/or the Municipal wastewater service component of the development charge for the service(s) which is not available.

### **Timing of Payment of Development Charges**

- 3.17 Development charges imposed under this by-law are calculated, payable, and collected on the date a building permit is issued in relation to the development; except for advance services (i.e. services related to a highway, wastewater and water services) where at the discretion of Council shall be payable immediately upon the owner entering into subdivision agreement or in instances where a plan of subdivision has not been pursued development charges are payable prior to the release of holding provisions on the implementing zoning by-law amendment.
- 3.18 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.
- 3.19 Notwithstanding section 3.17 and 3.18, 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 as provided in the Municipality's Council approved Development Charge Interest Policy, payable on the anniversary date each year thereafter.
- 3.20 Where the development of land results from the approval of a Site Plan or Zoning By-law Amendment made on or after January 1, 2020, and the approval of the application occurred within 2 years of building permit issuance, the development charges under sections 3.17 and 3.19 shall be calculated based on the rates set out in Schedule "A" on the date the planning application was made, including interest as provided in the Municipality's Council approved Development Charge Interest Policy. Where both planning applications apply, Development Charges under sections 3.17 and 3.19 shall be calculated based on the rates, including interest as provided in the Municipality's Council approved Development Charge Interest Policy, set out in Schedule "A" on the date of the later planning application.



3.21 Despite sections 3.17, 3.19, and 3.20, Council from time to time, and at any time, may enter into agreements providing for all or any part of a development charge to be paid before or after it would otherwise be payable, in accordance with section 27 of the Act.

### **Development Charge Reductions**

3.22 Notwithstanding the provisions of this by-law, development charges for rental housing developments will be reduced based on the number of bedrooms in each unit as follows:

1. Three or more bedrooms – 25% reduction;
2. Two bedrooms – 20% reduction; and
3. All other bedroom quantities – 15% reduction.

### **Phasing In of Development Charges**

3.23 The amount of the development charges set out in Schedule “A” to this by-law shall be reduced as follows, in accordance with subsection 5 (6) of the Act:

1. the first year that the by-law is in force - 80 percent of the development charge that could otherwise be charged;
2. the second year that the by-law is in force - 85 percent of the development charge that could otherwise be charged;
3. the third year that the by-law is in force - 90 percent of the development charge that could otherwise be charged;
4. the fourth year that the by-law is in force - 95 percent of the development charge that could otherwise be charged; and
5. the fifth to tenth years that the by-law is in force - 100 percent of the development charge will be imposed.



#### **4. PAYMENT BY SERVICES**

- 4.1 Despite the payment required under sections 3.12 and 3.13, Council may, by agreement, give a credit towards a development charge in exchange for work that relates to a service to which a development charge relates under this by-law.

#### **5. INDEXING**

- 5.1 Development charges imposed pursuant to this by-law shall be adjusted annually on January 1<sup>st</sup>, without amendment to this by-law, in accordance with the most recent available twelve month change in the Toronto series of the prescribed index in the Act (currently Statistics Canada Table 18-10-0276-02).

#### **6. CONFLICTS**

- 6.1 Where the Municipality and an owner or former owner have entered into an agreement with respect to land within the area to which this by-law applies, and a conflict exists between the provisions of this by-law and such agreement, the provisions of the agreement shall prevail to the extent that there is a conflict.
- 6.2 Notwithstanding section 6.1, where a development which is the subject of an agreement to which section 6.1 applies, is subsequently the subject of one or more of the actions described in subsection 3.4 (1), an additional development charge in respect of the development permitted by the action shall be calculated, payable and collected in accordance with the provisions of this by-law if the development has the effect of increasing the need for services, unless such agreement provides otherwise.

#### **7. BY-LAW AMENDMENT OR REPEAL**

- 7.1 Where this by-law or any development charge prescribed there under is amended or repealed by order of the Ontario Land Tribunal 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.
- 7.2 Refunds that are required to be paid under section 7.1 shall be paid to the registered owner of the land on the date on which the refund is paid.





7.3 Refunds that are required to be paid under section 7.1 shall be paid with interest to be calculated as follows:

1. interest shall be calculated from the date on which the overpayment was collected to the day on which the refund is paid;
2. the refund shall include the interest owed under this section;
3. interest shall be paid at the Bank of Canada rate in effect on the date of enactment of this by-law.

## **8. SEVERABILITY**

8.1 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 the by-law shall remain in full force and effect.

## **9. HEADINGS FOR REFERENCE ONLY**

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

## **10. SCHEDULES**

10.1 The following schedules shall form part of this by-law:

Schedule A – Schedule of Development Charges

Schedule B – Urban Service Area (Map)

## **11. DATE BY-LAW IN FORCE**

11.1 This By-law shall come into effect at 12:01 AM on July 10, 2024.

## **12. DATE BY-LAW EXPIRES**

12.1 This By-law will expire at 12:01 AM on July 10, 2034 unless it is repealed by Council at an earlier date.



### **13. REPEAL FORMER DEVELOPMENT CHARGES BY-LAW**

13.1 Upon the passing of this by-law, By-law 53/2019 being a By-law for the Imposition of Development Charges is hereby repealed.

READ a FIRST, SECOND and THIRD time and finally passed on this 9<sup>th</sup> day of July, 2024.

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Mayor

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Clerk



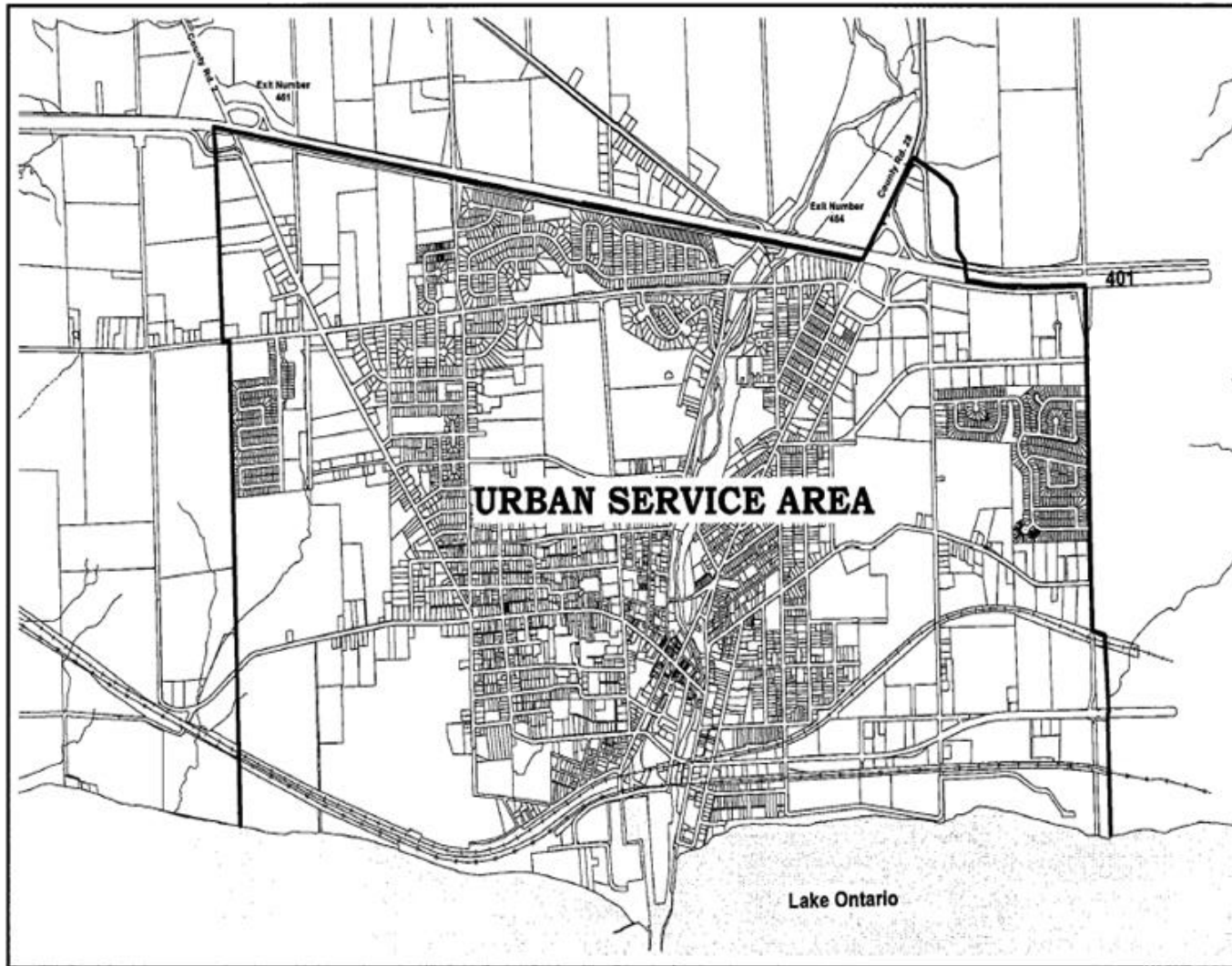
**SCHEDULE "A" TO BY-LAW \_\_\_/24**

**SCHEDULE OF DEVELOPMENT CHARGES**

Service/Class of Service	RESIDENTIAL (per Dwelling Unit)					NON-RESIDENTIAL (per sq.ft. of Gross Floor Area)	
	Single and Semi-Detached Dwelling	Other Multiple Dwelling	Apartment Dwelling Unit – 2 Bedrooms +	Apartment Dwelling Unit – Bachelor and 1 Bedroom	Special Care Dwelling Unit	All Other Non-Residential	Industrial
Wastewater	\$3,096	\$2,279	\$2,265	\$1,819	\$1,474	\$0.75	\$0.75
Wastewater Treatment Plants	\$7,321	\$5,389	\$5,357	\$4,302	\$3,485	\$6.96	\$6.96



**SCHEDULE "B" TO BY-LAW \_\_\_/24  
URBAN SERVICE AREA**





# Appendix M

## Proposed D.C. By-law – Water Services



THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE

BY-LAW NO. XX/2024

*Being a By-law for the Imposition of Development Charges For  
Water Services*

WHEREAS the Municipality of Port Hope is expected to experience growth through development and redevelopment;

AND WHEREAS development and redevelopment require the provision of physical and social services by the Corporation of the Municipality of Port Hope, hereinafter referred to as the "Municipality";

AND WHEREAS Council desires to ensure that the capital cost of meeting growth-related demands for, or burden on, municipal services does not place an excessive financial burden on the Municipality of Port Hope or its existing taxpayers while at the same time ensuring new taxpayers contribute no more than the net capital cost attributable to providing the current level of municipal services;

AND WHEREAS the *Development Charges Act, 1997* (the "Act") as amended provides that the council of a municipality may by by-law impose development charges against land to pay for increased capital costs required because of increased needs for services;

AND WHEREAS Council retained the services of Watson & Associates Economists Ltd. to prepare a Development Charge Background Study and make recommendations with respect to a development charge policy;

AND WHEREAS Council has received and studied a report "Municipality of Port Hope 2024 Development Charge Background Study" prepared by Watson & Associates Economists Ltd., dated May 10, 2024 (hereinafter referred to as the "Watson Report");

AND WHEREAS the Council of The Corporation of the Municipality of Port Hope has given notice of, and held, a public meeting on the 18<sup>th</sup> day of June 2024 in accordance with the Act and the Regulations thereto;



AND WHEREAS Council has considered the comments of people at the said public meeting and comments subsequently received;

AND WHEREAS Council has complied with the pre-enactment requirements set out in sections 10, 11 and 12 of the Act;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE ENACTS AS FOLLOWS:

## 1. DEFINITIONS

1.1 In this By-law, unless a contrary intention appears, a term has the same meaning as that which exists in the Act or any Regulation made pursuant to sections 60 or 68 of the Act, both as amended from time to time.

1.2 In this by-law:

"Act" means the *Development Charges Act, 1997*, as amended, or any successor thereof.

"Accessory use" shall mean a use customarily incidental and subordinate to, and exclusively devoted to the principle or main use of the lot, building or structure and located on the same lot as such principal or main use.

"Accessory building or structure" shall mean a detached building or structure that is not used for human habitation and the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot therewith.

"Additional dwelling unit" means a dwelling unit, whether contained within a proposed single detached dwelling, semi-detached dwelling or row dwelling, or ancillary to a single detached dwelling, a semi-detached dwelling, or a row dwelling including but not limited to a coach house, laneway suite or structure constructed above an existing garage or other structure separate from the primary dwelling unit, and which is not capable of being legally conveyed as a separate parcel of land from the primary dwelling unit.



"Advance services" means services identified within the by-law relating to water services, wastewater services and services related to a highway.

"Affordable Residential Unit" means a residential unit that meets the criteria set out in section 4.1 of the Act.

"Agricultural use" means the use of land and/or buildings for the cultivation or foraging of crops, livestock or poultry production, raising or training of horses, and orchards, market gardening, maple sugar bushes, tobacco crops or other forms of specialized crop production.

"Attainable Residential Unit" means a residential unit that meets the criteria set out in section 4.1 of the Act.

"Bank of Canada rate" means the policy interest rate established by the Bank of Canada.

"Bedroom" means a room over 4.65 square metres in area, used for sleeping, a computer room, den, recreation room, and a sunroom (more than 7 square metres in area), study or other similar area, but does not include a room with kitchen or sanitary facilities if such room is not used for sleeping.

"Board of education" has the same meaning as set out in the *Education Act*, as amended, or any successor thereof.

"Bona fide farm operation" means the proposed development will qualify as a farm business operating with a valid Farm Business Registration Number issued by the Ontario Ministry of Agriculture, Food and Rural Affairs and be assessed in the Farmland Realty Tax Class by the Municipal Property Assessment Corporation.

"Building Code Act" means the *Building Code Act, 1992*, as amended, or any successor thereof.

"Capital cost" means capital costs as defined in subsection 5 (3) of the Act.

"Commercial use" means any use of land, structures or buildings for the purposes of buying or selling commodities and services, including hotels, motels,





motor inns and boarding, lodging and rooming houses. Commercial use does not include industrial uses, agricultural uses, or home occupations as defined in the applicable zoning by-law.

"Council" means the Council of the Municipality of Port Hope.

"Development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure with the effect of increasing the size of usability thereof, and includes redevelopment. Development is residential, non-residential or mixed.

"Development charge" means a charge imposed with respect to this by-law.

"Dwelling unit" means a suite operated as a housekeeping unit, used or intended to be used as a domicile by 1 or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities for their exclusive use, and includes:

1. a basement apartment;
2. a park model home;
3. a bedroom in a students' or seniors' residence; and
4. a building, or portion of a building, used for residential purposes as defined by residential use in this by-law.

"Existing" means the number, use and size that existed as of the date this by-law was passed.

"Farm building" means that part of a bona fide farming operation encompassing barns, silos and other ancillary development to an agricultural use, but excluding a residential use.

"Grade" means the average level of proposed or finished ground adjoining a building or structure at all exterior walls.



"Gross floor area" means:

1. in the case of a residential building or structure, the total area of all floors above grade of a dwelling unit measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing the dwelling unit from any other dwelling unit or other portion of a building; and
2. in the case of a non-residential building or structure, or in the case of a mixed-use building or structure in respect of the non-residential portion thereof, the total area of all building floors above or below grade measured between the outside surfaces of the exterior walls, or between the outside surfaces of exterior walls and the centre line of party walls dividing a non-residential use and a residential use, except for:
  - a. a room or enclosed area within the building or structure above or below that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical or telecommunications equipment that service the building;
  - b. loading facilities above or below grade; and
  - c. a part of the building or structure below grade that is used for the parking of motor vehicles or for storage or other accessory use.

"Inclusionary zoning residential unit" means residential units that are affordable housing units required to be included in a development or redevelopment pursuant to a by-law passed under section 34 of the *Planning Act* to give effect to the policies described in subsection 16 (4) of that Act.

"Industrial" 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, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use, but does not include the sale of commodities to the general public through a warehouse club or an agricultural use.



"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 section 3.19 institutional means development of a building or structure intended for use:

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

"Local Board" means a school board, public utility, commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board, or any other board, commission, committee, 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, including school purposes, of the Municipality of Port Hope or any part or parts thereof.

"Local services" means those services, facilities or things 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 in respect of the lands under sections 41, 51 or 53 of the *Planning Act*, as amended, or any successor thereof.

"Mixed use building" means a building, structure or development with portions which are to be used for residential development and other portions for non-residential development.

"Non-profit housing" means a development of a building or structure intended for use as residential premises by:

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

"Non-residential development" means development other than residential development as defined below, and includes development for agricultural, commercial, industrial and institutional uses.

"Official Plan" means the Official Plan adopted for the Municipality, as amended and approved.

"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.

"Place of worship" means that part of a building or structure that is exempt from taxation as a place of worship under the *Assessment Act*, as amended, or any successor thereof.

"Regulation" means any regulation made pursuant to the Act.



“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.

"Residential use" means designed, adopted or used as a home or residence of one or more individuals who reside or dwell there permanently or for a considerable period of time and includes:

1. "apartment dwelling" means any dwelling unit within a building containing four or more dwelling units, which is not a single detached dwelling, a semi-detached dwelling, a row dwelling, a special care dwelling, hotel, motel, tourist home, student residence, barracks, or any other development included in non-residential development;
2. "multiple dwellings" means all dwellings other than an apartment dwelling, a semi-detached dwelling, a single detached dwelling, and a special care dwelling;
3. "row dwelling" means a residential building containing not less than three dwelling units with each unit separated by a common or party wall or walls with a separate outside entrance to each unit. For the purposes of this definition, a row dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a row dwelling;
4. "semi-detached dwelling" means a residential building that is divided vertically into two dwelling units. For the purposes of this definition, a semi-detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a semi-detached dwelling;
5. "single detached dwelling" means a residential building consisting of one dwelling unit and not attached to another structure. For the purposes of this definition, a single detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a single detached dwelling;
6. "special care dwelling" means a building not otherwise defined herein containing more than four dwelling units: where the occupants have the right to use in common, halls, stairs, yards, common rooms and accessory buildings; which dwelling units may or may not have exclusive sanitary and/or culinary facilities; that is designed to accommodate individuals with



specific needs, where meals are provided within the development on a regular basis and includes a bedroom, student residence, retirement home and lodge, nursing home, granny flat, accessory dwelling and group home.

"Residential development" means development used, or intended to be used, in the whole or in part for residential uses and includes: a special care dwelling, the residential portion of a mixed development, and an apartment building but does not include a place of worship, hotel, motel, bed and breakfast where people typically stay less than one week.

"Residential unit" means the same as dwelling unit as defined in this by-law.

"Service" means a service designed in section 2.1 to this by-law, and "services" shall have a corresponding meaning.

"Suite" means one or more rooms used or capable of being used for human habitation.

"Urban service area" means that area within the Municipality of Port Hope delineated on Schedule "B".

"Use" means occupation and utilization for a particular purpose, practice or benefit. For the purposes of this by-law uses are either residential or non-residential.

## **2. DESIGNATION OF SERVICES**

2.1 The categories of services for which development charges are imposed under this by-law are as follows:

1. Water Services (within the water serviced area only).

## **3. APPLICATION OF BY-LAW RULES**

3.1 Development charges shall be payable by the Owner in the amounts set out in this by-law where:

1. the lands are located in the area described in section 3.2; and



2. the development of the lands requires any of the approvals set out in subsection 3.4 (1).

### **Area to Which By-law Applies**

- 3.2 Subject to section 3.3, this by-law applies to all lands in the Municipality of Port Hope whether or not the land or use thereof is exempt from taxation under section 13 of the *Assessment Act*.
- 3.3. Notwithstanding section 3.2 above, this by-law shall not apply to lands that are owned by and used for the purposes of:
  1. the Municipality or a local board thereof;
  2. a board of education;
  3. the Corporation of the County of Northumberland or a local board thereof;  
or
  4. a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education.

### **Approvals for Development**

- 3.4 1. Development charges shall be imposed on all lands, buildings or structures that are developed for residential or non-residential uses if the development requires:
  - a. the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*,
  - b. the approval of a minor variance under section 45 of the *Planning Act*,
  - c. a conveyance of land to which a by-law passed under 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, 1998*, or any successor thereof; or
  - g. the issuing of a permit under the *Building Code Act* in relation to a building or structure.
2. No more than one development charge for each service designated in section 2.1 shall be imposed upon any lands, buildings or structures to which this by-law applies even though two or more of the actions described in subsection (1) are required before the lands, buildings or structures can be developed.
  3. Despite subsection (2), if two or more of the actions described in subsection (1) occur at different times, additional development charges shall be imposed if the subsequent action has the effect of increasing the need for services.

## **Exemptions**

### **Residential Units in Existing Residential**

- 3.5 This by-law shall not apply to that category of exempt development described in subsections 2 (3), 2 (3.1), and 2 (3.2) of the Act, namely:
1. An enlargement to an existing dwelling unit;
  2. A second residential unit in an existing detached house, semi-detached house, or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the existing detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
  3. A third residential unit in an existing detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure





ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units;

4. One residential unit in a building or structure ancillary to an existing detached house, semi-detached house or rowhouse on a parcel of residential land, if the existing detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units; or
5. In an existing rental residential building, which contains four or more residential units, the creation of the greater of one residential unit or one per cent of the existing residential units.

#### Residential Units in New Residential

3.6 This by-law shall not apply to that category of exempt development described in subsection 2 (3.3) of the Act, namely:

1. A second residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the new detached house, semi-detached house or rowhouse cumulatively will contain no more than one residential unit;
2. A third residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units; or
3. One residential unit in a building or structure ancillary to a new detached house, semi-detached house or rowhouse on a parcel of residential land, if the new detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units.



## Enlargement of an Existing Industrial Development

- 3.7 This by-law does not apply to that category of exempt development described in section 4 of the Act, namely:
1. the enlargement of the gross floor area of an existing industrial building, if the gross floor area is enlarged by 50 percent or less;
  2. for the purpose of subsection (1) the terms “gross floor area” and “existing industrial building” shall have the same meaning as those terms have in O. Reg. 82/98 made under the Act.
  3. Notwithstanding subsection (1), if the gross floor area of an existing industrial building is enlarged by more than 50 percent, development charges shall be calculated and collected in accordance with Schedule “A” on the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement.
  4. For the purpose of the application of section 4 of the Act to the operation of this by-law:
    - a. the gross floor area of an existing industrial building shall be calculated as it existed prior to the first enlargement in respect of that building for which an exemption under section 4 of the Act is sought; and
    - b. the enlargement of the gross floor area of the existing building must:
      - i. be attached to the existing industrial building;
      - ii. not be attached to the existing industrial building by means only of a tunnel, bridge, canopy, corridor or other passageway, shared below-grade connection, foundation, footing, parking facility, service tunnel or service pipe;
      - iii. be for use or in connection with an industrial purpose as set out in this by-law; and



- iv. constitute a bona fide increase in the size of the existing building.

#### Non-Profit, Inclusionary Zoning, Affordable, and Attainable

- 3.8 This by-law shall not apply to that category of exempt development described in section 4.2 of the Act, namely that development charges shall not be imposed with respect to non-profit housing development.
- 3.9 This by-law shall not apply to that category of exempt development described in section 4.3 of the Act, namely that development charges shall not be imposed with respect to inclusionary zoning residential unit development.
- 3.10 As of the date that section 3 of Schedule 3 of the *More Homes Built Faster Act, 2022* comes into force, affordable residential units and attainable residential units will be exempt from development charges in accordance with section 4.1 of the Act.

#### Other Exemptions

- 3.11 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to:
  1. Lands, buildings or structures used or to be used for a place of worship or for the purposes of a churchyard or cemetery exempt from taxation under the *Assessment Act*.
  2. The construction of a non-residential farm building or structure constructed for a bona fide farm operation.
  3. Buildings used as hospitals as governed by the *Public Hospitals Act*.
  4. For industrial uses, only the water and wastewater portions of the development charge identified in Schedule “A” are applicable.



## **Amount of Charges**

### **Residential**

3.12 The development charges set out in Schedule “A” to this by-law shall be imposed on residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use and, in the case of a mixed-use building or structure, on the residential uses in the mixed-use building or structure, according to the type of residential unit, and calculated with respect to each of the services according to the type of residential use.

### **Non-Residential**

3.13 The development charges described in Schedule “A” to this by-law shall be imposed on non-residential uses of lands, buildings or structures, and, in the case of a mixed-use building or structure, on the non-residential uses in the mixed-use building or structure, and calculated with respect to each of the services according to the total floor area of the non-residential use.

## **Reduction of Development Charges for Redevelopment**

3.14 Despite any other provisions of this by-law, where, as a result of the redevelopment of land, a building or structure existing on the same land within 60 months prior to the date of payment of development charges in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

1. in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge under section 312 by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and
2. in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed-use



building or structure, an amount calculated by multiplying the applicable development charges under section 3.13, by the gross floor area that has been or will be demolished or converted to another principal use;

provided that:

- (a) no credit or reduction shall be given for the components pertaining to Wastewater Treatment Plants and Water Services, and;
- (b) such amounts shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment.

3.15 Notwithstanding section 3.14, a full development charge credit (including Wastewater Treatment Plants and Water Services) will be provided for redevelopments where no additional residential units or non-residential gross floor area are created.

### **Rebated Components – Urban Service Area**

3.16 Where a development charge is paid pursuant to this by-law for development located within the Urban Service Area and:

1. land is not within a plan, or pending plan of subdivision under section 51 of the *Planning Act* registered after September 10, 1973;
2. there is no Municipal water service and/or Municipal wastewater service feasibly available within five hundred feet of the front lot line;
3. no Municipal water service and/or Municipal wastewater service is scheduled to service the subject lands within five years of the date of approval of the building itself, and
4. the current registered owner(s) of the land who applies within 24 months of the date of payment of the applicable development charge and provides proof that adequate private water and/or sanitary services, as the case may be, have been installed and are properly functioning so as to provide service to the subject lands satisfactory to the Director of Municipal Engineering Services.



The Treasurer of the Municipality shall rebate to the then current registered owner(s) the Municipal water services component and/or the Municipal wastewater service component of the development charge for the service(s) which is not available.

### **Timing of Payment of Development Charges**

- 3.17 Development charges imposed under this by-law are calculated, payable, and collected on the date a building permit is issued in relation to the development; except for advance services (i.e. services related to a highway, wastewater and water services) where at the discretion of Council shall be payable immediately upon the owner entering into subdivision agreement or in instances where a plan of subdivision has not been pursued development charges are payable prior to the release of holding provisions on the implementing zoning by-law amendment.
- 3.18 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.
- 3.19 Notwithstanding section 3.17 and 3.18, 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 as provided in the Municipality's Council approved Development Charge Interest Policy, payable on the anniversary date each year thereafter.
- 3.20 Where the development of land results from the approval of a Site Plan or Zoning By-law Amendment made on or after January 1, 2020, and the approval of the application occurred within 2 years of building permit issuance, the development charges under sections 3.17 and 3.19 shall be calculated based on the rates set out in Schedule "A" on the date the planning application was made, including interest as provided in the Municipality's Council approved Development Charge Interest Policy. Where both planning applications apply, Development Charges under sections 3.17 and 3.19 shall be calculated based on the rates, including interest as provided in the Municipality's Council approved Development Charge Interest Policy, set out in Schedule "A" on the date of the later planning application.



3.21 Despite sections 3.17, 3.19, and 3.20, Council from time to time, and at any time, may enter into agreements providing for all or any part of a development charge to be paid before or after it would otherwise be payable, in accordance with section 27 of the Act.

### **Development Charge Reductions**

3.22 Notwithstanding the provisions of this by-law, development charges for rental housing developments will be reduced based on the number of bedrooms in each unit as follows:

1. Three or more bedrooms – 25% reduction;
2. Two bedrooms – 20% reduction; and
3. All other bedroom quantities – 15% reduction.

### **Phasing In of Development Charges**

3.23 The amount of the development charges set out in Schedule “A” to this by-law shall be reduced as follows, in accordance with subsection 5 (6) of the Act:

1. the first year that the by-law is in force - 80 percent of the development charge that could otherwise be charged;
2. the second year that the by-law is in force - 85 percent of the development charge that could otherwise be charged;
3. the third year that the by-law is in force - 90 percent of the development charge that could otherwise be charged;
4. the fourth year that the by-law is in force - 95 percent of the development charge that could otherwise be charged; and
5. the fifth to tenth years that the by-law is in force - 100 percent of the development charge will be imposed.



#### **4. PAYMENT BY SERVICES**

- 4.1 Despite the payment required under sections 3.12 and 3.13, Council may, by agreement, give a credit towards a development charge in exchange for work that relates to a service to which a development charge relates under this by-law.

#### **5. INDEXING**

- 5.1 Development charges imposed pursuant to this by-law shall be adjusted annually on January 1<sup>st</sup>, without amendment to this by-law, in accordance with the most recent available twelve month change in the Toronto series of the prescribed index in the Act (currently Statistics Canada Table 18-10-0276-02).

#### **6. CONFLICTS**

- 6.1 Where the Municipality and an owner or former owner have entered into an agreement with respect to land within the area to which this by-law applies, and a conflict exists between the provisions of this by-law and such agreement, the provisions of the agreement shall prevail to the extent that there is a conflict.
- 6.2 Notwithstanding section 6.1, where a development which is the subject of an agreement to which section 6.1 applies, is subsequently the subject of one or more of the actions described in subsection 3.4 (1), an additional development charge in respect of the development permitted by the action shall be calculated, payable and collected in accordance with the provisions of this by-law if the development has the effect of increasing the need for services, unless such agreement provides otherwise.

#### **7. BY-LAW AMENDMENT OR REPEAL**

- 7.1 Where this by-law or any development charge prescribed there under is amended or repealed by order of the Ontario Land Tribunal 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.
- 7.2 Refunds that are required to be paid under section 7.1 shall be paid to the registered owner of the land on the date on which the refund is paid.





7.3 Refunds that are required to be paid under section 7.1 shall be paid with interest to be calculated as follows:

1. interest shall be calculated from the date on which the overpayment was collected to the day on which the refund is paid;
2. the refund shall include the interest owed under this section;
3. interest shall be paid at the Bank of Canada rate in effect on the date of enactment of this by-law.

## **8. SEVERABILITY**

8.1 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 the by-law shall remain in full force and effect.

## **9. HEADINGS FOR REFERENCE ONLY**

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

## **10. SCHEDULES**

10.1 The following schedules shall form part of this by-law:

Schedule A – Schedule of Development Charges

Schedule B – Urban Service Area (Map)

## **11. DATE BY-LAW IN FORCE**

11.1 This By-law shall come into effect at 12:01 AM on July 10, 2024.

## **12. DATE BY-LAW EXPIRES**

12.1 This By-law will expire at 12:01 AM on July 10, 2034 unless it is repealed by Council at an earlier date.



### **13. REPEAL FORMER DEVELOPMENT CHARGES BY-LAW**

13.1 Upon the passing of this by-law, By-law 53/2019 being a By-law for the Imposition of Development Charges is hereby repealed.

READ a FIRST, SECOND and THIRD time and finally passed on this 9<sup>th</sup> day of July, 2024.

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Mayor

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Clerk



**SCHEDULE "A" TO BY-LAW \_\_\_/24**

**SCHEDULE OF DEVELOPMENT CHARGES**

Service/Class of Service	RESIDENTIAL (per Dwelling Unit)					NON-RESIDENTIAL (per sq.ft. of Gross Floor Area)	
	Single and Semi-Detached Dwelling	Other Multiple	Apartment Dwelling Unit – 2 Bedrooms +	Apartment Dwelling Unit – Bachelor and 1 Bedroom	Special Care Dwelling Unit	All Other Non-Residential	Industrial
Water Services	\$5,215	\$3,838	\$3,816	\$3,064	\$2,482	\$4.96	\$4.96



**SCHEDULE "B" TO BY-LAW \_\_\_/24  
URBAN SERVICE AREA**

