

Planning Area-Specific Development Charges Background Study

City of Peterborough

HEMSON Consulting Ltd.
30 Saint Patrick Street, Suite 1000
Toronto, ON, M5T 3A3

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Executive Summary

The following summarizes the findings of the City of Peterborough's 2017 Planning Area-Specific Development Charges (ASDC) Background Study.

A. Study Consistent with Development Charges Legislation

- This study calculates Development Charges (DC) for the City of Peterborough in compliance with the provisions of the Development Charges Act, 1997 (DCA) and its associated regulation Ontario Regulation 82/98 (O. Reg. 82/98).
- On July 30, 2012, the Council of the City of Peterborough passed eight ASDC by-laws to impose planning area-specific development charges. The by-laws came into effect on August 1, 2012 and will expire on August 1, 2017.
- The City needs to continue implementing development charges to help fund capital projects related to development throughout Peterborough so that development continues to be serviced in a fiscally responsible manner. Adjustments to the development charge rates are required in order to reflect the revised costs associated with the infrastructure requirements.
- This report identifies the development-related capital costs, which are attributable to the development that is forecast to occur in the City to build-out of the planning areas. The costs are apportioned to types of residential development (single-detached, semi-detached, rows, apartments) in a manner that reflects the increase in the need for each service attributable to each type of built form.
- The calculated charges are the maximum charges the City may adopt for each planning area. Lower charges may be approved; however, this will require a reduction in the capital plan, or financing from other sources, likely property taxes and utility rates.

B. Development Forecast

- The City's planning department have revised the area-specific development forecasts. The planning areas this background study will examine are:
 - Jackson;
 - Carnegie East;
 - Carnegie West;
 - Chemong East;
 - Chemong West;
 - Lily Lake;
 - Liftlock; and
 - Coldsprings.
- The development forecast for the planning areas consist entirely of residential units of high, medium and low density built form. Throughout all eight planning areas, 3,340 units have either been built, are under construction or have already received building permits. There is capacity for an additional 12,510 units to be constructed to build-out of the planning areas. This translates into a population in new units of approximately 33,200.

C. Development-Related Capital Program

- City staff, in collaboration with Hemson Consulting, have prepared a growth-related capital program setting out projects that are required to service the anticipated development in each planning area.
- The development-related capital programs are based on a build-out planning horizon for each of the planning areas.
- The ASDCs are calculated for the provision of sanitary trunk sewers, sewage pumping stations, planning and servicing studies, stormwater

management facilities, oversizing costs, recovery of negative reserve fund balances, and associated financing costs.

- The total cost associated with all of the planning area-specific development-related works amounts to \$76.24 million.
- The position of the reserve funds vary by planning area. Overall, there is a \$2.71 million deficit, which is eligible for recovery and has been added to the DC calculation.
- The total costs eligible for ASDC recovery is increased to \$78.96 million.

D. Development Charges are Calculated with Reference to the DCA

- The fully calculated residential charges are recommended to vary by unit type, reflecting the occupancy patterns expected in different built forms and the associated demand placed on municipal services.
- The following is a summary of the calculated development charges:

Planning Area	Development Charge By Unit Type		
	<u>Residential A</u> Singles & Semis	<u>Residential B</u> Other Multiples	<u>Residential C</u> Apartments
Jackson	\$2,026	\$1,747	\$1,188
Carnegie East	\$7,459	\$6,430	\$4,372
Carnegie West	\$5,313	\$4,580	\$3,115
Chemong East	\$7,489	\$6,456	\$4,390
Chemong West	\$8,355	\$7,203	\$4,898
Lily Lake	\$8,334	\$7,184	\$4,885
Liftlock	\$9,565	\$8,246	\$5,607
Coldspring	\$6,175	\$5,323	\$3,620

II Introduction and Background

This City of Peterborough Area-Specific Development Charges (ASDC) Background Study is presented as part of a process to lead to the approval of new development charge by-laws in compliance with the Development Charges Act, 1997 (DCA) and Ontario Regulation 82/98 (O.Reg.82/98).

The DCA and O. Reg. 82/98 require that a development charges background study be prepared in which development charges are determined with reference to:

- A forecast of the amount, type and location of development anticipated in the municipality;
- A review of future capital projects, including an analysis of gross expenditures, funding sources and net expenditures incurred or to be incurred by the municipality to provide for the expected development. This includes the determination of the development and non-development-related components of the capital projects;
- An examination of the long-term capital and operating costs for the infrastructure required for each service to which the development charge by-laws relate; and
- An asset management plan to deal with all assets whose capital costs are proposed to be funded under the DC by-law, demonstrating that all assets included in the capital program are financially sustainable over their full life cycle.

This study presents the results of the review, which determines the development-related net capital costs attributable to development that is forecast to occur in the planning areas of the City. These development-related net capital costs are then apportioned among various types of residential development in a manner that reflects the increase in the need for each service.

The City of Peterborough currently levies two types of development charges for the recovery of growth-related capital costs:

1. City-wide uniform development charges – for the recovery of development-related costs for the provision of general government, library, fire, indoor recreation, parks development and facilities, and

public works (building, equipment and fleet) services. The City-wide charges also recover for: the development-related costs for the provision of wastewater treatment and major sewage collection; major roads and related services, including structures, sidewalks, streetlights and special traffic management and design features; as well as stormwater management projects (erosion control projects), and related studies.

2. Planning Area-Specific Development Charges (ASDC) – for the recovery of growth-related costs for the provision of some sanitary trunk sewers, stormwater facilities and servicing and planning studies.

The City-wide charges are levied on a uniform basis against all development in the City. The ASDC are levied on a planning area-specific basis, in addition to the eligible City-wide charges.

The DCA provides for a period of public review and comment regarding the proposed development charges. This process includes considering and responding to comments received by stakeholders and members of the public about the calculated charges and methodology used. Representatives from the Peterborough & The Kawarthas Home Builders Association formed part of the project Steering Committee and were involved throughout the study process. In accordance with the DCA, and following Council's review of the study, it is intended that Council will pass new area-specific development charges for the City's planning areas.

The remainder of this study sets out the information and analysis upon which the calculated development charges are based.

Section II designates the services for which the development charges are proposed and the areas within the City to which the development charges will apply. It also briefly reviews the methodology that has been used in the background study.

Section III outlines the residential development forecasts for each planning area over a build-out planning period.

Section IV summarizes the future development-related capital costs associated with the provision of City services unique to each planning area under review.

Section V details the proposed new area-specific development charge rates for the City's eight planning areas as well as a comparison with current rates in force.

Section VI provides an examination of the long-term capital and operating cost impacts for each service included in the development charge calculation. It also addresses the asset management provisions required to maintain the development-related components of the capital projects included in the analysis.

Finally, Section VII provides a discussion of other issues and considerations including by-law administration and local service policies.

III Area-Specific Approach is used to Align Development-Related Costs and Benefits

Several key steps are required when calculating a development charge. However, specific circumstances arise in each municipality that must be reflected in the calculation. In this study, we have tailored our approach to the City of Peterborough's unique circumstances, particularly with respect to each individual planning area. The planning areas this background study will examine are:

- Jackson;
- Carnegie East;
- Carnegie West;
- Chemong East;
- Chemong West;
- Lily Lake;
- Liftlock; and
- Coldsprings.

The approach to the proposed development charges is focussed on providing a reasonable alignment of growth-related costs with the development that necessitates them. This background study focuses only on the City's planning areas, which is consistent with past practice and is deemed the best way to align development-related costs and benefits in the growing parts of the City of Peterborough.

A. Planning Area-Specific Development Charges are Calculated

The DCA provides municipalities with flexibility to define services that will be included in the development charges by-laws, provided that other provisions of the Act and Regulation are met. The DCA also requires that the by-laws

designate the areas within which they shall be imposed. Development charges may apply to all lands in the municipality or to other designated development areas as specified in the by-laws.

For particular services, the City of Peterborough currently levies development charges on both a City-wide and area-specific basis. The City-wide development charges recover costs related to General Government (studies), Library, Fire, Police, Recreation, Parks, Public Works, Parking, Transit, Affordable Housing, Roads and Sewage Treatment. The City's current ASDCs recover development-related costs for the provision of some sanitary trunk sewers, pumping stations, stormwater facilities, and servicing and planning studies to service future growth areas in the City with unique infrastructure and servicing needs. The area-specific approach is applied to these services to more closely align the capital costs for these services with the particular planning areas that will be serviced by the required infrastructure.

The area-specific approach can facilitate front-end financing arrangements for the designated services if the City chooses to use the front-ending provisions of the DCA. As an alternative, area-specific charges can also facilitate the use of developer group cost-sharing agreements.

B. Key Steps in Determining Development Charges for Future Development-Related Projects

Several key steps are required in calculating development charges for future development-related projects. These are summarized below.

1. Development Forecast

The first step in the methodology requires a development forecast to be prepared for the study period, in this case from 2017 to build-out. The forecast of the future development in the planning areas used in this study is based on the City of Peterborough's 2012 Planning Area-Specific Development Charges Study. The 2012 forecast has been updated to reflect building activity in the City over the period from 2012 to the end of 2016. In addition, the planning areas and development potential have been adjusted to reflect changes in submitted plans and servicing needs.

For each planning area, future units are forecasted based on low, medium and high density built form to build-out of the area. When calculating the

development charges, the development-related net capital costs are allocated to the additional population that will occupy new housing units. As such, the population in each type of dwelling unit in each planning area is forecasted using consistent occupancy factors.

2. Service Categories and Historic Service Levels

The DCA stipulates that development charges cannot be recovered for the shares of the capital program that exceed the historic ten-year average service level for each eligible service. This provision does not apply to the services considered under this study, rather engineering standards, Provincial health regulations, and environmental requirements are relied upon.

3. Development-Related Capital Program and Analysis of DC Eligible Costs to be Recovered through Development Charges

A development-related capital program has been prepared by the City's engineering department as part of the present study. The program identifies development-related projects and gross and net municipal costs, after allowing for capital grants, subsidies or other recoveries as required by the DCA (s. 5. (2)). The capital program provides another cornerstone upon which development charges are based. The DCA requires that the increase in the need for service attributable to the anticipated development may include an increase:

... only if the council of the municipality has indicated that it intends to ensure that such an increase in need will be met. (s. 5. (1) 3.)

The development-related capital programs prepared for this study ensure that DCs are only imposed to help pay for projects that have been or are intended to be purchased or built in order to accommodate future anticipated development in each planning area. It is not sufficient in the calculation of development charges merely to have had the service in the past. There must also be a demonstrated commitment to continue to emplace facilities or infrastructure in the future. In this regard, O. Reg. 82/98, s. 3 states that:

For the purposes of paragraph 3 of subsection 5 (1) of the *Act*, the council of a municipality has indicated that it intends to ensure that an increase in the need for service will be met if the increase in service forms part of an official plan, capital forecast or similar expression of the intention of the council and the plan, forecast or similar expression of the intention of the council has been approved by the council.

Finally, in calculating DCs, the development-related net municipal costs must be reduced by ten per cent for all municipal services except roads and related services, stormwater management and fire protection services (DCA, s. 5. (1) 8.). As this study deals with sewer and stormwater management services

capital costs, 100 per cent of the growth-related costs are recoverable through development charges.

4. Attribution to Types of Development

The next step in the determination of development charges is the allocation of the development-related net capital costs between the benefitting sectors. This is typically based on apportionments for different services in accordance with the demands placed and the benefits derived by the residential and non-residential sectors. As all development in the planning areas will be residential in nature, all costs are allocated to the population growth in new units, which yields a development charge per capita. The per capita charge is applied to different housing types on the basis of average occupancy, informed by the City of Peterborough Census data.

5. Final Adjustment

The final determination of the development charges results from adjustments made to growth-related net capital costs for reserve fund balances, negative or positive, and for any other outstanding funding needs.

IV Development Forecast

This section provides the basis for the development forecast used in calculating the development charges for each planning area and summarizes the forecast results. This forecast is largely based on the forecast completed by the City of Peterborough for the 2012 Planning Area-Specific Development Charges Study. The 2012 forecast has been updated to reflect building activity in the City over the period from 2012 to the end of 2016. This is followed by a summary of the results of the housing unit and population forecasts by planning area.

A. Residential Development Forecast by Planning Area

Development charges are levied on a residential development as a charge per new unit. Therefore, a projection of both the dwelling units and population in new units is required. Table 1 provides a summary of the residential forecast for all of the planning areas within the City. The planning period for the forecast and throughout this study is from 2017 to build-out.

Table 1 shows the total number of previously approved units, which refer to units that have been built, are currently under construction, or those units that have been approved and paid ASDCs. Also shown is the future residential units by planning area that can be accommodated to build-out of each area. Map 1 shows the total build-out potential of each planning area in Peterborough. Over the planning period from 2017 to build-out, the total number of new residential units in the growth areas will increase by approximately 12,500, of which 55 per cent will be Low Density (singles and semi detached units), 35 per cent will likely be Medium Density (rows and other multiples) and the remaining 10 per cent is expected to be in High Density built form (apartments).

The dwelling unit forecast translates into a population in new units of approximately 33,200 across all planning areas. The population growth in new units was determined by applying occupancy factors to each type of dwelling unit, based on Census data. The Persons Per Unit (PPU) factors used in this study were 2.9, 2.5, and 1.7 for low, medium and high density units, respectively.

TABLE 1 - PAGE 1

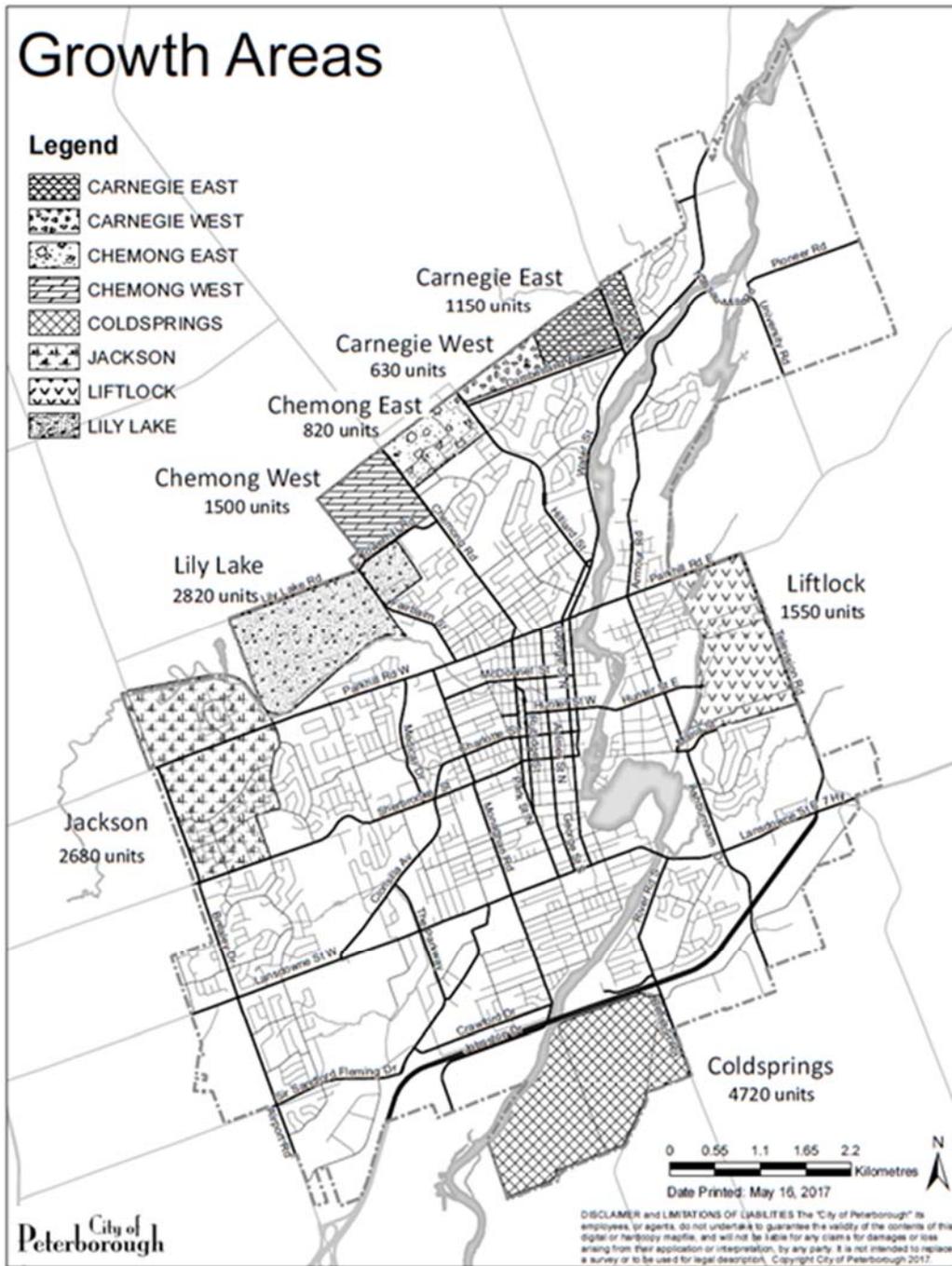
**CITY OF PETERBOROUGH
2017 PLANNING AREA-SPECIFIC DEVELOPMENT CHARGES STUDY
PLANNING AREA-SPECIFIC RESIDENTIAL DEVELOPMENT FORECAST**

	Previously Approved	Future Residential Units	Population in New Units	
			PPU	Population
Carnegie East Planning Area				
Low Density	389	343	2.9	995
Medium Density	181	165	2.5	413
High Density	-	69	1.7	117
Total	570	577		1,525
Carnegie West Planning Area				
Low Density	-	373	2.9	1,082
Medium Density	4	179	2.5	448
High Density	-	75	1.7	128
Total	4	627		1,658
Chemong East Planning Area				
Low Density	342	241	2.9	699
Medium Density	56	87	2.5	218
High Density	-	91	1.7	155
Total	398	419		1,072
Chemong West Planning Area				
Low Density	21	876	2.9	2,540
Medium Density	-	420	2.5	1,050
High Density	-	175	1.7	298
Total	21	1,471		3,888
Coldsprings Planning Area				
Low Density	29	2,446	2.9	7,093
Medium Density	-	1,792	2.5	4,480
High Density	-	449	1.7	763
Total	29	4,687		12,336

TABLE 1 - PAGE 2

**CITY OF PETERBOROUGH
2017 PLANNING AREA-SPECIFIC DEVELOPMENT CHARGES STUDY
PLANNING AREA-SPECIFIC RESIDENTIAL DEVELOPMENT FORECAST**

	Previously Approved	Future Residential Units	Population in New Units	
			PPU	Population
Jackson Planning Area				
Low Density	1,289	791	2.9	2,294
Medium Density	327	240	2.5	599
High Density	-	35	1.7	60
Total	1,616	1,066		2,953
Liftlock Planning Area				
Low Density	93	866	2.9	2,511
Medium Density	-	416	2.5	1,040
High Density	-	173	1.7	294
Total	93	1,455		3,845
Lily Lake Planning Area				
Low Density	414	990	2.9	2,871
Medium Density	191	1,220	2.5	3,050
High Density	-	-	1.7	-
Total	605	2,210		5,921
ALL GROWTH AREAS				
Low Density	2,577	6,926	2.9	20,086
Medium Density	759	4,519	2.5	11,297
High Density	-	1,067	1.7	1,814
Total	3,336	12,512		33,197



V The Development-Related Capital Program

A. A Development-Related Capital Program is Provided for Council's Approval

The DCA requires the Council of a municipality to express its intent to provide future capital facilities at the level incorporated in the development charges calculation. As noted in Section II, O. Reg. 82/98, s. 3 states that:

For the purposes of paragraph 3 of subsection 5 (1) of the Act, the council of a municipality has indicated that it intends to ensure that an increase in the need for service will be met if the increase in service forms part of an official plan, capital forecast or similar expression of the intention of the council and the plan, forecast or similar expression of the intention of the council has been approved by the council.

Based on the development forecasts summarized in Section III, City staff, in collaboration with the consultants, have assembled a development-related capital program setting out projects required to service anticipated growth in each of the City's planning areas.

One of the recommendations contained in this background study is for Council to adopt the development-related capital programs developed for the purposes of the area-specific development charges calculation. It is assumed that future capital budgets and forecasts will continue to bring forward the development-related projects contained herein that are consistent with the development occurring in the City. It is acknowledged that changes to the capital program presented here may occur through the City's normal capital budget process.

B. Development-Related Capital Program for the Planning Areas

All of the works identified are proposed to be recovered through various planning area-specific development charges. There are a number of projects that provide benefit to two or more areas and the costs of these projects have been shared between the benefiting areas based on build-out development potential.

The total cost of the planning area-specific development-related works is \$76.24 million. The DC reserve funds for each planning area are distinct. Overall, City ASDC reserve funds are in a deficit position of \$2.71 million, which will be recovered through future development charges. This amount has been included in the calculations. No grants, subsidies or alternative funding sources have been identified for any of the capital project costs. Given that the planning areas are all new with no existing development, the infrastructure works required to service development are entirely growth-related and, as such, no 'non-growth' shares have been deducted. Finally, there is no post-period allocation as all works included in the area-specific capital programs are designed to service each area to build-out. Therefore, the total development charges recoverable share of the capital program across all planning areas is \$78.96 million.

Table 2 provide a summary of the development-related costs for the planning areas.

TABLE 2

CITY OF PETERBOROUGH
2017 PLANNING AREA-SPECIFIC DEVELOPMENT CHARGES STUDY
SUMMARY OF DEVELOPMENT-RELATED CAPITAL PROGRAM

Planning Area	Development-Related Capital Forecast					
	Total Project Costs	Grants/Subsidies/ Other Contributions	Non-Growth Share	DC Reserve Adjustment	Post-Period Benefit	Total Costs Eligible for DC Recovery
Jackson	\$4,210,521	\$0	\$0	(\$2,147,496)	\$0	\$2,063,025
Carnegie East	\$2,041,475	\$0	\$0	\$1,880,891	\$0	\$3,922,366
Carnegie West	\$3,034,787	\$0	\$0	\$2,939	\$0	\$3,037,726
Chemong East	\$3,262,505	\$0	\$0	(\$494,075)	\$0	\$2,768,430
Chemong West	\$9,956,817	\$0	\$0	\$1,244,547	\$0	\$11,201,364
Lily Lake	\$14,747,765	\$0	\$0	\$2,267,562	\$0	\$17,015,327
Liftlock	\$12,696,600	\$0	\$0	(\$14,870)	\$0	\$12,681,730
Coldsprings	\$26,291,820	\$0	\$0	(\$24,706)	\$0	\$26,267,114
TOTAL	\$76,242,290	\$0	\$0	\$2,714,792	\$0	\$78,957,082

VI Area-Specific Development Charges are Calculated in Accordance with the DCA

This section summarizes the calculation of development charges for each planning area by type of development. The calculation of the per capita residential charge is converted to a variable charge by housing unit type as discussed in Section II of this report.

A. Calculated Residential Development Charges

The development-related costs of the works under review are triggered by or provide direct benefit to development within eight specific planning areas. These costs are proposed to be recovered on an area-specific basis, which will yield different development charges in each specific planning area to be levied in addition to the City-wide rates in force.

Table 3 provides a summary of the development charges rate calculations by area. The table displays the DC eligible costs, the population growth in new housing units based on future development potential and the calculated development charge rates per capita and by unit type for each of the planning areas. The rate per single-detached unit ranges from a low of \$2,026 per unit in the Jackson area to a high of \$9,565 per unit in Liftlock.

As discussed, the ASDCs will be levied on new development in each of the planning areas in addition to other applicable development charges in force. These additional charges include the City-wide rate for general and engineered services, as well as the area-specific water utility charged levied by the Peterborough Utilities Commission. Table 4 summarizes all eligible development charges by planning area.

B. Comparison of Calculated and Current Area-Specific Development Charges

Table 5 presents a comparison of the newly calculated residential ASDCs with currently imposed development charge rates. It demonstrates that some of the planning areas experience a decrease in the charges, with increases in

others. The fluctuations reflect different rates of development in recent years as well as shifting project costs.

TABLE 3
CITY OF PETERBOROUGH
2017 PLANNING AREA-SPECIFIC DEVELOPMENT CHARGES STUDY
SUMMARY OF CALCULATED DEVELOPMENT CHARGES BY PLANNING AREA

Planning Area	Total Costs Eligible for DC Recovery	Development Potential - Population in New Units	Development Charge Per Capita	Development Charge By Unit Type		
				<u>Residential A</u> Singles & Semis	<u>Residential B</u> Other Multiples	<u>Residential C</u> Apartments
Jackson	\$2,063,025	2,953	\$698.62	\$2,026	\$1,747	\$1,188
Carnegie East	\$3,922,366	1,525	\$2,572.04	\$7,459	\$6,430	\$4,372
Carnegie West	\$3,037,726	1,658	\$1,832.16	\$5,313	\$4,580	\$3,115
Chemong East	\$2,768,430	1,072	\$2,582.49	\$7,489	\$6,456	\$4,390
Chemong West	\$11,201,364	3,888	\$2,881.01	\$8,355	\$7,203	\$4,898
Lily Lake	\$17,015,327	5,921	\$2,873.73	\$8,334	\$7,184	\$4,885
Liftlock	\$12,681,730	3,845	\$3,298.24	\$9,565	\$8,246	\$5,607
Coldsprings	\$26,267,114	12,336	\$2,129.31	\$6,175	\$5,323	\$3,620
Note 1: Based on Person Per Unit of				2.90	2.50	1.70

TABLE 4

**CITY OF PETERBOROUGH
2017 PLANNING AREA-SPECIFIC DEVELOPMENT CHARGES STUDY
SUMMARY OF TOTAL DEVELOPMENT CHARGES BY PLANNING AREA
CHARGE PER SINGLE DETACHED UNIT**

Planning Area	Calculated Planning Area Specific Charge	Current Planning Area Specific Water Utility Charge	Current City-Wide Development Charge	Total Development Charge Payable by Planning Area
Jackson	\$2,026	\$2,753	\$21,537	\$26,316
Carnegie East	\$7,459	\$731	\$21,537	\$29,727
Carnegie West	\$5,313	\$1,997	\$21,537	\$28,847
Chemong East	\$7,489	\$1,785	\$21,537	\$30,811
Chemong West	\$8,355	\$1,728	\$21,537	\$31,620
Lily Lake	\$8,334	\$3,581	\$21,537	\$33,452
Liftlock	\$9,565	\$1,637	\$21,537	\$32,739
Coldsprings	\$6,175	\$2,051	\$21,537	\$29,763

TABLE 5

**CITY OF PETERBOROUGH
2017 PLANNING AREA-SPECIFIC DEVELOPMENT CHARGES STUDY
COMPARISON OF CURRENT AND CALCULATED CHARGES**

Planning Area Charges	Residential Charge Per Single Detached Unit			
	Current Charge ¹	Calculated	Difference	
			\$/unit	%
Jackson	\$2,954	\$2,026	(\$928)	-31%
Carnegie East	\$5,336	\$7,459	\$2,123	40%
Carnegie West	\$3,879	\$5,313	\$1,434	37%
Chemong East	\$6,966	\$7,489	\$523	8%
Chemong West	\$9,758	\$8,355	(\$1,403)	-14%
Lily Lake	\$6,532	\$8,334	\$1,802	28%
Liftlock	\$6,997	\$9,565	\$2,568	37%
Coldsprings	\$3,528	\$6,175	\$2,647	75%

Total Applicable Development Charges ²	Residential Charge Per Single Detached Unit			
	Current Charge ¹	Calculated	Difference	
			\$/unit	%
Jackson	\$27,244	\$26,316	(\$928)	-3%
Carnegie East	\$27,604	\$29,727	\$2,123	8%
Carnegie West	\$27,413	\$28,847	\$1,434	5%
Chemong East	\$30,288	\$30,811	\$523	2%
Chemong West	\$33,023	\$31,620	(\$1,403)	-4%
Lily Lake	\$31,650	\$33,452	\$1,802	6%
Liftlock	\$30,171	\$32,739	\$2,568	9%
Coldsprings	\$27,116	\$29,763	\$2,647	10%

Notes:

- 1) Rates effective January 1, 2017
- 2) Includes City-wide charge per single and semi-detached unit of: \$21,537
Includes Planning Area-Specific Water Utility Charges

Jackson experiences the largest overall decrease from the current to calculated rate of 31 per cent. The calculated rate in Chemong West is also less than the current rate in force, representing a decrease of 14 per cent. The rates in the remaining areas are increasing over current rates. The largest increase of 75 per cent is shown in Coldsprings.

Table 5 also presents a comparison of the total applicable charge currently in force, which includes the City-wide DC and water utility charge as well as the newly calculated charges as part of this study. The City-wide rate of \$21,537 per single detached unit, which is in force as of January 1, 2017, and the water utility charges are applied to both the current and calculated ASDCs for comparison purposes.

VII Long-Term Capital and Operating Costs and Asset Management Provisions

This section provides a brief examination of the long-term capital and operating costs for the capital infrastructure to be included in the development charges by-law. Also addressed is the required asset management provisions that must be by considered.

A. Net Operating Costs for City Services to Increase

The development-related capital costs discussed herein are fully fundable from development charges. The operating costs impacts of the expanded municipal infrastructure are anticipated to be fully funded from additional tax revenues generated by the growth-related increase in the property assessment base. Furthermore, new households will generate additional sewer utility rate revenue that will be utilized to fund any incremental sewage servicing operating costs.

Council has been made aware of these factors so that they understand the financial implications of the quantum and timing of the projects included in the growth-related capital forecast as set out in this study.

B. Annual Asset Management Plan Provision Requirements

The City's Asset Management Plan (AMP) considers the infrastructure required to service growth in Peterborough. The plan considers the state of existing infrastructure and available capacity to service growth and makes reference to the infrastructure needs required to service development in the planning areas. The plan addresses service expansion in the City from a capacity perspective and speaks to intensification, growth and future subdivision development.

The asset management provisions required for the infrastructure included in all planning area-specific capital programs put forward in this study will be incorporated into the City's corporate asset management plan as it is constructed.

Given that the timing of the infrastructure works is based on need and will be required to service development as it occurs, the annual provisions required

for the eventual repair and replacement of the infrastructure is unknown at this time. The point at which useful lives will be reached is currently unknown. Therefore, regular budgeting for operations, repair and replacement currently undertaken by the City should continue.

VIII Development Charges Administration

A. Development Charge Administration

Many of the administrative requirements of the DCA will be similar to those presently followed by the City in terms of collection practices. In this regard:

- It is recommended that present practices regarding collection of development charges and by-law administration continue to the extent possible;
- As required under the DCA, the City should codify any rules regarding the application of the by-laws and any exemptions within the development charges by-law proposed for adoption;
- The City should continue to actively encourage the use of front-ending agreements or developer agreements (and services-in-lieu arrangements), whichever are practical and desirable by the development industry and the City;
- The by-laws should permit the payment of development charges in cash or through services-in-lieu agreements. However, the municipality is not obligated to enter into services-in-lieu agreements; and
- It is recommended that Council adopt the development-related capital program included in this background study, subject to annual review through the City's normal capital budget process.

B. Local Service Definitions

The following provides the definition of “local service” under the DCA for a number of services provided by the City of Peterborough. The purpose of establishing these definitions is to determine the eligible capital costs for inclusion in the development charges calculations for the City. The functions or services deemed to be local in nature are not to be included in the determination of the development charges rates. The provision of local services is considered to be a direct developer responsibility under s.59 of the DCA and will (or may) be recovered under other agreement(s) with the

landowner or developer. Although not all are applicable to this background study process, the City has “local service” policies for the following services:

- Roads and Related
- Sanitary Sewer
- Stormwater Services
- Parkland Development

1. Roads and Related

Collector Roads

- Collector roads internal to a development are a direct developer responsibility as a local service under s.59 of the DCA.
- Collector roads external to a development are a local service if the works are within the area to which the plan relates and therefore a direct developer responsibility under s.59 of the DCA. Otherwise, the works are included in the development charges calculations to the extent permitted under s.5(1) of the DCA.

Arterial Roads

- New arterial roads and arterial road improvements are included as part of road costing funded through development charges.

Local Roads

- Local roads are local services and a direct developer responsibility under s.59 of the DCA.

Subdivision/Site Entrances and Related

- Entrances and all related costs (including, but not limited to: signalization, turn lanes, utility conduits and extensions, etc.), no matter the class of road, are a local service and a direct developer responsibility under s.59 of the DCA.

Streetlights

- Streetlights internal to a development or site are a direct developer responsibility through local service provisions under s.59 of the DCA.
- Streetlights external to a development but related to the subject lands are a direct developer responsibility through local service provisions under s.59 of the DCA.

Sidewalks

- Sidewalks internal to a development or site are a direct developer responsibility through local service provisions under s.59 of the DCA.
- Sidewalks external to a development but related to the subject lands are a direct developer responsibility through local service provisions under s.59 of the DCA.

Bikeways

- Bike lanes within road allowance are included in development charges roads costs.
- Bike lanes outside road allowance are included in development charges roads costs.

Noise Abatement Measures

- Noise Abatement Measures internal to a development are a direct developer responsibility through local service provisions under s.59 of the DCA.

Street Tree Planting

- Street tree planting is considered a local service and a direct developer responsibility.

Land Acquisition for Roads Allowances

- Land acquisition for roads is a dedication under the *Planning Act* subdivision provisions (s.51) through development lands.

- In areas with limited or no development land, acquisition needs to be included in the City development charges to the extent eligible as identified and included in the Development Charges Background Study.
- Land acquisition for grade separations (beyond normal dedication requirements) is to be included in the City development charges to the extent eligible as identified and included in the Development Charges Background Study.

2. Sanitary Sewer

- Major external trunk sanitary sewers (those with sizes over 300mm) and major pumping stations are to be included in the development charges. Oversizing within subdivisions is also to be included in the development charges above 300mm for sanitary sewers.
- Connections to trunk mains and minor pumping stations to service specific areas are to be a direct developer responsibility as a local service provision under s.59 of the DCA. Minor pumping stations are those that service a single subdivision or adjacent or adjoining subdivisions.

3. Stormwater Services

- The costs of stormwater management facilities (SWM) that are internal to a subdivision or are related to a single plan of subdivision are considered to be a local service under the DCA and the associated costs are not included in the development charges calculations. Local SWM facilities would typically include:
 - Storm sewer oversizing associated with local drainage areas; and
 - Storm sewer works on existing roads.
- The costs of stormwater management facilities benefiting more than one subdivision are largely to be recovered through development charges to the extent eligible as identified and included in the Development Charges Background Study.

4. Parkland Development

For the purpose of parkland development, local service includes the requirement for the owner to undertake preparation of the park plan, to retain necessary consultants to prepare, design and to grade plans for the park prior to development. In addition, the owner is required to provide stripping and stockpiling, leveling, topsoiling, seeding and stormwater servicing (consistent with the plan), and services to the lot line. These requirements are part of the conditions of s.51 and s.53 of the *Planning Act* agreements. The municipality also requires the owner to dedicate parkland or provide cash-in-lieu, consistent with the *Planning Act* provisions. All of these costs are deemed a direct responsibility of the developer and have not been included in the development charges calculations.

With respect to other parkland development costs, the municipal policy is to include all other components of parkland development in the development charges calculations, including parking, park furniture, signage, landscaping and walkways/trails, in addition to the necessary fields, diamonds, playground equipment, lighting, irrigation and field houses.

Appendix A

Planning Area-Specific Development-Related Forecast
and Development Charges Calculation

Planning Area-Specific Development-Related Capital Forecast and Development Charges Calculation

This appendix provides an overview of the planning area-specific development-related capital forecast and development charges calculation. The scope of work being recovered for under the area-specific development charges is similar to that in the City's 2012 Planning Area-Specific Development Charges Background Study. The proposed area-specific charges recover primarily for the following services:

- Sanitary trunk sewers;
- Sewage pumping stations;
- Planning and servicing studies;
- Negative reserve fund balances;
- Stormwater management facilities; and
- Associated financing costs of pre-emplacing infrastructure.

In some situations, the charges will recover for existing negative reserve fund balances related to area-specific projects that have already been constructed by the City.

The planning areas under review are consistent with those included in the City's previous ASDC Background Study. The boundaries have not changed, only the forecast of future development potential has been updated to reflect growth over the last five years. The planning areas under review, for which ASDCs have been calculated are:

- Jackson;
- Lily Lake;
- Liftlock;
- Coldsprings;
- Carnegie East;
- Carnegie West;
- Chemong East; and
- Chemong West.

As permitted under the Development Charges Act, 1997 (the DCA), the area-specific services are planned for the period from 2017 to build-out of the planning areas so that the growth-related capital costs are apportioned over

the development anticipated within the designated urban boundary. Consistent with s. 5. (1) 7 of the DCA, there is no legislated percentage reduction in the eligible growth-related capital costs for the provision of these services.

The cost, quantum and timing of the projects identified in the forecast have been provided by the Utility Services Department based on estimates prepared by City staff. Many of the estimates reflect recent tenders and project costs or are adjusted for inflation from the City's existing development charges calculations. The estimates include provision for engineering and contingencies, and associated financing costs.

The planning area boundaries are designed to represent a reasonable basis on which to calculate the area-specific development charges so that costs may be fairly attributed to the benefitting areas. In general, the areas represent development communities that can be serviced relatively independently from one another. The growth-related net capital costs required to provide services are allocated to each development area. In some cases, projects and related project costs are shared between planning areas to reflect the location of benefitting development.

The area-specific capital programs are designed to accommodate build-out of the planning areas based on previously constructed units and potential additional development as permitted under the City's Official Plan. Tables 2–9 display the capital programs and resulting development charges for the various planning areas. Table 1 provides a summary of the calculated rates.

**APPENDIX A
TABLE 1**

**CITY OF PETERBOROUGH
2017 PLANNING AREA-SPECIFIC DEVELOPMENT CHARGES STUDY
SUMMARY OF CALCULATED DEVELOPMENT CHARGES BY PLANNING AREA**

Planning Area	Development Charge Per Capita	Development Charge By Unit Type		
		<u>Residential A</u> Singles & Semis	<u>Residential B</u> Other Multiples	<u>Residential C</u> Apartments
Jackson	\$698.62	\$2,026	\$1,747	\$1,188
Carnegie East	\$2,572.04	\$7,459	\$6,430	\$4,372
Carnegie West	\$1,832.16	\$5,313	\$4,580	\$3,115
Chemong East	\$2,582.49	\$7,489	\$6,456	\$4,390
Chemong West	\$2,881.01	\$8,355	\$7,203	\$4,898
Lily Lake	\$2,873.73	\$8,334	\$7,184	\$4,885
Liftlock	\$3,298.24	\$9,565	\$8,246	\$5,607
Coldsprings	\$2,129.31	\$6,175	\$5,323	\$3,620
Note 1: Based on Person Per Unit of		2.90	2.50	1.70

APPENDIX A
TABLE 2CITY OF PETERBOROUGH
2017 PLANNING AREA-SPECIFIC DEVELOPMENT CHARGES STUDY
JACKSON GROWTH AREA SPECIFIC PROJECTS

Jackson Growth Area						
Project Description	Cost Estimate					Total Costs
	Sewers		Studies	Reserve Fund Adjustment	Engineering & Contingency	
	Principal	Interest				
Future Projects						
1 Jackson North Peer Review / Planning & Servicing Studies	\$0	\$0	\$200,000	\$0	\$0	\$200,000
2 Loggerhead Marsh	\$720,000	\$0	\$0	\$0	\$144,000	\$864,000
Projects Completed and Financed						
3 Parkway Sanitary Trunk Sewer	\$918,372	\$353,253	\$0	\$0	\$0	\$1,271,624
4 Parkhill Sewage Pumping Station	\$1,370,233	\$408,965	\$0	\$0	\$0	\$1,779,197
5 Parkhill Road Trunk - West of Wallis to Wallis	\$73,500	\$22,200	\$0	\$0	\$0	\$95,700
6 DC Reserve Fund Recovery / (Adjustment)	\$0	\$0	\$0	-\$2,147,496	\$0	-\$2,147,496
Sub-Total Jackson Growth Area	\$3,082,104	\$784,417	\$200,000	-\$2,147,496	\$144,000	\$2,063,025

Notes:

- 3) Shared with Lily Lake. Costs shown above only reflect Jackson Share (32%)
 4) Shared with Lily Lake. Costs shown above only reflect Jackson Share (35%)
 5) Shared with Lily Lake. Costs shown above only reflect Jackson Share (5%)

Jackson Development Potential			
Unit Type	Total Future Units	PPU in New Units	Population in New Units
Low Density	791	2.90	2,294
Medium Density	240	2.50	599
High Density	35	1.70	60
Total	1,066		2,953

RESIDENTIAL CHARGE	Development Charge Per Capita	Charge By Unit Type		
		Residential A Singles/Semi	Residential B Other Multiples	Residential C Apartments
Jackson Growth Area	\$698.62	\$2,026	\$1,747	\$1,188

Based on Persons Per Unit Of:

2.90

2.50

1.70

APPENDIX A
TABLE 4CITY OF PETERBOROUGH
2017 PLANNING AREA-SPECIFIC DEVELOPMENT CHARGES STUDY
CARNEGIE WEST GROWTH AREA SPECIFIC PROJECTS

Carnegie West Growth Area						
Project Description	Cost Estimate					Total Costs
	Sewers		Studies	Reserve Fund Adjustment	Engineering & Contingency	
	Principal	Interest				
Future Projects						
1 Bethune Street Sanitary Trunk Sewer	\$692,191	\$251,200	\$0	\$0	\$138,438	\$1,081,829
2 Carnegie West Centralized SWM Facility	\$1,003,200	\$364,000	\$0	\$0	\$200,640	\$1,567,840
3 Peer Review / Servicing & Planning Studies	\$0	\$0	\$100,000	\$0	\$0	\$100,000
4 Chemong Rd / Wolsely St Sanitary Trunk	\$182,432	\$66,200	\$0	\$0	\$36,486	\$285,118
5 DC Reserve Fund Recovery / (Adjustment)	\$0	\$0	\$0	\$2,939	\$0	\$2,939
Sub-Total Carnegie West Growth Area	\$1,877,823	\$681,400	\$100,000	\$2,939	\$375,565	\$3,037,726

Notes:

- 1) Shared work with Carnegie East, Chemong East and Chemong West. Cost shown above only reflect Carnegie West Share (15%)
- 4) Shared work with Chemong East and West. Cost shown above only reflect Carnegie West Share (21%)

Carnegie West Development Potential			
Unit Type	Total Future Units	PPU in New Units	Population in New Units
Low Density	373	2.90	1,082
Medium Density	179	2.50	448
High Density	75	1.70	128
Total	627		1,658

RESIDENTIAL CHARGE	Development Charge Per Capita	Charge By Unit Type		
		Residential A Singles/Semi	Residential B Other Multiples	Residential C Apartments
Carnegie West Growth Area	\$1,832.16	\$5,313	\$4,580	\$3,115

Based on Persons Per Unit Of: 2.90 2.50 1.70

APPENDIX A
TABLE 7CITY OF PETERBOROUGH
2017 PLANNING AREA-SPECIFIC DEVELOPMENT CHARGES STUDY
LILY LAKE GROWTH AREA SPECIFIC PROJECTS

Lily Lake Growth Area							
Project Description	Cost Estimate					Total Costs	
	Sewers		Studies	Reserve Fund Adjustment	Engineering & Contingency		
	Principal	Interest					
Future Projects							
1 Lily Lake Centralized SWM Facility	\$3,536,000	\$1,283,000	\$0	\$0	\$707,200	\$5,526,200	
2 Lily Lake Internal Oversizing to 375m	\$425,000	\$154,200	\$0	\$0	\$85,000	\$664,200	
3 Lily Lake Pumping Station	\$265,200	\$96,200	\$0	\$0	\$53,040	\$414,440	
4 Lily Lake Focremain	\$200,000	\$72,600	\$0	\$0	\$40,000	\$312,600	
5 Lily Lake Easement Acquisition	\$30,000	\$0	\$0	\$0	\$0	\$30,000	
6 Lily Lake Future Servicing Study	\$0	\$0	\$150,000	\$0	\$0	\$150,000	
Projects Completed and Financed							
7 Parkway Sanitary Trunk Sewer	\$1,942,800	\$747,302	\$0	\$0	\$0	\$2,690,102	
8 Parkhill Sewage Pumping Station	\$2,544,718	\$759,506	\$0	\$0	\$0	\$3,304,223	
9 Jackson Creek Sanitary Trunk Sewer & Parkhill Road Trunk - W	\$1,271,500	\$384,500	\$0	\$0	\$0	\$1,656,000	
10 DC Reserve Fund Recovery / (Adjustment)	\$0	\$0	\$0	\$2,267,562	\$0	\$2,267,562	
Sub-Total Lily Lake Growth Area	\$10,215,218	\$3,497,308	\$150,000	\$2,267,562	\$885,240	\$17,015,327	

Notes:

- 7) Shared work with Jackson. Cost shown above only reflect Lily Lake Share (68%)
 9) Shared work with Jackson. Cost shown above only reflect Lily Lake Share (65%)
 11) Shared work with Jackson. Cost shown above only reflects Lily Lake portion (95%)

Lily Lake Development Potential			
Unit Type	Total Future Units	PPU in New Units	Population in New Units
Low Density	990	2.90	2,871
Medium Density	1,220	2.50	3,050
High Density	-	1.70	-
Total	2,210		5,921

RESIDENTIAL CHARGE	Development Charge Per Capita	Charge By Unit Type		
		Residential A Singles/Semi	Residential B Other Multiples	Residential C Apartments
Lily Lake Growth Area	\$2,873.73	\$8,334	\$7,184	\$4,885

Based on Persons Per Unit Of: 2.90 2.50 1.70

Appendix B

Proposed Draft By-Law

Proposed Draft By-Law

The following provides the proposed draft planning area-specific development charges by-law. There will be one by-law for each planning area considered herein. The attached by-law is for the Jackson planning area. By-laws for all other areas will be identical, with a change in the references to the applicable planning area and the schedules, which will reflect the applicable rates.

The Corporation of the City of Peterborough

By-Law Number 15-[Clerk's Office will assign the number]

Being a By-law to establish development charges for the City of Peterborough (Jackson Growth Area) and to repeal by-law number 12-117

Whereas the City of Peterborough has and will continue to experience growth through development;

And Whereas development requires the provision of physical infrastructure and other services by the City;

And Whereas subsection 2(1) of the **Development Charges Act**, 1997, S.O. 1997 c.27 (the "Act") 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 arising from the development of the area to which the by-law applies;

And Whereas Council has before it a report entitled "Planning Area-Specific Development Charges Background Study", prepared by Hemson Consulting Limited, for the City of Peterborough, dated **May 31, 2017**, (the "Study");

And Whereas the Study was made available to the public prior to a public meeting held on **June 19, 2017**, in accordance with Section 12 of the Act, at which time Council heard comments and representations from all persons who applied to be heard (the "Public Meeting");

And Whereas Council, at its meeting on **July 31, 2017**, approved and adopted the Study, including the development related capital program referred to therein, and thereby has indicated that it intends to ensure that the increase in the need for services attributable to anticipated development will be met, and has further indicated its intent that the future excess capacity identified in the Study shall be paid for by development charges or other similar charges;

And Whereas Council determined that no further public meetings were required under Section 12 of the Act;

Now Therefore, The Corporation of the City of Peterborough by the Council thereof hereby enacts as follows:

1. **Definition**

“Act” means the **Development Charges Act**, 1997, S.O. 1997, c.27;

“Board of education” has the same meaning as specified in the **Education Act**, or any successor legislation;

“building floor area” means the total of the horizontal areas of a building, as calculated by using the exterior dimensions;

“City” means the Corporation of the City of Peterborough;

“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 that has the effect of increasing the building floor area thereof, and includes redevelopment;

“development charge” means a charge imposed pursuant to this By-law;

“dwelling unit” means one or more rooms used, designed or intended to be used together as a single and separate house-keeping unit by one person or persons living together, in which both culinary and sanitary facilities are provided for the exclusive use of such person or persons;

“farm building” means a farm building as defined in the **Ontario Building Code**;

“gross floor area” has the same meaning as that which is contained in O.Reg. 82/98 made under the Act;

“local board” means a local board as defined in the **Development Charges Act, 1997**;

“multi-suite residence” means a multi-suite residence as defined in the Zoning By-law of the City;

“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 legislation;

“Residential A building” means a building containing one or two dwelling units;

“Residential B building” means a building containing more than two dwelling units, other than a Residential C building;

“Residential C building” means a building containing more than two dwelling units, each of which has access to the common corridor and entrance(s); and a multi-suite residence;

“residential use” means land, buildings or structures or portions thereof used, designed or intended to be used as living accommodation for one or more individuals;

“semi-detached dwelling or row dwelling” means a residential building which contains a single dwelling unit, that has one or two vertical walls, but no other parts, attached to other buildings;

“services” means services designated in this By-law including Schedule A to this By-law or in an agreement under section 44 of the Act, or both;

“single detached dwelling” means a residential building which contains only a single dwelling unit, and which is not attached to other buildings;

“temporary building or structure” means a building or structure constructed or erected or placed on land for a continuous period not exceeding eight months, or an addition or alteration to a building or structure that has the effect of increasing the total floor area thereof for a continuous period not exceeding eight months;

2. **Rules**

For the purpose of complying with section 6 of the Act:

- a) the area to which this By-law applies shall be the area described in section 3 of this By-law;
- b) the rules developed under paragraph 9 of subsection 5(1) of the Act for determining if a development charge is payable in any particular case and for determining the amount of the charge shall be as set forth in sections 4 through 17, inclusive, of this By-law;

- c) the exemptions provided for by such rules shall be the exemptions set forth in sections 18 through 20, inclusive of this By-law, the indexing of charges shall be in accordance with section 15 if this By-law and the phasing in of charges shall be in accordance with subsection 16 of this By-law; and
- d) the redevelopment of land shall be in accordance with the rules set forth in section 21 of this By-law.

3. **Lands Affected**

- a) This By-law applies to the lands designated as the **Jackson** Growth Area on Schedule C. While every attempt has been made to accurately depict the boundaries of the Growth Areas on Schedule C, for the purposes of calculating the applicable development charge, the boundaries are considered to be conceptual. The City shall interpret the Growth Area boundaries, recognizing that the rationale for inclusion within a specific growth area is primarily related to common trunk storm and sanitary servicing systems.
- b) This By-law shall not apply to lands which are owned by, or used for the purposes of:
 - i) the City or a local board thereof;
 - ii) a board of education
- c) The development of land within the City may be subject to one or more development charges by-laws of the City.

4. **Designation of Services**

It is hereby declared by Council that all development of land within the City will increase the need for services.

The development charge applicable to a development as determined under this By-law shall apply without regard to the services required or used by an individual development.

Development charges shall be imposed for the following categories of services to pay for the increased capital costs required because of increased needs for services arising from development:

- a) **Jackson** Growth Area Specific Engineering Infrastructure:
 - i) Sanitary sewage works;
 - ii) Other engineering infrastructure (as required);
 - iii) Studies.

5. **Approvals for Development**

Development charges shall be imposed against all lands, buildings or structures within the area to which this By-law applies if the development of such lands, buildings or structures requires any of the following approvals:

- a) the passing of a zoning by-law or of an amendment thereto under section 34 of the **Planning Act**;
- b) the approval of a minor variance under section 45 of the **Planning Act**;
- c) a conveyance of land to which a by-law passed under subsection 50(7) of the **Planning Act** applies;

- d) the approval of a plan of subdivision under section 51 of the **Planning Act**;
- e) a consent under section 53 of the **Planning Act**;
- f) the approval of a description under section 50 of the **Condominium Act**;
or
- g) the issuing of a permit under the **Building Code Act, 1992** in relation to a building or structure, except where the development entails the conversion or renovation, but not expansion, of an existing building for a change of use which does not require any of the approvals provided in subsections (a) to (f) inclusive above.

No more than one development charge for each service designated in section 6 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 section 7 are required before the lands, buildings or structure can be developed.

Notwithstanding section 8, if two or more of the actions described in section 7 occur at different times, additional development charges shall be imposed in respect of any increased or additional development permitted by such actions.

Where a development requires an approval described in section 7 after the issuance of a building permit and no development charge has been paid, then the development charge shall be paid prior to the granting of the approval required under section 7.

If a development does not require a building permit but does require one or more of the approvals described in section 7, then the development charge shall nonetheless be payable in respect of any increased or additional development permitted by such approval.

Nothing in this By-law prevents Council from requiring, as a condition of an agreement under sections 51 or 53 of the **Planning Act**, that the owner, at his or her own expense, install such local services related to a plan of subdivision or within the area to which the plan relates, as Council may require, or that the owner pay for local connections to storm drainage facilities installed at the owner's expense, or administrative, processing, or inspection fees.

6. **Calculation of Development Charges**

The development charge with respect to the use of any land, buildings or structures for residential development, or the residential portion of a mixed-use development, shall be calculated based upon the number and type of dwelling units.

7. **Amount of Charge - Residential**

The development charges described in Schedule B 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 component of the mixed use building or structure, according to the type of residential use. For the purposes of the calculation of the charge for a multi-suite residence, two suites shall be deemed to comprise one dwelling unit.

8. **Indexing of Development Charges**

All development charges set out in Schedule B hereto shall be adjusted by the City Treasurer without amendment to this By-law annually on January 1st in each year, commencing January 1, 2018, in accordance with the most recent annual change in the Statistics Canada Quarterly, Construction Price Statistics.

9. Phasing, Timing of Calculation and Payment

- a) Except as provided in subsection (b) hereof, the development charges set out in this By-law are payable, in full, subject to the exemptions and credits provided herein, from the effective date of this By-law.
- b) Subject to section 21 (with respect to redevelopment), the development charges set out in Schedule B shall be calculated as of, and may be payable, at the option of the City, with respect to a final approval of a plan of subdivision or a severance under section 51 or 53 of the Planning Act, which approval occurs after August 1, 2017, immediately upon entering into the subdivision or consent agreement, based upon the number and type of residential lots created and, in the case of subdivision blocks, based on the maximum zoned capacity of the block pursuant to the City's zoning by-law. When no subdivision agreement or consent agreement is required, or where the development occurs on a lot which exists on or before August 1, 2017, the development charges for each building or structure shall be calculated as of the date of the complete building permit application, and shall be payable and collected as of the date the first building permit is issued in respect of the building or structure for which the development charge applies.
- c) If at the time of issuance of a building permit or permits for any development for which payments have been made pursuant to subsection (b), the total number or type of residential units for which building permits have been and are being issued is greater than that used for the calculation and payment referred to in subsection (b), an additional payment shall be required and shall be calculated by multiplying the applicable rates for those units shown in Schedule B, by the difference between the number or type of units for which building permits have been and are being issued and the number or type of units for which payments have been made pursuant to subsection (b) and this subsection.
- d) Subject to subsection (f), if following the issuance of all building permits for all development in a subdivision or for all development in a block within that subdivision that had been intended for future development and for which payments have been made pursuant to subsection (b), the total number or type of units for which building permits have been issued is less than that used for the calculation and payment referred to in subsection (b), a refund shall be payable by the City to the person who originally made the payment referred to in subsection (b), which refund shall be calculated by multiplying the amounts of the development charges in effect at the time such payments were made by the difference between the number or type of units for which payments were made pursuant to subsection (b) and the number and type of units for which building permits were issued.
- e) Subsections (c) and (d) shall apply with necessary modifications to a development for which development charges have been paid pursuant to a condition of consent or pursuant to an agreement respecting same.
- f) Notwithstanding subsection (b), pursuant to section 27 of the Act, the City may enter into an agreement with a person required to pay a charge pursuant to this By-law, including the provision of security for the person's obligations under such agreement, providing for all or part of the development charge to be paid before or after it otherwise would be payable. The terms of such agreement shall then prevail over the provisions of this By-law.
- g) Where a development charge or any part of it remains unpaid after it is payable, the amount unpaid shall be added to the tax roll and shall be collected in the same manner as taxes.

- h) Any refunds payable pursuant to subsections (d) and (e) shall be calculated and paid without interest.

10. Payment by Services

The City, may in an agreement pursuant to Section 38 of the Act, permit an owner to provide services in lieu of the payment of all or any portion of a development charge. The City shall give the owner who performed the work a credit towards the development charge in accordance with the agreement, subject to the requirements of the Act.

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

This By-law does not apply with respect to approvals related to the residential development of land, buildings or structures that would have the affect only of,

- a) permitting the enlargement of an existing dwelling unit;
- b) creating one or two additional dwelling units in an existing single detached dwelling, where the total gross floor area of the additional unit or units does not exceed the gross floor area of the existing dwelling unit;
- c) creating one additional dwelling unit in an existing semi-detached or row dwelling where the gross floor area of the additional unit does not exceed the gross floor area of the existing dwelling unit; or
- d) creating one additional dwelling unit in any other existing residential building, where the total gross floor area of the additional unit does not exceed the gross floor area of the smallest existing dwelling unit in the building.

12. Other Exemptions

Notwithstanding anything else contained in this By-law, development charges shall not be imposed with respect to lands, buildings or structures used for:

- a) a hospital governed by the **Public Hospitals Act**, R.S.O 1990, c.P.40;
- b) a place of worship, or a cemetery or burial ground;
- c) Trent University or Sir Sandford Fleming College;
- d) a farm building.

13. Temporary Buildings or Structures

- a) Temporary buildings or structures shall be exempt from the provisions of this By-law.
- b) In the event that a building or structure continues to exist for a continuous period exceeding eight (8) months, it shall be deemed not to be, nor ever to have been, a temporary building or structure, and the development charges required to be paid under this By-law shall be calculated and payable on the date that the building or structure is deemed not to be a temporary building or structure.
- c) Prior to the City issuing a building permit for a temporary building or structure, the City may require an owner to enter into an agreement, including the provision of security for the owner's obligation under the agreement, pursuant to section 27 of the Act, providing for all or part of the development charge required by this section to be paid after it would otherwise be payable. The terms of such agreement shall then prevail over the provisions of this By-law.

14. Rules with Respect to the Redevelopment of Land

- a) Where there is a redevelopment of land on which there is a conversion of space proposed, or on which there was formerly erected a building or structure that has been demolished, a credit shall be allowed against the development charge otherwise payable by the owner pursuant to this By-law for the portion of the previous building or structure still in existence that is being converted or for the portion of the building or structure that has been demolished, as the case may be, calculated by multiplying the number and type of dwelling units being converted or demolished by the development charge shown in Schedule B on the date when the development charge is payable in accordance with this By-law.
- b) A credit in respect of any demolition under this section shall not be given unless a building permit has been issued or a subdivision agreement has been entered into with the City for the development within five (5) years from the date the demolition permit was issued.
- c) The amount of any credit hereunder shall not exceed, in total, the amount of the development charges otherwise payable with respect to the development.
- d) The onus is on the applicant to produce evidence to the satisfaction of the City, acting reasonably, which establishes that the applicant is entitled to the credit against the payment of development charges claimed under this section.

15. Interest

The City shall pay interest on a refund under subsection 18(3) or 25(2) of the Act, at the Bank of Canada rate on the date this By-law comes into force, updated on the first business day of every January, April, July and October.

16. Schedules

The following Schedules to this By-law form an integral part of this By-law.

Schedule A: Designated Services

Schedule B: Growth Area Specific Development Charges

Schedule C: Map Delineating Growth Area Specific Development Charges Area

17. By-law Registration

A certified copy of this By-law may be registered in the Land Registry Office against title to any land to which this By-law applies.

18. Date By-law Effective

This By-law comes into force on August 1, 2017.

19. Date By-law Expires

This By-law expires five years after the date it becomes effective.

20. Headings for Reference Only

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.

21. **Severability**

If, for any reason, any provision, section, subsection or paragraph of this By-law is held invalid, it is hereby declared to be the intention of Council that all the remainder of this By-law shall continue in full force and effect until repealed, re-enacted or amended, in whole or in part or dealt with in any other way.

22. **Repeal**

By-law No. 12-117 and any amendments made thereto is hereby repealed as of the date this By-law comes into force and effect.

By-law read a first, second and third time this 31st day of July, 2015.

Daryl Bennett, Mayor

John Kennedy, City Clerk

Schedule A - Services

Jackson Growth Area Specific Engineering Infrastructure:

- a) Sanitary sewage works;
- b) Other engineering infrastructure (as required);
- c) Studies.

Schedule B - JACKSON GROWTH AREA - AREA SPECIFIC DEVELOPMENT CHARGES

Effective Date	Residential A	Residential B	Residential C
August 1, 2017	\$2,026	\$1,747	\$1,188

Notes:

- 1 The development charges will be indexed annually as per provisions of this by-law.
- 2 Additional development charges may be applicable to these lands

PROPOSED CHARGES APPLICABLE IN OTHER PLANNING AREAS

Carnegie East

Effective Date	Residential A	Residential B	Residential C
August 1, 2017	\$7,459	\$6,430	\$4,372

Carnegie West

Effective Date	Residential A	Residential B	Residential C
August 1, 2017	\$5,313	\$4,580	\$3,115

Chemong East

Effective Date	Residential A	Residential B	Residential C
August 1, 2017	\$7,489	\$6,456	\$4,390

Chemong West

Effective Date	Residential A	Residential B	Residential C
August 1, 2017	\$8,355	\$7,203	\$4,898

Lily Lake

Effective Date	Residential A	Residential B	Residential C
August 1, 2017	\$8,334	\$7,184	\$4,885

Liftlock

Effective Date	Residential A	Residential B	Residential C
August 1, 2017	\$9,565	\$8,246	\$5,607

Coldsprings

Effective Date	Residential A	Residential B	Residential C
August 1, 2017	\$6,175	\$5,323	\$3,620

SCHEDULE C - PLANNING AREA SPECIFIC MAP OF PLANNING AREAS

