

SCOW-01/2022 - DC Public Meeting

Monday, February 7, 2022

Town of Pelham Municipal Office - Council Chambers

20 Pelham Town Square, Fonthill

During the COVID-19 pandemic period, the Town of Pelham Council will continue to convene meetings in compliance with Provincial directives. Attendance by most Members of Council will be electronic. Public access to meetings will be provided via Livestream, www.youtube.com/townofpelham/live and subsequent publication to the Town's website at www.pelham.ca.

Pages

1. Call to Order and Declaration of Quorum

1.1. Land Recognition Statement

We begin this meeting by acknowledging the land on which we gather is the traditional territory of the Haudenosaunee and Anishinaabe peoples, many of whom continue to live and work here today. This territory is covered by the Upper Canada Treaties and is within the land protected by the Dish With One Spoon Wampum agreement. Today this gathering place is home to many First Nations, Metis, and Inuit peoples and acknowledging reminds us that our great standard of living is directly related to the resources and friendship of Indigenous people.

2. Adoption of Agenda

3. Disclosure of Pecuniary Interest and General Nature Thereof

4. Public Meeting Under the Development Charges Act

4.1. Opening Remarks

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	Byron Tan, Watson & Associates Economists LTD.	
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	<u>Written Correspondence from Members of the Public</u>	
	1. John Langendoen, Pelham Greenhouse Growers Group	
	<u>Pre-registered Members of the Public</u>	
	1. Mark Shoalts	
4.4.	Committee Input	
4.5.	Close Public Meeting	103 - 103
4.6.	Presentation of Resolutions	

5. Adjournment

OPENING REMARKS

Town of Pelham Development Charges Public Meeting February 7, 2022

Tonight, Council is holding a public meeting under section 12 of the *Development Charges Act, 1997*, as amended. The purpose of the meeting is to give the public an opportunity to ask questions, provide comments, and make representations on the 2022 Development Charges Background Study. This study calculates new development charges for Parks and Recreation, Library and Growth Studies services.

Prior to receiving the public comments, we will ask our consultant, Watson & Associates Economists Ltd., to do a brief presentation of the findings of the study.

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Development Charges Update Study

Town of Pelham

December 22, 2021

Watson & Associates Economists Ltd.
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Report



Chapter 1

Introduction



1. Introduction

1.1 Background

The Town of Pelham imposes development charges (D.C.) to recover capital costs arising from the increase in needs for service related to growth. The Town currently has a municipal-wide D.C. for the following services:

- Roads and Related (Services Related to a Highway);
- Fire Protection Services;
- Outdoor Recreation Services;
- Indoor Recreation Services;
- Library Services; and
- Administration (Growth Studies).

In addition to the above services, the Town also recovers water and wastewater costs associated with growth, through area specific D.C.s in the serviced areas of Fenwick and Fonthill.

The D.C.s came into effect on October 1, 2018 and are imposed through by-laws 4023 (2018) and 4149 (2019). The following documents provide the details to the calculations and policies:

- “Town of Pelham Development Charges Background Study – Consolidated Report” dated August 30, 2018; and
- “Town of Pelham 2019 Development Charges Update Study” dated May 30, 2019.

The Town’s D.C.s have been indexed (in accordance with section 17 of the by-law) annually on January 1st, beginning in 2020, and are currently 5.27% higher than the 2018 rates implemented under By-law 4023 (2018). The 2018 D.C.s (unindexed) are shown in Figure 1-1.

The purpose of this report is to recover (through D.C.s) the updated debenture amounts (with respect to the Meridian Community Centre (M.C.C.)) for recreation facilities. Additionally, the D.C. update will address the requirements of the Development Charges



Act (D.C.A.), as amended by Bill 108 (*More Homes, More Choice Act, 2019*), Bill 138 (*Plan to Build Ontario Act, 2019*), Bill 197 (*COVID-19 Economic Recovery Act, 2020*), and Bill 213 (*Better for People, Smarter for Business Act, 2020*). A full discussion on the amending legislation is provided in Chapter 2.

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

- The legislation has removed the mandatory deduction for all services that remain eligible in the D.C. For the Town, the 10% deduction may be removed for the following services:
 - Indoor and Outdoor Recreation Services (now referred to as Parks and Recreation Services);
 - Library Services; and
 - Administration (Growth Studies).
- The listing of eligible services has been changed by the amending legislation however, for the Town this does not impact the services that are eligible for recovery.
- An additional change brought forth through Bill-197 related to establishing classes of services. A class of service may be composed of any number or combination of services and may include parts or portions of each D.C.-eligible service. As a result of these changes to the D.C.A., this update report provides for Growth Studies (formerly Administration) as a class of service. Further discussion on classes of services is provided in Chapter 2.
- The regulations have provided an additional mandatory D.C. exemption for an additional dwelling unit in new residential buildings as well as for universities receiving government funding. These exemptions are to be added to the Town's amending D.C. by-law.
- Further changes related to the timing of payments for rental housing, institutional and non-profit development were proclaimed through Bill 108. Additionally, the D.C. amount for all developments occurring within 2 years of a Site Plan or Zoning By-law Amendment planning approval, shall be determined based on the D.C. in effect on the day of Site Plan or Zoning By-law Amendment application. If the development is not proceeding via these planning approvals, then the amount is determined as the earlier of the date of issuance of a building permit or occupancy. These changes will be addressed in the amending by-law, discussed in Chapter 5 and provided in Appendix C.



Figure 1-1
Town of Pelham
2018 Development Charges (2018 \$)
as per By-law 4023 (2018) and amending By-law 4149 (2019)

Service/Class of Service	Residential					Non-Residential per sq.ft. of Gross Floor Area)
	Single & Semi Detached	Other Multiples	Apartments - 2 Bedrooms +	Apartments Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	
Municipal Wide Services/Classes of Services						
Services Related to a Highway	9,330	6,647	6,388	3,906	3,191	5.21
Fire Protection Services	349	249	239	146	119	0.19
Parks and Recreation Services ¹	3,581	2,551	2,452	1,499	1,224	0.49
Library Services	563	401	385	236	193	0.08
Growth Studies ²	678	483	464	284	232	0.39
Total Municipal Wide Services/Classes of Services	14,501	10,331	9,928	6,071	4,959	6.36
Urban Services:						
Wastewater Services	2,762	1,968	1,891	1,156	945	1.90
Water Services	1,165	830	798	488	398	0.80
Total Urban Services	3,927	2,798	2,689	1,644	1,343	2.70
Total Municipal-Wide + Urban	18,428	13,129	12,617	7,715	6,302	9.06

¹ Previously presented as two separate charges for Indoor and Outdoor Recreation Services

² Previously presented as Administration



1.2 Existing Policies (Rules)

Appendix A of this report sets out the rules governing the calculation, payment, and collection of D.C.s as provided in By-law 4023 (2018) and amended by By-law 4149 (2019).

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

This D.C. update study provides for an amendment to the Town's current D.C. by-law (By-law 4023 (2018), as amended by By-law 4149 (2019)). The purpose of this amendment is to update the recovery amount for the growth-related debenture of the Meridian Community Centre and to update other services based on the legislative changes to the D.C.A. These include:

- Updating the D.C. analysis to remove the 10% mandatory deduction;
 - This includes updating the service standards for the related services;
- Creating classification for Growth Studies as a class of service; and
- Updating the D.C. policies in the by-law with respect to:
 - D.C. instalment payments;
 - D.C. rate freeze;
 - Mandatory exemption for new additional units and universities; and
 - Updated definitions (which have been established as part of Bills 108, 138, 197, and 213).

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

1.4 Summary of the Process

The public meeting required under section 12 of the D.C.A. has been scheduled for February 7, 2022. Its purpose is to present the update study to the public and to solicit public input. The meeting is also being held to answer any questions regarding the study's purpose, methodology and the proposed modifications to the Town's D.C. by-law.



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

- consideration of responses received prior to, at, or immediately following the Public Meeting; and
- Council consideration of the amending by-law on March 7, 2022.

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

Figure 1-2
Schedule of Key D.C. Process Dates for the Town of Pelham

Schedule of Study Milestone	Dates
1. Data collection, staff review, D.C. calculations and policy work	September to November, 2021
2. Background study and proposed by-law available to public	December 22, 2021
3. Public meeting advertisement placed in newspaper(s)	No later than January 17, 2022
4. Public meeting of Council	February 7, 2022
5. Council considers adoption of background study and passage of amending by-law	March 7, 2022
6. Effective date of the by-law	Upon approval of amending by-law
7. Newspaper notice given of by-law passage	By 20 days after passage
8. Last day for by-law appeal	40 days after passage
9. Town makes pamphlet available (where by-law no appealed)	By 60 days after in force date



1.5 Policy Recommendations

It is recommended that the Town's current D.C. policies, as identified in Appendix A of this report, be continued.

Additionally, the new policies as stated in Bill 108, Bill 138, Bill 197, Bill 213 and O. Reg. 80/98 as amended by O.Reg. 454-19 are recommended to be included. This is discussed in more detail in Chapter 2 of this report.



Chapter 2

Changes to the D.C.A. Legislation



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

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

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

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

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

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

Changes to Eligible Services – Prior to Bill 108, the D.C.A. provided a list of ineligible services whereby municipalities could include growth related costs for any service that was not listed. With Bill 108, the changes to the D.C.A. would now specifically list the services that are eligible for inclusion in the by-law. Further, the initial list of eligible services under Bill 108 was limited to "hard services," with the "soft services" being removed from the D.C.A. These services would be considered as part of a new



community benefits charge (discussed below) imposed under the Planning Act. As noted in the next section this list of services has been amended through Bill 197.

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

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

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

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

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

In response to the global pandemic that began affecting Ontario in early 2020, the Province released Bill 197 which provided amendments to a number of Acts, including the D.C.A. and Planning Act. This Bill also revised some of the proposed changes identified in Bill 108. Bill 197 was tabled on July 8, 2020, received Royal Assent on July 21, 2020, and was proclaimed on September 18, 2020. The following provides a summary of the changes:



2.3.1 D.C. Related Changes

List of D.C. Eligible Services

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

Classes of Services – D.C.

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



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

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

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

Note: An initial consideration of “class” appears to mean any group of services.

10-Year Planning Horizon

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

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

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

C.B.C. Eligibility

- The C.B.C. is limited to lower-tier and single tier municipalities, whereas upper-tier municipalities will not be allowed to impose this charge.
- O.Reg. 509/20 was filed on September 18, 2020. This regulation provides for the following:
 - A maximum rate will be set as a percentage of the market value of the land the day before building permit issuance. The maximum rate is set at 4%. The C.B.C may only be imposed on developing or redeveloping



buildings which have a minimum height of five stories and contain no less than 10 residential units.

- Bill 197 states that before passing a C.B.C. by-law, the municipality shall prepare a C.B.C. strategy that (a) identifies the facilities, services, and matters that will be funded with C.B.C.s; and (b) complies with any prescribed requirements.
- Only one C.B.C. by-law may be in effect in a local municipality at a time.

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

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

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

Transition – D.C. and C.B.C.

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



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

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

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



Chapter 3

Anticipated Development



3. Anticipated Development

3.1 Growth Forecast in the 2018 D.C. Study

The 2018 D.C. study provided for the anticipated residential and non-residential growth within the Town of Pelham. The growth forecast associated with services included in the background study is provided in Figure 3-1 below:

Figure 3-1
Town of Pelham
2018 D.C. Background Study – Growth Forecast Summary

Measure	10 Year 2018 to 2027	20 Year 2018 to 2037	2018 to Urban Buildout
(Net) Population Increase	3,432	5,960	8,580
Residential Unit Increase	1,535	2,649	3,724
Non-Residential Gross Floor Area Increase (sq.ft.)	523,600	862,700	768,700

For the purposes of this D.C. update, the 2018 D.C. Study growth forecast remains unchanged as the incremental growth is anticipated to remain the same.



Chapter 4

Updates to the Town's D.C. Study



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

As noted earlier, the Town's D.C. By-law 4023 (2018), as amended by By-law 4149 (2019), came into effect on October 1, 2018, being a by-law for the purposes of establishing and collecting a D.C. in accordance with the provisions of the D.C.A. The 2018 D.C. Study and by-law identified anticipated capital needs for recovery through D.C.s for municipal-wide and urban services.

This chapter of the report discusses the amendment to the Meridian Community Centre and the removal of the 10% mandatory deduction for parks and recreation services (formerly indoor and outdoor recreation services), library services, and growth studies (formerly administration). As these costs are being added as part of the 2018 D.C. Study, the capital costs are being presented in 2018 dollars. A discussion is also provided on the classification of Growth Studies as a class of service.

As part of a D.C. amendment, consideration must be given to the historical service level calculation to ensure that the service level ceiling has not been exceeded in the updated calculations. These calculations have been undertaken and are included in Appendix B to this report. No service level has been exceeded by the calculations provided herein.

4.1 Parks and Recreation Services

The Town currently collects for Parks and Recreation under two categories, Indoor and Outdoor Recreation Services. With the changes to the D.C. Act, these charges continue to be eligible as Parks and Recreation Services. For updated calculation purposes, we have continued the two sub-categories within this combined eligible service, the first being Outdoor Recreation (Parkland Development and Amenities) and the second being Indoor Recreation (Facilities).

Outdoor Recreation

As discussed earlier, the capital costs included for Parks and Recreation have been modified to remove the mandatory 10% deduction. Figure 4-1 provides the updated capital project listings with the removal of the 10% deduction for Outdoor Recreation. The total D.C. eligible amount being included in the calculations for Outdoor Recreation is approximately \$2.8 million.



Through the updated service standards provided in Appendix B, the maximum D.C. allowed to be recovered for Outdoor Recreation is \$4.2 million. Therefore, the capital amount being recovered is within the level of the service standard ceiling.

Indoor Recreation

As noted in section 1.3, the Meridian Community Centre D.C. recovery is being updated to reflect the increase in the service standard ceiling. This provides for a reduction in the post period benefit to allow for a higher recovery of the debt payments. Additionally, the 10% mandatory deduction has been removed. With both of these changes, the revised D.C. eligible amount being included in the calculations is \$4.8 million (note that of this amount, \$657,515 relating to the interest component is not subject to the service standard ceiling). The updated capital sheet is provided in Figure 4-2.

Through the updated service standards provided in Appendix B, the maximum D.C. allowed to be recovered for Indoor Recreation is \$4.2 million. Therefore, the capital amount being recovered is within the level of the service standard ceiling.

Based on the Town's 2019 D.C. Study, as the predominant users of parks and recreation tend to be residents of the Town, the forecasted growth-related costs have been allocated 95% to residential and 5% to non-residential.



Figure 4-1
Town of Pelham
Parks and Recreation Capital – Update
Parkland Development and Amenities

Town of Pelham
Service Parkland Development

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2018\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential DC Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share
	2018-2027									95%	5%
1	East Fonthill Parkland Development	2020	500,000	-		500,000	25,000		475,000	451,250	23,750
2	East Fenwick Parkland Development	2021	947,900	-		947,900	47,395		900,505	855,480	45,025
3	Playground Equipment (X2)	2025	160,000	-		160,000	8,000		152,000	144,400	7,600
4	Playground Equipment (X2)	2026	160,000	-		160,000	8,000		152,000	144,400	7,600
5	Playground Equipment (X2)	2027	160,000	-		160,000	8,000		152,000	144,400	7,600
6	Playground Equipment (X2)	2028	160,000	152,000		8,000	8,000		-	-	-
7	Playground Equipment (X1)	2029	80,000	76,000		4,000	4,000		-	-	-
8	Splash Pad	2019	275,000	-		275,000	13,750		261,250	248,188	13,063
9	Kundra Park	2020	150,000	-		150,000	7,500		142,500	135,375	7,125
10	MSSP Parking Lot	2020	135,000	-		135,000	6,750		128,250	121,838	6,413
11	Woonerf and Central Park	2020	3,500,000	-		3,500,000	-	2,345,000	1,155,000	1,097,250	57,750
12	Lookout Park	2018	230,000	-		230,000	-		230,000	218,500	11,500
13	Weiland Park	2018	150,000	-		150,000	-		150,000	142,500	7,500
14	Skate Park Debt - Principal	2018-2025	242,143	-		242,143	-		242,143	230,036	12,107
15	Skate Park Debt - Discounted Interest	2018-2025	6,807	-		6,807	-		6,807	6,467	340
									-	-	-
16	Reserve Fund Adjustment		-	-		-	1,300,820		(1,300,820)	(1,235,779)	(65,041)
	Total		6,856,851	228,000	-	6,628,851	1,437,215	2,345,000	2,846,636	2,704,304	142,332



Figure 4-2
Town of Pelham
Parks and Recreation Capital – Update
Indoor Recreation Facilities

Town of Pelham
Service: Indoor Recreation Facilities

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2018\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential DC Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 95%	Non- Residential Share 5%
	2018-2027										
1	Pelham Community Centre Debt - Principal	2018-2047	11,893,451	7,897,252		3,996,200	-		3,996,200	3,796,390	199,810
2	Pelham Community Centre Debt - Discounted Interest	2018-2047	1,956,891	1,299,376		657,515	-		657,515	624,640	32,876
									-		
3	Reserve Fund Adjustment	Reserve	149,869	-		149,869	-		149,869	142,376	7,493
	Total		14,000,211	9,196,627	-	4,803,584	-	-	4,803,584	4,563,405	240,179



4.2 Library Services

With respect to library services, adjustments have been made to reflect the removal of the mandatory 10% deduction. Figure 4-3 provides the capital project listing with the removal of the mandatory deduction.

The details regarding the updated service standards are provided in Appendix B. The resulting service standards for Library provide a D.C. ceiling of \$937,176. Given that the capital program is \$896,221 the D.C.-eligible capital amounts are within the level of the service standard ceiling.

Based on the Town's 2018 D.C. study, the growth-related capital costs have been allocated 95% residential and 5% non-residential. This is to acknowledge that although library usage is predominantly residential based, there is some use of the facilities by non-residential users.



Figure 4-3
Town of Pelham
Library Services – Updated Capital Listing

Town of Pelham
Service: Library Services

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2018\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential DC Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 95%	Non- Residential Share 5%
	2018-2027										
1	Provision for additional library space	2018-2027	375,000	-		375,000	93,750		281,250	267,188	14,063
2	Furniture & equipment for additional space	2018-2027	60,000	-		60,000	15,000		45,000	42,750	2,250
3	Provision for Additional library materials	2018-2022	250,000	-		250,000	12,500		237,500	225,625	11,875
4	Provision for Additional library materials	2023-2027	250,000	-		250,000	12,500		237,500	225,625	11,875
									-		
									-		
5	Reserve Fund Adjustment		94,971	-		94,971	-		94,971	90,222	4,749
	Total		1,029,971	-	-	1,029,971	133,750	-	896,221	851,410	44,811



4.3 Growth Studies

A change brought forth through the Bill-197 amended legislation concerned classes of services. A class of service may be composed of any number or combination of services and may include parts or portions of each D.C.-eligible service. 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. These provisions allow for services to be grouped together to create a class for the purposes of the D.C. by-law and D.C. reserve funds.

In addition, 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).”

As a result of these changes to the D.C.A., this update study provides for the former “Administration” to be categorized as a class of service entitled “Growth Studies.” Growth Studies provide for studies comprised of the following services:

- Water Services;
- Wastewater Services;
- Services Related to a Highway;
- Fire Protection Services;
- Parks and Recreation Services; and
- Library Services.

Figure 4-4 depicts how the costs of capital projects are allocated across the services. For planning related studies, a deduction of 10% has been applied to recognize the extent to which some studies relate to non-D.C.-eligible services. All planning studies have been allocated to the class of services in the following manner:

- Water Services – 25%
- Wastewater Services – 25%
- Services Related to a Highway – 25%
- Fire Protection Services – 10%
- Parks and Recreation Services – 10%



- Library Services – 5%

With respect to the capital cost of D.C. background studies, they have been allocated across the different services based on the proportion of the total net growth-related capital costs. The following provides a breakdown of the allocation of D.C. background studies to each service:

- Water Services – 9%
- Wastewater Services – 21%
- Services Related to a Highway – 51%
- Fire Protection Services – 2%
- Parks and Recreation – 15%
- Library Services – 2%

In addition to the changes noted above, the mandatory 10% deduction has been removed. The total revised growth-related capital costs included in the updated D.C. calculations equal \$1.16 million.

The capital costs have been allocated 82% residential and 18% non-residential based on the incremental growth in population to employment for the 10-year forecast period, consistent with the 2018 D.C. Background Study.



Figure 4-4
Town of Pelham
Growth Studies Capital – Updated

Town of Pelham
Service Growth Studies

Prj.No	Increased Service Needs Attributable to Anticipated Development	D.C. Eligible Services to which Study Relates	Timing (year)	Gross Capital Cost Estimate (2018\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential DC Recoverable Cost		
								Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 82%	Non-Residential Share 18%
	2018-2027											
1	Development Charge Background Study											
1a	Development Charge Background Study	Water Services	2018	3,468	-		3,468	-		3,468	2,844	624
1b	Development Charge Background Study	Wastewater Services	2018	8,225	-		8,225	-		8,225	6,745	1,481
1c	Development Charge Background Study	Services Related to a Highway	2018	20,806	-		20,806	-		20,806	17,061	3,745
1d	Development Charge Background Study	Fire Protection Services	2018	779	-		779	-		779	638	140
1e	Development Charge Background Study	Parks and Recreation Services	2018	6,016	-		6,016	-		6,016	4,933	1,083
1f	Development Charge Background Study	Library Services	2018	706	-		706	-		706	579	127
	Sub-Total			40,000	-	-	40,000	-	-	40,000	32,800	7,200
2	Development Charge Background Study											
2a	Development Charge Background Study	Water Services	2023	3,500	-		3,500	-		3,500	2,870	630
2b	Development Charge Background Study	Wastewater Services	2023	8,200	-		8,200	-		8,200	6,724	1,476
2c	Development Charge Background Study	Services Related to a Highway	2023	20,800	-		20,800	-		20,800	17,056	3,744
2d	Development Charge Background Study	Fire Protection Services	2023	800	-		800	-		800	656	144
2e	Development Charge Background Study	Parks and Recreation Services	2023	6,000	-		6,000	-		6,000	4,920	1,080
2f	Development Charge Background Study	Library Services	2023	700	-		700	-		700	574	126
	Sub-Total			40,000	-	-	40,000	-	-	40,000	32,800	7,200
3	Water/Wastewater Master Plan											
3a	Water/Wastewater Master Plan	Water Services	2021	37,500	-		37,500	-		37,500	30,750	6,750
3b	Water/Wastewater Master Plan	Wastewater Services	2021	37,500	-		37,500	-		37,500	30,750	6,750
	Sub-Total			75,000	-	-	75,000	-	-	75,000	61,500	13,500



Figure 4-4 Continued
Town of Pelham
Growth Studies Capital – Updated

Town of Pelham
Service Growth Studies

Prj.No	Increased Service Needs Attributable to Anticipated Development	D.C. Eligible Services to which Study Relates	Timing (year)	Gross Capital Cost Estimate (2018\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential DC Recoverable Cost		
								Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share
	2018-2027										82%	18%
4	Stormwater Master Plan	Services Related to a Highway	2021	75,000	-		75,000	-		75,000	61,500	13,500
5	Downtown Master Plan Study											
5a	Downtown Master Plan Study	Water Services	2022	31,250	-	3,125	28,125	14,063		14,063	11,531	2,531
5b	Downtown Master Plan Study	Wastewater Services	2022	31,250	-	3,125	28,125	14,063		14,063	11,531	2,531
5c	Downtown Master Plan Study	Services Related to a Highway	2022	31,250	-	3,125	28,125	14,063		14,063	11,531	2,531
5d	Downtown Master Plan Study	Fire Protection Services	2022	18,750	-	1,875	16,875	8,438		8,438	6,919	1,519
5e	Downtown Master Plan Study	Parks and Recreation Services	2022	6,250	-	625	5,625	2,813		2,813	2,306	506
5f	Downtown Master Plan Study	Library Services	2022	6,250	-	625	5,625	2,813		2,813	2,306	506
	Sub-Total			125,000	-	12,500	112,500	56,250	-	56,250	46,125	10,125
6	Environmental Impact Study											
6a	Environmental Impact Study	Water Services	2023	37,500	-		37,500	-		37,500	30,750	6,750
6b	Environmental Impact Study	Wastewater Services	2023	37,500	-		37,500	-		37,500	30,750	6,750
	Sub-Total			75,000	-	-	75,000	-	-	75,000	61,500	13,500
7	Official Plan Review and Update											
7a	Official Plan Review and Update	Water Services	2023	56,250		5,625	50,625	25,313		25,313	20,756	4,556
7b	Official Plan Review and Update	Wastewater Services	2023	56,250		5,625	50,625	25,313		25,313	20,756	4,556
7c	Official Plan Review and Update	Services Related to a Highway	2023	56,250		5,625	50,625	25,313		25,313	20,756	4,556
7d	Official Plan Review and Update	Fire Protection Services	2023	33,750		3,375	30,375	15,188		15,188	12,454	2,734
7e	Official Plan Review and Update	Parks and Recreation Services	2023	11,250		1,125	10,125	5,063		5,063	4,151	911
7f	Official Plan Review and Update	Library Services	2023	11,250		1,125	10,125	5,063		5,063	4,151	911
	Sub-Total			225,000		22,500	202,500	101,250	-	101,250	83,025	18,225



Figure 4-4 Continued
Town of Pelham
Growth Studies Capital – Updated

Town of Pelham
Service Growth Studies

Prj.No	Increased Service Needs Attributable to Anticipated Development	D.C. Eligible Services to which Study Relates	Timing (year)	Gross Capital Cost Estimate (2018\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential DC Recoverable Cost		
								Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 82%	Non-Residential Share 18%
	2018-2027											
8	Pelham Transportation Master Plan	Services Related to a Highway	2021	100,000	-		100,000	25,000		75,000	61,500	13,500
9	Parks, Recreation and Cultural Services Master Plan	Parks and Recreation Services	2020	100,000	-		100,000	25,000		75,000	61,500	13,500
10	East Fonthill Study Debt - Principal						-	-		-	-	-
10a	East Fonthill Study Debt - Principal	Water Services	2018-2025	125,947	-		125,947	-		125,947	103,277	22,670
10b	East Fonthill Study Debt - Principal	Wastewater Services	2018-2025	125,947	-		125,947	-		125,947	103,277	22,670
10c	East Fonthill Study Debt - Principal	Services Related to a Highway	2018-2025	125,947	-		125,947	-		125,947	103,277	22,670
10d	East Fonthill Study Debt - Principal	Fire Protection Services	2018-2025	75,568	-		75,568	-		75,568	61,966	13,602
10e	East Fonthill Study Debt - Principal	Parks and Recreation Services	2018-2025	25,189	-		25,189	-		25,189	20,655	4,534
10f	East Fonthill Study Debt - Principal	Library Services	2018-2025	25,189	-		25,189	-		25,189	20,655	4,534
	Sub-Total			503,788	-		503,788	-		503,788	413,106	90,682
11	East Fonthill Study Debt - Discounted Interest											
11a	East Fonthill Study Debt - Discounted Interest	Water Services	2018-2025	3,541	-		3,541	-		3,541	2,903	637
11b	East Fonthill Study Debt - Discounted Interest	Wastewater Services	2018-2025	3,541	-		3,541	-		3,541	2,903	637
11c	East Fonthill Study Debt - Discounted Interest	Services Related to a Highway	2018-2025	3,541	-		3,541	-		3,541	2,903	637
11d	East Fonthill Study Debt - Discounted Interest	Fire Protection Services	2018-2025	2,124	-		2,124	-		2,124	1,742	382
11e	East Fonthill Study Debt - Discounted Interest	Parks and Recreation Services	2018-2025	708	-		708	-		708	581	127
11f	East Fonthill Study Debt - Discounted Interest	Library Services	2018-2025	708	-		708	-		708	581	127
11g	Sub-Total			14,163	-	-	14,163	-	-	14,163	11,614	2,549
				-	-		-	-		-	-	-
12	Reserve Fund Adjustment			30,283	-		30,283	-		30,283	24,832	5,451
	Total			1,403,234	-	35,000	1,368,234	207,500	-	1,160,734	951,802	208,932



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

4.4.1 *Updated D.C. Calculation (2018\$)*

Figure 4-5 provides the calculations for municipal-wide services/classes of the 10-year forecast period based on the changes described earlier in this chapter related to Parks and Recreation, Library, and Growth Studies.

The calculations provided herein are similar to what was provided in the 2018 D.C. Study. For the residential calculations, the total cost is divided by the “gross” (new resident) population to determine the per capita amount. The eligible D.C. cost calculations set out in Figures 4-1 to 4-4 are based on the net anticipated population increase. The cost per capita is then multiplied by the average occupancy of the new units to calculate the charge in Figure 4-5. With respect to non-residential development, the total costs allocated to non-residential development (based on need for service) have been divided by the anticipated development over the planning periods to calculate costs per sq.ft. of gross floor area for each service/class of service.



Figure 4-5
Town of Pelham
Municipal-wide D.C. Calculations (10-Year)

SERVICE/CLASS OF SERVICE	2018 \$ D.C.-Eligible Cost		2018 \$ D.C.-Eligible Cost	
	Residential	Non-Residential	SDU	per sq.ft.
1. <u>Parks and Recreation Services</u>	\$	\$	\$	\$
1.1 Parkland development, amenities & trails	2,704,304	142,332	1,966	0.27
1.2 Recreation facilities	4,563,405	240,179	3,316	0.47
	7,267,709	382,511	5,282	0.74
2. <u>Library Services</u>				
2.1 Library Facilities and Collection Materials	851,410	44,811	619	0.09
	851,410	44,811	619	0.09
3. <u>Growth Studies</u>				
3.1 Water Services	211,915	46,518	154	0.09
3.2 Wastewater Services	219,623	48,210	160	0.09
3.3 Services Related to a Highway	301,787	66,246	219	0.13
3.4 Fire Protection Services	59,182	12,991	43	0.02
3.5 Parks and Recreation Services	129,210	28,363	94	0.05
3.6 Library Services	30,083	6,604	22	0.01
	951,802	208,932	692	0.39
TOTAL	\$9,070,920	\$636,254	\$6,593	\$1.22
D.C.-Eligible Capital Cost	\$9,070,920	\$636,254		
10 Year Gross Population / GFA Growth (sq.ft.)	4,023	523,600		
Cost Per Capita / Non-Residential GFA (sq.ft.)	\$2,254.77	\$1.22		
By Residential Unit Type	p.p.u			
Single and Semi-Detached Dwelling	2.92	\$6,593		
Multiples	2.08	\$4,697		
Apartments - 2 Bedrooms +	2.00	\$4,514		
Apartments - Bachelor and 1 Bedroom	1.22	\$2,760		
Special Care/Special Dwelling Units	1.00	\$2,255		

Figures 4-6 and 4-7 compare the amended and existing single detached dwelling unit and non-residential per square foot D.C.s (2018 \$ values).



Figure 4-6
Town of Pelham
Comparison of Existing and Amending Development Charges
Residential Single Detached Unit
Development Charge (2018\$)

Service/Class of Service	Current As per By-law 4023(2018) as amended by By-law 4149(2019) (2018\$)	Calculated D.C. based on 2021 Update (2018\$)
Municipal Wide Services/Classes of Services:		
Services Related to a Highway	9,330	9,330
Fire Protection Services	349	349
Parks and Recreation Services ¹	3,581	5,282
Library Services	563	619
Growth Studies ²	678	692
Total Municipal Wide Services/Classes of Service	14,501	16,272
Urban Services:		
Wastewater Services	2,762	2,762
Water Services	1,165	1,165
Total Urban Services	3,927	3,927
Grand Total - Urban Area	18,428	20,199

¹ Previously presented as two separate charges for Indoor and Outdoor Recreation Services

² Previously presented as Administration



Figure 4-7
Town of Pelham
Comparison of Existing and Amending Development Charges
Non-Residential Development Charges per Square Foot
(2018\$)

Service/Class of Service	Current As per By-law 4023(2018) as amended by By-law 4149(2019) (2018\$)	Calculated D.C. based on 2021 Update (2018\$)
Municipal Wide Services/Classes of Services:		
Services Related to a Highway	5.21	5.21
Fire Protection Services	0.19	0.19
Parks and Recreation Services ¹	0.49	0.74
Library Services	0.08	0.09
Growth Studies ²	0.39	0.39
Total Municipal Wide Services/Classes of Service	6.36	6.62
Urban Services:		
Wastewater Services	1.90	1.90
Water Services	0.80	0.80
Total Urban Services	2.70	2.70
Grand Total - Urban Area	9.06	9.32

¹ Previously presented as two separate charges for Indoor and Outdoor Recreation Services

² Previously presented as Administration



4.4.2 Revised D.C. Rates (2018\$ and 2021\$)

Based on the calculations above, the Municipal-wide D.C. (in 2018\$) is calculated to increase from \$18,428 to \$20,199 per single detached unit and increase from \$9.06 to \$9.32 per square foot for non-residential development.

Figure 4-8 provides for the updated Municipal-wide D.C.s in 2018 values, as the study was originally completed in 2018. This figure would be included as the amending schedule to the D.C. by-law. Figure 4-9 provides for the indexed 2021 values as the Town's current D.C.s have been indexed by 5.27% on January 1, 2021 as per the by-law.



Figure 4-8
Town of Pelham
Updated Development Charge Schedule (2018\$)

Service	RESIDENTIAL				Special Care/Special Dwelling Units	NON-RESIDENTIAL (per ft² of Gross Floor Area)
	Single and Semi- Detached Dwelling	Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom		
Municipal Wide Services:						
Services Related to a Highway	9,330	6,647	6,388	3,906	3,191	5.21
Fire Protection Services	349	249	239	146	119	0.19
Parks and Recreation Services ¹	5,282	3,763	3,616	2,211	1,806	0.74
Library Services	619	441	424	259	212	0.09
Growth Studies ²	692	493	474	290	237	0.39
Total Municipal Wide Services	16,272	11,593	11,141	6,812	5,565	6.62
Urban Services						
Wastewater Services	2,762	1,968	1,891	1,156	945	1.90
Water Services	1,165	830	798	488	398	0.80
Total Urban Services	3,927	2,798	2,689	1,644	1,343	2.70
GRAND TOTAL RURAL AREA	16,272	11,593	11,141	6,812	5,565	6.62
GRAND TOTAL URBAN AREA	20,199	14,391	13,830	8,456	6,908	9.32

¹ Previously presented as two separate charges for Indoor and Outdoor Recreation Services

² Previously presented as Administration



Figure 4-9
Town of Pelham
Updated Development Charge Schedule (2021\$)

Service	RESIDENTIAL				Special Care/Special Dwelling Units	NON-RESIDENTIAL (per ft² of Gross Floor Area)
	Single and Semi- Detached Dwelling	Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom		
Municipal Wide Services:						
Services Related to a Highway	9,822	6,997	6,724	4,111	3,359	5.48
Fire Protection Services	367	262	251	153	125	0.19
Parks and Recreation Services ¹	5,560	3,961	3,807	2,328	1,901	0.78
Library Services	652	464	446	273	223	0.09
Growth Studies ²	728	519	499	305	249	0.41
Total Municipal Wide Services	17,129	12,203	11,727	7,170	5,857	6.95
Urban Services						
Wastewater Services	2,907	1,217	2,071	1,991	994	2.00
Water Services	1,227	514	874	840	419	0.84
Total Urban Services	4,134	1,731	2,945	2,831	1,413	2.84
GRAND TOTAL RURAL AREA	17,129	12,203	11,727	7,170	5,857	6.95
GRAND TOTAL URBAN AREA	21,263	13,934	14,672	10,001	7,270	9.79

¹ Previously presented as two separate charges for Indoor and Outdoor Recreation Services

² Previously presented as Administration



Chapter 5

Updates to the D.C. By-law



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

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

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

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

Instalment 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 will be based on the Town’s *Timing for Calculation of Development Charge, Instalment and Interest Policy* (S400-09). This policy may be amended from time to time.

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

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

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

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



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

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

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

In addition to the changes provided above, the following definition for “Class” will be provided:

“Class” means a grouping of services combined to create a single service for the purposes of this by-law and as provided in section 7 of the Development Charges Act.

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

No development charge shall be payable where the development:

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



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

With respect to exemptions, the following will be included as per Bill 213:

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



Chapter 6

Recommendations



6. Recommendations

It is recommended that Council:

“Approve the Development Charges Update Study dated December 22, 2021, as amended (if applicable)”;

“Approve the updated capital projects set out in Chapter 4 of the Development Charges Update Study dated December 22, 2021”;

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

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



Appendix A

Existing Policies under By-law 4023 (2018), as amended with By-law 4149 (2019)



A-1: Existing Policies under By-law 4023 (2018), as amended with By-law 4149 (2019)

The following subsections set out the rules governing the calculation, payment and collection of D.C.s as provided in By-law 4023 (2018) as amended, in accordance with the D.C.A.

Development Charges Imposed

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

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

Calculation of Development Charges

The development charge with respect to the uses of any land, building or structure shall be calculated as follows:

- a) in the case of residential development or the residential portion of a mixed-use development or redevelopment, based on the number and type of dwelling units or redevelopment, as the sum of the product of the number of dwelling units of



each type multiplied by the corresponding total amount for such dwelling unit type, as set out in Schedule "B";

- b) in the case of non-residential development or redevelopment, or the non-residential portion of a mixed-use development, as the sum of the product of the gross floor area multiplied by the corresponding total amount for such gross floor area as set out in Schedule "B".

Rules with Respect to Redevelopment

In the case of the re-development involving the demolition and replacement of all or part of a building or structure:

1. a credit offsetting the development charges payable shall be allowed, provided that the land was improved by occupied structures (or structures capable of occupancy) within the five years prior to the issuance of the demolition permit, and the building permit has been issued for the development or redevelopment within five years from the date the demolition permit has been issued; and
2. the credit shall be calculated as follows;
 - a. for residential buildings, the credit shall be equivalent to the number of dwelling units demolished multiplied by the applicable residential development charge in place at the time the development charge is payable under this by-law.
 - b. for non-residential buildings, the credit shall be equivalent to the gross floor area demolished multiplied by the applicable non-residential development charge in place at the time the development charge is payable under this by-law.

Notwithstanding Subsection 11(1), the credit cannot exceed the amount of the development charge that would otherwise be payable, and no credit is available if the existing land use is exempt under this by-law;

If a development includes the conversion of a premise from one use (the "first use") to another use, then the amount of development charges payable shall be reduced by the amount, calculated pursuant to this By-law at the current development charge rates,



that would be payable as development charges in respect of the first use, provided that such reduction shall not exceed the development charges otherwise payable.

Exemptions (full or partial)

The following are exempted from D.C.s:

- Statutory exemptions
 - a) Industrial building additions of up to and including 50% of the existing gross floor area (defined in O. Reg. 82/98, s. 1) of the building; for industrial building additions which exceed 50% of the existing gross floor area, only the portion of the addition in excess of 50% is subject to D.C.s (s. 4 (3)) of the D.C.A;
 - b) buildings or structures owned by and used for the purposes of any municipality, local board or Board of Education (s. 3); and
 - c) residential development that results only in the enlargement of an existing dwelling unit, or that results only in the creation of up to two additional dwelling units (based on prescribed limits set out in s.2 of O. Reg. 82/98).
- Non-statutory exemptions
 - That portion of a place of worship that is exempt from taxation under the Assessment Act;
 - Hospital;
 - Garden suit;
 - Farm help house;
 - A farm building;
 - Institutions that are exempt from municipal taxation under the following legislation;
 - Social Housing Reform Act;
 - Long Term Care Act; or
 - Mental Health Act,

Save and except those that are operated for profit.

Notwithstanding subsection (1), a 75% development charge exemption shall be granted for development of the type defined in paragraph (a), and located within the areas defined in paragraph (b), and subject to such development meeting all of the conditions set out in paragraph (c).



Indexing

The D.C.s imposed shall be adjusted annually commencing on January 1, 2020 and each January 1st thereafter, without amendment to the by-law, in accordance with the Statistics Canada Quarterly, Non-Residential Building Construction Price Index, catalogue number 62-007.

Timing of Calculation and Payment

Development charges shall be calculated and payable in full in money or by provision of services as may be agreed upon, or by credit granted under the Act, on the date that the first building permit is issued in relation to a building or structure on land to which a development charge applies.



Appendix B

Service Standards



TABLE B-1
SUMMARY OF SERVICE STANDARDS AS PER DEVELOPMENT CHARGES ACT, 1997, AS AMENDED
FOR SERVICES REVISED IN THIS 2021 UPDATE STUDY

Service Category	Sub-Component	10 Year Average Service Standard					Maximum Ceiling LOS
		Cost (per capita)	Quantity (per capita)		Quality (per capita)		
Services Related to a Highway	Services Related to a Highway - Roads	\$27,749.30	0.0142	km of roadways	1,954,176	per lane km	165,385,828
	Services Related to a Highway - Public Works Facilities	\$145.27	0.8618	ft² of building area	169	per ft²	865,809
	Services Related to a Highway - Public Works Vehicles	\$199.28	0.0017	No. of vehicles and equipment	117,224	per vehicle	1,187,709
Fire	Fire Facilities	\$403.98	1.4245	ft² of building area	284	per ft²	2,407,721
	Fire Vehicles	\$348.06	0.0008	No. of vehicles	435,075	per vehicle	2,074,438
	Fire Small Equipment and Gear	\$51.99	0.0050	No. of equipment and gear	10,398	per Firefighter	309,860
Parks and Recreation	Parkland Development	\$910.98	0.0032	Hectares of Parkland	284,681	per acre	3,126,483
	Parkland Amenities	\$318.87	0.0025	No. of parkland amenities	127,548	per amenity	1,094,362
	Indoor Recreation Facilities	\$1,211.37	4.6847	ft² of building area	259	per ft²	4,157,422
Library	Library Facilities	\$207.52	0.6232	ft² of building area	333	per ft²	712,209
	Library Collection Materials	\$65.55	8.4599	No. of library collection items	8	per collection item	224,968



Town of Pelham
Service Standard Calculation Sheet

Service: Parkland Development
Unit Measure: Hectares of Parkland

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2018 Value (\$/Ha)
Centennial Park	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0	\$282,000
Cherry Ridge Park	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	\$282,000
Harold Black Park	4.8	4.8	4.8	4.8	4.8	4.8	4.8	4.8	4.8	4.8	\$282,000
Hurlestone Park	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	\$282,000
Marlene Stewart Streit Park	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	\$282,000
North Pelham Park	3.6	3.6	3.6	3.6	3.6	3.6	3.6	3.6	3.6	3.6	\$282,000
Pelham Arena (adjacent parkland & tot lot)	3.2	3.2	3.2	3.2	3.2	3.2	3.2	3.2	3.2	3.2	\$282,000
Pelham Corners Park	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	\$282,000
Pelham Peace Park	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	\$282,000
Woodstream Park	2.8	2.8	2.8	2.8	2.8	2.8	2.8	2.8	2.8	2.8	\$282,000
Harold Bradshaw Park	20.2	20.2	20.2	20.2	20.2	20.2	20.2	20.2	20.2	20.2	\$282,000
Weiland Park										0.43	\$282,000
Lookout Park										0.82	\$282,000
Total	56.0	56.0	56.0	56.0	56.0	56.0	56.0	56.0	56.0	57.2	

Population	16,598	16,699	16,801	16,907	17,009	17,110	17,589	18,157	18,498	18,608
Per Capita Standard	0.0034	0.0034	0.0033	0.0033	0.0033	0.0033	0.0032	0.0031	0.0030	0.0031

10 Year Average	2011-2020
Quantity Standard	0.0032
Quality Standard	\$284,681
Service Standard	\$911

DC Amount (before deductions)	10 Year
Forecast Population	3,432
\$ per Capita	\$911
Eligible Amount	\$3,126,483



**Town of Pelham
Service Standard Calculation Sheet**

Service: Parkland Amenities
Unit Measure: No. of parkland amenities

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2018 Value (\$/item)
Soccer Lit	2	2	2	2	2	2	2	2	2	2	\$435,400
Soccer Intermediate	2	2	2	2	2	2	2	3	3	3	\$209,400
Soccer Mini	1	1	1	1	1	1	1	1	1	1	\$90,400
Ball Diamond Lit	3	3	3	3	3	3	3	3	3	3	\$380,300
Ball Diamond Unlit	4	4	4	4	4	4	4	3	3	3	\$192,900
Tball	1	1	1	1	1	1	1	1	1	1	\$66,100
Portable Lighting Equip	2	2	2	2	2	2	2	6	6	6	\$7,700
Portable bleachers	12	12	12	12	12	12	12	12	12	12	\$9,300
Playground Equip	8	8	8	8	8	8	8	9	9	11	\$137,800
Ice Resurfacer	1	1	1	1	1	1	1	2	2	2	\$92,800
Bandshell	1	1	1	1	1	1	1	1	1	1	\$92,700
Farmers Market	1	1	1	1	1	1	1	1	1	1	\$5,800
Tennis Courts (lit)	4	4	4	4	4	4	4	4	4	4	\$88,200
Skate Park	-	-	-	1	1	1	1	1	1	1	\$438,700
Total	42	42	42	43	43	43	43	49	49	51	

Population	16,598	16,699	16,801	16,907	17,009	17,110	17,589	18,157	18,498	18,608
Per Capita Standard	0.0025	0.0025	0.0025	0.0025	0.0025	0.0025	0.0024	0.0027	0.0026	0.0027

10 Year Average	2011-2020
Quantity Standard	0.0025
Quality Standard	\$127,548
Service Standard	\$319

DC Amount (before deductions)	10 Year
Forecast Population	3,432
\$ per Capita	\$319
Eligible Amount	\$1,094,362



**Town of Pelham
Service Standard Calculation Sheet**

Service: Indoor Recreation Facilities
Unit Measure: ft² of building area

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2018 Bld'g Value (\$/ft²)	Value/ft² with land, site works, etc.
Arena	29,690	29,690	29,690	29,690	29,690	29,690	-	-	-	-	\$193	\$234
Senior Citizen's Centre	4,200	4,200	4,200	4,200	4,200	4,200	4,200	4,200	4,200	4,200	\$167	\$206
Outdoor Swimming Pool	3,360	3,360	3,360	3,360	3,360	3,360	3,360	3,360	3,360	3,360	\$153	\$190
Storage Hut at Arena	912	912	912	912	912	912	-	-	-	-	\$85	\$115
Portable 1 (Dressing Room)	-	-	-	504	504	504	-	-	-	-	\$171	\$210
Portable 2 (Lunchroom/Washroom)	-	-	-	504	504	504	-	-	-	-	\$131	\$166
Meridian Community Centre							143,000	143,000	143,000	143,000	\$256	\$277
Total	38,162	38,162	38,162	39,170	39,170	39,170	150,560	150,560	150,560	150,560		

Population	16,598	16,699	16,801	16,907	17,009	17,110	17,589	18,157	18,498	18,608
Per Capita Standard	2.2992	2.2853	2.2714	2.3168	2.3029	2.2893	8.5599	8.2921	8.1393	8.0911

10 Year Average	2011-2020
Quantity Standard	4.6847
Quality Standard	\$259
Service Standard	\$1,211

DC Amount (before deductions)	10 Year
Forecast Population	3,432
\$ per Capita	\$1,211
Eligible Amount	\$4,157,422



**Town of Pelham
Service Standard Calculation Sheet**

Service: Library Facilities
Unit Measure: ft² of building area

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2018 Bld'g Value (\$/ft²)	Value/ft² with land, site works, etc.
Main Branch (Fonthill)	8,425	8,425	8,425	8,425	8,425	8,425	8,425	8,425	8,425	8,425	\$258	\$333
Maple Acre (Fenwick) Branch	1,410	1,410	1,410	1,410	1,410	1,410	4,000	4,000	4,000	4,000	\$258	\$333
Total	9,835	9,835	9,835	9,835	9,835	9,835	12,425	12,425	12,425	12,425		

Population	16,598	16,699	16,801	16,907	17,009	17,110	17,589	18,157	18,498	18,608
Per Capita Standard	0.5925	0.5890	0.5854	0.5817	0.5782	0.5748	0.7064	0.6843	0.6717	0.6677

10 Year Average	2011-2020
Quantity Standard	0.6232
Quality Standard	\$333
Service Standard	\$208

DC Amount (before deductions)	10 Year
Forecast Population	3,432
\$ per Capita	\$208
Eligible Amount	\$712,209



**Town of Pelham
Service Standard Calculation Sheet**

Service: Library Collection Materials
Unit Measure: No. of library collection items

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2018 Value (\$/item)
Books	52,566	41,589	44,952	45,334	42,284	35,096	35,792	31,876	33,155	33,595	\$21
Non-books	4,299	3,588	5,079	5,262	5,525	5,270	5,774	6,821	7,362	7,296	\$29
Magazine Titles	55	77	274	177	294	232	226	117	104	104	\$77
Value of Subscriptions	49,620	49,620	49,620	73,720	74,250	67,800	77,410	112,260	136,760	348,710	\$1
Electronic Products	30	35	40	45	50	55	60	65	70	70	\$500
Total	106,570	94,909	99,965	124,538	122,403	108,453	119,262	151,139	177,451	389,775	

Population	16,598	16,699	16,801	16,907	17,009	17,110	17,589	18,157	18,498	18,608
Per Capita Standard	6.42	5.68	5.95	7.37	7.20	6.34	6.78	8.32	9.59	20.95

10 Year Average	2011-2020
Quantity Standard	8.4599
Quality Standard	\$8
Service Standard	\$66

DC Amount (before deductions)	10 Year
Forecast Population	3,432
\$ per Capita	\$66
Eligible Amount	\$224,968



Appendix C

Draft Amending Development Charge By-law



Town of Pelham

By-law Number _____

Being a By-Law of the Town of Pelham To Amend By-Law 4023 (2018), as amended, Respecting Development Charges

Whereas the Town of Pelham (the “Town”) enacted By-law 4023 (2018) pursuant to the *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended (the “Act”), which Act authorizes Council to pass By-laws for the imposition of development charges against land;

And Whereas the Town has undertaken a study pursuant to the Act which has provided updated Schedules to By-law 4023 (2018);

And Whereas the Council of the Town of Pelham (“Council”) has before it a report entitled “Town of Pelham 2021 Development Charge Update Study” prepared by Watson & Associates Economists Ltd., dated December 22, 2021 (the “update study”);

And Whereas the update study and proposed amending By-law were made available to the public on December 22, 2021 and Council gave notice to the public pursuant to Section 12 of the Act.

And Whereas Council, on February 7, 2022 held a meeting open to the public, pursuant to Section 12 of the Act, at which Council considered the study, and written and oral submissions from the public;

NOW THEREFORE Council hereby enacts as follows:

1. By-law 4023 (2018) is hereby amended as follows:

A. Addition of Class to the definitions in Section 1 as follows:

“Class” means a grouping of services combined to create a single service for the purposes of this By-law and as provided in Section 7 of the Development Charges Act.

B. Addition of Institutional Development to definitions in Section 1 as follows:

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



- (i) as a long-term care home within the meaning of Subsection 2 (1) of the *Long-Term Care Homes Act, 2007*;
- (ii) as a retirement home within the meaning of Subsection 2 (1) of the *Retirement Homes Act, 2010*;
- (iii) by any of the following post-secondary institutions for the objects of the institution:
 - 1. a university in Ontario that receives direct, regular, and ongoing operating funding from the Government of Ontario,
 - 2. a college or university federated or affiliated with a university described in subclause (1), or
 - 3. an Indigenous Institute prescribed for the purposes of Section 6 of the *Indigenous Institutes Act, 2017*;

C. Addition of Interest Rate to the definitions in Section 1 as follows:

“Interest Rate” means the annual rate of interest calculated as per the Town’s *Timing for Calculation of Development Charge, Instalment and Interest Policy* (S400-09) as may be revised from time to time.

D. Addition of Non-profit Housing Development to the definitions in Section 1 as follows:

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

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

E. Addition of Rental Housing to the definitions in Section 1 as follows:



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

F. Addition of exemption for University to Section 4, subsection (6), as follows:

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

G. Addition of Section 4(8) for “Rules with Respect to Exemptions for New Development”

“4(8) Notwithstanding the provisions of this By-law, no development charge shall be payable where the development:

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

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

H. Addition of policies related to the timing of development charges payments. These will be included after Section 14(2) of the development charges by-law:

New Sections:

14(3) Notwithstanding subsections 14(1) and 14(2), Development Charges for Rental Housing and Institutional Developments are due and payable in six equal annual instalment payments commencing with the first instalment payable on the date of occupancy, and each subsequent instalment, including interest as per the Town’s D.C. Interest Policy, payable on the anniversary date each year thereafter.



- 14(4) Notwithstanding subsections 14(1) and 14(2), Development Charges for Non-profit Housing Developments are due and payable in 21 equal annual instalment payments commencing with the first instalment payable on the date of occupancy, and each subsequent instalment, including interest as per the Town's D.C. Interest policy, payable on the anniversary date each year thereafter.
- 14(5) Where the development of land results from the approval of a site plan or zoning by-law amendment application received on or after January 1, 2020, and the approval of the application occurred within two years of building permit issuance, the development charges under section 2 (2) and shall be calculated on the rates set out in Schedule "B" on the date of the planning application, including interest. Where both planning applications apply development charges under section 2 (2) shall be calculated on the rates payable on the anniversary date each year thereafter, set out in Schedule "B" on the date of the later planning application, including interest as provided in the Town's D.C. Interest Policy.
- I. Schedule "A" is deleted, and the attached Schedule "A" is substituted, therefore.
- J. Schedules "B" is deleted, and the attached Schedule "B" is substituted, therefore.
2. This By-law shall come into force and effect at 12:01AM on March 8, 2022.
3. Except as amended by this By-law, all provisions of By-law 4023 (2018), as amended, are and shall remain in full force and effect.

By-law read a first and second time this 7th day of March, 2022.

By-law read a third time and finally passed this 7th day of March, 2022.

Mayor: _____



Clerk: _____



**SCHEDULE “A”
TO BY-LAW NO. 4023 (2018)
DESIGNATED MUNICIPAL SERVICES/CLASSES OF SERVICES UNDER THIS
BY-LAW**

Town-Wide D.C.-Eligible Services

- Services Related to a Highway
- Fire Protection Services
- Library Services
- Parks and Recreation Services
- Growth Studies

Urban Area D.C.-Eligible Services

- Water Services
- Wastewater Services



SCHEDULE B SCHEDULE OF DEVELOPMENT CHARGES

Service	RESIDENTIAL				Special Care/Special Dwelling Units	NON-RESIDENTIAL (per ft² of Gross Floor Area)
	Single and Semi- Detached Dwelling	Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom		
Municipal Wide Services:						
Services Related to a Highway	9,330	6,647	6,388	3,906	3,191	5.21
Fire Protection Services	349	249	239	146	119	0.19
Parks and Recreation Services ¹	5,282	3,763	3,616	2,211	1,806	0.74
Library Services	619	441	424	259	212	0.09
Growth Studies ²	692	493	474	290	237	0.39
Total Municipal Wide Services	16,272	11,593	11,141	6,812	5,565	6.62
Urban Services						
Wastewater Services	2,762	1,968	1,891	1,156	945	1.90
Water Services	1,165	830	798	488	398	0.80
Total Urban Services	3,927	2,798	2,689	1,644	1,343	2.70
GRAND TOTAL RURAL AREA	16,272	11,593	11,141	6,812	5,565	6.62
GRAND TOTAL URBAN AREA	20,199	14,391	13,830	8,456	6,908	9.32

¹ Previously presented as two separate charges for Indoor and Outdoor Recreation Services

² Previously presented as Administration



Town of Pelham

Public Meeting – 2021 D.C. Update Study

February 7, 2022

Format for Public Meeting



- D.C.A. Public Meeting
 - Opening remarks
 - Presentation of the proposed policies and charges
 - Presentations by the Public
 - Questions from Council
 - Conclude Public Meeting

Study Process & Timelines



- Calculations and Policy Review (September to November 2021)
- Release of Background Study (December 22, 2021)
- **Public Meeting (February 7, 2022)** ←
- Council Consideration of by-law passage (March 7, 2022)

Public Meeting and D.C. Update Purpose



- The purpose of the D.C. Update is to incorporate the following changes to the Town's D.C. By-law:
 - Incorporate the policy changes as a result of Bills 108, 138, 197 and 213;
 - Remove the Mandatory 10% deduction; and
 - Update the D.C. recovery for the Meridian Community Centre.
- The meeting is a mandatory requirement under the Development Charges Act (D.C.A.)
- Prior to Council's consideration of a by-law, a background study must be prepared and available to the public a minimum 60 days prior to the D.C. by-law passage

Development Charges



Purpose:

- To recover the capital costs associated with residential and non-residential growth within a municipality
- The capital costs are in addition to what costs would normally be constructed as part of a subdivision (i.e. internal roads, sewers, watermains, roads, sidewalks, streetlights, etc.)
- Municipalities are empowered to impose these charges via the Development Charges Act (D.C.A.)



Changes to the Legislation since the Town's 2018 D.C. Study

There were a number of changes to the D.C.A. since the completion of the previous background study. These changes were provided through:

- Bill 108: More Homes, More Choice Act, 2019
- Bill 138: Plan to Build Ontario Together Act, 2019
 - (Removed installment payments for commercial and industrial developments identified in Bill 108)
- Bill 197: COVID-19 Economic Recovery Act, 2020
- Bill 213: Better for People, Smarter for Business Act, 2020
 - Exemption of D.C.s on University Lands

Bills 108 (More Homes, More Choice Act, 2019) and 138 (Plan to Build Ontario Together Act, 2019)



- On May 2, 2019, the Province introduced Bill 108, which proposed changes to the D.C.A.
 - Some sections were proclaimed in December of 2019 (noted below)
 - On Nov. 6, 2019, the Province introduced Bill 138, which provided further changes to the D.C.A. The Bill was proclaimed December 10, 2019.
- The following provisions became effective as of January 1, 2020 and have been included in Pelham's D.C. by-law:
 - Rental housing and institutional developments will pay D.C.s in 6 equal annual payments (Bill 138 removed installment payments for commercial and industrial)
 - Non-profit housing developments will pay D.C.s in 21 equal annual payments
 - The D.C. rate is frozen for Site Plan or Zoning By-law amendments until 2 years after approval
 - Interest may be charged on the installments and D.C. freeze

Bill 197 (COVID-19 Economic Recovery Act, 2020)



The Province tabled legislation on July 8, 2020 in response to the COVID-19 global pandemic. Most of the proposed Bill 108 changes were revised by Bill 197. All sections of Bill 197 were proclaimed on September 18, 2020. The following changes are provided:

- D.C. eligible services: the list of D.C. eligible services has now been expanded from the original list under Bill 108.
- Classes of services may be established for components of a service or a combination of services.
- The mandatory 10% deduction is removed for all D.C.-eligible services.
- The 10-year planning horizon limit has been removed for all services except for transit

D.C. Eligible Services – As per Bill 197



1. Water
2. Wastewater
3. Storm water drainage
4. Services related to a highway.
5. Electrical power services.
6. Toronto-York subway extension.
7. Transit
8. Waste diversion
9. Policing
10. Fire protection
11. Ambulance
12. Library
13. Long-term Care
14. Parks and Recreation
15. Public Health services
16. Childcare and early years services.
17. Housing services.
18. Provincial Offences Act
19. Emergency Preparedness
20. Airports (Waterloo Region only).



Bill 213 (Better for People, Smarter for Business Act, 2020)

On December 8, 2020, Bill 213 received Royal Assent. One of the changes of the Bill that took effect upon Royal Assent included amending the Ministry of Training, Colleges and Universities Act by introducing a new section that would exempt the payment of D.C.s for developments of land intended for use by a university that receives operating funds from the Government.

This change will be reflected in the amending D.C. By-Law.

2021 D.C. Update – 10% Deduction Removal



- The legislation has removed the mandatory deduction for all services that remain eligible in the D.C. For the Town, the 10% deduction has been removed for the following services:
 - Indoor and Outdoor Recreation Services (Now “Parks and Recreation Services”);
 - Library Services; and
 - Administration Studies (Now a Class of Service: “Growth Studies”).

2021 D.C. Update – Classes of Services



- The Town currently has an “Administration” category which contains several D.C. eligible studies. Due to the changes from Bill 197, this category will need to be considered a “Class of Services”. With this change, the “Administration” service is being renamed to “Growth Studies”.

2021 D.C. Update – Capital Adjustments



- Parks and Recreation:
 - The D.C. recovery of the Meridian Community Centre has been adjusted to account for the increase in the service standard ceiling.
- With respect to studies:
 - For planning related studies, a deduction of 10% has been applied to recognize the extent to which the studies relate to non-D.C.-eligible services.

2021 D.C. Update – Other By-law Revisions



The following provisions are being included in the Town's D.C. By-law:

- Timing of Payment Provisions:
 - Rental housing and institutional developments (six equal annual payments)
 - Non-profit housing (21 equal annual payments)
- D.C. Rate Freeze:
 - Site plan or Zoning by-law amendment application (D.C. rates frozen for 2 years)
- Interest Rates for the above
- The Addition of Policies and Definitions as described in O.Reg. 454/19

Current D.C. Rates – By-law 4023(2018), as amended by 4149(2019) (2018\$)



Service/Class of Service	Residential					Non-Residential
	Single & Semi Detached	Other Multiples	Apartments - 2 Bedrooms +	Apartments Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	per sq.ft. of Gross Floor Area)
Municipal Wide Services/Classes of Services						
Services Related to a Highway	9,330	6,647	6,388	3,906	3,191	5.21
Fire Protection Services	349	249	239	146	119	0.19
Parks and Recreation Services ¹	3,581	2,551	2,452	1,499	1,224	0.49
Library Services	563	401	385	236	193	0.08
Growth Studies ²	678	483	464	284	232	0.39
Total Municipal Wide Services/Classes of Services	14,501	10,331	9,928	6,071	4,959	6.36
Urban Services:						
Wastewater Services	2,762	1,968	1,891	1,156	945	1.90
Water Services	1,165	830	798	488	398	0.80
Total Urban Services	3,927	2,798	2,689	1,644	1,343	2.70
Total Municipal-Wide + Urban	18,428	13,129	12,617	7,715	6,302	9.06

¹ Previously presented as two separate charges for Indoor and Outdoor Recreation Services

² Previously presented as Administration

Calculated D.C. Rates (2018\$)



Service/Class of Service	Residential				Special Care/Special Dwelling Units	Non-Residential (per ft² of Gross Floor Area)
	Single and Semi- Detached Dwelling	Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom		
Municipal Wide Services/Classes of Services						
Services Related to a Highway	9,330	6,647	6,388	3,906	3,191	5.21
Fire Protection Services	349	249	239	146	119	0.19
Parks and Recreation Services ¹	5,282	3,763	3,616	2,211	1,806	0.74
Library Services	619	441	424	259	212	0.09
Growth Studies ²	692	493	474	290	237	0.39
Total Municipal Wide Services/Classes of Services	16,272	11,593	11,141	6,812	5,565	6.62
Urban Services						
Wastewater Services	2,762	1,968	1,891	1,156	945	1.90
Water Services	1,165	830	798	488	398	0.80
Total Urban Services	3,927	2,798	2,689	1,644	1,343	2.70
Total Municipal-Wide + Urban	20,199	14,391	13,830	8,456	6,908	9.32

¹ Previously presented as two separate charges for Indoor and Outdoor Recreation Services

² Previously presented as Administration

Note: the above figures will need to be indexed to 2022\$ at 24.1%

Rate Comparison – Residential (2018\$)



Service/Class of Service	Current As per By-law 4023(2018) as amended by By-law 4149(2019) (2018\$)	Calculated D.C. based on 2021 Update (2018\$)
Municipal Wide Services/Classes of Services:		
Services Related to a Highway	9,330	9,330
Fire Protection Services	349	349
Parks and Recreation Services ¹	3,581	5,282
Library Services	563	619
Growth Studies ²	678	692
Total Municipal Wide Services/Classes of Services	14,501	16,272
Urban Services:		
Wastewater Services	2,762	2,762
Water Services	1,165	1,165
Total Urban Services	3,927	3,927
Grand Total - Urban Area	18,428	20,199

¹ Previously presented as two separate charges for Indoor and Outdoor Recreation Services

² Previously presented as Administration

Rate Comparison – Non-Residential (2018\$)

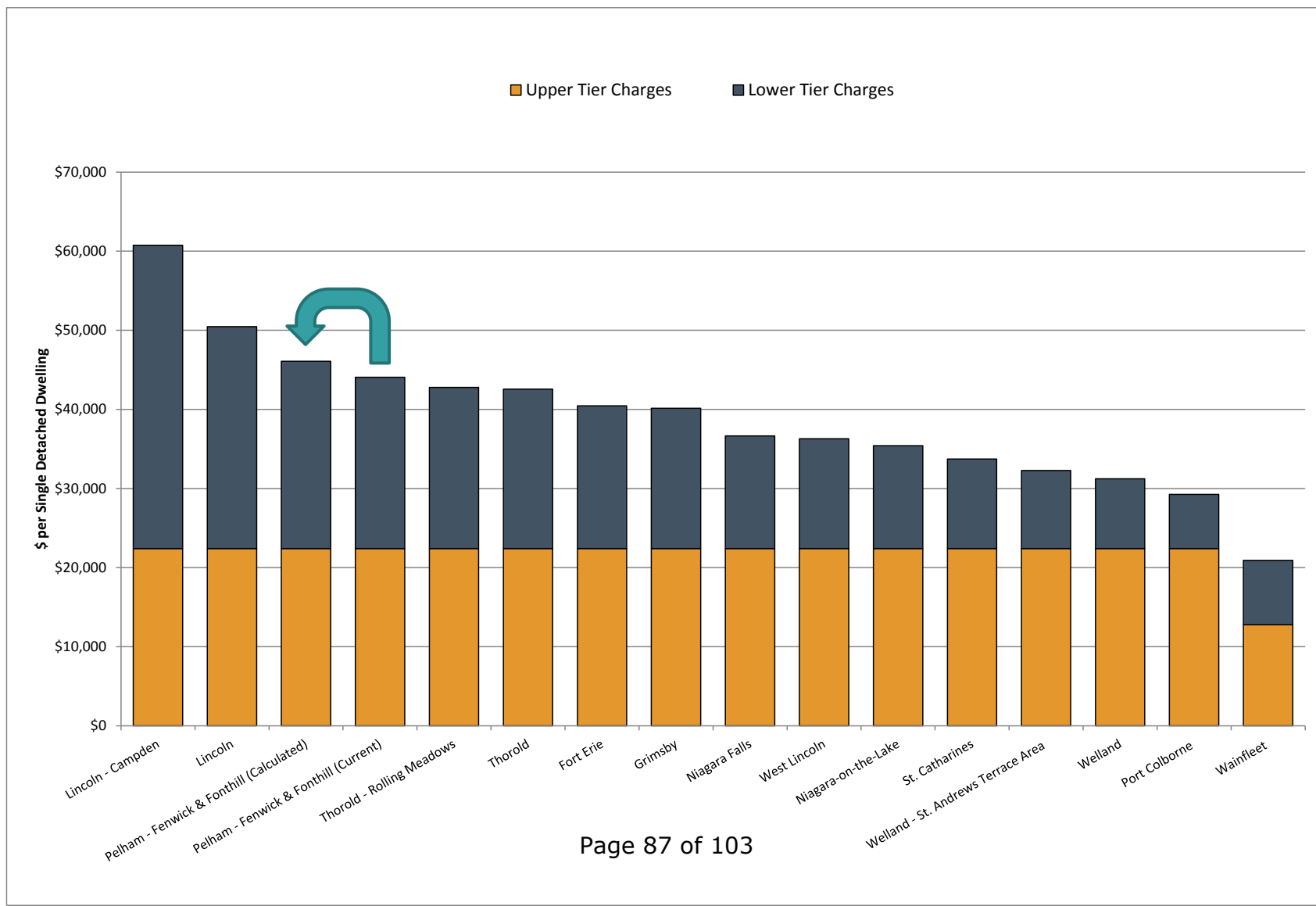


Service/Class of Service	Current As per By-law 4023(2018) as amended by By-law 4149(2019) (2018\$)	Calculated D.C. based on 2021 Update (2018\$)
Municipal Wide Services/Classes of Services:		
Services Related to a Highway	5.21	5.21
Fire Protection Services	0.19	0.19
Parks and Recreation Services ¹	0.49	0.74
Library Services	0.08	0.09
Growth Studies ²	0.39	0.39
Total Municipal Wide Services/Classes of Services	6.36	6.62
Urban Services:		
Wastewater Services	1.90	1.90
Water Services	0.80	0.80
Total Urban Services	2.70	2.70
Grand Total - Urban Area	9.06	9.32

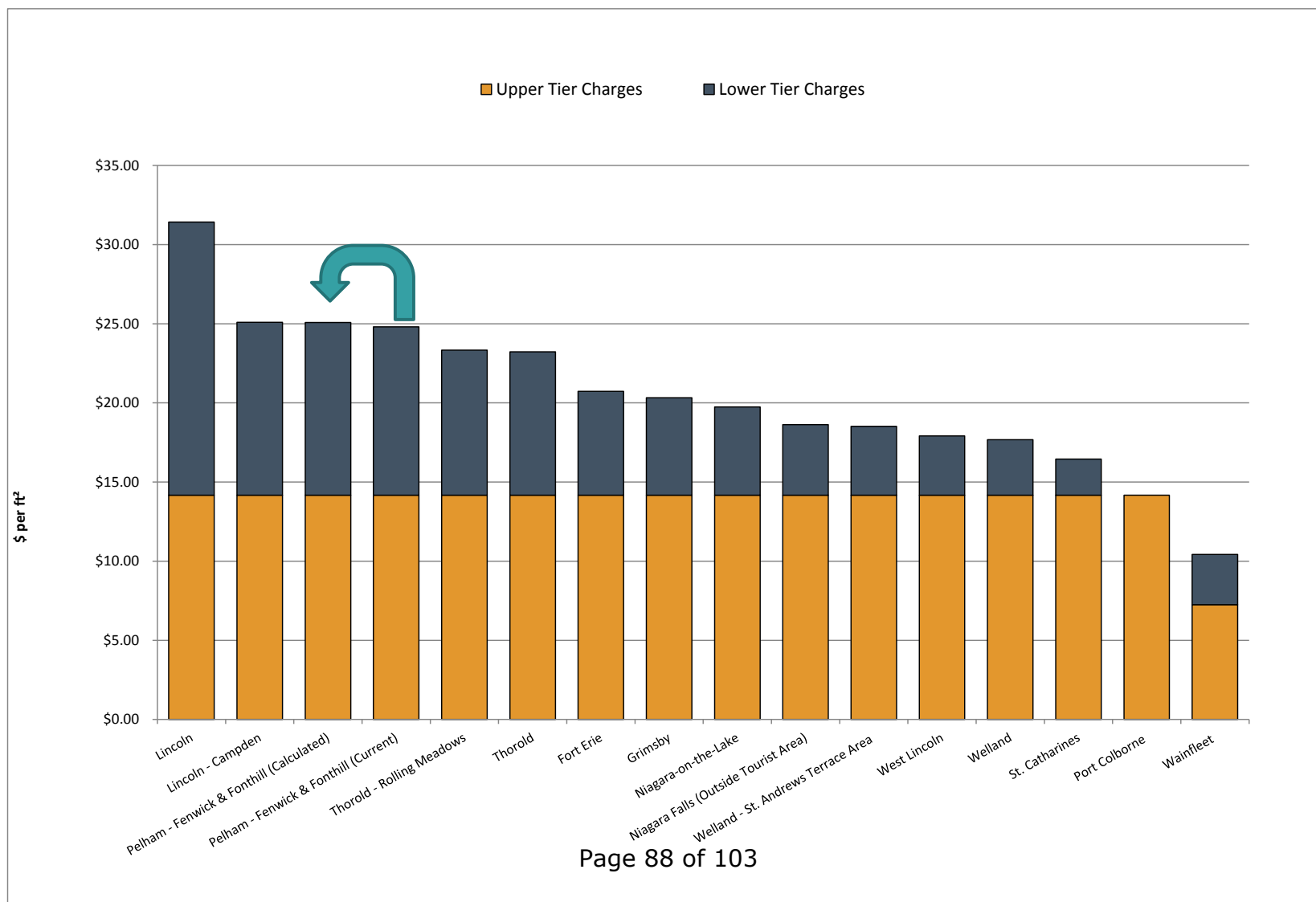
¹ Previously presented as two separate charges for Indoor and Outdoor Recreation Services

² Previously presented as Administration

Residential (per single-detached unit) Development Charges Comparison (2022)

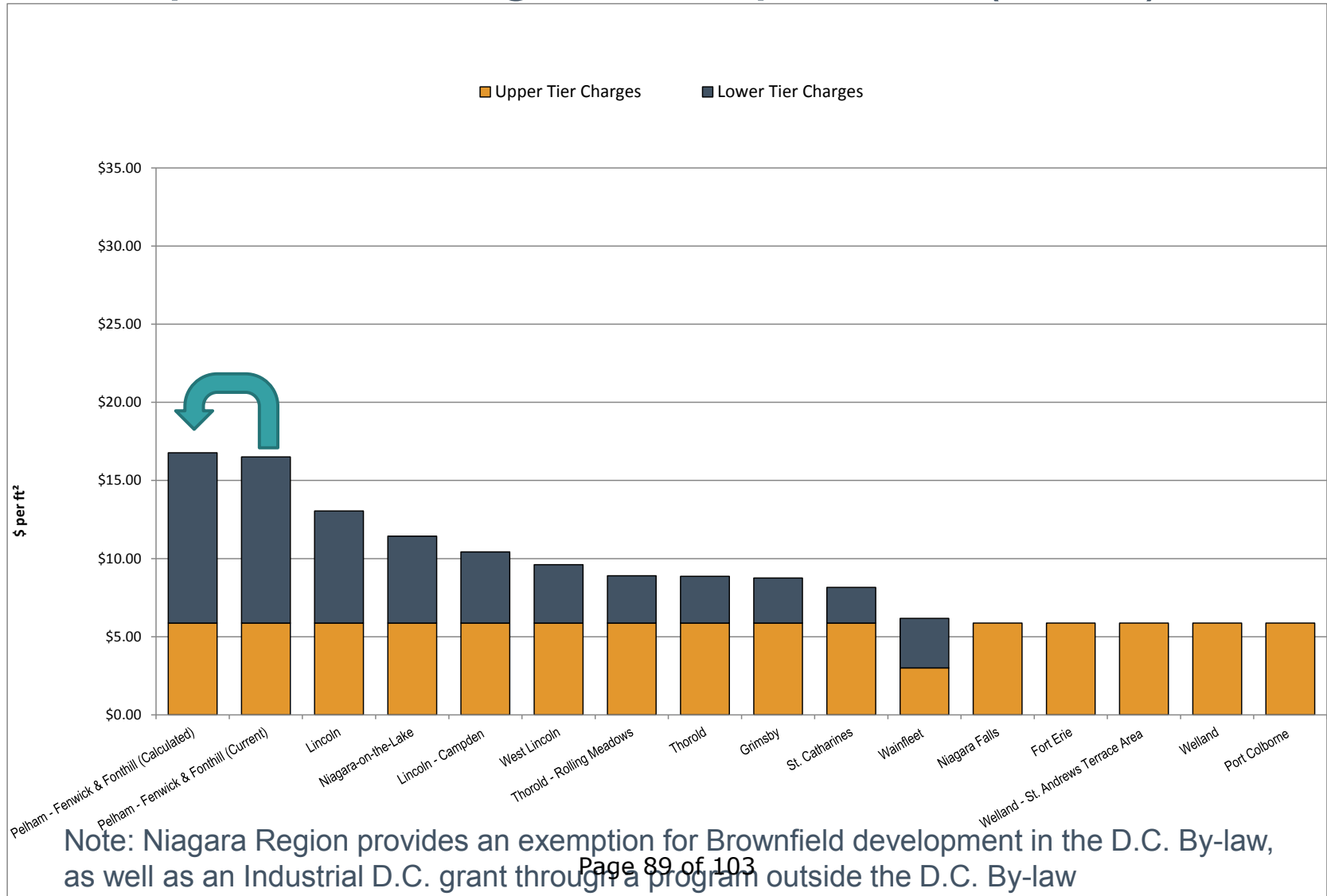


Non-Residential – Commercial (per sq.ft.) Development Charges Comparison (2022)





Non-Residential – Industrial (per sq.ft.) Development Charges Comparison (2022)



Next Steps



By-law Passage
(March 7, 2022)

Pelham Greenhouse Growers Group
[REDACTED] Victoria Ave.,
Fenwick, ON
L0S 1C0

January 26, 2022

Attention Town of Pelham:

In regards to 2021 Development Charges Update Study of Dec. 22, 2021

Please be advised that the Pelham Greenhouse Growers Group are in opposition to the proposal of development charges for greenhouses and hoop houses. We note in the proposed TOP Development Charges Study on page A-4, that agricultural buildings are exempt from these development charges and it is our position that greenhouses along with hoop houses should be exempt as well.

We have attached a letter from the Ontario Federation of Agriculture (OFA) of April 14, 2020 stating their position on the proposed development charges. Please see attachment No.1

By-law No. 4117 (2019) needs to be repealed, since it does not reflect the true facts that greenhouses are considered agriculture and should receive the same considerations and exemptions as all other farm buildings. By-law No. 1118 (1987) should be reinstated. Please see attachment No.2

By-law No. 4117 (2019) was created to apply more control over the development of cannabis growers, which it has not been able to do. Look at the number of cannabis growers in Pelham and the size of their facilities. Greenhouse growers of agriculture and horticulture products have suffered the consequences of this By-law change. ie; site plan

agreements, proposed development charges, including building permits for hoop houses.

The Farming and Food Production Act (FFPPA), also known as the Normal Farm Practice ACT (see the link below from OMAFRA website)

“agricultural operation” means an agricultural, aquacultural, horticultural or silvicultural operation that is carried on in the expectation of gain or reward”

C. the production of agricultural crops, greenhouse crops, maple syrup, mushrooms, nursery stock, tobacco, tree and turf grass, and any additional agricultural crops prescribed by the Minister;

<https://www.ontario.ca/laws/statute/98f01>

Another consideration is that's we do not believe that the Town of Pelham can justify DC's on greenhouses and hoop houses because they do not create any burden on Town services from them because there is no capital cost to the Town because of them. What would it be? It's not fire services, snow ploughing, Town administration, road maintenance, sewer & water, etc.

Please see attachment #3

Ontario Building Code (OBC) Part A 1.3.1.2 says that farm buildings are governed by the National Building Code. OBC A 1.4.1.2 defines Farm Buildings and in the Appendix, it specifically lists greenhouses as an example of a farm building. FNBC has the same definitions, the excerpt is attached. Note that both codes refer to the Ontario Fire Code, and all 3 documents state that the fire code is not applicable to low human occupancy buildings, which is less than 1 person per 40 sq.m. (430 sq.ft.) during normal operations. Please see attachment #4

Sincerely,

John Langendoen

Willowbrook Nurseries

April 14, 2020

John Ballantine
Municipal Finance Policy Branch
College Park 13th Floor, 777 Bay Street
Toronto, ON
M7A 2J3

Dear Mr. Ballantine:

RE: Environmental Registry of Ontario Posting # 019-1406 - The Proposed regulatory matters pertaining to community benefits authority under the *Planning Act*, the *Development Charges Act*, and the *Building Code Act*

The Ontario Federation of Agriculture (OFA) is Canada's largest voluntary general farm organization, representing more than 38,000 farm family businesses across Ontario. These farm businesses form the backbone of a robust food system and rural communities with the potential to drive the Ontario economy forward.

OFA is pleased to comment on the proposed regulatory changes under the *Planning Act*, the *Development Charges Act* and the *Building Code Act*.

Development charges

Ontario's Provincial Policy Statement appropriately acknowledges the need to protect agricultural land. Only 5% of Ontario's land base is suitable for agriculture. And since we have no way to make more soil, we need to hold on to all the productive land and soil we have. And if the supply of available, productive agricultural land continues to dwindle, everyone will suffer.

Every day, prime agricultural land is lost to non-agricultural uses like housing and commercial developments and aggregate extraction. Statistics Canada reports illustrate this very clearly. In the five-year period between 2006 and 2016, nearly 390,000 hectares of farmland was lost. Ontario cannot sustain this level of farmland loss and continue producing enough food, fiber and fuel.

Development charges are a financial tool that can be adjusted to provide incentives to help keep farmland in production. Imposing development charges on building new farm structures creates a disincentive for farmers to reinvest in their farm operation, which undermines the financial viability of Ontario family farms and leads to the loss of agricultural land.

To create the financial incentives necessary to support the protection of agricultural land, farm buildings/structures should be exempt from development charges. Exempting farm structures

from development charges, and maintaining them for all other types of development, will increase the relative cost for developing agricultural land for other uses, creating a financial incentive to keep agricultural land in production.

In addition, exempting farm structures from development charges is consistent with the purpose of development charges, i.e., “to pay for increased capital costs required because of increased needs for services arising from development”. New farm residences should be treated the same as other new residences with regards to development charges. The construction of new farm buildings/structures, however, does not generate growth-related capital costs. Therefore, development charges should not apply to farm buildings/structures. If they do, farmers are bearing more than their share of the municipality's additional capital expenditures.

Most municipalities in agricultural areas have chosen to exempt farm buildings from development charges. However, subsequent by-laws may inadvertently omit the existing exemptions for farm buildings/structures unless farmers and municipal counselors are vigilant.

Standardizing the application of development charges to agriculture through a province-wide exemption would prevent farmers from facing inequitable treatment in a minority of municipalities that have inadvertently not provided an exemption.

Therefore, OFA requests that the *Development Charges Act* be amended **to provide a statutory exemption to farm buildings/structures from all development charges.**

The proposed regulatory changes to the *Development Charges Act* would allow for Development Charges to be applied to fund the following services.

1. Public libraries, including library materials for circulation, reference or information purposes
2. Long-term care
3. Parks development, such as playgrounds, splash pads, equipment and other park amenities (but not the acquisition of land for parks)
4. Public health
5. Recreation, such as community recreation centres and arenas

OFA recognizes that these are vital services for communities across Ontario. It also needs to be recognized that the construction of on farm buildings/structures will not increase the capital cost requirements of providing these services. Provided farm buildings/structures are exempt from development charges, OFA supports the proposed changes. This is consistent with OFA's position on Development Charges which is that “development should pay for the cost of development”.

Community Benefits

Similarly, OFA recognizes the need for Community Benefit charges to help municipalities recover development related costs that are not captured by Development Charges. Applying Community Benefit charges would lessen the burden on local property taxpayers who need to pick up the cost of development related costs that are not captured by Development Charges.

Given that Community Benefits charges, much like Development Charges are intended to cover the capital costs associated with development and that farm buildings/structures do not contribute to such capital costs, **OFA requests that farm buildings/structures be exempt from all Community Benefits charges.**

Sincerely,

A handwritten signature in black ink, appearing to read 'Keith Currie', written in a cursive style.

Keith Currie
President

cc: OFA Board of Directors

Development Charges Act, 1997

S.O. 1997, CHAPTER 27

PART II DEVELOPMENT CHARGES

DEVELOPMENT CHARGES

Development charges

2 (1) 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 development of the area to which the by-law applies. 1997, c. 27, s. 2 (1).

What development can be charged for

(2) A development charge may be imposed only for development that 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
- (g) the issuing of a permit under the *Building Code Act, 1992* in relation to a building or structure. 1997, c. 27, s. 2 (2); 2015, c. 26, s. 2 (1); 2015, c. 28, Sched. 1, s. 148.

Same

(3) An action mentioned in clauses (2) (a) to (g) does not satisfy the requirements of subsection (2) if the only effect of the action is to,

- (a) permit the enlargement of an existing dwelling unit; or
- (b) permit the creation of additional dwelling units as prescribed, subject to the prescribed restrictions, in prescribed classes of existing residential buildings or prescribed structures ancillary to existing residential buildings. 2020, c. 18, Sched. 3, s. 1 (1).

Exemption for second dwelling units in new residential buildings

(3.1) The creation of a second dwelling unit in prescribed classes of proposed new residential buildings, including structures ancillary to dwellings, is, subject to the prescribed restrictions, exempt from development charges. 2020, c. 18, Sched. 3, s. 1 (1).

What services can be charged for

(4) A development charge by-law may impose development charges to pay for increased capital costs required because of increased needs for the following services only:

1. Water supply services, including distribution and treatment services.
2. Waste water services, including sewers and treatment services.
3. Storm water drainage and control services.
4. Services related to a highway as defined in subsection 1 (1) of the *Municipal Act, 2001* or subsection 3 (1) of the *City of Toronto Act, 2006*, as the case may be.
5. Electrical power services.
6. Toronto-York subway extension, as defined in subsection 5.1 (1).

Note: On January 1, 2022, the day named by proclamation of the Lieutenant Governor, subsection 2 (4) of the Act is amended by adding the following paragraph: (See: 2021, c. 34, Sched. 7, s. 1 (1))

6.1 Yonge North subway extension, as defined in subsection 5.1.1 (1).

7. Transit services other than the Toronto-York subway extension.

Note: On January 1, 2022, the day named by proclamation of the Lieutenant Governor, paragraph 7 of subsection 2 (4) of the Act is amended by adding “and the Yonge North subway extension” at the end. (See: 2021, c. 34, Sched. 7, s. 1 (2))

8. Waste diversion services.
9. Policing services.
10. Fire protection services.
11. Ambulance services.
12. Services provided by a board within the meaning of the *Public Libraries Act*.
13. Services related to long-term care.
14. Parks and recreation services, but not the acquisition of land for parks.
15. Services related to public health.
16. Child care and early years programs and services within the meaning of Part VI of the *Child Care and Early Years Act, 2014* and any related services.
17. Housing services.

18. Services related to proceedings under the *Provincial Offences Act*, including by-law enforcement services and municipally administered court services.
19. Services related to emergency preparedness.
20. Services related to airports, but only in the Regional Municipality of Waterloo.
21. Additional services as prescribed. 2020, c. 18, Sched. 3, s. 1 (2).

Appendix A

Explanatory Material for the National Farm Building Code 1995

A-1.1.1.3.(1) Application. Notwithstanding Subsection 2.1.5. of the National Building Code of Canada 1995, farm buildings are required to conform to the appropriate requirements in the National Building Code except as specifically amended or exempted by provisions of this Code. Part 9 of the National Building Code provides detailed requirements for the construction of small buildings up to 600 m² per floor and 3 storeys in height which apply to all occupancies except assembly, institutional and high hazard industrial. All other buildings must be designed to satisfy the requirements in the remainder of the National Building Code of Canada 1995. Section 2.5. of the National Building Code provides for equivalent design and performance criteria. This may apply where the design of a farm building or component is supported by evidence of sound engineering principles.

The acceptance of structures which have been designed to other design standards would require the designer to prove to the appropriate authority that the structure provides the required level of safety and performance. The equivalence of safety can only be established by analyzing the structure for the loads and load factors set out in Section 4.1. of the National Building Code and demonstrating that the structure at least meets the requirements of the design standards listed in Sections 4.3. and 4.4. of the National Building Code.

A-1.2.1.2.(1) Definition of Farm Buildings. Farm buildings as defined in Article 1.2.1.2. include but are not limited to produce storage and packing facilities, livestock and poultry housing, milking centres, manure storage facilities, grain bins, silos, feed preparation centres, farm workshops, greenhouses, farm retail centres, and horse riding, exercise and training facilities. Farm buildings may be classed as low or high human occupancy depending on the normal human occupant load.

Examples of farm buildings likely to be classed as low human occupancy as defined in Article 1.2.1.2.

The Appendix to this document is included for explanatory purposes only and does not form part of the requirements. The reference numbers that introduce each item apply to the requirements in the Code.

are livestock and poultry housing, manure and machinery storage facilities and horse exercise and training facilities where no bleachers or viewing area are provided.

Examples of buildings that would be classed as other than low human occupancy include farm retail centres for feeds, horticultural and livestock produce, auction barns and show areas where bleachers or other public facilities are provided. Farm work centres where the number of workers frequently exceeds the limit for low human occupancy will also be in this category.

It is possible to have areas of both high and low human occupancy in the same building provided that the structural safety and fire separation requirements for high human occupancy are met in the part thus designated.

A-Table 2.2.1.1. Minimum Specified Live Loads Due to Use. Chicken cage manufacturers should be consulted for information on the type and spacing of supports (floor stand or suspended type).

Bird mass is based on eight 1.8 kg birds for each 300 mm length of deck. On this basis a 3-deck cage row has 24 birds in 300 mm of cage row length.

Dropping boards used to prevent soiling of the lower level cages are assumed to accumulate 50 mm of wet manure between cleaning operations.

A-2.2.1.5.(1) Floors Supporting Stored Products. Densities of agricultural materials are given in Table A-2.2.1.14. under the explanation for Article 2.2.1.14. in this Appendix.

A-2.2.1.8.(2) Deflection Limitation of Reinforced Concrete Slats and Slat Grids. The deflection limitation of 1/360 has been specified to minimize cracking and thereby reduce the exposure of reinforcing steel to the corrosive effects of manure gases and solutions. Other methods of protecting the steel such as epoxy coatings may also be effective.

A-2.2.1.9.(1) Floor Loads Due to Feeding Equipment. In the absence of specific information,

Part 1

Application and Definitions

Section 1.1. Application

1.1.1. General

1.1.1.1. Scope

1) This Code covers structural sufficiency, fire safety and health requirements for the protection of persons in *farm buildings*.

1.1.1.2. Administrative Requirements

1) This Code shall be administered in conformance with the appropriate provincial, territorial or municipal regulations or, in the absence of such regulations, in conformance with the "Administrative Requirements for Use with the National Building Code 1995."

1.1.1.3. Conformance to National Building Code

1) *Farm buildings* shall conform to the appropriate requirements in the National Building Code of Canada 1995 except as specifically amended or exempted by the provisions of this Code. (See Appendix A.)

Section 1.2. Definitions and Abbreviations

1.2.1. Definitions

1.2.1.1. Non-Defined Words and Phrases

1) Words and phrases used in this Code which are not included in Article 1.2.1.2. shall have the meanings which are commonly assigned to them in the context in which they are used, taking into account the specialized use of terms with the various trades and professions to which the terminology applies.

1.2.1.2. Defined Words and Phrases

1) The words and terms in italics in this Code have the following meanings:

Access to exit means that part of a *means of egress* within a *floor area* that provides access to an *exit* serving the *floor area*.

Appliance means a device to convert fuel into energy and includes all components, controls, wiring and piping required to be part of the device by the applicable standard referred to in this Code.

Building means any structure used or intended for supporting or sheltering any use or *occupancy*.

Building area means the greatest horizontal area of a *building* above *grade* within the outside surface of exterior walls or within the outside surface of exterior walls and the centre line of *firewalls*.

Building height (in *storeys*) means the number of *storeys* contained between the roof and the floor of the *first storey*.

Business and personal services occupancy means the *occupancy* or use of a *building* or part thereof for the transaction of business or the rendering or receiving of professional or personal services.

Combustible construction means that type of construction that does not meet the requirements for *noncombustible construction*.

Dead load means the weight of all permanent structural and nonstructural components of a *building*.

Dwelling unit means a *suite* operated as a house-keeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.

Exit means that part of a *means of egress*, including doorways, that leads from the *floor area* it serves, to a separate *building*, an open public thoroughfare, or an exterior open space protected from fire exposure from the *building* and having access to an open public thoroughfare.

Exposing building face means that part of the exterior wall of a *building* which faces one direction and is located between ground level and the ceiling of its top *storey*, or where a *building* is divided into *fire compartments*, the exterior wall of a *fire compartment* which faces one direction. (See Appendix A, Sentence 3.1.2.1.(1).)

Farm building means a *building* or part thereof which does not contain a *residential occupancy* and which

1.2.1.2.

is associated with and located on land devoted to the practice of farming, and used essentially for the housing of equipment or livestock, or the production, storage or processing of agricultural and horticultural produce or feeds. (See Appendix A.)

Fire compartment means an enclosed space in a *building* that is separated from all other parts of the *building* by enclosing construction providing a *fire separation* having a required *fire-resistance rating*.

Fire-resistance rating means the time in hours or fraction thereof that a material or assembly of materials will withstand the passage of flame and the transmission of heat when exposed to fire under specified conditions of test and performance criteria, or as determined by extension or interpretation of information derived therefrom as prescribed in this Code.

Fire separation means a construction assembly that acts as a barrier against the spread of fire.

Firewall means a type of *fire separation* of *noncombustible construction* which subdivides a *building* or separates adjoining *buildings* to resist the spread of fire and which has a *fire-resistance rating* as prescribed in this Code and has structural stability to remain intact under fire conditions for the required fire-rated time.

First storey means the uppermost *storey* having its floor level not more than 2 m above *grade*.

Floor area means the space on any *storey* of a *building* between exterior walls and required *firewalls*, including the space occupied by interior walls and *partitions*, but not including *exits*, vertical *service spaces*, and their enclosing assemblies.

Foundation means a system or arrangement of *foundation units* through which the loads from a *building* are transferred to supporting *soil* or *rock*.

Foundation unit means one of the structural members of the *foundation* of a *building* such as a footing, raft or pile.

Grade (as applying to the determination of *building height*) means the lowest of the average levels of finished ground adjoining each exterior wall of a *building*, except that localized depressions such as for vehicle or pedestrian entrances need not be considered in the determination of average levels of finished ground. (See *First storey*.)

High hazard industrial occupancy (Group F, Division 1) means an *industrial occupancy* containing sufficient quantities of highly combustible and flammable or explosive materials which, because of their inherent characteristics, constitute a special fire hazard.

Industrial occupancy means the *occupancy* or use of a *building* or part thereof for the assembling, fabricating, manufacturing, processing, repairing or storing of goods and materials.

Live load means the load other than *dead load* to be assumed in the design of the structural members of a *building*. It includes loads resulting from snow, rain, wind, earthquake and those due to *occupancy*.

Loadbearing (as applying to a building element) means subjected to or designed to carry loads in addition to its own *dead load*, excepting a wall element subjected only to wind or earthquake loads in addition to its own *dead load*.

Low human occupancy (as applying to *farm buildings*) means an *occupancy* having an *occupant load* of not more than one person per 40 m² of *floor area* during normal use.

Means of egress means a continuous path of travel provided for the escape of persons from any point in a *building* or contained open space to a separate *building*, an open public thoroughfare, or an exterior open space protected from fire exposure from the *building* and having access to an open public thoroughfare. *Means of egress* includes *exits* and *access to exits*.

Medium hazard industrial occupancy (Group F, Division 2) means an *industrial occupancy* in which the combustible content is more than 50 kg/m² or 1 200 MJ/m² of *floor area* and not classified as *high hazard industrial occupancy*.

Noncombustible means that a material meets the acceptance criteria of CAN4-S114, "Standard Method of Test for Determination of Non-Combustibility in Building Materials."

Noncombustible construction means that type of construction in which a degree of fire safety is attained by the use of *noncombustible* materials for structural members and other building assemblies.

Occupancy means the use or intended use of a *building* or part thereof for the shelter or support of persons, animals or property.

Occupant load means the number of persons for which a *building* or part thereof is designed.

Partition means an interior wall 1 *storey* or part-*storey* in height that is not *loadbearing*.

Residential occupancy means the *occupancy* or use of a *building* or part thereof by persons for whom sleeping accommodation is provided but who are not harboured or detained to receive medical care or treatment or are not involuntarily detained.

Rock means that portion of the earth's crust which is consolidated, coherent and relatively hard and is a naturally formed, solidly bonded, mass of mineral matter which cannot readily be broken by hand.

Service room means a room provided in a *building* to contain equipment associated with *building services*.

From: [REDACTED]
To: [clerks pelham](#)
Cc: [Wayne Olson](#)
Subject: Development Charges Proposal
Date: Wednesday, January 26, 2022 3:26:31 PM
Attachments: [OFA-Submission-EBR-019-1406-April-14-2020 - No.1.pdf](#)
[By-laws No.2.pdf](#)
[Development Charges Act No3.pdf](#)
[Farm Building Code definitions No.4.pdf](#)
[T.O.P. Development Charges Update \(003\).docx](#)

Good Afternoon:

Please find the attached letter in the WORD document and other attachments in the attached email.

This is a response from the Pelham Greenhouse Growers Group to the proposed Development Charges for the Town of Pelham. The town has lumped both hoop houses and greenhouses under one By-law. Although this response is to greenhouses being designated as agricultural and any services the town may have to provide for them, there are definitely no more services required from the town for the use of hoop houses than there are for other horticultural crops grown in the outdoors. The town has to either separate greenhouses from hoop houses or exempt both greenhouses and hoop houses from development charges.

I would also like to add the following comment.

Because greenhouses are unique structures that have a number of significant differences from conventional buildings, building and fire codes treat large greenhouses differently than other large buildings. Many considerations for buildings are simply not practical when applied to greenhouses, so they should get different considerations from buildings for DC's too.

I am open to a discussion with our group at anytime.

Sincerely,

John Langendoen

Willowbrook Nurseries

CLOSING REMARKS

Town of Pelham Development Charges Public Meeting February 7, 2022

Having heard all of the comments, this public meeting is now closed. Council would urge the public to submit their comments in writing by 12 PM on Wednesday, February 23, 2022 for inclusion in the Council Agenda Package c/o Town Clerk, Holly Willford, PO Box 400, 20 Pelham Town Square, Fonthill, Ontario L0S 1E0, or by email at hwillford@pelham.ca. Council consideration of the Development Charges By-law is scheduled to occur on March 7th, 2022.