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Addendum #1 to the May 13, 2024 Development Charges Background Study

Township of West Lincoln

October 7, 2024

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List of Acronyms and Abbreviations

Acronym	Full Description of Acronym
D.C.	Development Charges
D.C.A.	Development Charges Act
Sq.ft.	Square Feet

1. Background

Commensurate with the provisions of the *Development Charges Act, 1997*, as amended (D.C.A.), the Township has undertaken a Development Charges (D.C.) Background Study and released the study in accordance with the D.C.A. The following provides a summary of the key dates in the development charge by-law process:

- April 18, 2024 – Stakeholder Meeting
- April 29, 2024 – Council Workshop
- May 13, 2024 – Release of the D.C. Background Study and draft by-law
- May 27, 2024 – Public Meeting
- June 12, 2024 – Release of the Report and Amending By-law to Remove the D.C. By-law expiry date under Section 19 of the D.C.A.
- June 24, 2024 – Council passage of Amending By-law 2024-42 to remove the expiry date from By-law 2019-51
- October 7, 2024 – Addendum #1 to May 13, 2024 report released
- October 21, 2024 – Council Meeting to present the Addendum
- October 28, 2024 – Council considers adoption of Background Study, as amended and passage of D.C. By-law

On April 10, 2024, the Province released Bill 185: Cutting Red Tape to Build More Homes Act. The Bill received Royal Assent on June 6, 2024. This Bill reversed many of the key changes that were implemented through Bill 23. As such, the purpose of this addendum report is to provide for changes to the May 13, 2024 D.C. background study to align the report and by-law with the D.C.A. as amended by Bill 185.

Moreover, an update to Services Related to a Highway – Public Works and Wastewater Services, is provided herein to amend the capital projects.

These refinements will be presented to Council on the scheduled October 21st Council Meeting and will form part of the D.C. background study provided prior to by-law adoption.

2. Changes to the Development Charges Act – Bill 185: Cutting Red Tape to Build More Homes Act

The following section provides details of the revisions to the D.C.A. as a result of Bill 185: *Cutting Red Tape to Build More Homes Act*, which received Royal Assent on June 6, 2024.

Revised Definition of Capital Costs

Bill 185 reversed the capital cost amendments of Bill 23 by reinstating studies as an eligible capital cost. The following paragraphs were added to subsection 5(3) of the D.C.A.:

5. *Costs to undertake studies in connection with any of the matters referred to in paragraphs 1 to 4.*
6. *Costs of the development charge background study required under section 10.*

The amendment allows municipalities to fund studies, consistent with by-laws passed prior to the More Homes Built Faster Act (Bill 23).

Removal of Mandatory Phase-in

Bill 23 required the phase-in of charges imposed in a D.C. by-law over a five-year term for any by-laws passed after January 1, 2022. Bill 185 removed this mandatory phase-in.

For site plan and zoning by-law amendment applications that were made prior to Bill 185 receiving Royal Assent, the charges payable will be the charges that were in place on the day the planning application was made (i.e., including the mandatory phase-in).

Process for Minor Amendments to D.C. By-laws

Section 19 of the D.C.A. requires that a municipality must follow sections 10 through 18 of the D.C.A. (with necessary modifications) when amending D.C. by-laws. Sections 10 through 18 of the D.C.A. generally require the following:

- Completion of a D.C. background study, including the requirement to post the background study 60 days prior to passage of the D.C. by-law;

- Passage of a D.C. by-law within one year of the completion of the D.C. background study;
- A public meeting, including notice requirements; and
- The ability to appeal the by-law to the Ontario Land Tribunal.

Bill 185 allows municipalities to undertake minor amendments to D.C. by-laws for the following purposes without adherence to the requirements noted above (with the exception of the notice requirements):

1. To repeal a provision of the D.C. by-law specifying the date the by-law expires or to amend the provision to extend the expiry date (subject to the 10-year limitations provided in the D.C.A.);
2. To impose D.C.s for studies, including the D.C. background study; and
3. To remove the provisions related to the mandatory phase-in of D.C.s.

Minor amendments related to items 2 and 3 noted above may be undertaken only if the D.C. by-law being amended was passed after November 28, 2022, and before Bill 185 came into effect. Moreover, the amending by-law must be passed within six months of Bill 185 taking effect.

Notice requirements for these minor amending by-laws are similar to the typical notice requirements, with the exception of the requirement to identify the last day for appealing the by-law (as these provisions do not apply).

Reduction of D.C. Rate Freeze Timeframe

Bill 108 provides for the requirement to freeze the D.C.s imposed on developments subject to a site plan and/or a zoning by-law amendment application. The D.C. rate for these developments is “frozen” at the rates that were in effect at the time the site plan and/or zoning by-law amendment application was submitted (subject to applicable interest). Once the application is approved by the municipality, if the date the D.C. is payable is more than two years from the approval date, the D.C. rate freeze would no longer apply. Bill 185 reduced the two-year timeframe to 18 months.

Modernizing Public Notice Requirements

The D.C.A. sets out the requirements for municipalities to give notice of public meetings and of by-law passage. These requirements are prescribed in sections 9 and 10 of O.

Reg. 82/98 and include giving notice in a newspaper of sufficiently general circulation in the area to which the by-law would apply. The regulatory changes modernized the public notice requirements by allowing municipalities to provide notice on a municipal website if a local newspaper is not available.

3. Updates to the 2024 D.C. Background Study

This section of the addendum report provides details for the addition of Growth Studies, revisions to Services Related to a Highway, and Wastewater Services. It is noted that the amendments have resulted in an overall increase to the calculated D.C.

3.1 Growth Studies

The D.C.A. permits the inclusion of studies undertaken to facilitate the completion of the Township's capital works program. These studies have been included within a Growth Studies class of services, based on the eligible D.C. services to which the studies relate.

The Township has identified \$3,326,861 of growth-related studies. These studies include various Master Plans, Planning Studies, D.C. Background Study, etc. For planning related studies, a deduction of 10% (\$90,400) has been applied to recognize the extent to which the studies relate to non-D.C.-eligible services. Further deductions of \$572,000 were made to recognize the benefit to the existing community, and \$173,828 to account for the existing reserve fund balance. Therefore, the net amount of \$2,490,633 has been included in the D.C. calculations.

The capital costs for each study have been allocated based on the specific services provided in the D.C., following a similar percentage distribution as presented in the capital costs calculation (i.e., parks & recreation capital costs are allocated at 95% residential and 5% non-residential and have been allocated as such for any studies specific to parks and recreation).

Based on the calculations provided herein, Growth Studies results in a D.C. of \$890 per residential single detached dwelling and \$0.33 per sq.ft. of non-residential gross floor area.

The Growth Studies capital sheet is presented in Table 1.

**Table 1
Growth Studies Capital**

Prj.No	Increased Service Needs Attributable to Anticipated Development 2024 to 2034	Timing (year)	Service to Which Project Relates	Gross Capital Cost Estimate (2024\$)	Post Period Benefit	Other Deductions (to recognize benefit to non-D.C. services)	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
								Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share
											Service Specific	
1	Agriculture/ Agri-Tourism Opportunities/ Climate Impact Assessment/ Agricultural CIP	2028	All Services	100,000	-	10,000	90,000	62,100		27,900	23,994	3,906
2	Corporate strategic plan	2027	All Services	50,000	-	5,000	45,000	22,500		22,500	19,350	3,150
3	Corporate strategic plan	2031	All Services	50,000	-	5,000	45,000	22,500		22,500	19,350	3,150
4	Development charge study	2024	All D.C. Services	85,000	-		85,000	-		85,000	73,100	11,900
5	Development charge study	2029	All D.C. Services	85,000	-		85,000	-		85,000	73,100	11,900
6	Economic development master plan - Industrial park	2027	All Services	120,000	-	12,000	108,000	54,000	-	54,000	46,440	7,560
7	Fire protection master plan	2026	Fire Protection Services	100,000	-		100,000	25,000		75,000	64,500	10,500
8	Infill and Intensification Strategy	2026	All Services	80,000	-	8,000	72,000	18,000		54,000	46,440	7,560
9	Library strategic plan	2027	Library Services	20,000	-		20,000	10,000		10,000	9,500	500
10	Secondary plan/Municipal comprehensive review	2028	All Services	100,000	-	10,000	90,000	-		90,000	77,400	12,600
11	Official plan update	2029	All Services	60,000	-	6,000	54,000	13,500		40,500	34,830	5,670
12	Official plan	2024	All Services	150,000	-	15,000	135,000	33,800	-	101,200	87,032	14,168
13	Organizational staffing review	2026	All Services	50,000	-	5,000	45,000	22,500		22,500	19,350	3,150
14	Pollution control plan - CSO study - Extraneous Flow Reduction Program	2028	Wastewater Services	100,000	-		100,000	50,000		50,000	43,500	6,500

Table 1 (con't)
Growth Studies Capital

Prj.No	Increased Service Needs Attributable to Anticipated Development 2024 to 2034	Timing (year)	Service to Which Project Relates	Gross Capital Cost Estimate (2024\$)	Post Period Benefit	Other Deductions (to recognize benefit to non-D.C. services)	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
								Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share
											Service Specific	
15	Pollution control plan - CSO study - Extraneous Flow Reduction Program	2033	Wastewater Services	100,000	-		100,000	50,000		50,000	43,500	6,500
16	Sanitary sewer master plan update	2029	Wastewater Services	75,000	-		75,000	18,800		56,200	48,894	7,306
17	Smithwile trails and corridors master plan (update)	2029	Parks & Recreation Services	50,000	-		50,000	34,500		15,500	14,725	775
18	West Lincoln Parks, Recreation, and Library Master Plan Update	2029	Parks & Recreation Services and Library	100,000	-		100,000	25,000		75,000	71,250	3,750
19	Traffic/transportation master plan Update	2029	Services Related to a Highway	80,000	-		80,000	20,000		60,000	51,600	8,400
20	Fiscal Impact Study	2024	All Services	50,000	-	5,000	45,000	22,500		22,500	19,350	3,150
21	Water Master Plan Update	2029	Water Services	75,000	-		75,000	-		75,000	65,250	9,750
22	Urban Forestry Strategy	2027	Services Related to a Highway / Parks & Recreation	50,000	-		50,000	25,000		25,000	21,500	3,500
23	Fulton Hamlet and Rural Employment Zone	2025	All Services	94,000	-	9,400	84,600	42,300		42,300	36,378	5,922
24	D.C. Credit : Landowners paid Studies	Credit	All D.C. Services	1,502,861	-		1,502,861	-		1,502,861	1,292,460	210,401
25	Reserve Fund Adjustment				-		-	173,828		(173,828)	(149,492)	(24,336)
	Total			3,326,861	-	90,400	3,236,461	745,828	-	2,490,633	2,153,301	337,332

3.2 Updates to Services Related to a Highway

3.2.1 Roads and Related

Based upon further review of the capital program by Township staff, the following revision to the Services Related to a Highway – Roads and Related capital listing is provided:

- Project 7: TMP Capital Project ID TWL-Road-10 Road Upgrade - South Grimsby Rd 5: Spring Creek Rd and RR20 (West St) → Removed the Other Contribution amount of \$4.2 million. The resulting net D.C. amount has been updated to \$4.9 million.
- Project 22: TWL-Trail-03a (Pedestrian Bridge) → Township staff have renamed the project to “South Grimsby Rd 5 Trail at Twenty Mile Creek TWL-Trail-03a (Pedestrian Bridge)”.
- Project 23: TWL-Trail-08a (Pedestrian Bridge) → Township staff have renamed the project to “Industrial Park Road – Townline Rd Connection at Twenty Mile Creek -TWL-Trail-08a (Pedestrian Bridge)”.
- Project 16: Provision for Other Road-Related Works (Upgrades/ Widenings) → the capital cost has been reduced from \$10 million to \$5 million.

As a result, the net D.C. eligible amount has been reduced to \$145,669,901. The capital sheet and calculations have been updated to reflect the above noted revision

The revised Services Related to a Highway – Roads and Related capital sheet is presented in Table 2.

3.2.2 Public Works

Based upon further review of the capital program by Township staff, the following revision to the Services Related to a Highway – Public Works capital listing is provided:

- Project 1: Road Roller – new → Based on discussions with staff, it was determined that this was no longer required and has been removed from the capital listing.
- Project 5: Provision for new vehicles and Equipment → decrease the gross capital cost from \$5,000,000 to \$4,000,000.

As a result, the net D.C. eligible amount has been reduced to \$9,880,000. The capital sheet and calculations have been updated to reflect the above noted revision.

The revised Services Related to a Highway – Public Works capital sheet is presented in Table 3.

Based on the change noted above, the Services Related to a Highway Services D.C. has decreased from \$18,757 to \$18,388 per residential single detached dwelling and \$7.10 to \$6.96 per sq.ft. of non-residential gross floor area.

Table 2
Services Related to a Highway – Roads and Related

Prj. No	Increased Service Needs Attributable to Anticipated Development 2024 to 2051	Timing (year)	Gross Capital Cost Estimate (2024\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 87%	Non-Residential Share 13%
Roadways											
1	Urban Boundary Expansion TWL-Road-01 Spring Creek Rd Extension: west limit of existing Spring Creek Rd allowance to the New Western Link	2024-2026	7,000,000	-		7,000,000	-	-	7,000,000	6,090,000	910,000
2	TMP Capital Project ID TWL-Road-05 Tober Road realignment New Southern Collector 2: Tober Rd to Port Davidson Rd New Southern Collector 1: Port Davidson Rd to Shurie Rd	2034-2044	17,500,000	-		17,500,000	-	-	17,500,000	15,225,000	2,275,000
3	TMP Capital Project ID TWL-Road-06 New Western Collector 1: South Grimsby Rd 6 to Townline Rd	2044-2051	24,000,000	-		24,000,000	-	-	24,000,000	20,880,000	3,120,000
4	TWL-Road-07 Spring Creek Rd: Spring Creek Rd Extension to Hornak Rd	2025-2026	12,000,000	-		12,000,000	-	-	12,000,000	10,440,000	1,560,000
5	TMP Capital Project ID TWL-Road-08 Road Upgrade - South Grimsby Rd 5: Young St and New Northern Collector	2024-2034	4,500,000	-		4,500,000	1,350,000	-	3,150,000	2,740,500	409,500
6	TMP Capital Project ID TWL-Road-09 Road Upgrade - South Grimsby Rd 5: New Northern Collector and Spring Creek Rd	2024-2034	4,500,000	-		4,500,000	1,350,000	-	3,150,000	2,740,500	409,500
7	TMP Capital Project ID TWL-Road-10 Road Upgrade - South Grimsby Rd 5: Spring Creek Rd and RR20 (West St)	2024-2034	7,000,000	-		7,000,000	2,100,000	-	4,900,000	4,263,000	637,000
8	TMP Capital Project ID TWL-Road-14 Road Upgrade - Industrial Park Rd: Young St and New Northern Collector	2024-2034	4,500,000	-		4,500,000	1,350,000	-	3,150,000	2,740,500	409,500
9	TMP Capital Project ID TWL-Road-16 Road Upgrade - Industrial Park Rd: New Eastern Link and RR20 (West St)	2024-2034	10,000,000	-		10,000,000	3,000,000	-	7,000,000	6,090,000	910,000
10	TMP Capital Project ID TWL-Road-17a Road Upgrade - Townline Rd: RR20 (St. Catharines St) and RR14 (Canborough St)	2034-2044	20,000,000	-		20,000,000	6,000,000	-	14,000,000	12,180,000	1,820,000
11	TMP Capital Project ID TWL-Road-19 Road Upgrade - Port Davidson Rd: Townline Rd and New Southern Collector	2034-2044	4,500,000	-		4,500,000	1,350,000	-	3,150,000	2,740,500	409,500
12	TMP Capital Project ID TWL-Road-20 Road Upgrade - Shurie Rd: Townline Rd to New Southern Collector 1	2034-2044	4,500,000	-		4,500,000	1,350,000	-	3,150,000	2,740,500	409,500

Table 2– (con't)
Services Related to a Highway – Roads and Related

Prj. No	Increased Service Needs Attributable to Anticipated Development 2024 to 2051	Timing (year)	Gross Capital Cost Estimate (2024\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 87%	Non-Residential Share 13%
13	TMP Capital Project ID TWL-Road-21 Road Upgrade - South Grimsby Rd 6: New Western Collector 1 and Townline Rd	2034-2051	15,000,000	-		15,000,000	4,500,000	-	10,500,000	9,135,000	1,365,000
14	TMP Capital Project ID TWL-Road-22 Road Upgrage - South Grimsby Rd 6: New Western Collector 1 and RR20 (West St)	2044-2051	9,000,000	-		9,000,000	2,700,000	-	6,300,000	5,481,000	819,000
15	TMP Capital Project ID TWL-Road-23 Road Upgrade - Young St: RR14 (Thirty Rd) and South Grimsby Rd 2	2024-2034	15,000,000	-		15,000,000	4,500,000	-	10,500,000	9,135,000	1,365,000
16	Provision for Other Road-Related Works (Upgrades/Widenings)	2031-2051	5,000,000	-		5,000,000	-	-	5,000,000	4,350,000	650,000
	Junction Improvements										
17	TMP Capital Project ID TWL-Junction-02 South Grimsby Road 5 and Spring Creek Road	2024-2034	900,000	-		900,000	450,000	-	450,000	391,500	58,500
18	TMP Capital Project ID TWL-Junction-16 Tober Road/New Southern Collector 2	2034-2051	900,000	-		900,000	-	-	900,000	783,000	117,000
19	TMP Capital Project ID TWL-Junction-17 Port Davidson Road/New Southern Collector 1/New Southern Collector 2	2034-2051	900,000	-		900,000	-	-	900,000	783,000	117,000
20	TMP Capital Project ID TWL-Junction-18 Shurie Road and New Southern Collector 1	2034-2051	700,000	-		700,000	-	-	700,000	609,000	91,000
21	TMP Capital Project ID TWL-Junction-19 South Grimsby Road 6 and New Western Collector 1	2044-2051	700,000	-		700,000	-	-	700,000	609,000	91,000
	Bridges and Culverts										
22	South Grimsby Rd 5 Trail at Twenty Mile Creek TWL-Trail-03a (Pedestrian Bridge)	2044	2,300,000	-		2,300,000	-	-	2,300,000	2,001,000	299,000
23	Industrial Park Road – Townline Rd Connection at Twenty Mile Creek -TWL-Trail-08a (Pedestrian Bridge)	2034-2043	2,300,000	-		2,300,000	-	-	2,300,000	2,001,000	299,000
				-		-	-	-	-	-	-
	Sidewalks			-		-	-	-	-	-	-
24	RR 63 Canborough Rd - From: House # 5103 To: House # 5065 - 250m-upgrade	2025	250,000	-		250,000	171,500	-	78,500	68,295	10,205
25	Sping Creek Rd - From: Regional Rd 14 To: Hornak Rd-new	2026	11,000	-		11,000	7,600	-	3,400	2,958	442

Table 2– (con't)
Services Related to a Highway – Roads and Related

Prj. No	Increased Service Needs Attributable to Anticipated Development 2024 to 2051	Timing (year)	Gross Capital Cost Estimate (2024\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 87%	Non-Residential Share 13%
26	Townline Rd: Canborough St to South Grimsby Rd 6 (both sides)	2033	690,000	-		690,000	476,100	-	213,900	186,093	27,807
27	McMurchie Ln - From: Griffin St To: End - 60m-new	2028	25,000	-		25,000	17,200	-	7,800	6,786	1,014
28	New Northern Connector - From: New Western Link To: Industrial Park Rd (Regional Road project RR/TWL-Road-02) both sides	2030	1,150,000	-		1,150,000	-	-	1,150,000	1,000,500	149,500
29	Industrial Park Rd - From: New Northern Connector To: New Eastern Link (Regional Road project RR/TWL-Road-15) both sides	2030	460,000	-		460,000	-	-	460,000	400,200	59,800
30	New Eastern Link: Industrial Park Rd to Regional Rd 20 (Regional Road project RR/TWL-Road-04)	2030	920,000	-		920,000	-	-	920,000	800,400	119,600
31	Regional Road 14 (Thirty Rd) - From: Young St To: New Northern Connector (Regional Road project RR-Road-11) both sides	2030	230,000	-		230,000	-	-	230,000	200,100	29,900
32	Regional Road 14 (Thirty Rd) - From: New Northern Connector To: Spring Creek Rd (Regional Road project RR-Road-12) both sides	2030	230,000	-		230,000	-	-	230,000	200,100	29,900
33	Regional Road 14 (Station St) - From: Spring Creek Rd To: Regional Rd 20 (Regional Road project RR-Road-13) both sides	2030	460,000	-		460,000	-	-	460,000	400,200	59,800
34	Townline Rd - From: Regional Rd 14 (Canborough St) To: New Western Collector 1 (Regional Road project RR-Road-17B) both sides	2030	460,000	-		460,000	-	-	460,000	400,200	59,800
35	Townline Rd - From: New Western Collector 1 To: South Grimsby Rd 6 (Regional Road project RR-Road-18) both sides	2030	230,000	-		230,000	-	-	230,000	200,100	29,900
36	St. Catharines St - From: Industrial Park Rd To: Townline Rd roundabout	2033	150,000	-		150,000	-	-	150,000	130,500	19,500
37	West St - From: South Grimsby Rd 5 To: South Grimsby Rd 6 roundabout	2033	92,000	-		92,000	-	-	92,000	80,040	11,960
38	Reserve Fund	Reserves		-			1,715,699	-	(1,715,699)	(1,492,658)	(223,041)
	Total		178,058,000	-	-	178,058,000	32,388,099	-	145,669,901	126,732,814	18,937,087

Table 3
Services Related to a Highway – Public Works Capital

Prj. No	Increased Service Needs Attributable to Anticipated Development 2024 to 2051	Timing (year)	Gross Capital Cost Estimate (2024\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 87%	Non-Residential Share 13%
1	Sidewalk Tractor and Attachment - Addition to Fleet	2027	170,000	-		170,000	-		170,000	147,900	22,100
2	Grade All 4x4 Excavator for ditches and tree trimming - Addition to Fleet	2026	600,000	-		600,000	540,000		60,000	52,200	7,800
3	New Smithville Depot (with salt dome and storage)	2026-2029	11,300,000	-		11,300,000	5,650,000		5,650,000	4,915,500	734,500
4	Provision for new vehicles and equipment	2024-2051	4,000,000	-		4,000,000	-		4,000,000	3,480,000	520,000
	Total		16,070,000	-	-	16,070,000	6,190,000	-	9,880,000	8,595,600	1,284,400

3.3 Updates to Wastewater Services

Based upon further review of the capital program by Township staff, the following revision to Wastewater Services is provided:

- Project 7: Urban Boundary Expansion - WW-SL-004B - wastewater servicing for urban boundary expansion (Stage 3A) Townline Rd - Rock St to Anderson Cres - upsizing of existing sewer Anderson Cres - Townline Rd to the Smithville Pumping Station - upsizing of existing sewer (592 metres):
 - The timing has been updated to 2025-2027.
 - The Gross Capital Costs have been reduced from \$1,458,000 to \$1,243,000.
 - The Benefit to Existing percentage remains unchanged, but the amount has been reduced due to the lower gross capital cost.
 - The other contribution amount of \$570,000 has been removed.
 - Therefore, the resulting net D.C. eligible capital cost is \$653,800.

Based on the changes noted above, Wastewater Services D.C. has increased from \$5,334 to \$5,356 per residential single detached dwelling and \$1.96 to \$1.97 per sq.ft. of non-residential gross floor area. The capital sheet and calculations have been updated to reflect the above revision.

The revised Wastewater Service capital sheet is presented in Table 4.

**Table 4
Wastewater Services**

Prj.No	Increased Service Needs Attributable to Anticipated Development 2024 to Urban 2051	Timing (year)	Gross Capital Cost Estimate (2024\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 88%	Non-Residential Share 12%
1	RR20 (West Street) & Wade Rd North Sanitary Replacement and Upgrade	2024	2,500,000	-		2,500,000	1,250,000		1,250,000	1,100,000	150,000
2	Inflow & Infiltration Reduction Program	2025-2051	2,600,000	-		2,600,000	1,794,000		806,000	709,280	96,720
3	Urban Boundary Expansion - WW-SL-002 - wastewater servicing for urban boundary expansion Stage 1 West St (RR20) - Block Plan Area C1/in vicinity of South Grimsby Rd 6 roundabout to Streamside Pumping Station	2032	1,600,000	-		1,600,000	-		1,600,000	1,408,000	192,000
4	Urban Boundary Expansion - WW-SL-003 - wastewater servicing for urban boundary expansion Stage 2 St. Catharines St (RR20) - Townline Rd roundabout/East Smithville Secondary Plan area to Industrial Park Rd.	2032	1,900,000	-		1,900,000	-		1,900,000	1,672,000	228,000
5	Urban Boundary Expansion - WW-SL-003A - wastewater servicing for urban boundary expansion Stage 1 and Stage 2 St. Catharines St (RR20) - Industrial Park Rd to Smithville Pumping Station	2029	1,370,000	-		1,370,000	-		1,370,000	1,205,600	164,400
6	Urban Boundary Expansion - WW-SL-004 - wastewater servicing for urban boundary expansion (Stage 3) north/south and east/west sanitary sewers throughout Stage 3 connecting to Port Davidson Rd pumping station	2029	8,200,000	-		8,200,000	-		8,200,000	7,216,000	984,000
7	Urban Boundary Expansion - WW-SL-004B - wastewater servicing for urban boundary expansion (Stage 3A) Townline Rd - Rock St to Anderson Cres - upsizing of existing sewer Anderson Cres - Townline Rd to the Smithville Pumping Station - upsizing of existing sewer (592 metres)	2025-2027	1,243,000	-		1,243,000	589,200		653,800	575,344	78,456

Table 4 – (con't)
Wastewater Services

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2024\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share
	2024 to Urban 2051									88%	12%
8	Urban Boundary Expansion - WW-SL-005 - wastewater servicing for urban boundary expansion (Stage 4) north/south and east/west sanitary sewers throughout Stage 4 connecting to Port Davidson Rd pumping station	2033	6,000,000	-		6,000,000	-		6,000,000	5,280,000	720,000
9	W&WWMP Capital Project ID WW-PS-003 New sewage pumping station on Port Davidson Rd for Stages 3 & 4	2034	4,400,000	-		4,400,000	-		4,400,000	3,872,000	528,000
10	W&WWMP Capital Project ID WW-PM-003 New forcemain from pumping station on Port Davidson Rd (WW-PS-003) to Townline Rd Townline Rd from Port Davidson Rd to Township of West Lincoln easement east of Anderson Cres Through Township of West Lincoln easement from Townline Rd to St. Catharines St (RR20)	2034	8,400,000	-		8,400,000	-		8,400,000	7,392,000	1,008,000
11	Provision for Future Gravity Sewer to Stage 1 Urban Boundary Expansion (North Area)	2032	10,500,000	-		10,500,000	-		10,500,000	9,240,000	1,260,000
12	Reserve Fund Adjustment	Reserve	-	-		-	547,627		(547,627)	(481,912)	(65,715)
	Total		48,713,000	-	-	48,713,000	4,180,827	-	44,532,173	39,188,312	5,343,861

3.4 Updates to the D.C. By-law

The draft by-law provided in Appendix G to the May 13, 2024 D.C. background study has been amended as follows:

- Refined the D.C. rate freeze timeframe from two years to 18 months as specified in Section 26.2 (5) of the Act for Site Plan and Zoning By-law Amendment applications received after June 6, 2024;
- Removed Solar PVs from the D.C. schedule (the D.C.s will no longer apply to these types of developments);
- Include references to growth studies; and
- Update Schedules A and B.

The revised draft by-law is included in the amending pages to this addendum report.

4. Overall Changes to the D.C. Calculations

Based on the changes noted in section 3, the calculated residential D.C. (single/semi-detached unit) for Township Wide and Urban Area services has increased from \$34,261 to \$34,805. Regarding the non-residential charges, the calculated non-residential D.C. for Township Wide and Urban Area Service developments has increased from \$10.96 per sq.ft. to \$11.16 per sq.ft.

Tables 5 and 6 compare the current charges (as of June 6, 2024), the charges as calculated in the May 13, 2024 D.C. background study, and the charges calculated in this addendum report. Table 7 provides the updated Township-wide D.C. rates.

Table 5
Residential D.C. Comparison

Service	Current	Calculated (May 13, 2024)	Calculated (Addendum #1)
Township Wide Services:			
Services Related to a Highway	8,042	18,757	18,388
Fire Protection Services	542	2,241	2,241
Parks and Recreation Services	6,393	6,567	6,567
Library Services	1,149	1,073	1,073
Growth Studies	472	-	891
Total Township Wide Services	16,598	28,638	29,160
Urban Services:			
Stormwater Services	100	22	22
Wastewater Services	623	5,334	5,356
Water Services	1,521	267	267
Total Urban Services	2,244	5,623	5,645
Grand Total - Urban Area	18,842	34,261	34,805

Table 6
Non-residential D.C. Comparison

Service	Current	Calculated (May 13, 2024)	Calculated (Addendum #1)
Township Wide Services:			
Services Related to a Highway	2.99	7.10	6.96
Fire Protection Services	0.21	0.86	0.86
Parks and Recreation Services	0.47	0.80	0.80
Library Services	0.07	0.13	0.13
Growth Studies	0.18	-	0.33
Total Township Wide Services	3.92	8.89	9.08
Urban Services:			
Stormwater Services	0.02	0.01	0.01
Wastewater Services	0.21	1.96	1.97
Water Services	0.54	0.10	0.10
Total Urban Services	0.77	2.07	2.08
Grand Total - Urban Area	4.69	10.96	11.16

Table 7
Revised D.C. Schedule

Service	RESIDENTIAL					NON-RESIDENTIAL	
	Single and Semi-Detached Dwelling	Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	Wind Turbines	(per sq.ft. of Gross Floor Area)
Township Wide Services							
Services Related to a Highway	18,388	12,590	11,789	7,638	6,385	9,194	6.96
Fire Protection Services	2,241	1,534	1,437	931	778	2,241	0.86
Parks and Recreation Services	6,567	4,496	4,210	2,728	2,280	-	0.80
Library Services	1,073	735	688	446	373	-	0.13
Growth Studies	891	610	571	370	309	891	0.33
Total Township Wide Services	29,160	19,965	18,695	12,113	10,125	12,326	9.08
Urban Services							
Stormwater	22	15	14	9	8	-	0.01
Wastewater Services	5,356	3,667	3,434	2,225	1,860	-	1.97
Water Services	267	183	171	111	93	-	0.10
Total Urban Services	5,645	3,865	3,619	2,345	1,961	-	2.08
GRAND TOTAL RURAL AREA	29,160	19,965	18,695	12,113	10,125	12,326	9.08
GRAND TOTAL URBAN AREA	34,805	23,830	22,314	14,458	12,086	12,326	11.16

5. Changes to the Background Study

Based upon the preceding sections, the following revisions are made to the pages within the background study (new pages are appended to this report):

Page Reference	Description of Revisions
Table of Contents	Updated to reflect revised page numbers and headings.
ES	Updated section to summarize changes to the legislation arising from Bill 185, revised the calculated charges to include growth studies, revised Table ES-2 and subsequent writeup to reflect the summary of expenditures anticipated over the life of the by-law, added reference to growth studies, and revised Table ES-3 to include the calculated charges. Removal of Solar PVs from write-up, as well as tables.
1-2 & 1-3	Revised Figure 1-1 to include the release of Addendum Report #1, Council Meeting to present the findings, and the By-law Passage.
1-9	Revised Section 1.4.4 to note the affordable owned and rental unit exemptions came into force June 1, 2024.
1-11 to 1-13	Revised Section 1.5 to note the affordable unit exemptions came into force June 1, 2024, and revised section 1.5 to update wording given Bill 185 received royal assent.
2-1	Updated to reflect the full phased-in D.C. rates.
4-6 to 4-9	Updated to include studies as eligible capital costs to be recovered for in the D.C. calculation and updated the reserve fund balances
4-14	Removed section 4.14 Mandatory Phase-in of a D.C.
5-1, and 5-11 onwards	Added growth studies and updated table numbers.

Page Reference	Description of Revisions
	Revised Services Related to a Highway and Wastewater Services. Renumbered subsequent pages.
6-1 to 6-6	Removal of Solar PVs. Updated Tables 6-1, 6-2, 6-3, 6-5, and 6-6.
7-1, 7-3 to 7-6, 7-8 and 7-9	Included Bill 185 in the changes to the legislation, added growth studies to section 7.3.2, removed wording for affordable units to be in force at a later date, removed section 7.3.5; Phasing-in, updated timing of collection wording to revise the rate-freeze period from two (2) years to 18 months, removed wording to utilize the growth studies reserve fund as part of the Township's General Capital Reserves, added growth studies as a class of service recommendation, and include "as amended" wording for the approval of the capital list and D.C. Background Study recommendations.
C-4	Updated Table C-2.
D-5	Updated Figure D-1 to include Growth Studies.
F-4 & F-5	Updated the Asset Management Calculations.
Appendix G	Updated draft by-law.

6. Process for the Adoption of the Development Charges By-law

The preceding sections provide a summary of the revisions to the Township's D.C. Background Study and draft by-law. If Council is satisfied with the above changes to the Background Study, this Addendum #1 report will be considered for approval by Council along with the Background Study.



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Executive Summary

1. The report provided herein represents the Development Charges (D.C.) Background Study for the Township of West Lincoln required by the *Development Charges Act, 1997*, as amended (D.C.A.). This report has been prepared in accordance with the methodology required under the D.C.A. The contents include the following:
 - Chapter 1 – Overview of the legislative requirements of the Act;
 - Chapter 2 – Review of present D.C. policies of the Township;
 - Chapter 3 – Summary of the residential and non-residential growth forecasts for the Township;
 - Chapter 4 – Approach to calculating the D.C.;
 - Chapter 5 – Review of historical service standards and identification of future capital requirements to service growth and related deductions and allocations;
 - Chapter 6 – Calculation of the D.C.s;
 - Chapter 7 – D.C. policy recommendations and rules; and
 - Chapter 8 – By-law implementation.

2. D.C.s provide for the recovery of growth-related capital expenditures from new development. The D.C.A. is the statutory basis to recover these charges. The methodology is detailed in Chapter 4; a simplified summary is provided below.
 - 1) Identify amount, type and location of growth.
 - 2) Identify servicing needs to accommodate growth.
 - 3) Identify capital costs to provide services to meet the needs.
 - 4) Deduct:
 - Grants, subsidies and other contributions;
 - Benefit to existing development;
 - Amounts in excess of 15-year historical service calculation; and
 - D.C. reserve funds (where applicable);
 - 5) Net costs are then allocated between residential and non-residential benefit; and
 - 6) Net costs divided by growth to provide the D.C.



3. Subsequent to the passage of the Township's 2019 D.C. By-law, the Township undertook a D.C. Update Study in 2022 to pass an amending D.C. By-law to incorporate a number of changes to the D.C.A. as a result of the following Acts (details of each Act are provided in Chapter 1 of this report):

- Bill 108: *More Homes, More Choice Act, 2019*
- Bill 138: *Plan to Build Ontario Together Act, 2019*
- Bill 197: *COVID-19 Economic Recovery Act, 2020*
- Bill 213: *Better for People, Smarter for Business Act, 2020*

Since that time, the Province introduced another set of revisions to the D.C.A. through Bill 23: *More Homes Built Faster Act, 2022*. Bill 23 was first introduced on October 25, 2022, and received Royal Assent on November 28, 2022. A summary of the changes provided from Bill 23 are outlined below (further details are provided in Chapter 1 of this report):

- Additional Residential Unit Exemption: Allowance of a third unit as-of-right;
- Removal of Housing as an Eligible D.C. Service;
- New Statutory Exemptions for Affordable Units, Attainable Units (currently not in force), and Affordable Inclusionary Zoning Units;
Note: Bill 134: *Affordable Homes and Good Jobs Act, 2023* was released on September 28, 2023 which proposes a new definition of “affordable” under the D.C.A. and is anticipated to receive Royal Assent on December 4, 2023:
 - Owned unit (lesser of): cost is less than 30% of the 60th percentile of income for households in the municipality or 90% of the average purchase price as defined in a new Bulletin.
 - Rental unit (lesser of): rent is less than 30% of the 60th percentile of income for rental households or average market rent set out in a new Bulletin.
- New Statutory Exemption: Non-Profit Housing;
- Historical Level of Service extended to previous 15-year period instead of the previous 10-year period;
- Capital Cost definition revised to remove studies and prescribe services for which land or an interest in land will be restricted (nothing prescribed to date);
- Mandatory Phase-in of a D.C. passed after January 1, 2022, as follows:



- Year 1 – 80% of the maximum charge;
- Year 2 – 85% of the maximum charge;
- Year 3 – 90% of the maximum charge;
- Year 4 – 95% of the maximum charge; and
- Year 5 to expiry – 100% of the maximum charge.
- D.C. By-law expiry will be a maximum of 10 years after the date the by-law comes into force;
- D.C. for Rental Housing developments to receive a discount as follows:
 - Three or more bedrooms – 25% reduction;
 - Two bedrooms – 20% reduction; and
 - All other bedroom quantities – 15% reduction.
- Maximum Interest Rate for Installments and Determination of Charge for Eligible Site Plan and Zoning By-law Amendment Applications to be set at the average prime rate plus 1%; and
- Requirement to Allocate Funds Received – municipalities are required to spend or allocate at least 60% of their reserve fund at the beginning of the year for water, wastewater, and services related to a highway.

On April 10, 2024, the Province released Bill 185: Cutting Red Tape to Build More Homes Act. The Bill received Royal Assent on June 6, 2024. A summary of the changes provided from Bill 185 are outlined below (further details are provided in Chapter 1 of this report):

- The definition of eligible capital costs (to include certain studies);
- The removal of the mandatory phase-in of charges;
- The process for minor amendments to D.C. by-laws;
- A reduction of time for the D.C. rate freeze related to site plan and zoning by-law amendment planning applications;
- Modernizing public notice requirements; and
- Implementation of the Affordable Residential Unit exemptions.



- The growth forecast (Chapter 3) on which the D.C. study is based, projects the following population, housing, and non-residential floor area for the 10-year (2024 to 2034), Urban 10-year (2024 to 2034) Buildout (2024 to 2051), and Urban Buildout (2024 to 2051) forecast periods.

Table ES-1
Summary of Growth Forecast by Planning Period
Township of West Lincoln

Measure	10 Year 2024-2034	Urban 10 Year 2024-2034	Buildout 2024-2051	Urban – Buildout 2024-2051
(Net) Population Increase	7,119	7,390	21,759	22,524
Residential Unit Increase	2,858	2,844	8,735	8,692
Non-Residential Gross Floor Area Increase (sq.ft.)	1,035,700	965,000	2,906,200	2,712,100

- On July 15, 2019, the Township of West Lincoln’s D.C. By-law 2019-51 came into force under the D.C.A. The by-law imposes D.C.s on residential and non-residential uses. This by-law was amended via By-law 2022-77. The Township is undertaking a D.C. public process and anticipates passing a new by-law on October 28, 2024, with the mandatory public meeting scheduled for May 27, 2024.
- The Township’s D.C. currently in effect is \$18,842 for single detached dwelling units for full services. The non-residential charge is \$4.69 per sq.ft. for full services.
- This report has undertaken a recalculation of the charges based on future identified needs (presented in Schedule ES-3 for residential and non-residential). Charges have been provided on a Township-wide basis for all services excluding water, wastewater, and stormwater services, which have been provided on an urban-wide basis. The corresponding single-detached unit charge for full services is \$34,805. The non-residential charge for full services is \$11.16 per sq.ft. of building area. These rates are submitted to Council for their consideration.



protection, and growth studies using the single detached category. The calculations presented herein have continued this approach. The calculated D.C. for wind turbines is \$12,326 per unit (based on the criteria as defined in the draft D.C. by-law).

9. The D.C.A. requires a summary be provided of the gross capital costs and the net costs to be recovered over the life of the by-law. This calculation is provided by service and is presented in Table 6-6. A summary of these costs is provided below:

Table ES-2
Summary of Expenditures Anticipated Over the Life of the By-law

Summary of Expenditures Anticipated Over the Life of the By-law	Expenditure Amount
Total gross expenditures planned over the next ten years	\$150,902,198
Less: Benefit to existing development	\$26,185,392
Less: Post planning period benefit	\$3,456,859
Less: Ineligible re: Level of Service	\$90,400
Less: Grants, subsidies and other contributions	\$0
Net costs to be recovered from development charges	\$121,169,547

This suggests that for the non-D.C. cost over the ten-year D.C. by-law (benefit to existing development, and grants, subsidies and other contributions), \$26.28 million (or an annual amount of \$2.63 million) will need to be contributed from taxes and rates, or other sources. With respect to the post period benefit amount of \$3.46 million, it will be included in subsequent D.C. study updates to reflect the portion of capital that benefits growth in the post period D.C. forecasts.

Based on the above table, the Township plans to spend \$150.90 million over the life of the by-law, of which \$121.17 million (80%) is recoverable from D.C.s. Of this net amount, \$107.25 million is recoverable from residential development and \$13.92 million from non-residential development. It is noted also that any exemptions or reductions in the charges would reduce this recovery further.



10. Considerations by Council – The background study represents the service needs arising from residential and non-residential growth over the forecast periods.

The following services are calculated based on an urban 2051 buildout forecast:

- Wastewater Services; and
- Water Services.

The following services are calculated based on a 2024 to 2051 forecast period:

- Services Related to a Highway.

The following services are calculated based on an urban 10-year forecast to 2034:

- Stormwater Services.

The following services are calculated based on a 10-year forecast to 2034:

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

Council will consider the findings and recommendations provided in the report and, in conjunction with public input, approve such policies and rates it deems appropriate. These directions will refine the draft D.C. by-law which is appended in Appendix G. These decisions may include:

- adopting the charges and policies recommended herein;
- considering additional exemptions to the by-law; and
- considering reductions in the charge by class of development (obtained by removing certain services on which the charge is based and/or by a general reduction in the charge).



Table ES-3
Schedule of Development Charges

Service	RESIDENTIAL					NON-RESIDENTIAL	
	Single and Semi-Detached Dwelling	Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	Wind Turbines	(per sq.ft. of Gross Floor Area)
Township Wide Services							
Services Related to a Highway	18,388	12,590	11,789	7,638	6,385	9,194	6.96
Fire Protection Services	2,241	1,534	1,437	931	778	2,241	0.86
Parks and Recreation Services	6,567	4,496	4,210	2,728	2,280	-	0.80
Library Services	1,073	735	688	446	373	-	0.13
Growth Studies	891	610	571	370	309	891	0.33
Total Township Wide Services	29,160	19,965	18,695	12,113	10,125	12,326	9.08
Urban Services							
Stormwater	22	15	14	9	8	-	0.01
Wastewater Services	5,356	3,667	3,434	2,225	1,860	-	1.97
Water Services	267	183	171	111	93	-	0.10
Total Urban Services	5,645	3,865	3,619	2,345	1,961	-	2.08
GRAND TOTAL RURAL AREA	29,160	19,965	18,695	12,113	10,125	12,326	9.08
GRAND TOTAL URBAN AREA	34,805	23,830	22,314	14,458	12,086	12,326	11.16



1.2 Summary of the Process

The public meeting required under section 12 of the D.C.A. has been scheduled for May 27, 2024. Its purpose is to present the study to the public and to solicit public input. The meeting is also being held to answer any questions regarding the study's purpose, methodology, and the proposed modifications to the Township's D.C.s.

In accordance with the legislation, the background study and proposed D.C. by-law will be available for public review on May 13, 2024.

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
- Finalization of the report and Council consideration of the by-law subsequent to the public meeting.

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

Figure 1-1
Schedule of Key D.C. Process Dates for the Township of West Lincoln

Schedule of Study Milestone	Dates
1. Data collection, staff review, D.C. calculations and policy work	July 2023 to April 2024
2. Stakeholder Meeting	April 18, 2024
3. Council Workshop	April 29, 2024
4. Public meeting advertisement placed in newspaper(s)	No later than May 5, 2024
5. Public release of final D.C. background study and proposed by-law	May 13, 2024
6. Public meeting # 1 of Council	May 27, 2024
7. Release of Addendum # 1 to the D.C. Background Study	October 7, 2024
8. Council Meeting to present Addendum # 1	October 21, 2024
9. Council considers adoption of background study and passage of by-law	October 28, 2024



Schedule of Study Milestone	Dates
10. Newspaper notice given of by-law passage	By 20 days after passage
11. Last day for by-law appeal	40 days after passage
12. Township makes pamphlet available (where by-law not appealed)	By 60 days after in force date

1.3 Changes to the D.C.A.: Bills 108, 138, 197, and 213

1.3.1 *Bill 108: More Homes, More Choice Act – An Act to Amend Various Statutes with Respect to Housing, Other Development, and Various Matters*

On May 2, 2019, the Province introduced Bill 108, which proposed changes to the D.C.A. The Bill was 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. Interest may be charged on the instalments, and any unpaid amounts may be added to the property and collected as taxes. As per Bill 23, non-profit housing developments are now exempt from paying D.C.s; however, prior to Bill 23, and as a result of Bill 108, non-profit housing developments paid D.C.s in 21 equal annual payments. 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 as of the date of issuance of a building permit.



- Attainable Units – Excludes affordable units and rental units; will be defined as prescribed development or class of development and sold to a person who is at “arm’s length” from the seller.
 - Note: for affordable and attainable units, the municipality shall enter into an agreement that ensures the unit remains affordable or attainable for 25 years.

Further to the above, Bill 134: *Affordable Homes and Good Jobs Act, 2023* was released on September 28, 2023, which proposes a new definition of “affordable” under the D.C.A.:

- Owned unit (lesser of): cost is less than 30% of the 60th percentile of income for households in the municipality or 90% of the average purchase price as defined in a new Bulletin.
- Rental unit (lesser of): rent is less than 30% of the 60th percentile of income for rental households or average market rent set out in a new Bulletin.

Note: the above Affordable Owned and Rental Unit exemptions came into force as of June 1, 2024. At the time of writing, it is not known when the exemption for Attainable Units will be in force.

- Inclusionary Zoning Units: Affordable housing units required under inclusionary zoning by-laws are exempt from a D.C.

1.4.5 Historical Level of Service Extended to Previous 15-Year Period

Prior to Bill 23, the increase in need for service was limited by the average historical level of service calculated over the 10-year period preceding the preparation of the D.C. background study. This average is now extended to the historical 15-year period.

1.4.6 Revised Definition of Capital Costs

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



provision would apply to all instalment payments and eligible site plan and zoning by-law amendment applications occurring after November 28, 2022.

1.4.12 Requirement to Allocate Funds Received

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

1.5 Proposed Changes to the D.C.A. – Bill 185: Cutting Red Tape to Build More Homes Act, 2024

On April 10, 2024, the Province released Bill 185: *Cutting Red Tape to Build More Homes Act*. The Bill received Royal Assent on June 6, 2024. This Bill reversed many of the key changes that were implemented through Bill 23. The following sections provide a summary of the changes.

1.5.1 Revised Definition of Capital Costs

Bill 185 reversed the capital cost amendments of Bill 23 by reinstating studies as an eligible capital cost. The following paragraphs were added to subsection 5(3) of the D.C.A.:

5. *Costs to undertake studies in connection with any of the matters referred to in paragraphs 1 to 4.*
6. *Costs of the development charge background study required under section 10.*

1.5.2 Removal of the Mandatory Phase-in

As noted in Section 1.4.7 above, Bill 23 required the phase-in of charges imposed in a D.C. by-law over a five-year term for any by-laws passed after January 1, 2022. Bill 185 removed this mandatory phase-in. This change is effective for any D.C. by-laws passed after Bill 185 came into effect.

For site plan and zoning by-law amendment applications that were made prior to Bill 185 receiving Royal Assent, the charges payable will be the charges that were in place on the day the planning application was made (i.e., including the mandatory phase-in).



1.5.3 Process for Minor Amendments to D.C. By-laws

Section 19 of the D.C.A. requires that a municipality must follow sections 10 through 18 of the D.C.A. (with necessary modifications) when amending D.C. by-laws. Sections 10 through 18 of the D.C.A. generally require the following:

- Completion of a D.C. background study, including the requirement to post the background study 60 days prior to passage of the D.C. by-law;
- Passage of a D.C. by-law within one year of the completion of the D.C. background study;
- A public meeting, including notice requirements; and
- The ability to appeal the by-law to the Ontario Land Tribunal.

Bill 185 allows municipalities to undertake minor amendments to D.C. by-laws for the following purposes without adherence to the requirements noted above (with the exception of the notice requirements):

1. To repeal a provision of the D.C. by-law specifying the date the by-law expires or to amend the provision to extend the expiry date (subject to the 10-year limitations provided in the D.C.A.);
2. To impose D.C.s for studies, including the D.C. background study; and
3. To remove the provisions related to the mandatory phase-in of D.C.s.

Minor amendments related to items 2 and 3 noted above may be undertaken only if the D.C. by-law being amended was passed after November 28, 2022, and before Bill 185 took effect. Moreover, the amending by-law must be passed within six months of Bill 185 coming into effect.

Notice requirements for these minor amending by-laws are similar to the typical notice requirements, with the exception of the requirement to identify the last day for appealing the by-law (as these provisions do not apply).

1.5.4 Reduction of D.C. Rate Freeze Timeframe

Bill 108 (see Section 1.3.1 above) provides for the requirement to freeze the D.C.s imposed on developments subject to a site plan and/or a zoning by-law amendment application. The D.C. rate for these developments is “frozen” at the rates that were in



effect at the time the site plan and/or zoning by-law amendment application was submitted (subject to applicable interest). Once the application is approved by the municipality, if the date the D.C. is payable is more than two years from the approval date, the D.C. rate freeze would no longer apply. Bill 185 reduced the two-year timeframe to 18 months.

1.5.5 Modernizing Public Notice Requirements

The D.C.A. sets out the requirements for municipalities to give notice of public meetings and of by-law passage. These requirements are prescribed in sections 9 and 10 of O. Reg. 82/98 and include giving notice in a newspaper of sufficiently general circulation in the area to which the by-law would apply. The regulatory changes modernized public notice requirements by allowing municipalities to provide notice on a municipal website if a local newspaper is not available.



2. Current Township of West Lincoln Policies

2.1 Schedule of Charges

On July 15, 2019, the Township of West Lincoln's D.C. By-law 2019-51 came into force under the D.C.A. Subsequently, the 2019 D.C. By-law was amended with By-law 2022-77, which provided updates to conform with the legislative changes from Bills 108, 197, and 213.

The by-law, as amended, imposes D.C.s for residential and non-residential uses. The table below provides the rates currently in effect, as of June 6, 2024.

Table 2-1
Township of West Lincoln
Current D.C. Rates
June 6, 2024

Service	Residential				Non-Residential	
	Single and Semi-Detached Dwelling	Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Wind Turbines	per sq.ft.
Services Related to a Highway	8,042	5,360	5,118	3,169	8,042	2.99
Fire Protection Services	542	362	345	213	542	0.21
Parks and Recreation Services	6,393	4,261	4,068	2,518	-	0.47
Library Services	1,149	765	732	452	-	0.07
Growth Studies	472	313	299	186	472	0.18
Total Township Wide Services	16,598	11,061	10,562	6,538	9,056	3.92
Urban Services						
Stormwater	100	68	63	39	-	0.02
Wastewater Services	623	415	395	246	-	0.21
Water Services	1,521	1,013	968	600	-	0.54
Total Urban Services	2,244	1,496	1,426	885	-	0.77
GRAND TOTAL RURAL AREA	16,598	11,061	10,562	6,538	9,056	3.92
GRAND TOTAL URBAN AREA	18,842	12,557	11,988	7,423	9,056	4.69

2.2 Services Covered

The following services are covered under By-law 2019-51, as amended:

- Services related to a highway;
- Fire protection services;
- Parks and recreation services;
- Library services;
- Growth studies;



Categories of Municipal Services	Eligibility for Inclusion in the D.C. Calculation	Service Components	Maximum Potential D.C. Recovery %
21. Ambulance	n/a n/a	21.1 Ambulance station space 21.2 Vehicles ^[1]	100 100
22. Hospital Provision	Ineligible	22.1 Hospital capital contributions	0
23. Provision of Headquarters for the General Administration of Municipalities and Area Municipal Boards	Ineligible Ineligible Ineligible	23.1 Office space 23.2 Office furniture 23.3 Computer equipment	0 0 0
24. Other Services	Yes	24.1 Studies in connection with acquiring buildings, rolling stock, materials and equipment, and improving land and facilities, including the D.C. background study cost	100
	Yes	24.2 Interest on money borrowed to pay for growth-related capital	0-100

^[1] with a 7+ year lifetime

4.4 Local Service Policy

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

4.5 Capital Forecast

Paragraph 7 of subsection 5 (1) of the D.C.A. requires that “the capital costs necessary to provide the increased services must be estimated.” The Act goes on to require two



potential cost reductions and the regulation sets out the way in which such costs are to be presented. These requirements are outlined below.

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

The capital costs include:

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

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

4.6 Treatment of Credits

Section 8, paragraph 5, of O. Reg. 82/98 indicates that a D.C. background study must set out “the estimated value of credits that are being carried forward relating to the service.” Section 17, paragraph 4, of the same regulation indicates that “the value of the credit cannot be recovered from future D.C.s,” if the credit pertains to an ineligible



service. This implies that a credit for eligible services can be recovered from future D.C.s. As a result, this provision should be made in the calculation, in order to avoid a funding shortfall with respect to future service needs.

4.7 Classes of Services

Section 7 of the D.C.A. states that a D.C. by-law may provide for any D.C. eligible service or the capital costs with respect to those services. Furthermore, a class may be composed of any number or combination of services and may include parts or portions of each D.C. eligible service.

These provisions allow for services to be grouped together to create a class for the purposes of the D.C. by-law and D.C. reserve funds. The D.C. calculations and by-law provided herein have identified a class of service for growth studies.

4.8 Existing Reserve Funds

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

“The money in a reserve fund established for a service may be spent only for capital costs determined under paragraphs 2 to 7 of subsection 5 (1).”

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

For services that are subject to a per capita based, service level “cap,” the reserve fund balance should be applied against the development-related costs for which the charge was imposed once the project is constructed (i.e., the needs of recent growth). This cost component is distinct from the development-related costs for the future forecast periods, which underlie the D.C. calculation herein.

The alternative would involve the Township spending all reserve fund monies prior to renewing each by-law, which would not be a sound basis for capital budgeting. Thus, the Township will use these reserve funds for the Township’s cost share of applicable development-related projects, which are required but have not yet been undertaken, as a way of directing the funds to the benefit of the development that contributed them



(rather than to future development, which will generate the need for additional facilities directly proportionate to future growth).

The Township's D.C. Reserve Fund balances by service as of December 31, 2023, are shown below:

Table 4-2
Summary of Development Charges Reserve Fund Balances
As of December 31, 2023

Service	Balance as of December 31, 2023
Services Related to a Highway	\$1,715,699
Fire Protection Services	(\$610,102)
Parks and Recreation Services	\$100,555
Library Services	(\$199,681)
Growth Studies	\$173,828
Stormwater	(\$61,510)
Wastewater Services	\$547,627
Water Services	\$583,193
Total	\$2,249,608

Note: Amounts in brackets are deficit balances.

4.9 Deductions

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

- The level of service ceiling;
- Uncommitted excess capacity;
- Benefit to existing development; and
- Anticipated grants, subsidies, and other contributions.

The requirements behind each of these reductions are addressed below.



- An assessment of the ridership capacity for all modes of transit services proposed to be funded by the development charge over the 10-year period immediately following the preparation of the background study.
- A forward-looking service standard (as per subsection 6.1 (2) of the Regulations):
 - The service is a discrete service.
 - No portion of the service that is intended to benefit anticipated development after the 10-year period immediately following the preparation of the background study may be included in the estimate.
 - No portion of the service that is anticipated to exist as excess capacity at the end of the 10-year period immediately following the preparation of the background study may be included in the estimate.
- A detailed asset management strategy and reporting requirements (subsection 6.1 (3) of the Regulations) that includes lifecycle costs, action plans that will enable the assets to be sustainable, summary of how to achieve the proposed level of service, discussion on procurement measures and risk.

Transit services are the Region of Niagara's responsibility, therefore the above calculations and reporting requirements are not required for this study.



5. D.C.-Eligible Cost Analysis by Service

5.1 Introduction

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

The service component is evaluated on two format sheets:

- The service standards that provide the average historical 15-year level of service calculation (see Appendix B), which “caps” the D.C. amounts (note that this is not required for water, wastewater, and stormwater); and
- The infrastructure cost calculation, which determines the potential D.C. recoverable cost.

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

5.2 Service Levels and 10-Year Capital Costs for West Lincoln’s D.C. Calculation

This section evaluates the development-related capital requirements for fire protection services, parks and recreation services, library services, and growth studies over a 10-year planning period from 2024 to 2034. For stormwater services, it has been evaluated over an urban 10-year planning period.

5.2.1 Fire Protection Services

The West Lincoln Fire Department currently operates out of Smithville and Caistor Centre with a combined 17,547 sq.ft. of facility space. This provides for a per capita average level of service of 1.17 sq.ft. per capita or \$691 per capita. This level of service provides the Township with a maximum D.C.-eligible amount for recovery over the forecast period of \$4.92 million.



5.2.5 Growth Studies

Based on the anticipated growth forecast, a number of D.C. eligible studies have been identified by the Township. The total gross capital cost for growth studies is approximately \$3.33 million. These studies include various Master Plans, Planning Studies, D.C. Background Study, etc. For planning related studies, a deduction of 10% (\$90,400) has been applied to recognize the extent to which the studies relate to non-D.C.-eligible services. Further deductions of \$572,000 were made to recognize the benefit to the existing community, and \$173,828 to account for the existing reserve fund balance. Therefore, the net amount of \$2,490,633 has been included in the D.C. calculations.

The capital costs for each study have been allocated based on the 10-year growth allocation for specific services provided in D.C., following a similar percentage distribution as presented in the capital costs calculation (i.e., parks & recreation capital costs are allocated at 95% residential and 5% non-residential and have been allocated as such for any studies specific to parks and recreation).



**Table 5-5
Infrastructure Cost Included in the Development Charges Calculation
Growth Studies**

Prj.No	Increased Service Needs Attributable to Anticipated Development 2024 to 2034	Timing (year)	Service to Which Project Relates	Gross Capital Cost Estimate (2024\$)	Post Period Benefit	Other Deductions (to recognize benefit to non-D.C. services)	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
								Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share
											Service Specific	
1	Agriculture/ Agri-Tourism Opportunities/ Climate Impact Assessment/ Agricultural CIP	2028	All Services	100,000	-	10,000	90,000	62,100		27,900	23,994	3,906
2	Corporate strategic plan	2027	All Services	50,000	-	5,000	45,000	22,500		22,500	19,350	3,150
3	Corporate strategic plan	2031	All Services	50,000	-	5,000	45,000	22,500		22,500	19,350	3,150
4	Development charge study	2024	All D.C. Services	85,000	-		85,000	-		85,000	73,100	11,900
5	Development charge study	2029	All D.C. Services	85,000	-		85,000	-		85,000	73,100	11,900
6	Economic development master plan - Industrial park	2027	All Services	120,000	-	12,000	108,000	54,000	-	54,000	46,440	7,560
7	Fire protection master plan	2026	Fire Protection Services	100,000	-		100,000	25,000		75,000	64,500	10,500
8	Infill and Intensification Strategy	2026	All Services	80,000	-	8,000	72,000	18,000		54,000	46,440	7,560
9	Library strategic plan	2027	Library Services	20,000	-		20,000	10,000		10,000	9,500	500
10	Secondary plan/Municipal comprehensive review	2028	All Services	100,000	-	10,000	90,000	-		90,000	77,400	12,600
11	Official plan update	2029	All Services	60,000	-	6,000	54,000	13,500		40,500	34,830	5,670
12	Official plan	2024	All Services	150,000	-	15,000	135,000	33,800	-	101,200	87,032	14,168
13	Organizational staffing review	2026	All Services	50,000	-	5,000	45,000	22,500		22,500	19,350	3,150
14	Pollution control plan - CSO study - Extraneous Flow Reduction Program	2028	Wastewater Services	100,000	-		100,000	50,000		50,000	43,500	6,500



Table 5-5
Infrastructure Cost Included in the Development Charges Calculation
Growth Studies – continued

Prj.No	Increased Service Needs Attributable to Anticipated Development 2024 to 2034	Timing (year)	Service to Which Project Relates	Gross Capital Cost Estimate (2024\$)	Post Period Benefit	Other Deductions (to recognize benefit to non-D.C. services)	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
								Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share
											Service Specific	
15	Pollution control plan - CSO study - Extraneous Flow Reduction Program	2033	Wastewater Services	100,000	-		100,000	50,000		50,000	43,500	6,500
16	Sanitary sewer master plan update	2029	Wastewater Services	75,000	-		75,000	18,800		56,200	48,894	7,306
17	Smithville trails and corridors master plan (update)	2029	Parks & Recreation Services	50,000	-		50,000	34,500		15,500	14,725	775
18	West Lincoln Parks, Recreation, and Library Master Plan Update	2029	Parks & Recreation Services and Library	100,000	-		100,000	25,000		75,000	71,250	3,750
19	Traffic/transportation master plan Update	2029	Services Related to a Highway	80,000	-		80,000	20,000		60,000	51,600	8,400
20	Fiscal Impact Study	2024	All Services	50,000	-	5,000	45,000	22,500		22,500	19,350	3,150
21	Water Master Plan Update	2029	Water Services	75,000	-		75,000	-		75,000	65,250	9,750
22	Urban Forestry Strategy	2027	Services Related to a Highway / Parks & Recreation	50,000	-		50,000	25,000		25,000	21,500	3,500
23	Fulton Hamlet and Rural Employment Zone	2025	All Services	94,000	-	9,400	84,600	42,300		42,300	36,378	5,922
24	D.C. Credit : Landowners paid Studies	Credit	All D.C. Services	1,502,861	-		1,502,861	-		1,502,861	1,292,460	210,401
25	Reserve Fund Adjustment				-		-	173,828		(173,828)	(149,492)	(24,336)
	Total			3,326,861	-	90,400	3,236,461	745,828	-	2,490,633	2,153,301	337,332



5.3 Service Levels and Long Term Capital Costs for West Lincoln's D.C. Calculation

This section evaluates the development-related capital requirements for parks and recreation services and library services over a long-term planning period from 2024 to 2051.

5.3.1 Services Related to a Highway

5.3.1.1 Services Related to a Highway – Roads and Related

The Township owns and maintains:

- 115 km of unpaved roads;
- 214 km of surface treated roads;
- 39 km of asphalt paved roads;
- 72 bridges;
- 19 culverts;
- 17.9 km of sidewalks;
- 250 streetlight fixtures; and
- 74 streetlight poles.

This provides an average level of investment of \$68,993 per capita, resulting in a D.C.-eligible recovery amount of \$1.5 billion over the 2024 to 2051 forecast period.

With respect to future needs, the Township has identified a capital program totalling \$178.06 million, with the majority of the projects originating from the Smithville Master Community Plan. These projects include numerous road urbanizations, upgrades, junction improvements, new pedestrian bridges, and sidewalks. A deduction of \$30.67 million has been made to recognize the portion of the works that would benefit the existing community. Furthermore, \$1.72 million has also been deducted to account for the Township's existing reserve fund balance. Therefore, the total growth-related cost to be included in the D.C. is \$145.67million.

The residential/non-residential capital cost allocation for service related to a highway – roads and related is based on the ratio of the anticipated population and employment



growth over the 2024 to 2051 forecast period. This results in 87% being allocated to residential development and 13% to non-residential development.



Table 5-6
Infrastructure Cost Included in the Development Charges Calculation
Services Related to a Highway – Roads and Related

Prj. No	Increased Service Needs Attributable to Anticipated Development 2024 to 2051	Timing (year)	Gross Capital Cost Estimate (2024\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 87%	Non-Residential Share 13%
	Roadways										
1	Urban Boundary Expansion TWL-Road-01 Spring Creek Rd Extension: west limit of existing Spring Creek Rd allowance to the New Western Link	2024-2026	7,000,000	-		7,000,000	-	-	7,000,000	6,090,000	910,000
2	TMP Capital Project ID TWL-Road-05 Tober Road realignment New Southern Collector 2: Tober Rd to Port Davidson Rd New Southern Collector 1: Port Davidson Rd to Shurie Rd	2034-2044	17,500,000	-		17,500,000	-	-	17,500,000	15,225,000	2,275,000
3	TMP Capital Project ID TWL-Road-06 New Western Collector 1: South Grimsby Rd 6 to Townline Rd	2044-2051	24,000,000	-		24,000,000	-	-	24,000,000	20,880,000	3,120,000
4	TWL-Road-07 Spring Creek Rd: Spring Creek Rd Extension to Hornak Rd	2025-2026	12,000,000	-		12,000,000	-	-	12,000,000	10,440,000	1,560,000
5	TMP Capital Project ID TWL-Road-08 Road Upgrade - South Grimsby Rd 5: Young St and New Northern Collector	2024-2034	4,500,000	-		4,500,000	1,350,000	-	3,150,000	2,740,500	409,500
6	TMP Capital Project ID TWL-Road-09 Road Upgrade - South Grimsby Rd 5: New Northern Collector and Spring Creek Rd	2024-2034	4,500,000	-		4,500,000	1,350,000	-	3,150,000	2,740,500	409,500
7	TMP Capital Project ID TWL-Road-10 Road Upgrade - South Grimsby Rd 5: Spring Creek Rd and RR20 (West St)	2024-2034	7,000,000	-		7,000,000	2,100,000	-	4,900,000	4,263,000	637,000
8	TMP Capital Project ID TWL-Road-14 Road Upgrade - Industrial Park Rd: Young St and New Northern Collector	2024-2034	4,500,000	-		4,500,000	1,350,000	-	3,150,000	2,740,500	409,500
9	TMP Capital Project ID TWL-Road-16 Road Upgrade - Industrial Park Rd: New Eastern Link and RR20 (West St)	2024-2034	10,000,000	-		10,000,000	3,000,000	-	7,000,000	6,090,000	910,000
10	TMP Capital Project ID TWL-Road-17a Road Upgrade - Townline Rd: RR20 (St. Catharines St) and RR14 (Canborough St)	2034-2044	20,000,000	-		20,000,000	6,000,000	-	14,000,000	12,180,000	1,820,000
11	TMP Capital Project ID TWL-Road-19 Road Upgrade - Port Davidson Rd: Townline Rd and New Southern Collector	2034-2044	4,500,000	-		4,500,000	1,350,000	-	3,150,000	2,740,500	409,500
12	TMP Capital Project ID TWL-Road-20 Road Upgrade - Shurie Rd: Townline Rd to New Southern Collector 1	2034-2044	4,500,000	-		4,500,000	1,350,000	-	3,150,000	2,740,500	409,500



Table 5-6
 Infrastructure Cost Included in the Development Charges Calculation
 Services Related to a Highway – Roads and Related – continued

Prj. No	Increased Service Needs Attributable to Anticipated Development 2024 to 2051	Timing (year)	Gross Capital Cost Estimate (2024\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 87%	Non-Residential Share 13%
13	TMP Capital Project ID TWL-Road-21 Road Upgrade - South Grimsby Rd 6: New Western Collector 1 and Townline Rd	2034-2051	15,000,000	-		15,000,000	4,500,000	-	10,500,000	9,135,000	1,365,000
14	TMP Capital Project ID TWL-Road-22 Road Upgrade - South Grimsby Rd 6: New Western Collector 1 and RR20 (West St)	2044-2051	9,000,000	-		9,000,000	2,700,000	-	6,300,000	5,481,000	819,000
15	TMP Capital Project ID TWL-Road-23 Road Upgrade - Young St: RR14 (Thirty Rd) and South Grimsby Rd 2	2024-2034	15,000,000	-		15,000,000	4,500,000	-	10,500,000	9,135,000	1,365,000
16	Provision for Other Road-Related Works (Upgrades/Widenings)	2031-2051	5,000,000	-		5,000,000	-	-	5,000,000	4,350,000	650,000
	<u>Junction Improvements</u>										
17	TMP Capital Project ID TWL-Junction-02 South Grimsby Road 5 and Spring Creek Road	2024-2034	900,000	-		900,000	450,000	-	450,000	391,500	58,500
18	TMP Capital Project ID TWL-Junction-16 Tober Road/New Southern Collector 2	2034-2051	900,000	-		900,000	-	-	900,000	783,000	117,000
19	TMP Capital Project ID TWL-Junction-17 Port Davidson Road/New Southern Collector 1/New Southern Collector 2	2034-2051	900,000	-		900,000	-	-	900,000	783,000	117,000
20	TMP Capital Project ID TWL-Junction-18 Shurie Road and New Southern Collector 1	2034-2051	700,000	-		700,000	-	-	700,000	609,000	91,000
21	TMP Capital Project ID TWL-Junction-19 South Grimsby Road 6 and New Western Collector 1	2044-2051	700,000	-		700,000	-	-	700,000	609,000	91,000
	<u>Bridges and Culverts</u>										
22	South Grimsby Rd 5 Trail at Twenty Mile Creek TWL-Trail-03a (Pedestrian Bridge)	2044	2,300,000	-		2,300,000	-	-	2,300,000	2,001,000	299,000
23	Industrial Park Road – Townline Rd Connection at Twenty Mile Creek -TWL-Trail-08a (Pedestrian Bridge)	2034-2043	2,300,000	-		2,300,000	-	-	2,300,000	2,001,000	299,000
				-		-	-	-	-	-	-
	<u>Sidewalks</u>			-		-	-	-	-	-	-
24	RR 63 Canborough Rd - From: House # 5103 To: House # 5065 - 250m-upgrade	2025	250,000	-		250,000	171,500	-	78,500	68,295	10,205
25	Sping Creek Rd - From: Regional Rd 14 To: Hornak Rd-new	2026	11,000	-		11,000	7,600	-	3,400	2,958	442



Table 5-6
Infrastructure Cost Included in the Development Charges Calculation
Services Related to a Highway – Roads and Related - continued

Prj. No	Increased Service Needs Attributable to Anticipated Development 2024 to 2051	Timing (year)	Gross Capital Cost Estimate (2024\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 87%	Non-Residential Share 13%
26	Townline Rd: Canborough St to South Grimsby Rd 6 (both sides)	2033	690,000	-		690,000	476,100	-	213,900	186,093	27,807
27	McMurchie Ln - From: Griffin St To: End - 60m-new	2028	25,000	-		25,000	17,200	-	7,800	6,786	1,014
28	New Northern Connector - From: New Western Link To: Industrial Park Rd (Regional Road project RR/TWL-Road-02) both sides	2030	1,150,000	-		1,150,000	-	-	1,150,000	1,000,500	149,500
29	Industrial Park Rd - From: New Northern Connector To: New Eastern Link (Regional Road project RR/TWL-Road-15) both sides	2030	460,000	-		460,000	-	-	460,000	400,200	59,800
30	New Eastern Link: Industrial Park Rd to Regional Rd 20 (Regional Road project RR/TWL-Road-04)	2030	920,000	-		920,000	-	-	920,000	800,400	119,600
31	Regional Road 14 (Thirty Rd) - From: Young St To: New Northern Connector (Regional Road project RR-Road-11) both sides	2030	230,000	-		230,000	-	-	230,000	200,100	29,900
32	Regional Road 14 (Thirty Rd) - From: New Northern Connector To: Spring Creek Rd (Regional Road project RR-Road-12) both sides	2030	230,000	-		230,000	-	-	230,000	200,100	29,900
33	Regional Road 14 (Station St) - From: Spring Creek Rd To: Regional Rd 20 (Regional Road project RR-Road-13) both sides	2030	460,000	-		460,000	-	-	460,000	400,200	59,800
34	Townline Rd - From: Regional Rd 14 (Canborough St) To: New Western Collector 1 (Regional Road project RR-Road-17B) both sides	2030	460,000	-		460,000	-	-	460,000	400,200	59,800
35	Townline Rd - From: New Western Collector 1 To: South Grimsby Rd 6 (Regional Road project RR-Road-18) both sides	2030	230,000	-		230,000	-	-	230,000	200,100	29,900
36	St. Catharines St - From: Industrial Park Rd To: Townline Rd roundabout	2033	150,000	-		150,000	-	-	150,000	130,500	19,500
37	West St - From: South Grimsby Rd 5 To: South Grimsby Rd 6 roundabout	2033	92,000	-		92,000	-	-	92,000	80,040	11,960
38	Reserve Fund	Reserves		-			1,715,699	-	(1,715,699)	(1,492,658)	(223,041)
	Total		178,058,000	-	-	178,058,000	32,388,099	-	145,669,901	126,732,814	18,937,087



5.3.1.2 Services Related to a Highway – Public Works Facilities, Equipment, and Fleet

The Township's Public Works department operates out of a combined space of 15,341 sq.ft. of building area, providing an average level of service of \$565 per capita. This level of service provides the Township with a maximum D.C.-eligible amount for recovery over the 2051 forecast period of \$12.3 million.

The Public Works Department currently maintains an inventory of 71 vehicles and major equipment totalling \$7.8 million. This inventory provides for an average level of service of \$509 per capita. Over the forecast period, the D.C.-eligible amount for vehicles and equipment is \$11.1 million.

Based on the above, the maximum D.C.-eligible amount for public works is approximately \$23.4 million.

Based on the anticipated growth in the Township over the forecast period, approximately \$16.1 million of future capital has been identified. These include a new Smithville Depot, sidewalk tractor, Grade-all 4X4 excavator, as well as a provision for new vehicles and equipment to service the new development. A deduction of approximately \$6.2 million has been made for the share of the projects that benefit existing development. Therefore, the net growth-related D.C. recoverable amount of \$9.9 million has been included in the calculations.

The residential/non-residential capital cost allocation for service related to a highway – roads and related is based on the ratio of the anticipated population and employment growth over the 2024 to 2051 forecast period. This results in 87% being allocated to residential development and 13% to non-residential development.



Table 5-7
 Infrastructure Cost Included in the Development Charges Calculation
 Services Related to a Highway – Public Works Facilities, Equipment, and Fleet

Prj. No	Increased Service Needs Attributable to Anticipated Development 2024 to 2051	Timing (year)	Gross Capital Cost Estimate (2024\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 87%	Non-Residential Share 13%
1	Sidewalk Tractor and Attachment - Addition to Fleet	2027	170,000	-		170,000	-		170,000	147,900	22,100
2	Grade All 4x4 Excavator for ditches and tree trimming - Addition to Fleet	2026	600,000	-		600,000	540,000		60,000	52,200	7,800
3	New Smithville Depot (with salt dome and storage)	2026-2029	11,300,000	-		11,300,000	5,650,000		5,650,000	4,915,500	734,500
4	Provision for new vehicles and equipment	2024-2051	4,000,000	-		4,000,000	-		4,000,000	3,480,000	520,000
	Total		16,070,000	-	-	16,070,000	6,190,000	-	9,880,000	8,595,600	1,284,400



5.4 Service Levels and Urban Buildout Capital Costs for West Lincoln's D.C. Calculation

This section evaluates the development-related capital requirements for water and wastewater over an urban 2051 buildout planning period. The capital program is primarily based on the information from the Smithville Master Community Plan, as well as capital identified from the previous D.C. background study.

5.4.1 Water Services

Based on the anticipated growth forecast, a number of water projects have been identified to service developments throughout the Township. These project are mostly based on works identified in the previous D.C. study, but also include the servicing of the new urban boundary. It is noted that the majority of the water infrastructure identified in the Smithville Master Community Plan is assumed to be a local service and developer responsibility.

The projects included in the D.C. for consideration are upsizing of watermains, new urban boundary watermain, and water reading equipment. The total gross capital cost for capital projects is approximately \$4.8 million. With respect to deductions, the following adjustments have been made:

- Benefit to existing development: \$1.9 million.
- Reserve fund surplus balance: \$583,193.

Therefore, the net growth-related capital cost of \$2.2 million is being included in the D.C. calculations.

These costs are shared between residential and non-residential based on the population to employment ratio over the urban 2051 buildout forecast period, resulting in 88% being residential development and 12% being allocated to non-residential development.



Table 5-8
Infrastructure Cost Included in the Development Charges Calculation
Water Services

Prj.No	Increased Service Needs Attributable to Anticipated Development 2024 to Urban 2051	Timing (year)	Gross Capital Cost Estimate (2024\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 88%	Non-Residential Share 12%
1	RR 20 (West Street) & Wade Road North Water Main Upgrade	2024	2,500,000	-		2,500,000	1,250,000		1,250,000	1,100,000	150,000
2	South Grimsby Rd 5 Water Main - From: Northridge Dr To: HWY 20	2025-2026	342,000	-		342,000	171,000		171,000	150,480	20,520
3	Griffin St. N Water Main - From: Griffin Street to McMurchie Lane	2027	100,000	-		100,000	50,000		50,000	44,000	6,000
4	St. Catherines St. Water Main - From: Industrial Park Rd To: Frank St	2027	800,000	-		800,000	400,000		400,000	352,000	48,000
5	Frank Street Water Main - From: RR20 To: RR14	2027	120,000	-		120,000	60,000		60,000	52,800	7,200
6	Industrial Park Rd Water Main - From: Pearson Rd to New Urban Boundary	2027	800,000	-		800,000	-		800,000	704,000	96,000
7	AMI Gateway Antennas (2) - Water Reading Automation	2027	120,000	-		120,000	50,200		69,800	61,424	8,376
8	Reserve Fund	Reserves					583,193		(583,193)	(513,209)	(69,983)
	Total		4,782,000	-	-	4,782,000	2,564,393	-	2,217,607	1,951,495	266,113



5.4.2 Wastewater Services

The wastewater capital program is primarily based on the projects identified in the Smithville Master Community Plan, with a couple of projects identified from the previous D.C. study. These projects include sewer upgrades, new mains to service the urban boundary, pumping station, forcemains, etc. The total gross capital cost for capital projects is approximately \$48.7 million. With respect to deductions, the following adjustments have been made:

- Benefit to existing development: \$3.6 million.
- Reserve fund balance: \$547,627.

Therefore, the net growth-related capital cost of \$44.5 million is being included in the D.C. calculations.

These costs are shared between residential and non-residential based on the population to employment ratio over the urban 2051 buildout forecast period, resulting in 88% being residential development and 12% being allocated to non-residential development.



Table 5-9
 Infrastructure Cost Included in the Development Charges Calculation
 Wastewater Services

Prj.No	Increased Service Needs Attributable to Anticipated Development 2024 to Urban 2051	Timing (year)	Gross Capital Cost Estimate (2024\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 88%	Non-Residential Share 12%
1	RR20 (West Street) & Wade Rd North Sanitary Replacement and Upgrade	2024	2,500,000	-		2,500,000	1,250,000		1,250,000	1,100,000	150,000
2	Inflow & Infiltration Reduction Program	2025-2051	2,600,000	-		2,600,000	1,794,000		806,000	709,280	96,720
3	Urban Boundary Expansion - WW-SL-002 - wastewater servicing for urban boundary expansion Stage 1 West St (RR20) - Block Plan Area C1/in vicinity of South Grimsby Rd 6 roundabout to Streamside Pumping Station	2032	1,600,000	-		1,600,000	-		1,600,000	1,408,000	192,000
4	Urban Boundary Expansion - WW-SL-003 - wastewater servicing for urban boundary expansion Stage 2 St. Catharines St (RR20) - Townline Rd roundabout/East Smithville Secondary Plan area to Industrial Park Rd.	2032	1,900,000	-		1,900,000	-		1,900,000	1,672,000	228,000
5	Urban Boundary Expansion - WW-SL-003A - wastewater servicing for urban boundary expansion Stage 1 and Stage 2 St. Catharines St (RR20) - Industrial Park Rd to Smithville Pumping Station	2029	1,370,000	-		1,370,000	-		1,370,000	1,205,600	164,400
6	Urban Boundary Expansion - WW-SL-004 - wastewater servicing for urban boundary expansion (Stage 3) north/south and east/west sanitary sewers throughout Stage 3 connecting to Port Davidson Rd pumping station	2029	8,200,000	-		8,200,000	-		8,200,000	7,216,000	984,000
7	Urban Boundary Expansion - WW-SL-004B - wastewater servicing for urban boundary expansion (Stage 3A) Townline Rd - Rock St to Anderson Cres - upsizing of existing sewer Anderson Cres - Townline Rd to the Smithville Pumping Station - upsizing of existing sewer (592 metres)	2025-2027	1,243,000	-		1,243,000	589,200		653,800	575,344	78,456



Table 5-9
Infrastructure Cost Included in the Development Charges Calculation
Wastewater Services - continued

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2024\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 88%	Non-Residential Share 12%
2024 to Urban 2051											
8	Urban Boundary Expansion - WW-SL-005 - wastewater servicing for urban boundary expansion (Stage 4) north/south and east/west sanitary sewers throughout Stage 4 connecting to Port Davidson Rd pumping station	2033	6,000,000	-		6,000,000	-		6,000,000	5,280,000	720,000
9	W&WWMP Capital Project ID WW-PS-003 New sewage pumping station on Port Davidson Rd for Stages 3 & 4	2034	4,400,000	-		4,400,000	-		4,400,000	3,872,000	528,000
10	W&WWMP Capital Project ID WW-PM-003 New forcemain from pumping station on Port Davidson Rd (WW-PS-003) to Townline Rd Townline Rd from Port Davidson Rd to Township of West Lincoln easement east of Anderson Cres Through Township of West Lincoln easement from Townline Rd to St. Catharines St (RR20)	2034	8,400,000	-		8,400,000	-		8,400,000	7,392,000	1,008,000
11	Provision for Future Gravity Sewer to Stage 1 Urban Boundary Expansion (North Area)	2032	10,500,000	-		10,500,000	-		10,500,000	9,240,000	1,260,000
12	Reserve Fund Adjustment	Reserve	-	-		-	547,627		(547,627)	(481,912)	(65,715)
Total			48,713,000	-	-	48,713,000	4,180,827	-	44,532,173	39,188,312	5,343,861



6. D.C. Calculation

Table 6-1 calculates the proposed urban area D.C.s to be imposed for infrastructure services based upon the 2024 to 2051 urban forecast period (wastewater and water). Table 6-2 calculates the proposed uniform D.C.s to be imposed on anticipated development in the Township for Township-wide services over the 2024 to 2051 forecast period. Table 6-3 calculates the proposed uniform D.C.s to be imposed on anticipated development in the Township for Township-wide services over the 10-year 2024 to 2034 forecast period. Table 6-4 calculates the proposed urban D.C.s for stormwater over the urban 10-year 2024 to 2034 forecast period.

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

The D.C.-eligible costs for each service component were developed in Chapter 5 for all Town services, based on their proposed capital programs.

For the residential calculations, the total cost is divided by the “gross” (new resident) population to determine the per capita amount. The eligible-D.C. cost calculations set out in Chapter 5 are based on the net anticipated population increase (the forecast new unit population less the anticipated decline in existing units). The cost per capita is then multiplied by the average occupancy of the new units (Appendix A, Schedule 7) to calculate the charge in Tables 6-1 to 6-4.

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

The Township also imposes D.C.s for wind turbines. This D.C. will be equivalent to a single detached unit based on the services related to a highway (50%), fire protection services (100%), and growth studies (100%) categories to recognize the utilization of these services.



Table 6-5 summarizes the total D.C. that is applicable for Township-wide and urban area services and Table 6-6 summarizes the gross capital expenditures and sources of revenue for works to be undertaken during the life of the by-law.



Table 6-1
Township of West Lincoln
Development Charge Calculation
Urban Area Services
Urban Buildout (2024 to 2051)

SERVICE/CLASS	2024\$ D.C.-Eligible Cost		2024\$ D.C.-Eligible Cost	
	Residential	Non-Residential	S.D.U.	per sq.ft.
	\$	\$	\$	\$
1. <u>Wastewater Services</u>				
1.1 Sewers	39,188,312	5,343,861	5,356	1.97
	39,188,312	5,343,861	5,356	1.97
2. <u>Water Services</u>				
2.1 Treatment, storage and distribution systems	1,951,495	266,113	267	0.10
	1,951,495	266,113	267	0.10
TOTAL	\$41,139,807	\$5,609,974	\$5,623	2.07
D.C.-Eligible Capital Cost	\$41,139,807	\$5,609,974		
Urban Buildout Gross Population/GFA Growth (sq.ft.)	23,177	2,712,100		
Cost Per Capita/Non-Residential GFA (sq.ft.)	\$1,775	\$2.07		
By Residential Unit Type	P.P.U.			
Single and Semi-Detached Dwelling	3.168	\$5,623		
Multiples	2.169	\$3,850		
Apartments - 2 Bedrooms +	2.031	\$3,605		
Apartments - Bachelor and 1 Bedroom	1.316	\$2,336		
Special Care/Special Dwelling Units	1.100	\$1,953		

Table 6-2
Township of West Lincoln
Development Charge Calculation
Township-wide Services
Long-Term (2024 to 2051)

SERVICE/CLASS	2024\$ D.C.-Eligible Cost		2024\$ D.C.-Eligible Cost	
	Residential	Non-Residential	S.D.U.	per sq.ft.
	\$	\$	\$	\$
3. <u>Services Related to a Highway</u>				
3.1 Roads and Related	126,732,814	18,937,087	17,220	6.52
3.2 Public Works Facilities and Fleet	8,595,600	1,284,400	1,168	0.44
	135,328,414	20,221,487	18,388	6.96
TOTAL	\$135,328,414	\$20,221,487	\$18,388	\$6.96
D.C.-Eligible Capital Cost	\$135,328,414	\$20,221,487		
2051 Gross Population/GFA Growth (sq.ft.)	23,315	2,906,200		
Cost Per Capita/Non-Residential GFA (sq.ft.)	\$5,804	\$6.96		
By Residential Unit Type	P.P.U.			
Single and Semi-Detached Dwelling	3.168	\$18,388		
Multiples	2.169	\$12,590		
Apartments - 2 Bedrooms +	2.031	\$11,789		
Apartments - Bachelor and 1 Bedroom	1.316	\$7,638		
Special Care/Special Dwelling Units	1.100	\$6,385		



Table 6-3
Township of West Lincoln
Development Charge Calculation
Township-wide Services
10-Year (2024 to 2034)

SERVICE/CLASS	2024\$ D.C.-Eligible Cost		2024\$ D.C.-Eligible Cost	
	Residential	Non-Residential	S.D.U.	per sq.ft.
	\$	\$	\$	\$
4. <u>Fire Protection Services</u>				
4.1 Fire facilities, vehicles & equipment	5,419,116	882,182	2,241	0.86
	5,419,116	882,182	2,241	0.86
5. <u>Parks and Recreation Services</u>				
5.1 Park development, amenities, trails, facilities, vehicles, and equipment	15,884,171	836,009	6,567	0.80
	15,884,171	836,009	6,567	0.80
6. <u>Library Services</u>				
6.1 Library facilities, materials and vehicles	2,595,214	136,590	1,073	0.13
	2,595,214	136,590	1,073	0.13
7. <u>Growth Studies</u>				
7.1 Growth Studies	2,153,301	337,332	891	0.33
	2,153,301	337,332	891	0.33
TOTAL	\$26,051,803	\$2,192,112	\$10,772	\$2.12
D.C.-Eligible Capital Cost	\$26,051,803	\$2,192,112		
10-Year Gross Population/GFA Growth (sq.ft.)	7,662	1,035,700		
Cost Per Capita/Non-Residential GFA (sq.ft.)	\$3,400	\$2.12		
By Residential Unit Type	P.P.U.			
Single and Semi-Detached Dwelling	3.168	\$10,772		
Multiples	2.169	\$7,375		
Apartments - 2 Bedrooms +	2.031	\$6,906		
Apartments - Bachelor and 1 Bedroom	1.316	\$4,475		
Special Care/Special Dwelling Units	1.100	\$3,740		



Table 6-4
Township of West Lincoln
Development Charge Calculation
Urban Area Services
Urban 10-Year (2024 to 2034)

SERVICE/CLASS	2024\$ D.C.-Eligible Cost		2024\$ D.C.-Eligible Cost	
	Residential	Non-Residential	S.D.U.	per sq.ft.
	\$	\$	\$	\$
7. <u>Stormwater Services</u>				
7.1 Stormwater	53,514	7,996	22	0.01
	53,514	7,996	22	0.01
TOTAL	\$53,514	\$7,996	\$22	\$0.01
D.C.-Eligible Capital Cost	\$53,514	\$7,996		
Urban 10-Year Gross Population/GFA Growth (sq.ft.)	7,618	965,000		
Cost Per Capita/Non-Residential GFA (sq.ft.)	\$7	\$0.01		
By Residential Unit Type	P.P.U.			
Single and Semi-Detached Dwelling	3.168	\$22		
Multiples	2.169	\$15		
Apartments - 2 Bedrooms +	2.031	\$14		
Apartments - Bachelor and 1 Bedroom	1.316	\$9		
Special Care/Special Dwelling Units	1.100	\$8		

Table 6-5
Township of West Lincoln
Development Charge Calculation
Total All Services

	2024\$ D.C.-Eligible Cost		2024\$ D.C.-Eligible Cost	
	Residential	Non-Residential	S.D.U.	per sq.ft.
	\$	\$	\$	\$
Urban-wide Services - 2051	41,139,807	5,609,974	5,623	2.07
Township-wide Services - 2051	135,328,414	20,221,487	18,388	6.96
Urban-wide Services - 10 Year	53,514	7,996	22	0.01
Township-wide Services - 10 Year	26,051,803	2,192,112	10,772	2.12
TOTAL	202,573,537	28,031,570	34,805	11.16



Table 6-6
Township of West Lincoln
Gross Expenditure and Sources of Revenue Summary for Costs to be Incurred over the Life of the By-law

Service	Total Gross Cost	Sources of Financing					
		Tax Base or Other Non-D.C. Source			Post D.C. Period Benefit	D.C. Reserve Fund	
		Other Deductions	Benefit to Existing	Other Funding		Residential	Non-Residential
1. Wastewater Services 1.1 Sewers	34,313,000	0	2,529,200	0	0	27,969,744	3,814,056
2. Water Services 2.1 Treatment, storage and distribution systems	4,782,000	0	1,981,200	0	0	2,464,704	336,096
3. Services Related to a Highway 3.1 Roads and Related 3.2 Public Works Facilities and Fleet	66,539,818 13,551,481	0 0	13,490,582 6,190,000	0 0	0 0	46,152,836 6,404,489	6,896,401 956,993
4. Fire Protection Services 4.1 Fire facilities, vehicles & equipment	5,378,695	0	0	0	1,093,750	3,685,053	599,892
5. Parks and Recreation Services 5.1 Park development, amenities, trails, facilities, vehicles, and equipment	20,067,635	0	1,060,200	0	2,186,700	15,979,699	841,037
6. Library Services 6.1 Library facilities, materials and vehicles	2,881,196	0	188,382	0	176,409	2,390,585	125,820
7. Growth Studies 7.1 Growth Studies	3,326,861	90,400	745,828	0	0	2,153,301	337,332
8. Stormwater Services 8.1 Stormwater	61,510	0	0	0	0	53,514	7,996
Total Expenditures & Revenues	\$150,902,198	\$90,400	\$26,185,392	\$0	\$3,456,859	\$107,253,924	\$13,915,623



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

7.1 Introduction

Subsection 5 (1) 9 states that rules must be developed:

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

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

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

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

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

The rules provided are based on the Townships’ existing policies; with some modifications and consideration for the changes to the D.C.A. resulting from Bills 108, 197, 213, 23, and 185.



7.3.2 Determination of the Amount of the Charge

The following conventions be adopted:

- 1) Costs allocated to residential uses will be assigned to different types of residential units based on the average occupancy for each housing type constructed during the previous decade. Costs allocated to non-residential uses will be assigned based on the number of square feet of G.F.A. constructed for eligible uses (i.e., industrial, commercial, and institutional).
- 2) Costs allocated to residential and non-residential uses are based upon a number of conventions, as may be suited to each municipal circumstance, e.g.,
 - for parks and recreation services and library services, a 5% non-residential attribution has been made to recognize use by the non-residential sector;
 - for services related to a highway, an 87% residential/13% non-residential attribution has been made based on a population vs. employment growth ratio over the 2024 to 2051 forecast period;
 - fire protection services an 86% residential/12% non-residential attribution has been made based on a population vs. employment growth ratio over the 10-year (2024 to 2034) forecast period;
 - stormwater services an 87% residential/13% non-residential attribution has been made based on a population vs. employment growth ratio over the urban 10-year (2024 to 2034) forecast period; and
 - for water and wastewater services an 88% residential/12% non-residential allocation has been made based on population vs. employment growth over the urban long-term (2024 to 2051) forecast period.
 - for growth studies, each capital item's residential and non-residential allocations are based on the specific D.C. service it relates to (using percentages noted above) over the 10-year (2024 to 2034) forecast period. For studies that impact multiple D.C. services, an 86% residential/12% non-residential attribution has been made based on the 10-year population vs. employment growth ratio.

7.3.3 Application to Redevelopment of Land (Demolition and Conversion)

If a development involves the demolition and replacement of a building or structure on the same site (within 5 years prior to the date of payment of development charges in



regard to such redevelopment was, or is to be demolished, in whole or in part), or the conversion from one principal use to another, the developer shall be allowed a credit equivalent to:

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

Provided that such amounts shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment.

7.3.4 Exemptions (full or partial)

a) Statutory exemptions:

- industrial building additions of up to and including 50% of the existing G.F.A. (defined in O. Reg. 82/98, section 1) of the building; for industrial building additions that exceed 50% of the existing G.F.A., only the portion of the addition in excess of 50% is subject to D.C.s (subsection 4 (3) of the D.C.A.);
- buildings or structures owned by and used for the purposes of any municipality, local board, or Board of Education (section 3);
- may add up to 2 apartments in an existing or new detached, semi-detached, or rowhouse (including in an ancillary structure);
- add one additional unit or 1% of existing units in an existing rental residential building;
- a university in Ontario that receives direct, regular, and ongoing operating funding from the Government of Ontario;
- affordable units and attainable units;
- affordable inclusionary zoning units;
- non-profit housing; and
- discount for rental housing units based on bedroom size (i.e., three or more bedrooms – 25% reduction, two bedrooms – 20% reduction, and all others – 15% reduction).



b) Non-statutory exemptions for Council's consideration:

- Cemeteries or burial grounds;
- Places of worship;
- Garden suites;
- Agricultural uses;
- Affordable Housing projects and Municipal housing project facilities that receive funding through an agreement with Niagara Regional Housing or a department or designated agency of the Niagara Region; and
- Canopies including gas station canopies and those intended for the parking and loading/unloading of vehicles.

7.3.5 Timing of Collection

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

Rental housing and institutional developments will pay D.C.s in 6 equal annual payments commencing at occupancy.

Moreover, the D.C. amount for all developments occurring within 18 months of a Site Plan or Zoning By-law Amendment planning approval (for applications submitted after June 6, 2024), shall be determined based on the D.C. in effect on the day the applicable Site Plan or Zoning By-law Amendment application was submitted (as a complete 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 maximum interest rate the Township can impose is the average prime rate plus 1%.

7.3.6 The Applicable Areas

The charges developed herein provide for varying charges within the Township, as follows:

- All Township-wide services – the full residential and non-residential charge will be imposed on all lands within the Township; and



- Water, wastewater, and stormwater – the full residential and non-residential charge will be imposed on the urban service areas of the Township.

7.3.7 Indexing

Indexing of the D.C.s shall be implemented on a mandatory basis annually commencing on January 1, 2025, and each January 1st thereafter, in accordance with the Statistics Canada Quarterly, Non-Residential Building Construction Price Index (Table 18-10-0276-02)^[1] for the most recent year-over-year period.

7.4 Other D.C. By-law Provisions

It is recommended that:

7.4.1 Categories of Services for Reserve Fund and Credit Purposes

The Township's D.C. collections are currently in 8 separate reserve funds: Growth Studies, Fire Protection, Roads and Related, Parks & Recreation, Library Services, Water, Wastewater, and Stormwater. It is recommended that the Township continues these allocations.

Appendix D outlines the reserve fund policies that the Township is required to follow as per the D.C.A.

7.4.2 By-law In-force Date

A by-law under the D.C.A. comes into force on the day after which the by-law is passed by Council.

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



service standard multiplied by the growth within the specific area would establish an area-specific ceiling which would significantly reduce the total revenue recoverable for the Township hence potentially resulting in D.C. revenue shortfalls and impacts on property taxes.

2. Expanding on item 1, attempting to impose an area charge potentially causes equity issues in transitioning from a Township-wide approach to an area-specific approach. For example, if all services were now built (and funded) within Area A (which is 75% built out) and this was funded with some revenues from Areas B and C, moving to an area-rating approach would see Area A contribute no funds to the costs of services in Areas B and C. The D.C.s would be lower in Area A (as all services are now funded) and higher in Areas B and C. As well, funding shortfalls may then potentially encourage the municipality to provide less services to Areas B and C due to reduced revenue.
3. Many services provided (roads, parks and recreation facilities, etc.) are not restricted to one specific area and are often used by all residents. For example, arenas located in different parts of the Township will be used by residents from all areas depending on the programming of the facility (i.e., a public skate is available each night, but at a different arena; hence usage of any one facility at any given time is based on programming availability).

For the reasons noted above, it is recommended that Council continue the D.C. approach to calculate the charges on an urban area basis for stormwater, water and wastewater, while all other services be charged on a uniform Township-wide basis.

7.5 Other Recommendations

It is recommended that Council:

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

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

“Continue to include a class of service for growth studies;”



“Continue the D.C. approach to calculate the charges on a uniform Township-wide basis for all services except water, wastewater, and stormwater;”

“Continue the D.C. approach to calculate the charges on an urban-area basis for water, wastewater, and stormwater services;”

“Approve the capital project listing set out in Chapter 5 of the D.C.s Background Study dated May 13, 2024, as amended, subject to further annual review during the capital budget process;”

“Approve the D.C.s Background Study dated May 13, 2024; as amended”

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

“Approve the D.C. By-law as set out in Appendix G.



Table C-2
Township of West Lincoln
Operating and Capital Expenditure Impacts for Future Capital Expenditures

SERVICE/CLASS OF SERVICE	GROSS COST LESS BENEFIT TO EXISTING	ANNUAL LIFECYCLE EXPENDITURES	ANNUAL OPERATING EXPENDITURES	TOTAL ANNUAL EXPENDITURES
1. Wastewater Services				
1.1 Sewers	44,532,173	1,289,128	2,931,436	4,220,564
2. Water Services				
2.1 Treatment, storage and distribution systems	2,217,607	76,485	2,610,272	2,686,757
3. Services Related to a Highway				
3.1 Roads and Related	145,669,901	3,117,152	4,866,857	7,984,009
3.2 Public Works Facilities and Fleet	9,880,000	506,576	330,093	836,669
4. Fire Protection Services				
4.1 Fire facilities, vehicles & equipment	8,801,298	401,253	541,066	942,319
5. Parks and Recreation Services				
5.1 Park development, amenities, trails, facilities, vehicles, and equipment	19,793,880	479,429	1,092,073	1,571,502
6. Library Services				
6.1 Library facilities, materials and vehicles	2,940,605	103,500	332,002	435,502
8. Stormwater Services				
8.1 Stormwater	61,510	-	-	-
Total	233,896,974	5,973,523	12,703,798	18,677,321



Figure D-1
Township of West Lincoln
Annual Treasurer's Statement of Development Charge Reserve Funds

Description	Services to which the Development Charge Relates								Total
	Services Related to a Highway	Water Services	Wastewater Services	Stormwater Services	Fire Protection Services	Parks and Recreation Services	Library Services	Growth Studies	
Opening Balance, January 1, _____									0
<u>Plus:</u>									
Development Charge Collections									0
Accrued Interest									0
Repayment of Monies Borrowed from Fund and Associated Interest ¹									0
Sub-Total	0	0	0		0	0		0	0
<u>Less:</u>									
Amount Transferred to Capital (or Other) Funds ²									0
Amounts Refunded									0
Amounts Loaned to Other D.C. Service Category for Interim Financing									0
Credits ³									0
Sub-Total	0	0	0		0	0		0	0
Closing Balance, December 31, _____	0	0	0		0	0		0	0

¹ Source of funds used to repay the D.C. reserve fund

² See Attachment 1 for details

³ See Attachment 2 for details

The Municipality is compliant with s.s. 59.1 (1) of the *Development Charges Act*, whereby charges are not directly or indirectly imposed on development nor has a requirement to construct a service related to development been imposed, except as permitted by the *Development Charges Act* or another Act.



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

Commensurate with the above, the Township prepared an A.M.P. in 2021 for its existing assets; however, it did not take into account future growth-related assets for all services included in the D.C. calculations. As a result, the asset management requirement for the D.C. must be undertaken in the absence of this information.

In recognition to the schematic above, the following table (presented in 2024 \$) has been developed to provide the annualized expenditures and revenues associated with new growth. Note that the D.C.A. does not require an analysis of the non-D.C. capital needs or their associated operating costs so these are omitted from the table below. As well, as all capital costs included in the D.C.-eligible capital costs are not included in the Township's A.M.P.s, the present infrastructure gap and associated funding plan have not been considered at this time. Hence the following does not represent a fiscal impact assessment (including future tax/rate increases) but provides insight into the potential affordability of the new assets:

1. The non-D.C. recoverable portion of the projects that will require financing from municipal financial resources (i.e., taxation, rates, fees, etc.). This amount has been presented on an annual debt charge amount based on 20-year financing.
2. Lifecycle costs for the 2024 D.C. capital works have been presented based on a sinking fund basis. The assets have been considered over their estimated useful lives.
3. Incremental operating costs for the D.C. services (only) have been included.
4. The resultant total annualized expenditures are approximately \$22.3 million.
5. Consideration was given to the potential new taxation and user fee revenues which will be generated as a result of new growth. These revenues will be available to finance the expenditures above. The new operating revenues are approximately \$17.7 million. This amount, totaled with the existing operating revenues of approximately \$20.4 million, provides annual revenues of approximately \$38.1 million by the end of the period.



6. In consideration of the above, the capital plan is deemed to be financially sustainable.

Township of West Lincoln
Asset Management – Future Expenditures and Associated Revenues
2024\$

Description	20 Year
Expenditures (Annualized)	
Annual Debt Payment on Non-Growth Related Capital ¹	3,247,435
Annual Debt Payment on Post Period Capital ²	360,219
Annual Lifecycle	\$5,973,523
Incremental Operating Costs (for D.C. Services)	\$12,703,798
Total Expenditures	\$22,284,975
Revenue (Annualized)	
Total Existing Revenue ³	\$20,384,229
Incremental Tax and Non-Tax Revenue (User Fees, Fines, Licences, etc.)	\$17,701,025
Total Revenues	\$38,085,254

¹ Non-Growth Related component of Projects

² Interim Debt Financing for Post Period Benefit

³ As per Sch. 10 of FIR



Appendix G

Proposed Development Charges By-law



Appendix G: Proposed Development Charges By-law

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW _____

A BY-LAW FOR THE IMPOSITION OF DEVELOPMENT CHARGES

WHEREAS the Township of West Lincoln will experience growth through development and re-development;

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

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

AND WHEREAS a Development Charges Background Study dated May 13, 2024, has been completed in accordance with the Act;

AND WHEREAS the Council of The Corporation of the Township of West Lincoln has given notice of and held a public meeting on May 27, 2024 in accordance with the Act and the regulations thereto;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN ENACTS AS FOLLOWS:

1. INTERPRETATION

1.1 In this By-law the following items shall have the corresponding meanings:

“**Act**” means the *Development Charges Act*, as amended, or any successor thereof;



“Accessory use” means a use of land, building, or structures, which is incidental and subordinate to the principal use of the lands, buildings or structures;

“Affordable Residential Unit” means a Dwelling Unit that meets the criteria set out in subsection 4.1 (2) or 4.1(3) of the Act.

“Agricultural use” means use or intended use for bona fide farming purposes where the proposed development will qualify as a farm business operating with a valid Farm Business Registration Number issued by the Ontario Ministry of Agriculture, Food and Rural Affairs;

- (a) including (but not limited to):
 - (i) barns, silos, and implement/agricultural storage buildings;
 - (ii) cultivation of crops, whether on open land or in greenhouses, including (but not limited to) fruit, vegetables, herbs, grains, field crops, sod, trees, shrubs, flowers, and ornamental plants;
 - (iii) agricultural raising of animals, including (but not limited to) cattle, horses, pigs, poultry, livestock, fish;
 - (iv) animal husbandry, dairying, equestrian activities, horticulture, fallowing, pasturing, and market gardening; and
 - (v) bunk houses.
- (b) but excluding:
 - (i) retail sales activities; including but not limited to restaurants, banquet facilities, hospitality facilities and gift shops;
 - (ii) services related to grooming, boarding or breeding of household pets;
 - (iii) marijuana growing (including the greenhouse), processing, or production facilities; and
 - (iv) residential buildings.



“Apartment unit” means any residential unit within a building containing more than four dwelling units where the units are connected by an interior corridor but does not include a special care/special need dwelling unit/room or, dormitories;

“Attainable Residential Unit” means a Dwelling Unit that meets the criteria set out in subsection 4.1(4) of the Act.

“Back-to-back townhouse dwelling” means a building containing more than two dwelling units separated vertically by a common wall, including a rear common wall that do not have rear yards;

“Bedroom” means a habitable room larger than eight square metres, including a den, study, or other similar area, but does not include a living room, dining room, kitchen or bathroom;

“Board of Education” has the same meaning as set out in the *Education Act*, R.S.O. 1990, Chap. E.2, as amended, or any successor thereof;

“Building Code Act” means the *Building Code Act*, S.O. 1992, as amended, or any successor thereof;

“Bunk house” means a building accessory to a permitted agricultural use containing kitchen and bathroom facilities and sleeping accommodation in individual or combination rooms for seasonal workers directly employed by the permitted use;

“Calculation date” means the date on which the first building permit is issued by the Township;

“Capital cost” shall have the same meaning as described in Section 5 of the *Development Charges Act, 1997*, as amended.

“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*.

“Commercial” means any use of land, structures or buildings for the purposes of buying or selling commodities and services, but does not include industrial, institutional or agricultural uses as defined herein, but does include hotels,



motels, motor inns and boarding, lodging and rooming houses, and self-storage facilities;

“Council” means the Council of the Township of West Lincoln;

“Development” means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that the effect of increasing the size of usability thereof, and includes redevelopment;

“Development charge” means a charge imposed with respect to this By-law;

“Dwelling unit” means any part of a building or structure used, designed or intended to be used by one or more persons as a residence which has access to culinary and sanitary facilities;

“Existing industrial building” has the same meaning as in O. Reg. 82/98;

“Garden suite” means a one-unit detached, temporary residential structure, containing culinary and sanitary facilities that is ancillary to an existing residential structure and that is designed to be temporary;

“Grade” means the average level of finished ground adjoining a building or structure at all exterior walls;

“Gross floor area” means the total area of all floors measured between the outside of exterior walls, virtual walls or between the outside surfaces of exterior walls or virtual walls and the centre line of party walls dividing the building from another building of all floors and mezzanines, above and below the average level of finished ground adjoining the building at its exterior walls;

“Industrial use” means land, buildings, or structures used or designed for or in connection with manufacturing by:

- (a) manufacturing, producing or processing goods for a commercial purpose, as well as storing and/or distribution of goods manufactured, produced or processed on site;



- (b) research or development in connection with manufacturing, producing or processing of goods for a commercial purpose;
- (c) storage of anything used or produced in manufacturing producing or processing by the manufacturer, producer or processor at the site where the manufacturing, producing or processing takes place;
- (d) retail sales by a manufacturer producer or processor of goods they manufactured, produced or processed, if the retail sales are at a site where manufacturing, production or processing takes place;
- (e) office or administrative use if it
 - (i) is carried out with respect to manufacturing, producing, processing, storage or distributing of something; and;
 - (ii) in or attached to the building or structure used for that manufacturing, producing, processing, storage or distribution;
- (f) but excluding:
 - (i) self-storage facilities.

“Institutional use” 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 Fixing Long-Term Care Act, 2021, S.O. 2021, c. 39, Sched. 1 (“Fixing Long-Term Care Act”);
- (b) as a retirement home within the meaning of subsection 2(1) of the Retirement Homes Act, 2010, S.O. 2010, c. 11
- (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, S.O. 2017, c. 34, Sched. 20;

“Interest rate” means the annual rate of interest as set out in section 26.3 of the Act.

“Live/work unit” means a unit which contains separate residential and non-residential areas intended for both residential and non-residential uses concurrently, and shares a common wall or floor with direct access between the residential and non-residential areas;

“Local Board” has the same meaning as in the Act;

“Local services” means those services, facilities or things which are under the jurisdiction of the Township of West Lincoln and are related to a plan of subdivision or within the area to which the plan relates in respect of the lands under sections 41, 51 or 53 of the *Planning Act*, R.S.O. 1990, Chap. P.13, as amended, or any successor thereof;

“Marijuana production facilities” means a building used, designed or intended for growth, producing, testing, destroying, storing or distribution, excluding retail sales, of medical marijuana or cannabis authorized by a license issued by the federal Minister of Health pursuant to section 25 of the Marijuana for Medical Purposes Regulations, SOR/2013-119, under the Controlled Drugs and Substances Act, S.C. 1996, c.19.

“Mezzanine” means an intermediate floor assembly between the floor and ceiling of any room or storey and includes an interior balcony;

“Multiple dwellings” means all dwellings other than single-detached, semi-detached and apartment unit dwellings or a dwelling room, including, but not limited to, row dwellings, multiplex, back-to-back townhouse dwelling, and the residential component of live/work units;

“Municipality” means the Corporation of the Township of West Lincoln;



“Non-profit housing development” means Development of a building or structure that meets the criteria set out in section 4.2 of the Act.

“Non-residential use” means a building or structure of any kind whatsoever used, designed or intended to be used for other than a residential use;

“Official Plan” means the Official Plan adopted for the Township, as amended and approved;

“Owner” means the owner of land or a person who has made application for an approval for the development of land upon which a development charge is imposed;

“Place of worship” means that part of a building or structure owned by a church for religious organization that is exempt from taxation as a place of worship under the *Assessment Act*, R.S.O. 1990, Chap. A.31, as amended, or any successor thereof;

“Regulation” means any regulation made pursuant to the Act;

“Residential building” means a building used exclusively for residential use, including but not limited to a single detached dwelling, a semi-detached dwelling, a row dwelling, stacked townhouse dwelling back-to-back townhouse dwelling, a multiplex dwelling, an apartment dwelling, a dwelling room; or the residential component of a live/work unit;

“Row dwelling” means a residential building containing three or more attached dwelling units separated by vertical division, each of which units has a separate entrance to grade;

“Rural area” means those areas within the Municipality not shown as being within the urban boundary in schedule C of this by-law;

“Semi-detached dwelling” means a dwelling unit in a residential building Consisting of two dwelling units separated by vertical division each of which units has a separate entrance to grade;

“Service” means a service designed in Schedule "A" to this By-law, and "services" shall have a corresponding meaning;



“Servicing agreement” means an agreement between a landowner and the Municipality relative to the provision of municipal services to specified land within the Municipality;

“Single detached dwelling unit” means a residential building containing one dwelling unit and not attached to another structure. Where it is attached to another structure by footings or below grade walls only, it shall be considered a single detached dwelling for the purposes of this By-law;

"Special care facilities" means lands, buildings or structures used or designed or intended for uses for the purpose of providing supervision, nursing care or medical treatment, which do not comprise dwelling units, that are licensed, approved or supervised under any special or general statute, and excludes the special care/special dwelling portions of the building.

"Special care/special dwelling" means a residential portion of a special care facilities building containing two or more dwelling units, which units have a common entrance from street level:

- (a) Where the occupants have the right to use in common, halls, stairs, yards, common rooms, and accessory buildings;
- (b) Which may or may not have exclusive sanitary and/or culinary facilities;
- (c) That is designed to accommodate persons with specific needs, including, but not limited to, independent permanent living arrangements;
- (d) Where support services such as meal preparation, grocery shopping, laundry, housekeeping, nursing, respite care and attendant services are provided at various levels; and
- (e) Includes, but is not limited to, retirement houses or lodges, nursing homes, group homes and hospices.

“Stacked townhouse dwelling” means a building containing two or more dwelling units where each dwelling unit is separated horizontally and/or vertically from another dwelling unit by a common wall or floor;



“**Township**” means the area within the geographic limits of the Township of West Lincoln; and

“**Urban serviced area**” means the area within the Municipality shown as being within the urban boundary in Schedule C of this by-law;

“**Wind turbine**” means a part of a system that converts energy into electricity, and consists of a wind turbine, a tower and associated control or conversion electronics. A wind turbine and energy system may be connected to the electricity grid in circuits at a substation to provide electricity off-site for sale to an electrical utility or other intermediary, where there is a rated output of more than 3 kilowatts;

“**Zoning By-law**” means the Zoning By-law of the Township of West Lincoln or any successor thereof passed pursuant to section 34 of the *Planning Act*, S.O. 1998.

2. DESIGNATION OF SERVICES / CLASS OF SERVICES

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

- (a) Services Related to a Highway;
- (b) Fire Protection Services;
- (c) Parks and Recreation Services;
- (d) Library Services;
- (e) Growth Studies;
- (f) Stormwater Services (urban serviced area);
- (g) Wastewater Services (urban serviced area);
- (h) Water Services (urban serviced area).

2.2 The components of the services designated in section 2.1 are described in Schedule A to this By-law.



3. APPLICATION OF DEVELOPMENT CHARGES

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

- (a) the lands are located in the area described in section 3.2; and
- (b) the development of the lands requires any of the approvals set out in subsection 3.4 (a).

Area to Which By-law Applies

3.2 Subject to section 3.3, this By-law applies to all lands in the Township of West Lincoln whether or not the land or use thereof is exempt from taxation under section 13 of the *Assessment Act*.

3.3 Notwithstanding clause 3.2 above, this by-law shall not apply to lands that are owned by and used for the purposes of:

- (a) the Municipality or a local board thereof;
- (b) a Board of Education;
- (c) the Regional Municipality of Niagara or a local board thereof.

Approvals for Development

3.4 (a) Development charges shall be imposed on all lands, buildings or structures that are developed for residential or non-residential uses if the development requires:

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



- (iv) the approval of a plan of subdivision under section 51 of the *Planning Act*;
 - (v) a consent under section 53 of the *Planning Act*;
 - (vi) the approval of a description under section 50 of the *Condominium Act*, R.S.O. 1990, Chap. C.26, as amended, or any successor thereof; or
 - (vii) the issuing of a permit under the *Building Code Act* in relation to a building or structure.
- (b) No more than one development charge for each service designated in subsection 2.1 shall be imposed upon any lands, buildings or structures to which this By-law applies even though two or more of the actions described in subsection 3.4 (a) are required before the lands, buildings or structures can be developed.
- (c) Despite subsection 3.4 (b), if two or more of the actions described in subsection 3.4 (a) occur at different times, additional development charges shall be imposed if the subsequent action has the effect of increasing the need for services.

3.5 Exemptions for Intensification of Existing or New Housing

- (a) Notwithstanding any other provision of this By-law, Development Charges shall not be imposed with respect to:
- (i) an enlargement to an existing Dwelling Unit;
 - (ii) the creation of additional Dwelling Units equal to the greater of one (1) or 1% of the existing Dwelling Units in an existing Residential rental building containing four (4) or more Dwelling Units or prescribed ancillary structure to the existing Residential building;
- (b) Notwithstanding any other provision of this By-law, Development Charges shall not be imposed with respect to the creation of any of the following in existing Single Detached Dwellings, Semi-Detached Dwellings, Back-to-back Townhouse Dwellings or Stacked Townhouse Dwellings:



- (i) A second Dwelling Unit on a parcel of land on which Residential Use, other than ancillary Residential Use, is permitted, if all buildings and structures ancillary to the existing Residential structure cumulatively contain no more than one (1) Dwelling Unit.
 - (ii) A third Dwelling Unit on a parcel of land on which Residential Use, other than ancillary Residential Use, is permitted, if no building or structure ancillary to the existing Residential structure contains any Dwelling Units.
 - (iii) One Dwelling Unit on a parcel of urban Residential land, if the existing structure contains no more than two (2) Dwelling Units and no other building or structure ancillary to the existing Residential structure contains any Dwelling Units.
- (c) Notwithstanding any other provision of this By-law, Development Charges shall not be imposed with respect to the creation of any of the following in new Single Detached Dwellings, Semi-Detached Dwellings, Back-to-back Townhouse Dwellings or Stacked Townhouse Dwellings:
- (i) A second Dwelling Unit on a parcel of land on which Residential Use, other than ancillary Residential Use, is permitted, if all buildings and structures ancillary to the new Residential structure cumulatively will contain no more than one (1) Dwelling Unit.
 - (ii) A third Dwelling Unit on a parcel of land on which Residential Use, other than ancillary Residential Use, is permitted, if no building or structure ancillary to the new Residential structure contains any Dwelling Units.
 - (iii) One (1) Dwelling Unit in a building or structure ancillary to a new Residential structure on a parcel of urban Residential land, if the new Residential structure contains no more than two (2) Dwelling Units and no other building or structure ancillary to the new Residential structure contains any Dwelling Units.



3.6 Exemption for Industrial Expansion

- (a) Pursuant to the Act, and notwithstanding any other provisions of this By-law, there shall be an exemption from the payment of development charges for one or more enlargements of existing industrial buildings on a site, up to a maximum of fifty percent of the gross floor area before the first enlargement for which an exemption from the payment of development charges was granted pursuant to the *Development Charges Act* or this section. The development need not be an attached addition or expansion of an existing industrial building, but rather may be a new standalone structure, provided it is located on the same parcel of land. Development charges shall be imposed in accordance with this By-law with respect to the amount of floor area of an enlargement that results in the gross floor area of the industrial building on the site being increased by greater than fifty percent of the gross floor area of all existing industrial buildings on the site.
- (b) If the gross floor area of an existing industrial building is enlarged by greater than 50 percent, the amount of the development charge payable in respect of the enlargement is the amount of the development charge that would otherwise be payable multiplied by the fraction determined as follows:
 - (i) determine the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement;
 - (ii) divide the amount determined under subsection (i) by the amount of the enlargement.
- (c) For the purpose of section 3.6 herein, "existing industrial building" is used as defined in the Regulation made pursuant to the Act.

3.7 Other Exemptions

Notwithstanding the provisions of this By-law, development charges shall not be imposed with respect to:



- (a) lands, buildings or structures used or to be used for the purposes of a cemetery or burial ground exempt from taxation under the *Assessment Act*;
- (b) that portion of the place of worship which is used exclusively as a place of worship for religious services and any reception and meeting areas used in connection with, or integral to the place of worship space;
- (c) agricultural uses;
- (d) garden suites;
- (e) canopies including gas station canopies and those intended for the parking and loading or unloading of vehicles;
- (f) lands and buildings used or intended to be used as municipal housing project facilities, as set out in section 110 of the *Municipal Act, 2001*, S.O. 2001 c.25, O. Reg. 603/06 under the *Municipal Act, 2001*, and the Region's Municipal Housing Facility By-law, all as may be amended;
- (g) lands and buildings used for affordable housing projects that receive funding through an agreement with Niagara Regional Housing or a department or designated agency of the Niagara Region, provided that:
 - (i) this exemption shall only apply to that proportion or number of units in a development which are designated or identified as affordable housing; and
 - (ii) the owner of the lands continues to use the lands and buildings for affordable housing. If the owner ceases to use the proportionate share of the lands and buildings for affordable housing, the development charges exempted under this section shall become due and payable. The owner shall be required to enter into an agreement with the Municipality under section 27 of the Act respecting the timing and calculation of payment of development charges, notice of which the owner shall register on the title to the lands at its sole cost and expense with the intention that the provisions shall bind and run with title to the lands.



- (h) Land vested in or leased to a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education is exempt from development charges imposed under the Development Charges Act, 1997 if the development in respect of which development charges would otherwise be payable is intended to be occupied and used by the university;
- (i) Non-profit Residential Development;
- (j) Affordable Residential Units required pursuant to section 34 and 16(4) of the Planning Act (Inclusionary Zoning).
- (k) As of the date on which section 4.1 of the Act is proclaimed into force, the following shall be exempt from Development Charges:
 - (i) Affordable Residential Units; and
 - (ii) Attainable Residential Units
- (l) Notwithstanding any other provision of this By-law, the Development Charges payable for Residential Developments, where the Dwelling Units are intended as Rental Housing, will be reduced based on the number of bedrooms in each Dwelling Unit in accordance with section 26.2(1.1) of the Development Charges Act, as follows:
 - (i) Three (3) or more Bedrooms – 25% reduction;
 - (ii) Two (2) Bedrooms – 20% reduction; and
 - (iii) Fewer than two (2) Bedrooms – 15% reduction.

3.8 Reduction of Development Charges for Redevelopment

Despite any other provisions of this By-law, where, as a result of the redevelopment of land, a building or structure existing on the same land within five years prior to the date of payment of development charges in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate



the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

- (a) in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge in place at the time the development charge is payable by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and
- (b) in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charges in place at the time the development charge is payable by the gross floor area that has been or will be demolished or converted to another principal use.

A credit can, in no case, 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.

3.9 **Amount of Charges**

(a) **Residential**

The development charges, set out in Schedule B shall be imposed on all residential development, including a dwelling unit accessory to a non-residential development and the residential component of a mixed-use building, including the residential component of a live/work unit, according to the number and type of dwelling unit and calculated with respect to each of the services according to the type of residential use.

(b) **Non-Residential**

For development for non-residential purposes as set out in Schedule “B”, development charges shall be imposed on all non-residential development and, in the case of a mixed-use building, on the non-residential component of the mixed-use building, including the non-residential



component of a live/work unit, according to the type and gross floor area of the non-residential component.

(c) **Wind Turbines**

The development charges described in Schedule “B” to this by-law shall be imposed on industrial wind turbines and calculated at the single detached and semi-detached dwelling rate with respect to services related to a highway (50%), fire protection (100%), and growth studies (100%).

4. TIME OF PAYMENT OF DEVELOPMENT CHARGES

- 4.1 The development charges under this By-law shall be calculated using the rate effective on the calculation date with respect to such development and shall be payable on the issuance of the first building permit with respect to the structure.
- 4.2 Where development charges apply to land in relation to which a building permit is required, the building permit shall not be issued until the development charge has been paid in full.
- 4.3 Where any development charge, or part thereof, remains unpaid after the due date, the amount unpaid shall be added to the tax roll and shall be collected in like manner as taxes.
- 4.4 Notwithstanding section 4.1 of this by-law, the Township may require an owner to enter into an agreement, including the provision of security for the owner's obligations under agreement, pursuant to Section 26 of the Act providing for all or part of a development charge to be paid before or after it otherwise would be payable. The terms of such agreement shall then prevail over the provision of this By- law.
- 4.5 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 (calculated in accordance with Section 26.3 of the Act), payable on the anniversary date each year thereafter.
- 4.6 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 the prescribed amount of time specified in Section 26.2 (5) of the Act of building permit issuance, the development charges under section 3.9 of this by-law shall be calculated on the rates set out in Schedule "B" on the date of the receipt of a complete planning application, including interest. Where both planning applications apply development charges under section 3.9 of this by-law 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 (calculated in accordance with section 26.3 of the Act).

5. SERVICES IN LIEU

- 5.1 Council may authorize an owner, through an agreement under Section 38 of the Act to substitute such part of the development charge applicable to the owner's development as may be specified in the agreement, by the provision at the sole expense of the owner, of services in lieu. Such agreement shall further specify that where the owner provides services in lieu in accordance with the agreement, Council shall give to the owner a credit against the development charge in accordance with the agreement provisions and the provisions of Section 39 of the Act, equal to the reasonable cost to the owner of providing the services in lieu. In no case shall the agreement provide for a credit which exceeds the total development charge payable by an owner to the Municipality in respect of the development to which the agreement relates.
- 5.2 In any agreement under section 5.1, Council may also give a further credit to the owner equal to the reasonable cost of providing services in addition to, or of a greater size or capacity, than would be required under this By-law.
- 5.3 The credit provided for in section 5.2 shall not be charged to any development charge reserve fund prescribed in this By-law.

6. LOCAL SERVICE INSTALLATION

- 6.1 Nothing in this by-law prevents Council from requiring, as a condition of an agreement under sections 40, 51 or 53 of the *Planning Act*, that the owner, at their own expense, shall install such local services within the plan of subdivision,



and otherwise, as Council may require, that the owner pay for, or install local services within the area to which the plan relates.

7. RESERVE FUNDS

- 7.1 Development charge payments received by the Municipality pursuant to this By-law shall be maintained in a separate reserve fund or funds for each service to which the development charge relates and shall be spent only for the capital costs determined under paragraphs 2 to 8 of subsection 5 (1) of the Act.
- 7.2 Where any development charge, or part thereof, remains unpaid after the due date, the amount unpaid shall be added to the tax roll and shall be collected as taxes.
- 7.3 Where any unpaid development charges are collected as taxes under section 4.3, the monies so collected shall be credited to the development charge reserve fund or funds referred to in subsection 7.1.
- 7.4 The Treasurer of the Municipality shall furnish to Council an annual statement in respect of the reserve funds established hereunder for the prior year, containing the information set out in sections 12 and 13 of O. Reg. 82/98.

8. FRONT ENDING AGREEMENTS

- 8.1 The Municipality may enter into agreements with an owner or owners of land in accordance with section 44 of the Act.

9. BY-LAW AMENDMENT OR REPEAL

- 9.1 Where this by-law or any development charge prescribed thereunder is amended or repealed by order of the Ontario Land Tribunal or by resolution of the Municipal Council, the Municipal Treasurer shall calculate forthwith the amount of any overpayment to be refunded as a result of said amendment or repeal.
- 9.2 Refunds that are required to be paid under section 9.1 shall be paid to the registered owner of the land on the date on which the refund is paid.
- 9.3 Refunds that are required to be paid under section 9.1 shall be paid with interest to be calculated as follows:



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

10. INDEXING

10.1 Development charges imposed pursuant to this By-law as set out in Schedule "B" shall be adjusted annually, without amendment to this By-law, in accordance with the Statistics Canada Quarterly, Non-Residential Building Construction Price Index, as follows:

- (a) The initial adjustment shall be January 1, 2025, and
- (b) Thereafter, adjustment shall be made on January 1 of each year.

10.2 For greater certainty, on January 1 of each year, the annual indexation adjustment shall be applied to the development charge as set out in Schedule "B" plus the accumulated annual indexation adjustment from previous years if any.

11. SCHEDULES

11.1 The following schedules shall form part of this By-law:

- Schedule A – Components of Services Designated in section 2.1
- Schedule B – Residential and Non-Residential Development Charges
- Schedule C – Urban Serviced Area

12. CONFLICTS

12.1 Where the Municipality and an owner or former owner have entered into an agreement with respect to land within the area to which this By-law applies, and a conflict exists between the provisions of this By-law and such agreement, the provisions of the agreement shall prevail to the extent that there is a conflict.



12.2 Notwithstanding section 13.1, where a development which is the subject of an agreement to which section 5.1 applies, is subsequently the subject of one or more of the actions described in subsection 3.4 (a); an additional development charge in respect of the development permitted by the action shall be calculated, payable and collected in accordance with the provisions of this By-law if the development has the effect of increasing the need for services, unless such agreement provides otherwise.

13. SEVERABILITY

13.1 If, for any reason, any provision of this By-law is held to be invalid, it is hereby declared to be the intention of Council that all the remainder of this By-law shall continue in full force and effect until repealed, re-enacted, amended or modified.

14. DATE BY-LAW IN FORCE

14.1 This By-law shall come into force on _____, 2024.

15. DATE BY-LAW EXPIRES

15.1 This By-law will expire 10 years from date of passage unless it is repealed by Council at an earlier date.

16. EXISTING DEVELOPMENT CHARGE BY-LAW REPEAL

16.1 By-law 2019-51, as amended is hereby repealed as of the date and time of this by-law coming into effect.

17. CORRECTIONS

17.1 The Clerk of the Municipality is authorized to effect any minor modifications, corrections or omissions solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

**READ A FIRST, SECOND AND THIRD TIME
AND FINALLY PASSED THIS _____ DAY OF
_____, 2024.**



Mayor

Clerk



SCHEDULE "A" TO BY-LAW _____

COMPONENTS OF SERVICES DESIGNATED IN SUBSECTION 2.1

TOWNSHIP-WIDE SERVICES

Services Related to a Highway

Roads (incl. streetlights, sidewalks, bridges and culverts)

Depots and Domes

Public Works Rolling Stock

Fire Protection Services

Fire Facilities

Fire Vehicles

Fire Small Equipment and Gear

Parks and Recreation Services

Parkland Development, Amenities & Trails

Recreation Facilities

Parks Vehicles and Equipment

Library Services

Library Facilities

Library Materials

Growth Studies

Growth Studies

URBAN SERVICED AREA SERVICES

Storm Water Drainage and Control Services

Storm Sewers

Wastewater Services

Sanitary Sewers

Water Services

Distribution Systems



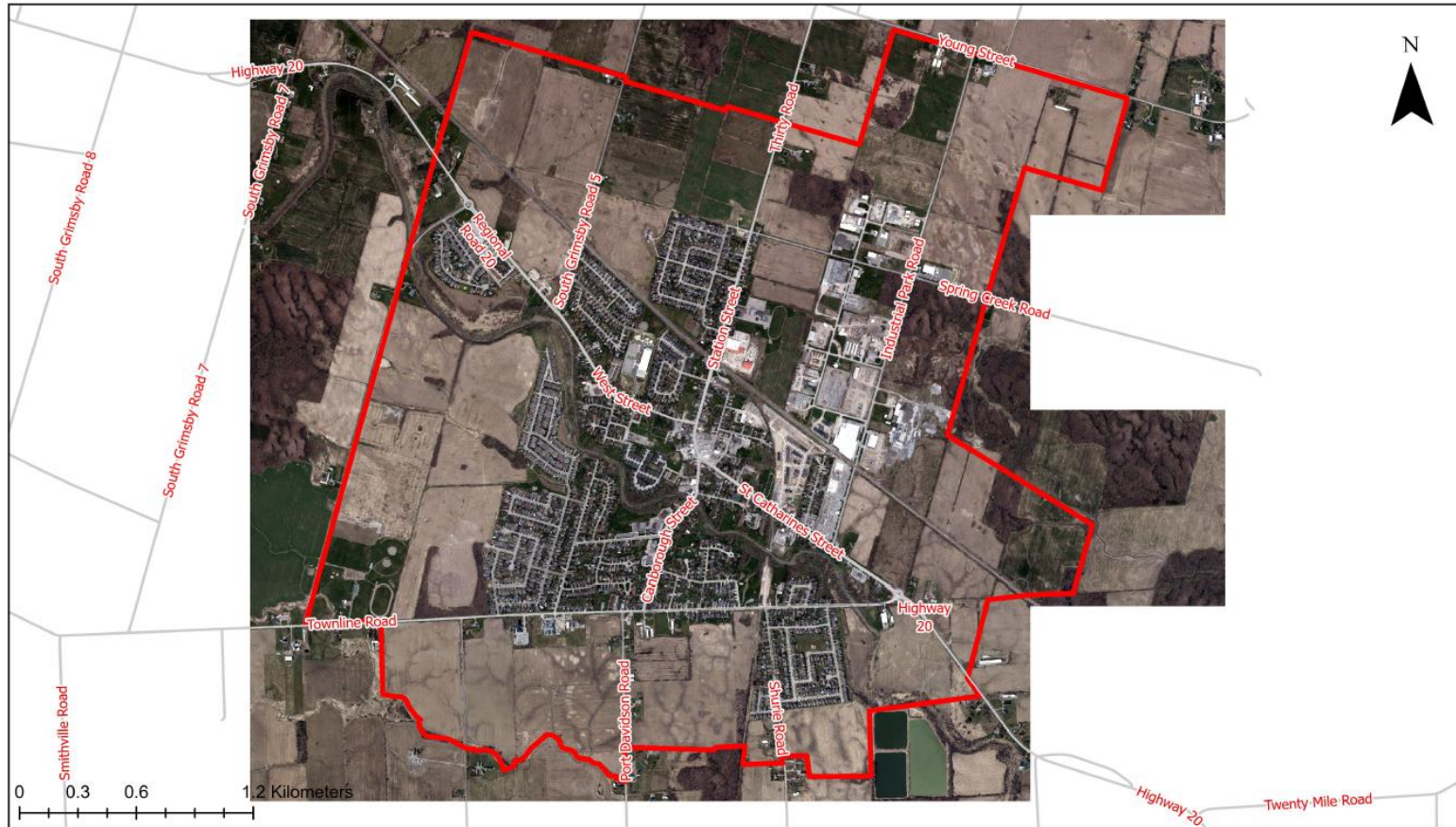
SCHEDULE "B" TO BY-LAW _____

**SCHEDULE OF DEVELOPMENT CHARGES FOR TOWNSHIP-WIDE
AND URBAN SERVICED AREA**

Service	RESIDENTIAL					NON-RESIDENTIAL	
	Single and Semi-Detached Dwelling	Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	Wind Turbines	(per sq.ft. of Gross Floor Area)
Township Wide Services							
Services Related to a Highway	18,388	12,590	11,789	7,638	6,385	9,194	6.96
Fire Protection Services	2,241	1,534	1,437	931	778	2,241	0.86
Parks and Recreation Services	6,567	4,496	4,210	2,728	2,280	-	0.80
Library Services	1,073	735	688	446	373	-	0.13
Growth Studies	891	610	571	370	309	891	0.33
Total Township Wide Services	29,160	19,965	18,695	12,113	10,125	12,326	9.08
Urban Services							
Stormwater	22	15	14	9	8	-	0.01
Wastewater Services	5,356	3,667	3,434	2,225	1,860	-	1.97
Water Services	267	183	171	111	93	-	0.10
Total Urban Services	5,645	3,865	3,619	2,345	1,961	-	2.08
GRAND TOTAL RURAL AREA	29,160	19,965	18,695	12,113	10,125	12,326	9.08
GRAND TOTAL URBAN AREA	34,805	23,830	22,314	14,458	12,086	12,326	11.16




SCHEDULE "C" TO BY-LAW _____



Smithville Urban Boundary



Legend

 New_Urban Boundary Approved thru OPA62 & Niagara Official Plan

Date: May 2024