



Special Council Meeting Agenda

May 3, 2021, 4:30 pm

Location: <https://www.youtube.com/user/EssexOntario>

Accessible formats or communication supports are available upon request. Please contact the Clerk's Office at clerks@essex.ca or 519-776-7336 extension 1100 or 1101.

This meeting will be hosted and chaired from the Town of Essex Municipal Building. Due to the ongoing COVID-19 pandemic and the Essex Municipal Building not being open to the public at this time, this meeting can only be viewed by the public electronically via livestream on YouTube.

The purpose of this meeting is to present the Town of Essex 2021 Development Charges Update Study.

Pages

1. Call to Order

2. Declarations of Conflict of Interest

3. Adoption of Published Agenda

3.1. Special Council Meeting Agenda for May 3, 2021

Moved by _____

Seconded by _____

That the published agenda for the May 3, 2021 Special Council Meeting be adopted as presented / amended.

4. Public Presentations

4.1. Watson & Associates Economists Ltd.

1

RE: Town of Essex 2021 Development Charges Update Study

Moved by _____

Seconded by _____

That the presentation by Watson & Associates Economists Ltd. regarding the Town of Essex 2021 Development Charges Update Study be received.

5. Adjournment

Moved by _____

Seconded by _____

That the meeting be adjourned at _____.



Town of Essex 2021 Development Charges Update Study

Public Meeting
May 3, 2021

Agenda



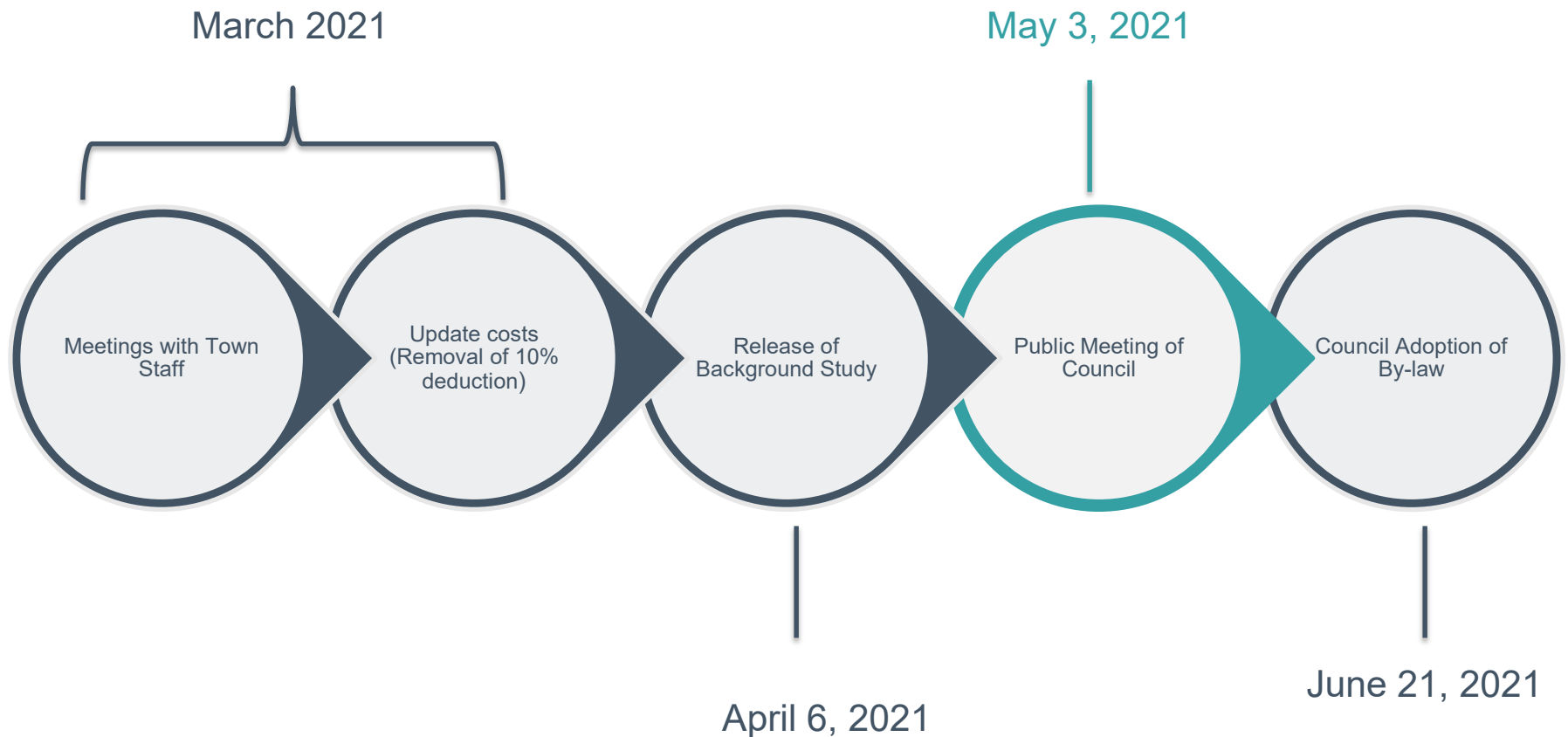
- D.C.A. Public Meeting
 - Opening Remarks
 - Presentation of the Proposed Policies and Charges
 - Presentations by the Public
 - Questions from Council
 - Conclude Public Meeting

Public Meeting Purpose



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

Study Process & Timelines



Development Charges



Purpose:

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

Changes to the D.C. Legislation since 2019



There has been changes to the D.C.A. since the previous background study in 2019:

- 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

Changes to the D.C. Legislation since 2019



It is not necessary for the Town to take immediate action to update the D.C. By-law.

If no action is taken, many changes about to be discussed will still be required to be implemented by the Town as per the D.C.A. however, the D.C. By-law will not reflect those changes.

If no action is taken, then the Town will not be collecting as much of the costs associated with growth from new development as they could.

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



- On May 2, 2019, the Province introduced Bill 108, which proposed changes to the D.C.A.
 - Some sections were proclaimed in December of 2019, the balance was proclaimed September 18, 2020.
- On Nov. 6, 2019, the Province introduced Bill 138, which provided further changes to the D.C.A. The Bill was proclaimed December 10, 2019.
- The following provisions became effective as of January 1, 2020 and have been included in Essex's Draft D.C. by-law as a result of Bill 108/Bill 138:
 - Rental housing and institutional developments will pay D.C.s in 6 equal annual payments
 - Non-profit housing developments will pay D.C.s in 21 equal annual payments
 - The D.C. rate is frozen for Site Plan or Zoning By-law amendments until 2 years after approval
 - Interest may be charged on the installments and DC freeze

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



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

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

Bill 197 (COVID-19 Economic Recovery Act, 2020) – Community Benefit Charges



- Community Benefits Charge: eligible for lower-tier and single-tier municipalities only – limit 4% of market value of land for eligible properties.
 - Can only be applied to higher density development (where there are 5 or more story's and 10 or more residential units)
 - Municipalities have two years to transition to the new C.B.C. authority.
- Currently, the services impacted by growth in Essex are all eligible for inclusion in the D.C., therefore a C.B.C. has not been undertaken.



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

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

The impact of this change was reviewed and a revision to the exemptions section was made in the amending D.C. By-Law.

Services Being Updated



The D.C. Background Study and By-law are being amended to remove the mandatory 10% from the following services:

- Outdoor Recreation Services
 - Indoor Recreation Services
 - Library Services
 - Administration – Community Based Studies – This will now be combined into a class of services with the Administration – Essential Services Studies and renamed “Growth Studies”
- These will be combined into one service:
“Parks and Recreation Services”.

Classes of Services Being Created



As per Bill 197 Classes of Services may be established for components of a service or a combination of services. As such, the Town is creating the following “Classes of Services”:

1. Public Works (Operations Facilities, Vehicles & Equipment); and
2. Growth Studies

The Town is already collecting for these items through its current D.C. by-law. This change is largely administrative.

By-Law Amendments



By-Law 1850 is being amended to reflect the changes under Bills 108, 138, 197 and 213 as follows:

- D.C. policies in the By-Law are being updated, with respect to:
 - D.C. instalment payments;
 - D.C. rate freeze;
 - Interest policies;
 - Mandatory exemption for new ancillary units;
 - Mandatory exemption for universities receiving operating funds from the Government; and
 - Additional & refined definitions, where required.

Calculated Rates (2019\$)



Service/Class of Service	RESIDENTIAL					NON-RESIDENTIAL	Wind Turbines and Telecommunication Towers	Solar Farms (per sq.ft)
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)		
Municipal Wide Services:								
Services Related to a Highway	1,125	568	473	681	402	0.53	1,125	0.53
Public Works*	298	151	126	181	106	0.14	298	0.14
Fire Protection Services	979	494	412	593	349	0.46	979	0.46
Policing Services	427	215	180	259	152	0.19	427	0.19
Parks and Recreation Services**	4,940	2,492	2,077	2,992	1,762	0.19	-	-
Library Services	250	126	105	151	89	0.01	-	-
Growth Studies***	160	81	67	97	57	0.06	160	0.06
Total Municipal Wide Services/Classes	8,179	4,127	3,440	4,954	2,917	1.58	2,989	1.38
Area Specific Services:								
Ward 1 - Essex Service Area	3,351	1,690	1,409	2,029	1,195	2.03	-	-
Ward 2 - Colchester North Service Area	872	440	367	528	311	0.00	-	-
Ward 3 - Colchester South Service Area	2,067	1,043	869	1,252	737	1.18	-	-
Ward 4 - Harrow Service Area	2,484	1,253	1,045	1,505	886	1.43	-	-

* Previously included in the charge for Services Related to a Highway.

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

*** Previously presented as two separate charges for Administration-Essential Services & Administration-Community Based Services, some studies have been removed as they no longer are eligible due to the changes in the legislation



Comparison of Rates – Residential Single Detached (2019\$)

Service/Class of Service	As per 2019 By-law	D.C Update (2019 \$)
Municipal Wide Services:		
Services Related to a Highway	1,125	1,125
Public Works*	427	298
Fire Protection Services	979	979
Policing Services	427	427
Parks and Recreation Services**	4,721	4,940
Library Services	225	250
Growth Studies***	191	160
Total Municipal Wide Services	8,095	8,179
Area Specific Services - Wastewater:		
Ward 1 - Essex Service Area	3,351	3,351
Ward 2 - Colchester North Service Area	872	872
Ward 3 - Colchester South Service Area	2,067	2,067
Ward 4 - Harrow Service Area	2,484	2,484

* Previously included in the charge for Services Related to a Highway.

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

*** Previously presented as two separate charges for Administration-Essential Services & Administration-Community Based Services, some studies have been removed as they no longer are eligible due to the changes in the legislation

Comparison of Rates – Non-Residential Per Sq. Ft. (2019\$)



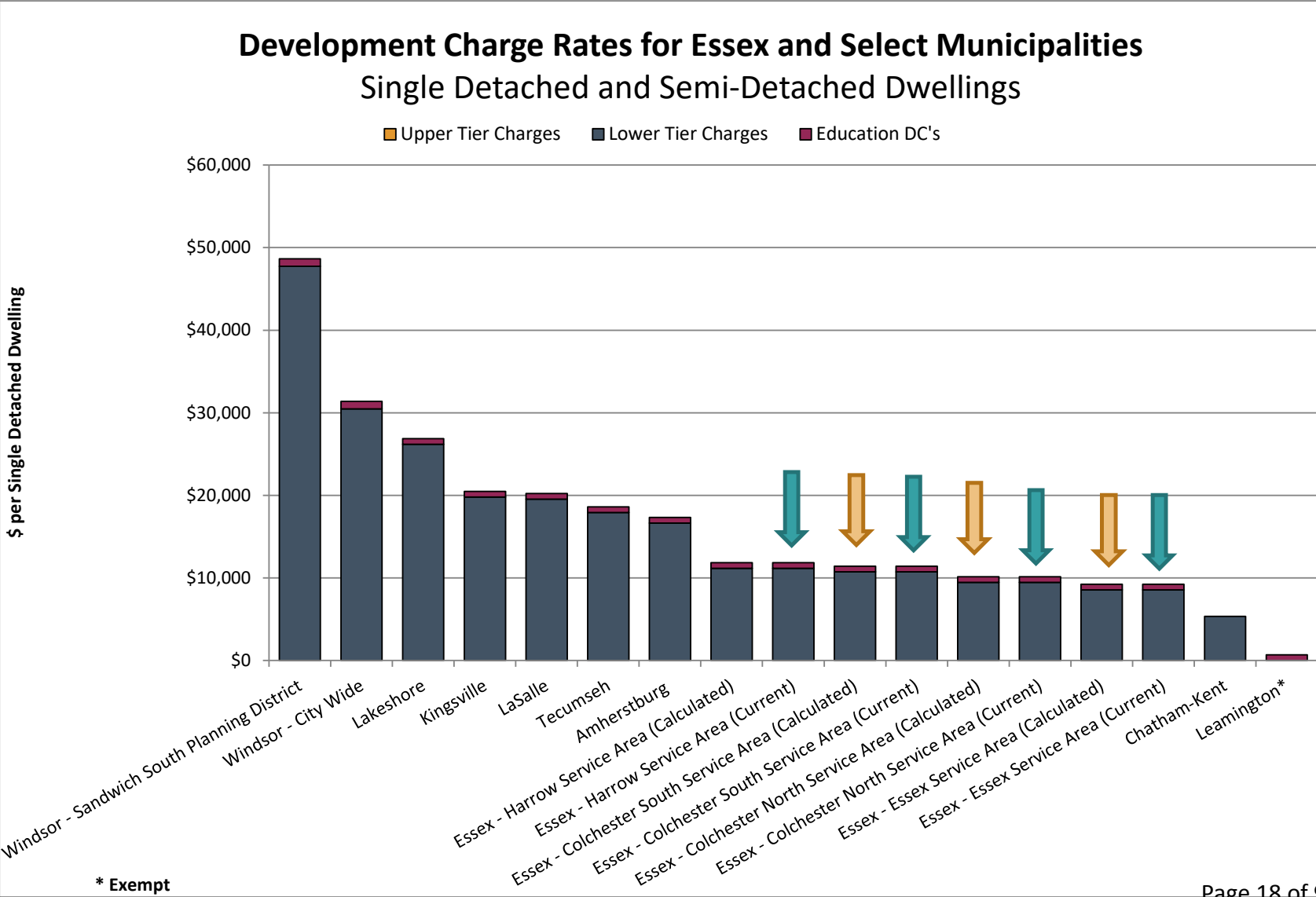
Service	As per 2019 By-law	D.C Update (2019 \$)
Municipal Wide Services:		
Services Related to a Highway	0.53	0.53
Public Works*	0.20	0.14
Fire Protection Services	0.46	0.46
Policing Services	0.19	0.19
Parks and Recreation Services**	0.17	0.19
Library Services	0.01	0.01
Growth Studies***	0.09	0.06
Total Municipal Wide Services	1.65	1.58
Area Specific Services - Wastewater:		
Ward 1 - Essex Service Area	2.03	2.03
Ward 2 - Colchester North Service Area	-	-
Ward 3 - Colchester South Service Area	1.18	1.18
Ward 4 - Harrow Service Area	1.43	1.43

* Previously included in the charge for Services Related to a Highway.

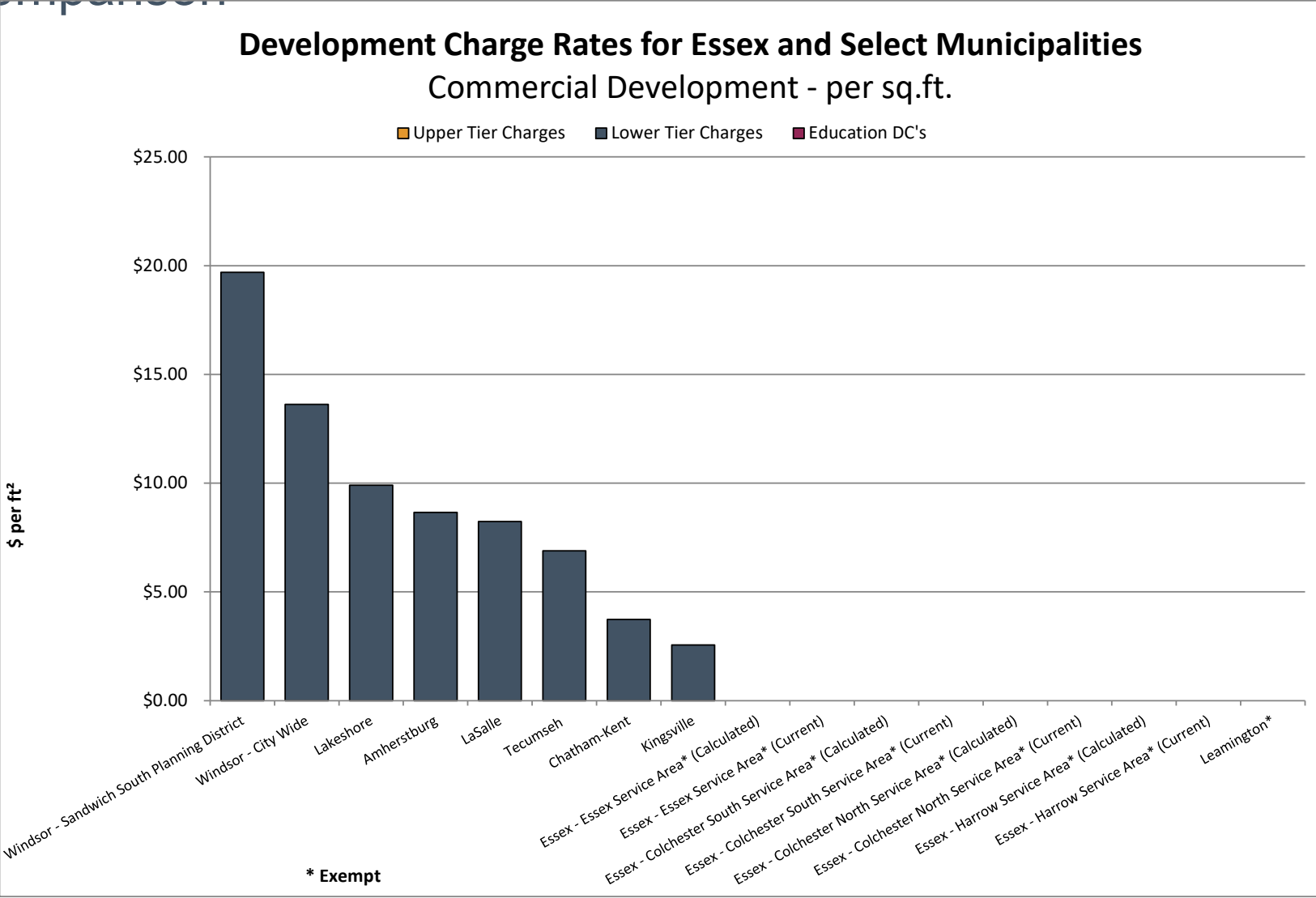
** Previously presented as two separate charges for Indoor and Outdoor Recreation Services

*** Previously presented as two separate charges for Administration-Essential Services & Administration-Community Based Services, some studies have been removed as they no longer are eligible due to the changes in the legislation

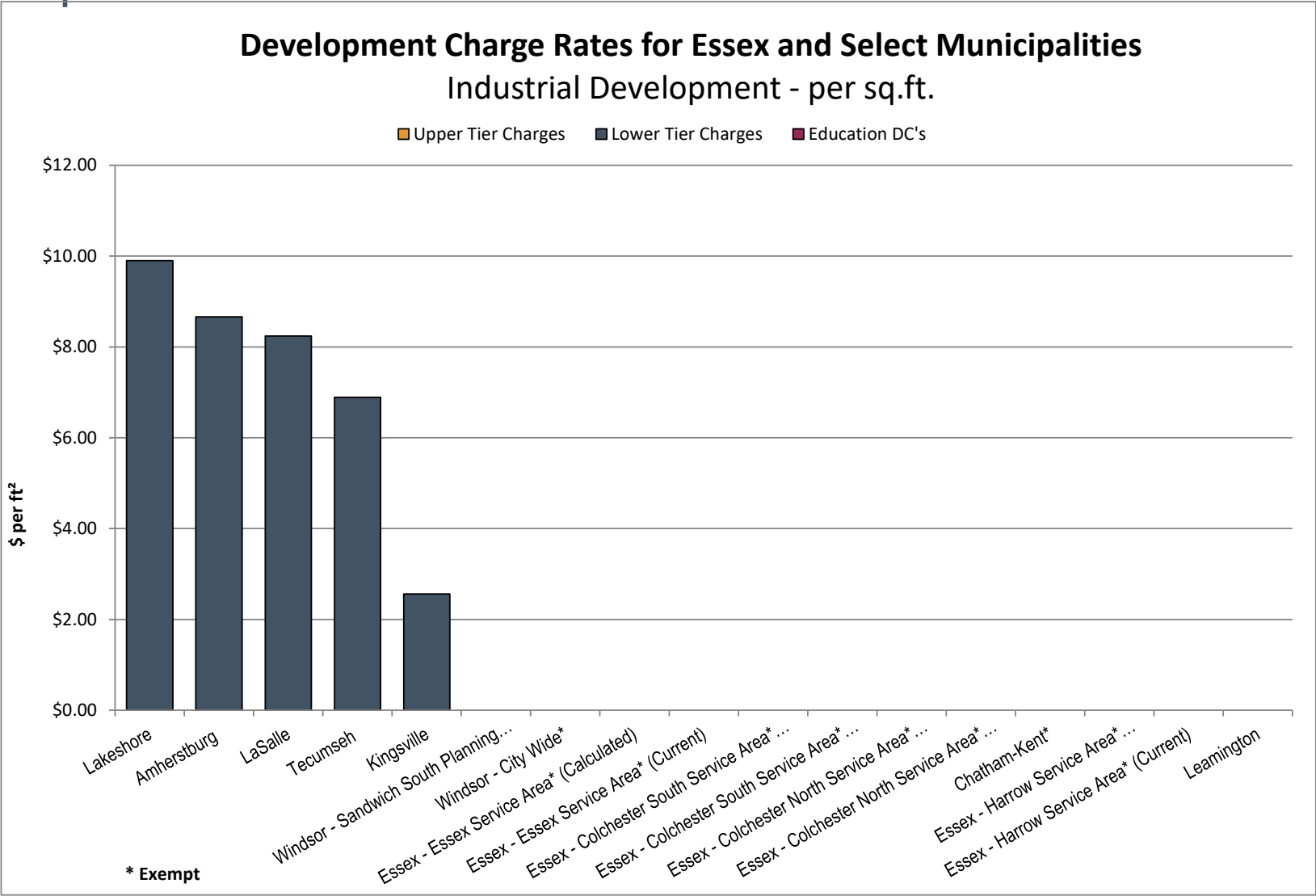
Residential (per single-detached unit) D.C. Comparison



Non-Residential – Commercial (per Sq. Ft.) D.C. Comparison



Non-Residential – Industrial (per Sq. Ft.) D.C. Comparison



Next Steps



Council
Adoption of
By-law
(June 21,
2021)



Development Charges Update Study

Town of Essex

April 6, 2021

Watson & Associates Economists Ltd.
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info@watsonecon.ca

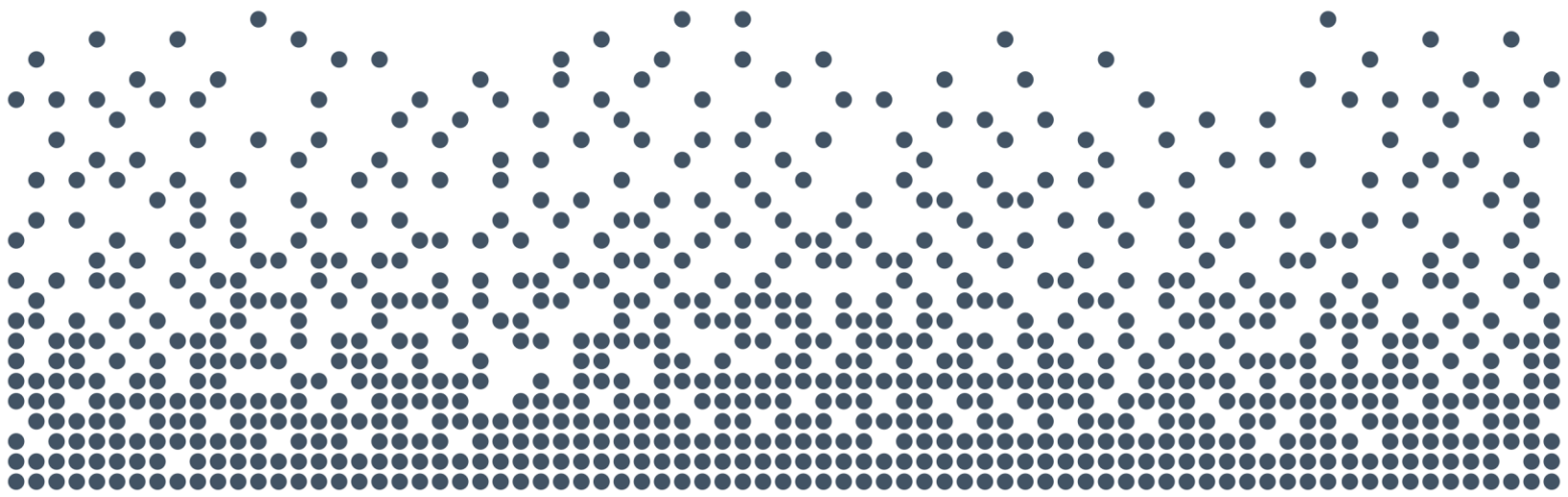
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Report



Chapter 1

Introduction



1. Introduction

1.1 Background

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

- Services Related to a Highway
- Fire Protection Services;
- Policing Services;
- Outdoor Recreation Services;
- Indoor Recreation Services;
- Library Services; and
- Administration (Growth Related Studies) currently split into two sub-categories.

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

The basis for these D.C.s is documented in the “Town of Essex Development Charges Background Study,” dated June 20, 2019, and amended on July 4, 2019 and July 11, 2019 (collectively, the “2019 D.C. Study”), which provided the supporting documentation for By-law 1850. The D.C.s came into effect August 28, 2019.

The Town’s D.C.s have been indexed (in accordance with section 37 of the by-law) annually on January 1st, beginning in 2021, and are currently 5.67% higher than the 2019 rates implemented under By-law 1850. The 2019 D.C.s (unindexed) are shown in Figure 1-1.

The purpose of this report is to update the current D.C. by-law in order to meet the requirements of the Development Charges Act (D.C.A.), as amended by Bill 108 (*More Homes, More Choice Act, 2019*), Bill 138 (*Plan to Build Ontario Act, 2019*), and Bill 197 (*COVID-19 Economic Recovery Act, 2020*), and Bill 213 (*Better for People, Smarter for Business Act, 2020*). A full discussion on the amending legislation is provided in Chapter 2.



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

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



Figure 1-1
Town of Essex
2019 Development Charges (2019 \$)
as per By-law 1850

SCHEDULE OF DEVELOPMENT CHARGES - HARD SERVICES

Service	Residential					Non-Residential per sq.ft. of Gross Floor Area	Wind Turbines and Telecommunicatio n Towers	Solar Farms (per sq.ft)
	Single & Semi Detached	Multiples	Apartments with >= 2 Bedrooms	Apartments with < 2 Bedrooms	Special Care/Special Dwelling Units			
Municipal Wide Services								
Services Related to a Highway	1,552	940	783	653	554	0.73	1,552	0.73
Fire Protection Services	979	593	494	412	349	0.46	979	0.46
Policing Services	427	259	215	180	152	0.19	427	0.19
Administration - Essential Services Studies	90	55	45	38	32	0.04	90	0.04
Total Municipal Wide Services	3,048	1,847	1,537	1,283	1,088	1.42	3,048	1.42
Area Specific Charges - Wastewater								
Ward 1 - Essex Service Area	3,351	2,029	1,690	1,409	1,195	2.03	-	-
Ward 2 - Colchester North Service Area	872	528	440	367	311	-	-	-
Ward 3 - Colchester South Service Area	2,067	1,252	1,043	869	737	1.18	-	-
Ward 4 - Harrow Service Area	2,484	1,505	1,253	1,045	886	1.43	-	-

SCHEDULE OF DEVELOPMENT CHARGES - SOFT SERVICES

Service	RESIDENTIAL					NON-RESIDENTIAL (per sq.ft. of Gross Floor Area)	Wind Turbines and Telecommunication Towers	Solar Farms (per sq.ft)
	Single and Semi- Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	Special Care/Special Dwelling Units			
Outdoor Recreation Services	1,473	743	619	892	525	0.06	-	-
Indoor Recreation Services	3,248	1,639	1,366	1,967	1,158	0.11	-	-
Library Services	225	114	95	136	80	0.01	-	-
Administration - Community Based Studies	101	51	42	61	36	0.05	-	-
Total Municipal Wide Services - "Soft Services"	5,047	2,547	2,122	3,056	1,799	0.23	-	-



1.2 Existing Policies (Rules)

Appendix A of this report sets out the rules governing the calculation, payment, and collection of D.C.s as provided in By-law 1850.

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

This D.C. update study provides for an amendment to the Town's current D.C. by-law (By-law 1850) based on the legislative changes to the D.C.A. These include:

- Updating the D.C. analysis to remove the 10% mandatory deduction;
- Creating classifications for Growth Studies and Public Works as classes of services; and
- Updating the D.C. policies in the by-law with respect to:
 - D.C. instalment payments;
 - D.C. rate freeze;
 - Mandatory exemption for new ancillary units and universities; and
 - Updated definitions (which have been established as part of Bills 108 and 197).

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

1.4 Summary of the Process

The public meeting required under section 12 of the D.C.A. has been scheduled for May 3, 2021. Its purpose is to present the update study to the public and to solicit public input. The meeting is also being held to answer any questions regarding the study's purpose, methodology and the proposed modifications to the Town's D.C. by-law.

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

- consideration of responses received prior to, at, or immediately following the Public Meeting; and
- Council consideration of the amending by-law on June 21, 2021.



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

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

1.	Data collection, staff review, D.C. calculations and policy work	February to March, 2021
2.	Senior Management Team Review	April 1, 2021
3.	Background study and proposed by-law available to public	April 6, 2021
4.	Public meeting advertisement placed in newspaper(s)	No later than April 12, 2021
5.	Public meeting of Council	May 3, 2021
6.	Council considers adoption of background study and passage of amending by-law	June 21, 2021
7.	Effective date of the by-law	Upon approval of amending by-law
8.	Newspaper notice given of by-law passage	By 20 days after passage
9.	Last day for by-law appeal	40 days after passage
10.	City makes pamphlet available (where by-law not appealed)	By 60 days after in force date

1.5 Policy Recommendations

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

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



Chapter 2

Changes to the D.C.A. Legislation



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

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

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

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

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

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

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



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

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

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

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

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

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

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



2.3.1 D.C. Related Changes

List of D.C. Eligible Services

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

Classes of Services – D.C.

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



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

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

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

10-Year Planning Horizon

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

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

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

C.B.C. Eligibility

- The C.B.C. is limited to lower-tier and single tier municipalities, whereas upper-tier municipalities will not be allowed to impose this charge.
- O.Reg. 509/20 was filed on September 18, 2020. This regulation provides for the following:
 - A maximum rate will be set as a percentage of the market value of the land the day before building permit issuance. The maximum rate is set at 4%. The C.B.C may only be imposed on developing or redeveloping buildings which have a minimum height of five stories and contain no less than 10 residential units.



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

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

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

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

Transition – D.C. and C.B.C.

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

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



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

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

Due to this, a revision to the exemptions section will be made in the proposed amending D.C. by-law.



Chapter 3

Anticipated Development



3. Anticipated Development

3.1 Growth Forecast in the 2019 D.C. Study

The 2019 D.C. study provided for the anticipated residential and non-residential growth within the Town of Essex. The growth forecast associated with services included in the background study is provided in Figure 3-1 below:

Figure 3-1
Town of Essex
2019 D.C. Background Study – Growth Forecast Summary

Measure	10 Year 2019-2028	13 Year 2019-2031
(Net) Population Increase	1,275	1,439
Residential Unit Increase	582	680
Non-Residential Gross Floor Area Increase (ft ²)	762,600	875,300

Source: Watson & Associates Economists Ltd. Forecast 2019

For the purposes of this D.C. update, the 2019 D.C. Study growth forecast remains unchanged as the incremental growth is anticipated to remain the same.



Chapter 4

Updates to the Town's D.C. Study



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

As noted earlier, the Town's D.C. By-law 1850 came into effect on August 28, 2019, being a by-law for the purposes of establishing and collecting a D.C. in accordance with the provisions of the D.C.A. The 2019 D.C. Study and by-law identified anticipated capital needs for recovery through D.C.s for municipal-wide and area specific services.

This chapter of the report discusses the removal of the 10% mandatory deduction for parks and recreation services (formerly indoor and outdoor recreation services), library services, and growth studies. As these costs are being added as part of the 2019 D.C. Study, the capital costs are being presented in 2019 dollars. A discussion is also provided on the classification of Growth Studies and Public Works as classes of services.

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

4.1 Parks and Recreation Services

The Town currently collects for Parks and Recreation under two categories, Indoor and Outdoor Recreation Services. With the changes to the D.C. Act, these charges continue to be eligible as Parks and Recreation Services. For updated calculation purposes, we have provided three sub-categories within this combined eligible service, the first being Outdoor Recreation and Park Development, Amenities and Trails, the second being Parks and Recreation Vehicles & Equipment and the third being Indoor Recreation Facilities.

As discussed earlier, the capital costs included for Parks and Recreation have been modified to remove the mandatory 10% deduction. Figures 4-1 to 4-3 provide the updated capital project listings with the removal of the 10% deduction. The total D.C. eligible amount being included in the calculations for Parks and Recreation Services is \$2.83 million.



Through the updated service standards provided in Appendix B, the maximum D.C. allowed to be recovered for Parks and Recreation is \$4.16 million. This ceiling is well in excess of the growth-related capital needs.

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



Figure 4-1
Town of Essex
Parks and Recreation Capital – Update
Outdoor Recreation and Park Development, Amenities, and Trails

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2019\$)	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
	2019-2028									95%	5%
1	Townsvieview Subdivision Park	2019	114,700	-		114,700	-		114,700	108,965	5,735
2	Essex Sports Field Complex (8 soccer fields, 6 baseball, football stadium, play structure, concession building, trails)	2022-2027	20,000,000	1,397,700		18,602,300	18,447,000		155,300	147,535	7,765
3	Harrow Dog Park	2020	63,100	2,500		60,600	58,200		2,400	2,280	120
4	Essex Tennis Courts	2022	114,700	4,500		110,200	105,800		4,400	4,180	220
5	McGregor Splash Pad (Cost Share)	2024	590,500	23,000		567,500	544,600		22,900	21,755	1,145
6	Colchester Community Centre Passive Park Accessible Ramp	2019	240,000	120,000		120,000	-		120,000	114,000	6,000
7	Trail Expansion	2019-2023	20,000	1,000		19,000	18,000		1,000	950	50
8	Essex Crossing Playground	2021	200,000	100,000		100,000	-		100,000	95,000	5,000
9	Dalla Bona Playground	2022	200,000	100,000		100,000	-		100,000	95,000	5,000
10	Colchester Park Pavillion	2021	350,000	175,000		175,000	-		175,000	166,250	8,750
11	Parkland Estate Subdivision (Ward 3) Park Development	2025	181,200	90,600		90,600	-		90,600	86,070	4,530
12	Parkland Estate Subdivision (Ward 3) Park Play Structure (Sr.)	2025	200,000	100,000		100,000	-		100,000	95,000	5,000
13	Essex Skatebord Replacement & Expansion	2026	300,000	145,000		155,000	10,000		145,000	137,750	7,250
14	Reserve Fund Adjustment						263,968		(263,968)	(250,770)	(13,198)
	Total		22,574,200	2,259,300	-	20,314,900	19,447,568	-	867,332	823,965	43,367



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

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2019\$)	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 95%	Non- Residential Share 5%
	2019-2028										
1	Heritage Park - Amphitheatre	2021	300,000	11,700		288,300	276,700		11,600	11,020	580
2	Heritage Park - Washroom/Storage Building	2021	250,000	9,700		240,300	230,600		9,700	9,215	485
3	Essex Centre Sports Complex - Debt Principal	2019-2026	500,247	250,124		250,123	-		250,123	237,617	12,506
4	Essex Centre Sports Complex - Debt Interest (Discounted)	2019-2026	57,838	28,919		28,919	-		28,919	27,473	1,446
5	Essex Centre Sports Complex - Debt Principal	2019-2030	3,837,912	1,918,956		1,918,956	-		1,918,956	1,823,008	95,948
6	Essex Centre Sports Complex - Debt Interest (Discounted)	2019-2030	589,134	294,567		294,567	-		294,567	279,839	14,728
7	Colchester Community Centre - Outstanding Growth-Related Debt Principal	2019-2023	208,074	104,037		104,037	-		104,037	98,836	5,202
8	Colchester Community Centre - Outstanding Growth-Related Debt Interest (Discounted)	2019-2023	5,336	2,668		2,668	-		2,668	2,535	133
9	Reserve Fund Adjustment						756,926		(756,926)	(719,080)	(37,846)
	Total		5,748,541	2,620,671	-	3,127,870	1,264,226	-	1,863,644	1,770,462	93,182



Figure 4-3
Town of Essex
Parks and Recreation Capital – Update
Parks and Recreation Vehicles and Equipment

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2019\$)	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
	2019-2028									95%	5%
1	Provision for Additional Vehicles and Equipment	2019-2028	100,000	-		100,000	-		100,000	95,000	5,000
	Total		100,000	-	-	100,000	-	-	100,000	95,000	5,000



4.2 Library Services

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

The details regarding the updated service standards are provided in Appendix B. The resulting service standards for Library provide a D.C. ceiling of \$151,470. Given that the capital program is \$143,000, the D.C.-eligible capital amounts are within the level of the service standard ceiling.

Based on the Town's 2019 D.C. study, the growth-related capital costs have been allocated 95% residential and 5% non-residential. This is to acknowledge that although library usage is predominantly residential based, there is some use of the facilities by non-residential users.



Figure 4-4
Town of Essex
Library Services – Updated Capital Listing

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2019\$)	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
	2019-2028									95%	5%
1	Provision for Additional Space	2019-2028	143,000	-		143,000	-		143,000	135,850	7,150
	Total		143,000	-	-	143,000	-	-	143,000	135,850	7,150



4.3 Growth Studies

A change brought forth through the Bill-197 amended legislation concerned classes of services. A class of service may be composed of any number or combination of services and may include parts or portions of each D.C.-eligible service. Section 7 of the D.C.A. states that a D.C. by-law may provide for any D.C.-eligible service or the capital costs with respect to those services. These provisions allow for services to be grouped together to create a class for the purposes of the D.C. by-law and D.C. reserve funds.

In addition, Section 7(3) of the D.C.A. states that:

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

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

- Water Services;
- Wastewater Services;
- Stormwater Drainage and Control Services;
- Services Related to a Highway;
- Fire Protection Services;
- Policing Services;
- Parks and Recreation Services;
- Public Works; and
- Library Services.

Figure 4-5 depicts how the costs of capital projects are allocated across the services. For planning related studies, a deduction of 10% has been applied to recognize the extent to which some studies relate to non-D.C.-eligible services. Most planning studies, along with development charge studies, have been allocated to the class based



on the proportion of the total net growth-related capital costs for each service included in the D.C. background study, in the following manner:

- Water Services – 7%
- Wastewater Services – 36%
- Stormwater Services – 7%
- Services Related to a Highway – 10%
- Policing Services – 1%
- Fire Protection Services – 20%
- Parks and Recreation – 17%
- Public Works – 1.6%
- Library Services – 0.4%

Studies related to water, wastewater, stormwater, and services related to a highway have been allocated 25% to each service, and other studies have been shared based on the proportionate amount of growth-related capital associated with the services that benefit from the studies.

The cost of undertaking this D.C. update process has been included in the calculation and studies previously included that are not related to D.C. eligible services as per the revised legislation have been removed.

In addition to the classification as a class of service, and allocation of studies between eligible services, the removal of ineligible studies and addition of this D.C. study update, the mandatory 10% deduction has been removed for non-planning related studies. The total revised growth-related capital costs included in the updated D.C. calculations equal \$142,704.

The capital costs have been allocated 61% residential and 39% non-residential based on the incremental growth in population to employment for the 10-year forecast period, consistent with the 2019 D.C. Background Study.



Figure 4-5
Town of Essex
Growth Studies Capital – Updated

Class of Services: Growth Studies

Prj. No.	Increased Service Needs Attributable to Anticipated Development	Services to Which the Project Relate	Timing (year) From	Timing (year) To	Timing (year)	Gross Capital Cost Estimate (2019\$)	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 61%	Non-Residential Share 39%
1	Development Charge Study													
1A	Development Charge Study	Services Related to a Highway	2019		2019	2,749	-		2,749	-		2,749	1,677	1,072
1B	Development Charge Study	Fire Protection Services	2019		2019	2,389	-		2,389	-		2,389	1,457	932
1C	Development Charge Study	Policing Services	2019		2019	1,042	-		1,042	-		1,042	636	407
1D	Development Charge Study	Parks and Recreation Services	2019		2019	6,580	-		6,580	-		6,580	4,014	2,566
1E	Development Charge Study	Library Services	2019		2019	332	-		332	-		332	203	130
1F	Development Charge Study	Public Works	2019		2019	1,040	-		1,040	-		1,040	635	406
1G	Development Charge Study	Wastewater Services	2019		2019	22,567	-		22,567	-		22,567	13,766	8,801
	Sub-Total					36,700	-	-	36,700	-	-	36,700	22,387	14,313
2	Development Charge Update Study													
2A	Development Charge Update Study	Services Related to a Highway	2021		2021	861	-		861	-		861	525	336
2B	Development Charge Update Study	Fire Protection Services	2021		2021	749	-		749	-		749	457	292
2C	Development Charge Update Study	Policing Services	2021		2021	327	-		327	-		327	199	127
2D	Development Charge Update Study	Parks and Recreation Services	2021		2021	2,062	-		2,062	-		2,062	1,258	804
2E	Development Charge Update Study	Library Services	2021		2021	104	-		104	-		104	64	41
2F	Development Charge Update Study	Public Works	2021		2021	326	-		326	-		326	199	127
2G	Development Charge Update Study	Wastewater Services	2021		2021	7,071	-		7,071	-		7,071	4,313	2,758
	Sub-Total					11,500	-	-	11,500	-	-	11,500	7,015	4,485
3	Development Charge Study													
3A	Development Charge Study	Services Related to a Highway	2024		2024	2,749	-		2,749	-		2,749	1,677	1,072
3B	Development Charge Study	Fire Protection Services	2024		2024	2,389	-		2,389	-		2,389	1,457	932
3C	Development Charge Study	Policing Services	2024		2024	1,042	-		1,042	-		1,042	636	407
3D	Development Charge Study	Parks and Recreation Services	2024		2024	6,580	-		6,580	-		6,580	4,014	2,566
3E	Development Charge Study	Library Services	2024		2024	332	-		332	-		332	203	130
3F	Development Charge Study	Public Works	2024		2024	1,040	-		1,040	-		1,040	635	406
3G	Development Charge Study	Wastewater Services	2024		2024	22,567	-		22,567	-		22,567	13,766	8,801
	Sub-Total					36,700	-	-	36,700	-	-	36,700	22,387	14,313



Figure 4-5 Continued
Town of Essex
Growth Studies Capital – Updated

Class of Services: Growth Studies

Prj. No.	Increased Service Needs Attributable to Anticipated Development	Services to Which the Project Relate	Timing (year) From	Timing (year) To	Timing (year)	Gross Capital Cost Estimate (2019\$)	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 61%	Non-Residential Share 39%
	2019-2028													
4	Engineering Development Standards Review & Update													
4A	Engineering Development Standards Review & Update	Services Related to a Highway	2020		2020	15,000	-		15,000	-		15,000	9,150	5,850
4B	Engineering Development Standards Review & Update	Water Services	2020		2020	15,000	-		15,000	-		15,000	9,150	5,850
4C	Engineering Development Standards Review & Update	Wastewater Services	2020		2020	15,000	-		15,000	-		15,000	9,150	5,850
4D	Engineering Development Standards Review & Update	Stormwater Services	2020		2020	15,000	-		15,000	-		15,000	9,150	5,850
	Sub-Total					60,000	-	-	60,000	-	-	60,000	36,600	23,400
5	Official Plan Review													
5A	Official Plan Review	Services Related to a Highway	2020		2020	3,745	-	374	3,371	1,685		1,685	1,028	657
5B	Official Plan Review	Fire Protection Services	2020		2020	3,255	-	325	2,930	1,465		1,465	894	571
5C	Official Plan Review	Policing Services	2020		2020	1,420	-	142	1,278	639		639	390	249
5D	Official Plan Review	Parks and Recreation Services	2020		2020	8,965	-	896	8,069	4,034		4,034	2,461	1,573
5E	Official Plan Review	Library Services	2020		2020	453	-	45	408	204		204	124	80
5F	Official Plan Review	Public Works	2020		2020	1,418	-	142	1,276	-		1,276	778	497
5G	Official Plan Review	Wastewater Services	2020		2020	30,745	-	3,074	27,671	13,835		13,835	8,440	5,396
	Sub-Total					50,000	-	4,998	45,002	21,863	-	23,139	14,115	9,024
8	Fire Master Plan	Fire Protection Services	2022		2022	65,000	-		65,000	45,500		19,500	11,895	7,605
9	Fire Master Plan	Fire Protection Services	2027		2027	65,000	-		65,000	45,500		19,500	11,895	7,605
10	Parks and Recreation Master Plan Update	Parks and Recreation Services	2020		2020	20,000	-		20,000	10,000		10,000	6,100	3,900
11	Parks and Recreation Master Plan Update	Parks and Recreation Services	2025		2025	20,000	-		20,000	10,000		10,000	6,100	3,900
12	Reserve Fund Adjustment									84,335		(84,335)	(51,444)	(32,891)
	Total					364,900	-	4,998	359,902	217,198	-	142,704	87,049	55,654



4.4 Public Works

Similar to Growth Studies, the changes in the D.C.A. has brought rise to the need for the Town to create a Class of Service related to the Public Works related to Facilities, Vehicles and Equipment that assist throughout the Town in providing support to the various D.C. eligible services. These services include water, wastewater, stormwater, and services related to a highway. As such a class of service is being created to ensure the continued recovery of growth funding towards the expansion of space, vehicles and equipment needed to service future growth.

As a result of these changes to the D.C.A., this update study provides a categorized class of services entitled “Public Works.”

Figures 4-6 provides how the costs of capital projects are allocated across the D.C. eligible services that the facilities, vehicles, and equipment service. To allocate costs of facilities, vehicles and equipment various allocations have been made based on the services that the project pertains to.

As the capital works identified in the 2019 D.C. background study related to non-discounted services only, there is no mandatory 10% deduction to be removed. As such, the total capital program has not been changed and therefore, there is no change to the D.C. calculations required at this time.

The details regarding the updated service standards are provided in Appendix B. The resulting service standards for Public Works provide a D.C. ceiling of approximately \$0.5 million, which is above the capital program included in the D.C. calculations.

Based on the Town’s 2019 D.C. study, the growth-related capital costs have been allocated 61% residential and 39% non-residential based on the incremental growth in population to employment for the 10-year forecast period.



Figure 4-6
Town of Essex
Public Works Capital – Updated

Prj .No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Services to which Project Relates	Gross Capital Cost Estimate (2019\$)	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 61%	Non-Residential Share 39%
	2019-2031											
1	Ferris Road Salt Shed Replacement and Expansion - Growth Related Portion of Debt (Principal)	2019-2022	n/a	224,357	80,100		144,257	-		144,257	87,997	56,260
2	Ferris Road Salt Shed Replacement and Expansion - Growth Related Portion of Debt (Interest - Discounted)	2019-2022	n/a	5,263	1,880		3,383	-		3,383	2,064	1,319
3	Ferris Road Facility Expansion	2020-2031										
3a	Ferris Road Facility Expansion	2020-2031	Services Related to a Highway	280,000	280,000		-	-		-	-	-
3b	Ferris Road Facility Expansion	2020-2031	Stormwater Services	40,000	40,000		-	-		-	-	-
3c	Ferris Road Facility Expansion	2020-2031	Water Services	40,000	40,000		-	-		-	-	-
3d	Ferris Road Facility Expansion	2020-2031	Wastewater Services	40,000	40,000		-	-		-	-	-
	Sub-Total			400,000	400,000		-	-		-	-	-
4	North Malden Facility Expansion	2020-2031										
4a	North Malden Facility Expansion	2020-2031	Services Related to a Highway	245,000	245,000		-	-		-	-	-
4b	North Malden Facility Expansion	2020-2031	Stormwater Services	35,000	35,000		-	-		-	-	-
4c	North Malden Facility Expansion	2020-2031	Water Services	35,000	35,000		-	-		-	-	-
4d	North Malden Facility Expansion	2020-2031	Wastewater Services	35,000	35,000		-	-		-	-	-
	Sub-Total			350,000	350,000		-	-		-	-	-
5	North Malden Salt Storage Expansion	2020-2031	Services Related to a Highway	400,000	400,000		-	-		-	-	-
6	Provision for Growth Related Vehicles and Equipment	2019-2031										
6a	Provision for Growth Related Vehicles and Equipment	2019-2031	Services Related to a Highway	210,000	-		210,000	-		210,000	128,100	81,900
6b	Provision for Growth Related Vehicles and Equipment	2019-2031	Stormwater Services	30,000	-		30,000	-		30,000	18,300	11,700
6c	Provision for Growth Related Vehicles and Equipment	2019-2031	Water Services	30,000	-		30,000	-		30,000	18,300	11,700
6d	Provision for Growth Related Vehicles and Equipment	2019-2031	Wastewater Services	30,000	-		30,000	-		30,000	18,300	11,700
	Sub-Total			300,000	-		300,000	-		300,000	183,000	117,000
	Total			1,679,620	1,231,980		447,640	-		447,640	273,060	174,580



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

4.5.1 *Updated D.C. Calculation (2019\$)*

Figure 4-7 provides the calculations to the proposed D.C. to be imposed on anticipated development in the Town for municipal-wide Public Works class of service over the 13-year forecast period to 2031, and Figure 4-8 provides the calculations for municipal-wide services/classes of the 10-year forecast period based on the changes described earlier in this chapter related to Parks and Recreation, Library and Growth Studies.

The calculations provided herein are the same as was provided for in the 2019 D.C. Study. For the residential calculations, the total cost is divided by the “gross” (new resident) population to determine the per capita amount. The eligible D.C. cost calculations set out in Figures 4-7 and 4-8 are based on the net anticipated population increase. The cost per capita is then multiplied by the average occupancy of the new units to calculate the charge. With respect to non-residential development, the total costs allocated to non-residential development (based on need for service) have been divided by the anticipated development over the planning periods to calculate costs per sq.ft. of gross floor area for each service/class of service.



Figure 4-7
Town of Essex
Municipal-wide D.C. Calculations (2019 – 2031)

SERVICE/CLASS OF SERVICE	2019\$ D.C.-Eligible Cost		2019\$ D.C.-Eligible Cost	
	Residential	Non-Residential	S.D.U.	per sq.ft.
	\$	\$	\$	\$
1. <u>Public Works (Facilities, Vehicles & Equipment)</u>				
1.1 Services Related to a Highway	191,142	122,206	298	0.14
1.2 Wastewater Services	27,306	17,458	43	0.02
1.3 Water Services	27,306	17,458	43	0.02
1.4 Stormwater Services	27,306	17,458	43	0.02
	273,060	174,580	427	0.20
TOTAL	\$273,060	\$174,580	\$427	\$0.20
D.C.-Eligible Capital Cost	\$273,060	\$174,580		
13-Year Gross Population/GFA Growth (sq.ft.)	1,976	875,300		
Cost Per Capita/Non-Residential GFA (sq.ft.)	\$138.19	\$0.20		
By Residential Unit Type	P.P.U.			
Single and Semi-Detached Dwelling	3.084	\$427		
Other Multiples	1.868	\$258		
Apartments - 2 Bedrooms +	1.556	\$215		
Apartments - Bachelor and 1 Bedroom	1.297	\$179		
Special Care/Special Dwelling Units	1.100	\$152		



Figure 4-8
Town of Essex
Municipal-wide D.C. Calculations (2019 – 2028)

SERVICE/CLASS OF SERVICE	2019\$ D.C.-Eligible Cost		2019\$ D.C.-Eligible Cost	
	Residential	Non-Residential	S.D.U.	per sq.ft.
	\$	\$	\$	\$
2. <u>Parks and Recreation Services</u>				
2.1 Parkland development, amenities & trails	823,965	43,367	1,513	0.06
2.2 Parks and recreation vehicles and equipment	95,000	5,000	175	0.01
2.3 Recreation facilities	1,770,462	93,182	3,252	0.12
	2,689,427	141,549	4,940	0.19
3. <u>Library Services</u>				
3.1 Library facilities	135,850	7,150	250	0.01
	135,850	7,150	250	0.01
4. <u>Growth Studies</u>				
4.1 Services Related to a Highway	8,835	5,649	16	0.01
4.2 Fire Protection Services	17,634	11,274	32	0.01
4.3 Policing Services	1,170	748	2	-
4.4 Parks & Recreation Services	15,052	9,623	28	0.01
4.5 Library Services	373	238	1	-
4.6 Public Works	1,412	903	3	-
4.7 Stormwater Services	5,751	3,677	11	-
4.8 Water Services	5,751	3,677	11	-
4.9 Wastewater Services	31,072	19,865	57	0.03
	87,049	55,654	160	0.06
TOTAL	\$2,912,327	\$204,353	\$5,349	\$0.27
D.C.-Eligible Capital Cost	\$2,912,327	\$204,353		
10-Year Gross Population/GFA Growth (sq.ft.)	1,679	762,600		
Cost Per Capita/Non-Residential GFA (sq.ft.)	\$1,734.56	\$0.27		
By Residential Unit Type	P.P.U.			
Single and Semi-Detached Dwelling	3.084	\$5,349		
Other Multiples	1.868	\$3,240		
Apartments - 2 Bedrooms +	1.556	\$2,699		
Apartments - Bachelor and 1 Bedroom	1.297	\$2,250		
Special Care/Special Dwelling Units	1.100	\$1,908		

Figures 4-9 and 4-10 compare the amended and existing single detached dwelling unit and non-residential per square foot D.C.s (2019 \$ values).



Figure 4-9
Town of Essex
Comparison of Existing and Amending Development Charges
Residential Single Detached Unit
Development Charge (2019\$)

Service/Class of Service	As per 2019 By-law	D.C Update (2019 \$)
Municipal Wide Services:		
Services Related to a Highway	1,125	1,125
Public Works*	427	427
Fire Protection Services	979	979
Policing Services	427	427
Parks and Recreation Services**	4,721	4,940
Library Services	225	250
Growth Studies***	191	160
Total Municipal Wide Services	8,095	8,307
Area Specific Services - Wastewater:		
Ward 1 - Essex Service Area	3,351	3,351
Ward 2 - Colchester North Service Area	872	872
Ward 3 - Colchester South Service Area	2,067	2,067
Ward 4 - Harrow Service Area	2,484	2,484

* Previously included in the charge for Services Related to a Highway.

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

*** Previously presented as two separate charges for Administration-Essential Services & Administration-Community Based Services, some studies have been removed as they no longer are eligible due to the changes in the legislation



Figure 4-10
Town of Essex
Comparison of Existing and Amending Development Charges
Non-Residential Development Charges per Square Foot
(2019\$)

Service	As per 2019 By-law	D.C Update (2019 \$)
Municipal Wide Services:		
Services Related to a Highway	0.53	0.53
Public Works*	0.20	0.14
Fire Protection Services	0.46	0.46
Policing Services	0.19	0.19
Parks and Recreation Services**	0.17	0.19
Library Services	0.01	0.01
Growth Studies***	0.09	0.06
Total Municipal Wide Services	1.65	1.58
Area Specific Services - Wastewater:		
Ward 1 - Essex Service Area	2.03	2.03
Ward 2 - Colchester North Service Area	-	-
Ward 3 - Colchester South Service Area	1.18	1.18
Ward 4 - Harrow Service Area	1.43	1.43

* Previously included in the charge for Services Related to a Highway.

** Previously presented as two separate charges for Indoor and Outdoor Recreation

*** Previously presented as two separate charges for Administration-Essential Services & Administration-Community Based Services, some studies have been removed as they no longer are eligible due to the changes in the legislation



4.5.2 Revised D.C. Rates (2019\$ and 2021\$)

Based on the calculations above, the Municipal-wide D.C. (in 2019\$) is calculated to increase from \$8,095 to \$8,307 per single detached unit and decrease from \$1.65 to \$1.64 per square foot for non-residential development.

Figure 4-11 provides for the updated Municipal-wide D.C.s in 2019 values, as the study was originally completed in 2019. This figure would be included as the amending schedule to the D.C. by-law. Figure 4-12 provides for the indexed 2021 values as the Town's current D.C.s have been indexed by 5.67% on January 1, 2021 as per the by-law.



Figure 4-11
Town of Essex
Updated Development Charge Schedule (2019\$)

Service/Class of Service	RESIDENTIAL					NON-RESIDENTIAL	Wind Turbines and Telecommunication Towers	Solar Farms (per sq.ft)
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)		
Municipal Wide Services:								
Services Related to a Highway	1,125	568	473	682	401	0.53	1,125	0.53
Public Works*	427	215	180	259	152	0.20	427	0.20
Fire Protection Services	979	494	412	593	349	0.46	979	0.46
Policing Services	427	215	180	259	152	0.19	427	0.19
Parks and Recreation Services**	4,940	2,492	2,077	2,992	1,762	0.19	-	-
Library Services	250	126	105	151	89	0.01	-	-
Growth Studies***	160	81	67	97	57	0.06	160	0.06
Total Municipal Wide Services/Classes	8,307	4,191	3,494	5,033	2,962	1.64	3,118	1.44
Area Specific Charges - Wastewater								
Ward 1 - Essex Service Area	3,351	1,690	1,409	2,029	1,195	2.03	-	-
Ward 2 - Colchester North Service Area	872	440	367	528	311	0.00	-	-
Ward 3 - Colchester South Service Area	2,067	1,043	869	1,252	737	1.18	-	-
Ward 4 - Harrow Service Area	2,484	1,253	1,045	1,505	886	1.43	-	-

* Previously included in the charge for Services Related to a Highway.

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

*** Previously presented as two separate charges for Administration-Essential Services & Administration-Community Based Services, some studies have been removed as they no longer are eligible due to the changes in the legislation



Figure 4-12
Town of Essex
Updated Development Charge Schedule (2021\$)

Service/Class of Service	RESIDENTIAL					NON-RESIDENTIAL	Wind Turbines and Telecommunication Towers	Solar Farms (per sq.ft)
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)		
Municipal Wide Services:								
Services Related to a Highway	1,189	721	600	500	424	0.56	1,189	0.56
Public Works*	451	273	227	189	161	0.21	451	0.21
Fire Protection Services	1,035	627	522	435	369	0.49	1,035	0.49
Policing Services	451	274	227	190	161	0.20	451	0.20
Parks and Recreation Services**	4,989	3,021	2,517	2,098	1,778	0.18	-	-
Library Services	238	144	120	100	85	0.01	-	-
Growth Studies***	202	123	101	86	72	0.10	95	0.04
Total Municipal Wide Services/Classes	8,554	5,181	4,316	3,598	3,049	1.74	3,221	1.50
Area Specific Charges - Wastewater								
Ward 1 - Essex Service Area	3,541	2,144	1,786	1,489	1,263	2.15	-	-
Ward 2 - Colchester North Service Area	921	558	465	388	329	-	-	-
Ward 3 - Colchester South Service Area	2,184	1,323	1,102	918	779	1.25	-	-
Ward 4 - Harrow Service Area	2,625	1,590	1,324	1,104	936	1.51	-	-

* Previously included in the charge for Services Related to a Highway.

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

*** Previously presented as two separate charges for Administration-Essential Services & Administration-Community Based Services, some studies have been removed as they no longer are eligible due to the changes in the legislation



Chapter 5

Updates to the D.C. By-law



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

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

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

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

Instalment payments and payments determined at the time of site plan or zoning by-law amendment application are subject to annual interest charges. The interest rate, at the Bank of Canada Prime rate with semi-annual increments, has been adopted by Town Council and is based on the Town’s D.C. **Interest Policy xx**. This policy may be amended from time to time.

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

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

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

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



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

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

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

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

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

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

No development charge shall be payable where the development:

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



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

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

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

Other new definitions have been included in the draft by-law to incorporate language being used in the amended legislation, they include definitions such as Accessory Dwelling; Ancillary Residential Building, Hospice, Rental Housing; etc.



Chapter 6

Recommendations



6. Recommendations

It is recommended that Council:

“Approve the Development Charges Update Study dated April 6, 2021, as amended (if applicable)”; and

“Approve the updated capital projects set out in Chapter 4 of the Development Charges Update Study dated April 6, 2021”; and

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

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



Appendix A

Existing Policies under By-law 1850



A-1: Existing Policies under By-law 1850

The following subsections set out the rules governing the calculation, payment and collection of D.C.s as provided in By-law 1850, in accordance with the D.C.A.

Approval for Development

The Development of land is subject to Development Charge where the Development requires the following:

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

Determination of the Amount of the Charge

The calculation for residential development is generated on a per capita basis and is based upon different forms of housing types (single and semi-detached, apartments with two or more bedrooms, one-bedroom apartments and bachelors, other multiples, and residential facilities/lodging houses). The total cost is divided by the “gross” (new resident) population to determine the per capita amount. The eligible D.C. cost calculations are based on the net anticipated population increase (the forecast new unit population less the anticipated decline in existing units). This approach acknowledges that service capacity will be “freed up” by the population decline in existing units. The cost per capita is then multiplied by the average occupancy of the new units to calculate the charges by type of residential dwelling unit.



The non-residential D.C. has been calculated based on a per square foot of gross floor area basis.

Rules with Respect to 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 48 months prior to the date of payment of development charges in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one particular use to another principal use on the same land, in order to facilitate the redevelopment, the development charges otherwise payable 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 under subsection 3.11 by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and
- b) in the case of a non-residential building or structure, or in the case of a mixed-use building or structure, the non-residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charges under subsection 3.12, by the gross floor area that has been or will be demolished or converted to another principal use;

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

Exemptions (full or partial)

The following are exempted from D.C.s:

- Statutory exemptions
 - a) Industrial building additions of up to and including 50% of the existing gross floor area (defined in O. Reg. 82/98, s. 1) of the building; for industrial building additions which exceed 50% of the existing gross floor area, only the portion of the addition in excess of 50% is subject to D.C.s (s. 4 (3)) of the D.C.A;



- b) buildings or structures owned by and used for the purposes of any municipality, local board or Board of Education (s. 3); and
 - c) residential development that results only in the enlargement of an existing dwelling unit, or that results only in the creation of up to two additional dwelling units (based on prescribed limits set out in s.2 of O. Reg. 82/98).
- Non-statutory exemptions
 - Lands, buildings, or structures used for a place of worship or for the purposes of a cemetery or burial ground;
 - Hospital;
 - Non-residential farm buildings for bona fide farm use;
 - Affordable Housing;
 - Apartment rental housing; and
 - Non-residential industrial, commercial, and institutional development.

Indexing

The D.C.s imposed shall be adjusted annually in accordance with the Statistics Canada Non-Residential Building Construction Price Index, by type of building (non-residential building) for the Town of Toronto, for the most recent year over year period, every January 1st, without amendment to the by-law.

By-law Duration

The by-law will expire on August 28, 2024, unless it is repealed by Council at an earlier date.

Timing of D.C. Payments

D.C.s imposed under the by-law are calculated, payable and collected upon issuance of building permit for the development.

Despite the above, Council from time to time, and at any time, may enter into Agreements providing for all or any part of the D.C. to be paid before or after it would otherwise be payable, in accordance with section 27 of the D.C.A.



Appendix B

Service Standards



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

SUMMARY OF SERVICE STANDARDS AS PER DEVELOPMENT CHARGES ACT, 1997, AS AMENDED									
Service Category	Sub-Component	10 Year Average Service Standard					Maximum Ceiling LOS	Utilized	Remaining
		Cost (per capita)	Quantity (per capita)		Quality (per capita)				
Public Works	Public Works - Facilities	\$99.22	1.1319	ft² of building area	88	per sq.ft.	142,778	447,640	42,512
	Public Works - Vehicles & Equipment	\$241.40	0.0040	No. of vehicles and equipment	60,350	per vehicle	347,375		
Parks and Recreation Services	Outdoor Recreation and Park Development	\$317.31	0.0051	Acres of land	62,218	per acre	404,570	867,332	709,626
	Outdoor Recreation and Park Amenities	\$869.70	0.0111	No. of amenities	78,351	per amenity	1,108,868		
	Park Amenities - Trails	\$49.82	0.1661	Linear Metres of Paths and Trails	300	per lin m.	63,521		
	Parks and Recreation Vehicles and Equipment	\$82.06	0.0030	No. of vehicles and equipment	27,353	per vehicle	104,627		
	Indoor Recreation Facilities	\$1,944.03	9.5140	ft² of building area	204	per sq.ft.	2,478,638		
Library Services	Library Facilities	\$118.80	0.6456	ft² of building area	184	per sq.ft.	151,470	143,000	8,470



Town of Essex

Service Standard Calculation Sheet

Service: Outdoor Recreation and Park Development

Unit Measure: Acres of land

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2019 Value (\$/Acre)
Community Parks:											
Essex Outdoor Recreation Complex	17.0	17.0	17.0	17.0	17.0	17.0	17.0	17.0	17.0	17.0	\$60,800
Harrow Community Park	16.1	16.1	16.1	16.1	16.1	16.1	16.1	16.1	16.1	16.1	\$60,800
Pollard Park	14.0	14.0	14.0	14.0	14.0	14.0	14.0	14.0	14.0	14.0	\$60,800
CoAn Park	19.6	19.6	19.6	19.6	19.6	19.6	19.6	19.6	19.6	19.6	\$60,800
Colchester Park	2.1	2.1	2.1	2.1	2.1	2.1	2.1	2.1	2.1	2.1	\$60,800
Former Holy Name	5.4	5.4	5.4	5.4	5.4	5.4	5.4	5.4	5.4	5.4	\$60,800
Harrow Parkette	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	\$60,800
Harrow Soccer Park	17.0	17.0	17.0	17.0	17.0	17.0	17.0	17.0	17.0	17.0	\$60,800
Heritage Park Open Space	1.0	1.0	1.0	1.0	-	-	-	-	-	-	\$5,000
Heritage Park	-	-	-	-	3.0	3.0	3.0	3.0	3.0	3.0	\$17,000
Neighbourhood Parks:											
Lions Optimist Park	2.7	2.7	2.7	2.7	2.7	2.7	2.7	2.7	2.7	2.7	\$90,600
Tot Park	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	\$90,600
Optimist Bridelwood Park	2.5	2.5	2.5	2.5	2.5	2.5	2.5	2.5	2.5	2.5	\$90,600
Hunter Park	2.2	2.2	2.2	2.2	2.2	2.2	2.2	2.2	2.2	2.2	\$90,600
Liberato Park	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	\$90,600
Bramblewood Park	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	\$90,600
Tulley's Meadow Park	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	\$90,600
McGregor Parkette	-	-	-	-	-	0.1	0.1	0.1	0.1	0.1	\$70,000
Townsvie Park	-	-	-	-	-	-	-	-	0.8	0.8	\$90,600
Essex B.I.A. Parkette	-	-	-	-	-	-	0.1	0.1	0.1	0.1	\$5,000
Total	101.5	101.5	101.5	101.5	103.5	103.6	103.7	103.7	104.5	104.5	

Population	19,600	19,726	19,868	20,062	20,267	20,426	20,462	20,555	20,712	20,965
Per Capita Standard	0.0052	0.0051	0.0051	0.0051	0.0051	0.0051	0.0051	0.0050	0.0050	0.0050

10 Year Average	2011-2020
Quantity Standard	0.0051
Quality Standard	\$62,218
Service Standard	\$317

D.C. Amount (before deductions)	10 Year
Forecast Population	1,275
\$ per Capita	\$317
Eligible Amount	\$404,570



Town of Essex

Service Standard Calculation Sheet

Service: Outdoor Recreation and Park Amenities

Unit Measure: No. of amenities

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2019 Value (\$/item)
Concession Building	1	1	1	1	1	1	1	1	1	1	\$118,100
Maintenance Building	1	1	1	1	1	1	1	1	1	1	\$100,900
Picnic Shelter/Maintenance Bldg	1	1	1	1	1	1	1	1	1	1	\$135,300
Picnic Shelter/Maintenance Bldg	1	1	1	1	1	1	1	1	1	1	\$28,700
Washrooms/Storage	1	1	1	1	1	1	1	1	1	1	\$81,400
Locker Building Co-An Park	1	1	1	1	1	1	1	1	1	1	\$10,000
Barbeque Pit & Shelter	1	1	1	1	1	1	1	1	1	1	\$5,800
Washrooms/Changehouse - Colchester Park	1	1	1	1	1	1	1	1	1	1	\$60,800
Storage Shed (Essex)	1	1	1	1	1	1	1	1	1	1	\$7,300
Fieldhouse - Memorial Park	1	1	1	1	1	1	1	1	1	1	\$357,800
Storage Building - Memorial Park	1	1	1	1	1	1	1	1	1	1	\$131,900
Picnic Shelter (142 Keown St.)	1	1	1	1	1	1	1	1	1	1	\$27,500
Picnic Shelter (39 Milne St.)	1	1	1	1	1	1	1	1	1	1	\$21,800
Youth Centre/Washrooms (McAfee St)	1	1	-	-	-	-	-	-	-	-	\$301,600
Concession Booth (McAfee St.)	1	1	1	1	1	1	1	1	1	1	\$35,500
Picnic Shelter (E/S McAfee St.)	1	1	1	1	1	1	1	1	1	1	\$37,800
Picnic Shelter (W/S McAfee St.)	1	1	1	1	1	1	1	1	1	1	\$22,900
Grandstand/Storage (McAfee St.)	1	1	1	1	1	1	1	1	1	1	\$80,300
Floodlighting (various locations)	1	1	1	1	1	1	1	1	1	1	\$381,800
Playground Structures (junior)	4	4	4	4	4	6	5	5	5	5	\$103,200
Playground Structures (senior)	5	5	5	5	6	6	7	7	7	7	\$200,000
Players Benches Soccer Fields	14	14	18	18	18	18	18	18	18	18	\$15,400
Swing Sets	6	6	6	6	6	6	6	6	6	6	\$1,800
Bleachers	21	21	21	21	21	21	21	21	21	21	\$90,600
Picnic Tables	37	37	37	37	37	37	37	37	37	37	\$700
Lounge/Washrooms/showers - Marina	1	1	1	1	1	1	1	1	1	1	\$655,900



Town of Essex

Service Standard Calculation Sheet

Service: Outdoor Recreation and Park Amenities

Unit Measure: No. of amenities

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2019 Value (\$/item)
Park benches	73	73	73	73	73	73	73	73	73	73	\$900
Floating Wooden Docks	1	1	4	4	4	4	4	4	4	4	\$1,374,900
Baseball Diamonds (unlit)	1	1	1	1	1	1	1	1	1	1	\$144,500
Softball Diamonds (unlit)	10	10	5	5	5	5	5	5	5	5	\$59,600
Baseball Diamonds (lit)	1	1	1	1	1	1	1	1	1	1	\$204,100
Softball Diamonds (lit)	1	1	1	1	1	1	1	1	1	1	\$152,500
Soccer Fields	11	11	11	11	11	11	11	11	11	11	\$67,700
Tennis Courts	3	3	3	3	3	3	3	3	3	3	\$114,700
Basketball Courts	2	2	2	2	2	2	2	2	2	2	\$102,100
Basketball Courts (1/2 Court)	1	1	1	1	1	1	1	1	1	1	\$50,500
Skate Park	2	2	2	2	2	2	2	2	2	2	\$102,100
Maintenance Building (McAfee St)	-	-	1	1	1	1	1	1	1	1	\$172,000
Colchester Splash Pad	1	1	1	1	1	1	1	1	1	1	\$590,500
Harrow Splash Pad	1	1	1	1	1	1	1	1	1	1	\$299,300
Colchester Pirate Ship Park	1	1	1	1	1	1	1	1	1	1	\$310,800
Essex Tot Park	-	1	1	1	1	1	1	1	1	1	\$120,400
Downtown Beautification	-	-	1	1	1	1	1	1	1	1	\$31,000
Harrow Soccer Park	1	1	1	1	1	1	1	1	1	1	\$2,456,200
McGregor Parkette Gazebo	-	-	-	-	1	1	1	1	1	1	\$16,900
Essex B.I.A. Parkette Shade Sails	-	-	-	-	-	-	1	1	1	1	\$12,700
Essex Centre Splash Pad	-	-	-	-	-	-	-	1	1	1	\$306,000
Colchester Park Peace Garden	-	-	-	-	-	-	1	1	1	1	\$53,000
Colchester Park Baseketball Court	-	-	-	-	-	-	-	1	1	1	\$25,500
Essex Dog Park	-	-	-	-	-	-	1	1	1	1	\$44,500
Heritage Park Spitfire	-	-	-	-	-	-	1	1	1	1	\$116,600



Town of Essex

Service Standard Calculation Sheet

Service: Outdoor Recreation and Park Amenities

Unit Measure: No. of amenities

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2019 Value (\$/item)
Heritage Park Monument	-	-	-	-	-	-	1	1	1	1	\$53,000
Heritage Pavillion	-	-	-	-	-	-	-	1	1	1	\$382,500
Total	217	218	221	221	223	225	230	233	233	233	

Population	19,600	19,726	19,868	20,062	20,267	20,426	20,462	20,555	20,712	20,965
Per Capita Standard	0.0111	0.0111	0.0111	0.0110	0.0110	0.0110	0.0112	0.0113	0.0112	0.0111

10 Year Average	2011-2020
Quantity Standard	0.0111
Quality Standard	\$78,351
Service Standard	\$870

D.C. Amount (before deductions)	10 Year
Forecast Population	1,275
\$ per Capita	\$870
Eligible Amount	\$1,108,868



Town of Essex

Service Standard Calculation Sheet

Service: Park Amenities - Trails

Unit Measure: Linear Metres of Paths and Trails

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2019 Value (\$/ Linear Metre)
Bush Trails (mulch)	3,050	3,400	3,400	3,400	3,400	3,400	3,400	3,400	3,400	3,400	\$300
Total	3,050	3,400	3,400	3,400	3,400	3,400	3,400	3,400	3,400	3,400	

Population	19,600	19,726	19,868	20,062	20,267	20,426	20,462	20,555	20,712	20,965
Per Capita Standard	0.1556	0.1724	0.1711	0.1695	0.1678	0.1665	0.1662	0.1654	0.1642	0.1622

10 Year Average	2011-2020
Quantity Standard	0.1661
Quality Standard	\$300
Service Standard	\$50

D.C. Amount (before deductions)	10 Year
Forecast Population	1,275
\$ per Capita	\$50
Eligible Amount	\$63,521



Town of Essex

Service Standard Calculation Sheet

Service: Parks and Recreation Vehicles and Equipment

Unit Measure: No. of vehicles and equipment

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2019 Value (\$/Vehicle)
Indoor Recreation Vehicles & Equipment:											
Olympia Ice Resurfacer Essex 1	1	1	1	1	1	1	1	1	1	1	\$90,200
Olympia Ice Resurfacer Essex 2	1	1	1	1	1	1	1	1	1	1	\$115,800
Lawn Tractor / Trailer	1	1	1	1	1	1	1	1	1	1	\$4,200
John Deere Gator/Kubota ATV	2	2	2	2	2	2	2	2	2	2	\$16,600
Ice Edger - Battery Essex	1	1	1	1	1	1	1	1	1	1	\$6,300
Ice Edger - Battery Mem Arena	1	-	-	-	-	-	-	-	-	-	\$6,300
Ice Edger - Battery Harrow	-	1	1	1	1	1	1	1	1	1	\$6,300
Sporttimer Essex Arena	2	2	2	2	2	2	2	2	2	2	\$17,800
Sporttimer Harrow	1	1	1	1	1	1	1	1	1	1	\$17,800
Skate Sharpener	2	2	2	2	2	2	2	2	2	2	\$14,300
Auto Floor Scrubber	2	2	2	2	2	2	2	2	2	2	\$6,900
Ice Resurfacer - Harrow	1	1	1	1	1	1	1	1	1	1	\$89,100
Vehicles:											
Pickup Truck [Asset ID 1666]	1	1	1	1	1	1	1	1	1	1	\$74,500
Pickup Truck [Asset ID 1673]	1	1	1	-	-	-	-	-	-	-	\$50,500
Pickup Truck [Asset ID 1675]	1	1	1	1	1	1	-	-	-	-	\$50,500
Pickup Truck [Asset ID 1676]	1	1	1	1	1	-	-	-	-	-	\$44,700
2-Ton Dump [Asset ID 23437]	1	1	1	1	1	1	-	-	-	-	\$118,100
Pickup Truck [Asset ID 23438]	1	1	1	1	1	1	-	-	-	-	\$31,000
Pickup Truck [Asset ID 23485]	1	1	1	1	1	1	-	-	-	-	\$31,000
Pickup Truck [Asset ID 24070]	1	1	1	1	1	1	1	1	1	1	\$31,000
Pickup Truck [Asset ID 24094]	1	1	1	1	1	1	1	1	1	1	\$31,000
Pickup Truck [Asset ID 24283]	1	1	1	1	1	1	1	1	1	1	\$31,000
Pickup Truck [Asset ID 24285]	1	1	1	1	1	1	1	1	1	1	\$31,000
1/2 Ton Pickup [Asset ID 24548]	-	-	1	1	1	1	1	1	1	1	\$31,000
3/4 Ton Pickup (Asset ID 24968)	-	-	-	-	1	1	1	1	1	1	\$36,000
Pickup (Asset ID 25184)	-	-	-	-	-	1	1	1	1	1	\$34,000
Water Truck (Asset ID 25769)	-	-	-	-	-	-	-	1	1	1	\$42,000
Panel Van (Asset ID 25772)	-	-	-	-	-	-	-	1	1	1	\$44,000
Pickup Truck (Asset ID 25773)	-	-	-	-	-	-	-	1	1	1	\$36,000



Town of Essex

Service Standard Calculation Sheet

Service: Parks and Recreation Vehicles and Equipment

Unit Measure: No. of vehicles and equipment

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2019 Value (\$/Vehicle)
Dump Truck (Asset ID 25774)	-	-	-	-	-	-	-	1	1	1	\$56,000
1/2 Ton Ford 150	1	1	1	1	1	1	1	1	1	1	\$23,000
Machinery:											
Tractor [Asset ID 7186]	1	1	1	1	1	-	-	-	-	-	\$26,400
Tractor [Asset ID 7188]	1	1	1	1	1	-	-	-	-	-	\$26,400
4WD Tractor [Asset ID 24278]	1	1	1	1	1	1	1	1	1	1	\$26,400
2009 Kioti [Asset ID 23191]	1	1	1	1	1	1	1	1	1	1	\$59,600
Toro Moower [Asset ID 23192]	1	1	1	1	1	1	1	1	1	1	\$56,000
4WD Kioti Tractor [Asset ID 24068]	1	1	1	1	1	1	1	1	1	1	\$37,800
Kubota Zero Turn Lawn Tractor	-	-	1	1	1	1	3	3	3	3	\$35,600
Toro Wide Wing Mower [Asset ID	-	-	-	-	-	-	-	1	1	1	\$57,000
Toro Rotary Mower [Asset ID 24279]	-	1	1	1	1	1	1	1	1	1	\$43,300
Toro Ground Master [Asset ID 7189]	1	1	1	1	1	-	-	-	-	-	\$52,700
Bobcat with Attachments [Asset ID	-	-	-	-	1	1	1	1	1	1	\$70,000
Snow Blower and Salter	-	-	-	-	-	1	1	1	1	1	\$14,000
Toro Snow Blower	-	-	-	-	-	1	1	2	2	2	\$3,800
Equipment:											
Beach Groomer [Asset ID 23193]	1	1	1	1	1	1	1	1	1	1	\$40,100
Power Washer	2	2	2	2	2	2	2	3	3	3	\$5,700
Tractor Attachment - Overseeder	1	1	1	1	1	1	1	1	1	1	\$13,800
Tractor Attachment - Spreader	1	1	1	1	1	1	1	1	1	1	\$13,800
Tractor Attachment - Top Dresser	1	1	1	1	1	1	1	1	1	1	\$13,800
Trailer - Low Boy Dump Trailer	-	-	-	1	1	1	1	1	1	1	\$9,000
Trailer - 6x10 Steel Side [Asset ID25190]	-	-	-	-	-	1	1	1	1	1	\$2,200
Power Dock Scrubber [Asset ID 24275]	-	1	1	1	1	1	1	1	1	1	\$2,900
Diamond Groomers [Asset ID 24282]	-	2	2	2	2	2	2	2	2	2	\$9,200
Natural Gas Compressor	3	3	3	3	3	3	3	3	3	3	\$27,500
GPS Units	4	4	4	4	4	4	4	6	6	6	\$7,600



Town of Essex

Service Standard Calculation Sheet

Service: Parks and Recreation Vehicles and Equipment

Unit Measure: No. of vehicles and equipment

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2019 Value (\$/Vehicle)
Kifco Water Reels	2	2	2	2	2	2	2	2	2	2	\$22,000
Field Lazer Paint Sprayer	1	1	1	1	1	1	2	2	2	2	\$5,700
Kubota Pump Engine	1	1	1	1	1	1	1	1	1	1	\$13,800
Aerator	1	1	1	1	1	1	1	1	1	1	\$4,000
Easy Go Electric and Gas Golf Cart [Asset ID 25569]	-	-	-	-	-	-	1	1	1	1	\$5,000
Total	52	56	58	58	60	60	60	69	69	69	

Population	19,600	19,726	19,868	20,062	20,267	20,426	20,462	20,555	20,712	20,965
Per Capita Standard	0.0027	0.0028	0.0029	0.0029	0.0030	0.0029	0.0029	0.0034	0.0033	0.0033

10 Year Average	2011-2020
Quantity Standard	0.0030
Quality Standard	\$27,353
Service Standard	\$82

D.C. Amount (before deductions)	10 Year
Forecast Population	1,275
\$ per Capita	\$82
Eligible Amount	\$104,627



Town of Essex

Service Standard Calculation Sheet

Service:

Indoor Recreation Facilities

Unit Measure:

ft² of building area

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2019 Bld'g Value (\$/sq.ft.)	Value/sq.ft. with land, site works, etc.
Essex Recreation Complex	19,296	19,296	19,296	19,296	19,296	19,296	19,296	19,296	19,296	19,296	\$354	\$394
Essex Memorial Arena	22,705	22,705	22,705	22,705	-	-	-	-	-	-	\$136	\$154
Harrow/Colchester South Community Centre	46,500	46,500	46,500	46,500	46,500	46,500	46,500	46,500	46,500	46,500	\$183	\$206
Colchester Community Centre (2nd Floor)	-	-	-	-	-	-	-	1,160	1,160	1,160	\$136	\$154
Colchester Community Centre (1st Floor)	-	-	-	-	-	-	-	1,646	1,646	1,646	\$136	\$154
Colchester Old School House	3,979	3,979	3,979	3,979	3,979	3,979	3,979	3,979	3,979	3,979	\$22	\$49
Essex Community Centre	8,571	8,571	8,571	8,571	8,571	8,571	8,571	8,571	8,571	8,571	\$164	\$185
McGregor Community Centre	5,060	5,060	5,060	5,060	5,060	5,060	5,060	5,060	5,060	5,060	\$165	\$186
Essex Centre Sports Complex	97,000	97,000	97,000	97,000	97,000	97,000	97,000	97,000	97,000	97,000	\$158	\$178
Parks & Recreation Facility Office Space	360	360	360	360	360	360	360	360	360	360	\$510	\$566
Lions Hall	-	-	-	-	-	-	-	1,050	1,050	1,050	\$257	\$287
Kinsmen Field House	1,530	1,530	1,530	1,530	1,530	1,530	1,530	1,530	1,530	1,530	\$210	\$235
Total	205,001	205,001	205,001	205,001	182,296	182,296	182,296	186,152	186,152	186,152		

Population	19,600	19,726	19,868	20,062	20,267	20,426	20,462	20,555	20,712	20,965
Per Capita Standard	10.4592	10.3924	10.3181	10.2184	8.9947	8.9247	8.9090	9.0563	8.9876	8.8792

10 Year Average	2011-2020
Quantity Standard	9.5140
Quality Standard	\$204
Service Standard	\$1,944



Town of Essex
Service Standard Calculation Sheet

Service: Library Facilities
 Unit Measure: ft² of building area

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2019 Bld'g Value (\$/sq.ft.)	Value/sq.ft. with land, site works, etc.
Harrow Library (140 King St.)	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	\$165	\$203
McGregor Library (New)	2,541	2,541	2,541	2,541	2,541	2,541	2,541	2,541	2,541	2,541	\$165	\$203
Essex Library New (Gosfield Townline)	6,536	6,536	6,536	6,536	6,536	6,536	6,536	6,536	6,536	6,536	\$133	\$165
Total	13,077	13,077	13,077	13,077	13,077	13,077	13,077	13,077	13,077	13,077		

Population	19,600	19,726	19,868	20,062	20,267	20,426	20,462	20,555	20,712	20,965
Per Capita Standard	0.6672	0.6629	0.6582	0.6518	0.6452	0.6402	0.6391	0.6362	0.6314	0.6238

10 Year Average	2011-2020
Quantity Standard	0.6456
Quality Standard	\$184
Service Standard	\$119

D.C. Amount (before deductions)	10 Year
Forecast Population	1,275
\$ per Capita	\$119
Eligible Amount	\$151,470



Appendix C

Draft Amending Development Charge By-law



Town of Essex

By-law Number _____

**Being a By-Law of the Town of Essex To Amend By-Law 1850, Respecting
Development Charges**

Whereas the Town of Essex (the “Town”) enacted By-law 1850 pursuant to the *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended (the “Act”), which Act authorizes Council to pass By-laws for the imposition of development charges against land;

And Whereas the Town has undertaken a study pursuant to the Act which has provided updated Schedule A (Table A2) to By-law 1850;

And Whereas the Council of the Town of Essex (“Council”) has before it a report entitled “Town of Essex 2021 Development Charge Update Study” prepared by Watson & Associates Economists Ltd., dated April 6, 2021 (the “update study”);

And Whereas the update study and proposed amending By-law were made available to the public on April 6, 2021 and Council gave notice to the public pursuant to Section 12 of the Act.

And Whereas Council, on May 3, 2021 held a meeting open to the public, pursuant to Section 12 of the Act, at which Council considered the study, and written and oral submissions from the public;

NOW THEREFORE Council hereby enacts as follows:

1. By-law 1850 is hereby amended as follows:

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

“Accessory Dwelling” means a self-contained residential unit that is subordinate in purpose to another residential dwelling unit upon the same lot and includes a garden suite and a mobile home.

B. Addition of Ancillary Residential Building to the definitions in Section 1 as follows:



“Ancillary Residential Building” means a residential building that would be ancillary to a detached dwelling, semi-detached dwelling, or row dwelling and includes an accessory dwelling.

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

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

D. Addition of Detached Dwelling Unit to the definitions in Section 1 as follows:

“Detached dwelling unit” has the same meaning as a “single detached dwelling unit” for the purposes of this by-law.

E. Addition of Garden Suite to the definitions in Section 1 as follows:

“Garden suite” means a building containing one (1) dwelling unit where the garden suite is detached from and ancillary to an existing single detached dwelling or semi-detached dwelling on the lands and such building is designed to be portable.

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

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

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



3. an Indigenous Institute prescribed for the purposes of Section 6 of the *Indigenous Institutes Act, 2017*;

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

“Interest Rate” means the annual rate of interest calculated as per the Town’s **D.C. Interest Policy xx** as may be revised from time to time.

H. Addition of Mobile Home to the definitions in Section 1 as follows:

“Mobile home” means any dwelling that is designed to be made mobile and constructed or manufactured to provide a permanent residence for one or more persons but does not include a travel trailer or tent trailer.

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

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

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

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

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

K. Addition of Site to the definitions in Section 1 as follows:



“Site” means a parcel of land which can be legally conveyed pursuant to Section 50 of the Planning Act and includes a development having two or more lots consolidated under on identical ownership.

- L. Replace Section titled “Designation of Services,” with the following:

Designation of Services/Class of Services

- M. Addition of Class of Services to section 2.1 after the word “services” so that the new description is “...services/class of services for which...”
- N. Replace section 2.1 (h) Administration – Essential Services Studies and (i) Administration – Community Based Services Studies with:

(g) Growth Studies.

- O. Addition of Class of Services to section 2.2 after the word “services” so that the new description is “...services/class of services designated...”
- P. Addition of Class of Services to section 3.4 (b) after the word “services” so that the new description is “...services/class of services designated...”
- Q. Replace Section 3.5 for “Exemptions” with the following:

3.5 Notwithstanding the provisions of this By-law, development charges shall not be imposed with respect to developments or portions of developments as follows:

- (a) the enlargement to an existing residential dwelling unit;
- (b) one or two additional dwelling units in an existing single detached dwelling or prescribed ancillary structure to the existing residential building;
- (c) the creation of additional dwelling units equal to the greater of one or 1% of the existing dwelling units in an existing residential rental building containing four or more dwelling units or prescribed ancillary structure to the existing residential building;
- (d) the creation of one additional dwelling unit in any other existing residential building already containing at least one dwelling unit or prescribed ancillary structure to the existing residential building; or



- (e) the creation of a second dwelling unit in prescribed classes of proposed new residential buildings, including structures ancillary to dwellings, subject to the following restrictions:

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

- (f) Notwithstanding (a) above, Development Charges shall be imposed if the total Gross Floor Area of the additional one or two units exceeds the Gross Floor Area of the existing Dwelling Unit.
- (g) Notwithstanding (a) above, Development Charges shall be imposed if the additional Dwelling Unit(s) has a Gross Floor Area greater than:
- (i) in the case of a Semi-detached Dwelling Unit or Townhouse Dwelling Unit, the Gross Floor Area of the existing Dwelling Unit; and
 - (ii) in the case of any other Residential Building, the Gross Floor Area of the smallest Dwelling Unit contained in the said residential Building.
- (h) The exemption to Development Charges in (a) above shall only apply to the first instance of intensification in an existing or new dwelling.
- (i) Subject to (b), (c) and (d) above, any exemption under (a) above shall apply to the smallest Dwelling Unit, as determined by applicable rates under this By-law.

R. Replace Section 3.6 with the following:



Notwithstanding subsection 3.5 (b), development charges shall be imposed if the total gross floor area of the additional one or two units exceeds the gross floor area of the existing dwelling unit.

S. Replace Section 3.7 with the following:

Notwithstanding subsection 3.5 (d), development charges shall be imposed if the additional unit has a gross floor area greater than:

- a) in the case of a semi-detached or row dwelling, the gross floor area of the existing smallest dwelling unit; and
- b) in the case of any other residential building, the gross floor area of the smallest dwelling unit already contained in the residential building.

T. Replace “Schedules B-1 and B-2” in Section 3.11.1 with:

Schedule B.

U. Replace “Schedules B-1 and B-2” in Section 3.11.2 with:

Schedule B.

V. Replace “Schedules B-1 and B-2” in Section 3.11.3 with:

Schedule B.

W. Replace “Schedules B-1 and B-2” in Section 3.12.1 with:

Schedule B.

X. Replace “Schedules B-1 and B-2” in Section 3.13 with:

Schedule B.

Y. Replace “Schedules B-1 and B-2” in Section 3.14 with:

Schedule B.

Z. Addition of policies related to the timing of development charges payments.
These will be included after Section 3.17 of the development charges by-law:



New Sections:

- 3.18 Notwithstanding Section 3.16, Development Charges for Rental Housing and Institutional Developments are due and payable in six equal annual instalment payments commencing with the first instalment payable on the date of occupancy, and each subsequent instalment, including interest as per the Town's **D.C. Interest Policy xx** as may be revised from time to time.
- 3.19 Notwithstanding Section 3.16, Development Charges for Non-profit Housing Developments are due and payable in 21 equal annual instalment payments commencing with the first instalment payable on the date of occupancy, and each subsequent instalment, including interest as per the Town's **Interest policy xx**, as may be revised from time to time.
- 3.20 Where the development of land results from the approval of a site plan or zoning by-law amendment application received on or after January 1, 2020, and the approval of the application occurred within two years of building permit issuance, the development charges under subsections 3.11.1, 3.11.2, 3.11.3, 3.12.1, 3.13, and 3.14 shall be calculated on the rates set out in Schedule "B" on the date of the planning application, including interest. Where both planning applications apply development charges under subsections 3.11.1, 3.11.2, 3.11.3, 3.12.1, 3.13, and 3.14 shall be calculated on the rates, including interest as provided in the Town's Council approved **development charge interest policy number xx**, as may be revised from time to time., payable on the anniversary date each year thereafter, set out in Schedule "B" on the date of the later planning application, including interest.
- AA. Addition of Class of Services to section 6.1 Schedule A after the word "Services" so that the new description is "...Services/Classes of Services Designated in section 2.1"
- BB. Replace Section 6.1 Schedules B-1 and B-2 with:
- Schedule B – Residential and Non-Residential Development Charges for all Services/Classes of Services.



CC. Schedule “A” is deleted, and the attached Schedule “A” is substituted, therefore.

DD. Schedules “B-1” and “B-2” are deleted, and the attached Schedule “B” is substituted, therefore.

2. This By-law shall come into force and effect at 12:01AM on June 21, 2021.
3. Except as amended by this By-law, all provisions of By-law 1850, as amended, are and shall remain in full force and effect.

By-law read a first and second time this 21st day of June, 2021.

By-law read a third time and finally passed this 21st day of June, 2021.

Mayor: _____

Clerk: _____



**SCHEDULE “A”
TO BY-LAW NO. 1850
COMPONENTS OF SERVICES/CLASSES OF SERVICES DESIGNATED IN
SUBSECTION 2.1**

D.C.-Eligible Services

Wastewater Works

Wastewater Treatment, Pumping and Collection System

Services Related to a Highway

Roads and Related

Fire Protection Services

Fire Facilities

Fire Vehicles

Fire Small Equipment & Gear

Policing Services

Policing Facilities

Policing Vehicles, Small Equipment and Gear

Library Services

Library Facilities

Parks and Recreation Services

Outdoor Recreation and Park Development, Amenities & Trails

Parks and Recreation Vehicles and Equipment

Indoor Recreation Facilities



D.C.-Eligible Classes

Growth Studies

- Services Related to a Highway
- Public Works
- Water Services
- Wastewater Services
- Stormwater Services
- Fire Protection Services
- Policing Services
- Parks and Recreation Services
- Library Services

Public Works (Facilities, Vehicles & Equipment)

- Services Related to a Highway
- Water Services
- Wastewater Services
- Stormwater Services



SCHEDULE B, TO BY-LAW 1850
MUNICIPAL WIDE DEVELOPMENT CHARGES – EFFECTIVE MAY 3, 2021
(2019 \$)

Service/Class of Service	RESIDENTIAL					NON-RESIDENTIAL	Wind Turbines and Telecommunication Towers	Solar Farms (per sq.ft)
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)		
Municipal Wide Services:								
Services Related to a Highway	1,125	568	473	682	401	0.53	1,125	0.53
Public Works*	427	215	179	258	152	0.20	427	0.20
Fire Protection Services	979	494	412	593	349	0.46	979	0.46
Policing Services	427	215	180	259	152	0.19	427	0.19
Parks and Recreation Services**	4,940	2,492	2,077	2,992	1,762	0.19	-	-
Library Services	250	126	105	151	89	0.01	-	-
Growth Studies***	160	81	67	97	57	0.06	160	0.06
Total Municipal Wide Services/Classes	8,307	4,191	3,493	5,032	2,962	1.64	3,117	1.44
Area Specific Charges - Wastewater								
Ward 1 - Essex Service Area	3,351	1,690	1,409	2,029	1,195	2.03	-	-
Ward 2 - Colchester North Service Area	872	440	367	528	311	0.00	-	-
Ward 3 - Colchester South Service Area	2,067	1,043	869	1,252	737	1.18	-	-
Ward 4 - Harrow Service Area	2,484	1,253	1,045	1,505	886	1.43	-	-

* Previously included in the charge for Services Related to a Highway.

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

*** Previously presented as two separate charges for Administration-Essential Services & Administration-Community Based Services, some studies have been removed as they no longer are eligible due to the changes in the legislation