Coming at 5 pm, another back-to-back meeting, and they're both about development charges. Stay tuned!



City Council Preview – What's on the Agenda for the July 19 Meetings? In the penultimate meeting night of city council before the summer break, the horseshoe will tackle a complicated subject that's progressively becoming more and more complicated. Development ...

https://guelphpolitico.ca/2023/07/07/city-council-preview-whats-on-the-agenda-for-the-j...

Mayor Guthrie has (belatedly) called the meeting to order.

Disclosure of Pecuniary Interest and General Nature Thereof? None.

One topic for this first meeting: Development Charges 101. Tara Baker, General Manager of Finance & Treasurer will begin the presentation.

Baker: Current DC Bylaw expires on March 2, 2024 and council needs to pass a new one in order to keep collecting DC's past that date. Later tonight, a presentation about the current DC background study that will inform the new bylaw.

At issue, changes to how much DCs can be collected and the pressure of building more housing quickly. Also, the general costs of infrastructure are increasing with inflation, and Guelph has a lot of old infrastructure that needs to be replaced.

Kevin Yaraskavitch, Senior Corporate Analyst, takes over to talk about the agenda for the rest of this meeting:

Agenda

- Development Charge Fundamentals
- Growth Forecast
- Historic Service Level and Funding Envelope
- Capital Program and Funding Projects
- Determining Rates
- Development Charge Reserve Funds
- Development Charge Exemptions
- Strategic Overview

In the beginning...

Development Charges Act, 1997

Development charges

2 (1) The council of a municipality may by bylaw impose development charges against land to pay for increased capital costs required because of increased needs for services arising from development of the area to which the by-law applies.

In other words, Communities need new infrastructure to support new residents and new employment. Municipalities may collect development charges to build that infrastructure.

Watch this video:



https://www.youtube.com/embed/t4nPUJoQv_8

DCs are a legislated growth revenue tool, and the other two are Community Benefit Charges (CBCs) and Parkland Dedication (PD). You need a background study to establish rate, you've gotta consult, and you need to pass a by-law to collect.

List of stuff you can get DCs for:

Wastewater

Ambulance

Relevant Eligible Services

Water Library

Storm Water Drainage Parks and Recreation

Long-term Care

Services Related to a Highway **Public Health services** Transit **Provincial Offences Act**

Housing services Waste Diversion

Policing Services Parking

Fire Protection

Eligible Costs

What's In

- Growth Capital Costs Including Land*
- Related Design and Project Costs

What's Out

- Operating Costs
- Infrastructure Renewal Costs
- Growth Studies
- Rolling Stock < 7 years
- Computer Equipment

*land costs may be made ineligible through regulation, that has not been put in force

There are also exemptions. (Bookmark this for later.)

Exemptions

Legislated

- Phase-in (starting at 20% discount, dropping by 5% per year)
- Exemptions for:
- Less than 50% Industrial Expansion (100%)
- Accessory Units (100%)
- Affordable Units (100%)
- University Use (100%)
- Non-profits (100%)
- Rentals (15-25%)

Optional

- Religious Institutions
- Parking Structures
- Hospitals
- Temporary Structures

How do we forecast growth?

Growth Forecast

Review of historical residential development activity as well as active residential development applications and uncommitted residential lands (both greenfield and intensification).

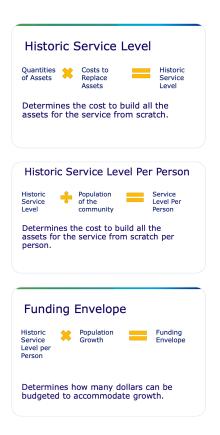
Number of Units (Of Each Type)



People Per Unit (Of Each Type)



Population Growth Historic Service Levels gets us to the Funding Envelope, which is essentially figuring out how much it would cost to rebuild Guelph from scratch in all service levels and project forward.



The funding envelopes ensure that service levels are not enhanced through development charge funding.

There are no funding envelopes that limit water, wastewater and stormwater capital projects though, and transit has a forward-looking funding envelope.

The Province changed the timelines, made them longer, which does theoretically offer more stability in the rate of fees. Council can start a review ahead of time if they like.

The DC Capital Program is developed using the City's master plans. Capital program includes estimated costs, estimated timing and funding sources. Each project is evaluated for eligibility.

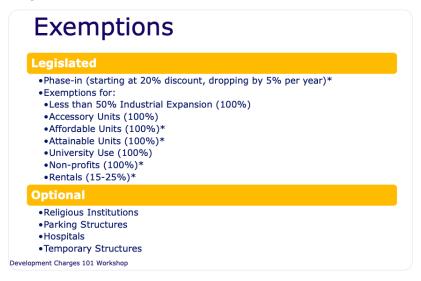


Once we know the rate of growth, then we do more math:



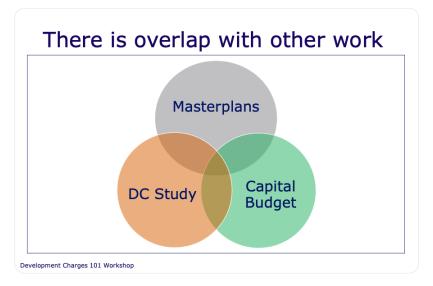
Fun fact, the City has 16 different DC reserve funds. The City can't collect charges unless there are identified projects that go with hit, and those projects have to be tied to a reserve.

Current exemptions. And Yaraskavitch notes that it's difficult how the City would enforce if a unit is no longer affordable or obtainable after a set rate of time.



In the wake of exemptions, it's the City that has to contribute to the reserves in order to make them whole, and that comes from things like taxes and water rates.

Informative Venn diagram:



Project timing can have couple of constraints, funding capacity and delivery capacity. Essentially there's an imbalance because the infrastructure has to be done before or during construction on a development.

DC Tools (note that Front-Ending Agreements is debt by another name according to Yaraskavitch.

Development Charge Tools

Front-Ending Agreements

- Alternate funding tool
- · Risks in a high inflation environment

Area Specific Charges

- · Makes front-ending agreements easier
- Generally, more administratively complex



That's the end of the presentation, so now it's on to council questions.

Cllr Busuttil asks about grants, are they accrued to developer and not the municipality. Staff says if its a general grant its deducted off the project, but if its asset management, that doesn't come off the growth side.

Cllr Allt asks about debt. Staff says that it's like going to bank for a mortgage, debt charge is limited to 25% of revenue. As for new exemptions, City still has to make up the cost of project despite them. City's need to find way to balance extra costs could be competing debt.

Allt asks if these changes can put municipalities in financial jeopardy. Gary Scandlan, Managing Partner of Watson and Associations says yes, that's a real danger because of the rate of development being asked for and the rate of change staff has to adapt to.

Allt asks if that essential means that City's will be carry debt even if it's not labelled as debt. Scandlan says that's essentially correct.

Allt asks about the definition of "making us whole". Scandlan says a letter from the MMAH reads, to him, that you can't get a building permit w/o having all the pipes in place. He reads it as ONgov treating increase in pop. as a windfall.

Allt asks about impact on reserves. Scandlan says that they're not going to generate large reserves, and municipalities will need more revenue which means drain reserves, get more debt, partner with developers or cut back on planning.

Cllr O'Rourke asks about eliminating Housing from DCs. Did County ever collect DCs for shelters? Scandlan says he knows that everyone was hoping to make that a new condition for DCs, but he notes that \$2.2 billion in fees is being moved off the books province-wide for housing.

That much money would have helped to create 42,000 units.

O'Rourke asks about 100% university exemption, does it have to be university-owned or university property or private developments too? Scandlan says there's no definition at this point. The words "intended to be occupied and used by the university" are key here.

Scandlan says that this will have to be evaluated on a case-by-case basis.

O'Rourke asks how to proceed when a developer isn't sure what kind of unit they're building, if it's rental or condo. Scandlan says that City's may need to work out agreement with developer per project, need to get all facts when building permit is being issued.

O'Rourke says there's a myth that municipalities are sitting on big reserves? Scandlan says that this money is reserved for building things like roads and rec centres, and he notes that its concerning that the so many municipalities in ON have negative balance in water/wwater.

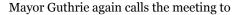
O'Rourke asks if there's a mechanism to pass along savings to homebuyers. Scandlan says he's not aware of one, and over several reductions to the DC over the years, there's never been a corresponding reduction in housing prices.

Cllr Caron asks about payment-in-lieu (aka heads in beds levy), is that part of the legislation? Scandlan doesn't think that's a consideration here, he also hasn't heard about an increase to that levy.

Cllr Goller asks if can pause development if running over budget and with reserves getting low. Scandlan says that's a planning question, but there are some cities with moratoriums when they're around water issues; if you can't hook up to a sewer, you can't build.

Busuttil asks if there's a bias here towards big developers. Scandlan says sometimes it's not just one or two developers, working in Wellington County on new sanitary sewer project incl. water treatment.

The workshop meeting is over, the next meeting about the 2023 Development Charge Background Study Update begins promptly at 7 pm.





Happening now: 2023 Development Charge Background Study Update.

No Disclosure of Pecuniary Interest and General Nature Thereof.

Baker kicks things off. Now that we've had the foundational discussion about how DCs work we get into the real scope of the update project.

Have Your Say? Yes you can!



Development Charges

Share your thoughts on the draft 2023 Development Charges Background Study before it is finalized. The City of Guelph is in the process of updating its development charges bylaw under the authority o...

https://www.haveyoursay.guelph.ca/development-charges

Timeline (the present moment is in red)

Timelines of the Study Process



- √ Project Kick-off Meeting July 11, 2022
- ✓ Data Compilation July to October 2022
- \checkmark Peer Review Group Meeting #1 November 15, 2022
- \checkmark Bill 23: More Homes, Built Faster 2022 (Royal Assent) November 28, 2022
- √ Staff Interviews (Review Service Standards, Capital, Growth Forecast, etc.) November 2022 to January 2023
- ✓ Consideration of other Services and Policy Review January 2023 to May 2023
- ✓ Peer Review Group Meeting #2 April 12, 2023
- ✓ Peer Review Group Meeting #3 May 11, 2023
- ✓ Peer Review Group Meeting #4 June 8, 2023
- ❖ Council Workshop July 19, 2023
- Release of the Final D.C. Background Study October 2023
- Mandatory Public Meeting October 2023
- Council Consideration of D.C. By-law January 2024

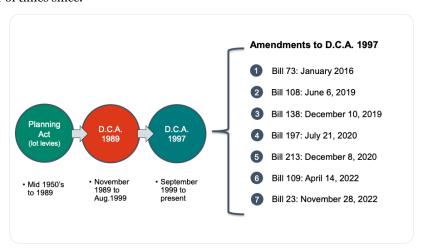
Development Charges (D.C.)



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, sidewalks, streetlights, etc.)
- Municipalities are empowered to impose these charges via the Development Charges Act (D.C.A.)

DCs started to be collected in the 1950s and was initially a single clause under the Planning Act. The first Development Charges Act was passed in 1989, and it has been updated a number of times since.



Scandlan says the recent changes have move towards reducing charges, though initially in 1989 the DCs were 100% recoverable.

Process: 2019-2020

Recap on the D.C. Legislation Changes



Many of the changes to the D.C.A. were implemented as part of the City's D.C. Update study in 2021. These changes were provided through the following Bills:

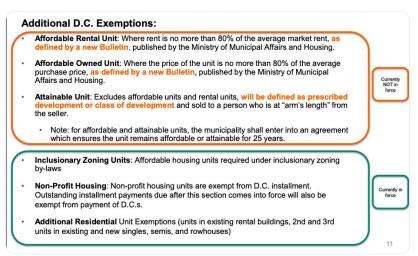
- Bill 108: More Homes, More Choice Act, 2019
 - Provided timing of payment provisions (for Rental Housing, Institutional development, and non-profit housing), D.C. rate freeze for site plan and zoning by-law amendments, and allows for interest to be applied
- Bill 138: Plan to Build Ontario Together Act, 2019
 - · Removed instalment payments for commercial and industrial
- · Bill 197: COVID-19 Economic Recovery Act, 2020
 - Provides a list of D.C. eligible services, classes of services, and removal of the 10% mandatory deduction and 10-year planning horizon
- · Bill 213: Better for People, Smart for Business Act, 2020
 - · Mandatory exemption for universities

Since the completion of the D.C. Update Study in 2021, further legislative changes have been made to the D.C.A. through Bill 109, More Homes for Everyone Act, 2022 (additional reporting requirements) and Bill 23, More Homes Built Faster Act, 2022 (discussed further on the next slides).

Further changes came with Bill 23, which "would negatively impact the City's ability to collect revenues to fund growth-related capital expenditures."

We're getting there...

Exemptions (not-in-force and in-force):



The ones in orange above require some additional legislation to put in place. Scandlan says he's not sure how they're going to do the exemptions for "Affordable", is it going to be by unit, or by 1-bedroom, 2-bedroom and so on?

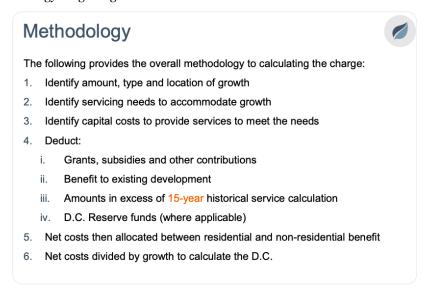
Also, no definition for "attainable unit" yet. That's going to come with the regulations.

The new complete list of eligible services (some are very specific to certain municipalities):

D.C. Eligible Services	,
1. Water	11. Ambulance
2. Wastewater	12. Library
3. Storm water drainage	13. Long-term Care
4. Services related to a highway	14. Parks and Recreation
5. Electrical power services.	15. Public Health services
6. Toronto-York subway extension.	16. Childcare and early years services
7. Transit	17. Housing services
8. Waste diversion	18. Provincial Offences Act
9. Policing Services	19. Emergency Preparedness
10. Fire protection	20. Airports (Waterloo Region only)
These D.C. eligible services are curre 'Amended as per Bill 23	ntly included in the study process.

"Services related to highway" means anything that has to do with roads including sidewalks and active transportation. "Waste diversion" doesn't cover landfills.

The methodology for getting to the new DCs:



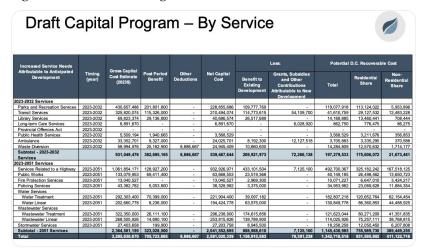
On to the growth forecast, which is still technically working with the original 12,700 units by 2031 instead of the 18,000 unit # in the housing pledge. Why? essentially because staff are still working with the changes initiated in legislation. May mean forecast is 6 years not 10

Growth Forecast Figures:

Measure	10 Year	28 Year	
	2023-2032	2023-2051	
(Net) Population Increase	26,146	48,920	
Residential Unit Increase	12,556	24,940	
Non-Residential Gross Floor Area Increase (sq.ft.)	7,179,900	16,073,800	

Source: Watson & Associates Economists Ltd. Forecast 2023

So of the high level costs we're talking about over the next few decades:



The full recovery from DCs is about \$1.3 billion, but that's *before* any of the exemptions go into effect, so the number will be lower than \$1.3 billion.

Drivers for increased costs:

- Inclusion of servicing for Clair-Maltby
- \bullet Inclusion of projects from recent Master Plans like Water, Wastewater, and Transportation
- Tender Prices have increased significantly

Draft DCs:

RESIDENTIAL					NON-RESIDENTIAL	
Service/Class of Service	Single and Semi- Detached Dwelling	Multiples	Apartments - 2 Bedrooms +	Apartments - Studio and 1 Bedroom	Special Care/Special Dwelling Units	(per sq.ft. of Gros Floor Area)
Municipal Wide Services/Class of Service:						
Services Related to a Highway	20,431	14,712	12,231	8,963	6,608	10
Public Works (Facilities and Fleet)	1,666	1,200	997	731	539	0
Transit Services	3,549	2,556	2,125	1,557	1,148	1
Fire Protection Services	418	301	250	183	135	
Policing Services	1,450	1,044	868	636	469	
Parks and Recreation Services	13,785	9,926	8,252	6,047	4,459	
Library Services	1,640	1,181	982	719	530	1
Long-term Care Services	95	68	57	42	31	1
Public Health Services	391	282	234	172	126	
Ambulance	406	292	243	178	131	
Waste Diversion	1,533	1,104	918	673	496	
Stormwater Drainage and Control Services	757	545	453	332	245	
Wastewater Services	9,773	7,037	5,851	4,287	3,161	
Water Services	13,008	9,367	7,787	5,707	4,207	
RAND TOTAL MUNICIPAL WIDE SERVICES	68,902	49,615	41,248	30,227	22,285	2

See the difference:

Service/Class of Service	Current	Draft Calculated
Municipal Wide Services/Classes:		
Services Related to a Highway	7,791	20,431
Public Works (Facilities and Fleet)	731	1,666
Transit Services	3,759	3,549
Parking*	-	-
Fire Protection Services	432	418
Policing Services	905	1,450
Parks and Recreation Services	12,048	13,785
Library Services	1,144	1,640
Administration**	1,065	-
Long-term Care Services	-	95
Provincial Offences Act	10	-
Public Health Services	411	391
Ambulance	152	406
Waste Diversion	752	1,533
Stormwater Drainage and Control Services	308	757
Wastewater Services	8,908	9,773
Water Services	9,423	13,008
Grand Total	47,839	68,902

*Note: The draft calculated D.C. rates would equal to \$55,122 due to the Mandatory Phase-In. We won't get to the \$38,902 number for five years.

Guelph's Current Discretionary Exemptions

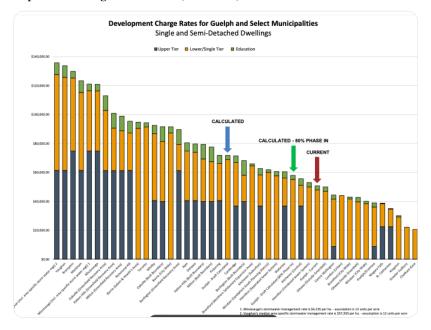


- University-related development on University Lands, both within and outside the defined area of the Map in the by-law (which are now potentially a mandatory exemption as per Bill 213)
- · Places of worship, cemetery, and/or burial grounds
- Development by a college established under the Ontario Colleges of Applied Arts and Technology Act
- · Temporary Buildings
- · Accessory structures not exceeding 10 sq.m. of gross floor area
- Development of or by a hospital receiving aid under the Public Hospitals Act
- Parking Structures

An "educated guess" about the impact of Bill 23 on the new DCs:

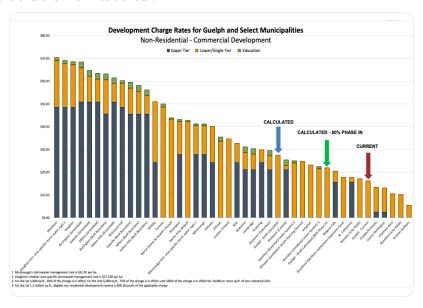
Discounts/Exemptions	Impa	ict
Five Year Mandatory Phase-In	\$	38,000,000
New Exemptions	\$	134,000,000
Growth Studies	\$	9,000,000
Purpose Built Rental Discounts	\$	12,000,000
Accessory Dwelling Units	\$	34,000,000
Sub-Total	\$	227,000,000
Other Exemptions	\$	5,000,000
Total	\$	232,000,000

Where Guelph sits in the grand scheme (GTA west):



Scandlan notes that many of those other municipalities have not gone through their update yet, so we're ahead of things in Guelph.

This is the chart for non-residential:



Reminder:

Next Steps

- HaveYourSay Campaign Starting July 25, 2023
- Review Feedback, Update Draft Report Summer 2023
- Final Report Release October 2023
- Mandatory Public Meeting October 2023
- Council Consideration of D.C. By-law January 2024

There's one delegation tonight, and it's Susan Watson. She says most citizens would be outraged if they knew that "their pockets are being picked" by paying for costs of low density growth. She also also says that it seems unlikely the ONgov will come thru covering overruns.

Time for council questions. Guthrie asks for a motion to receive the commendation and it's Richardson/Goller:

Recommendation:

That the 2023 Development Charge Background Study Update report dated July 19, 2023 be received for information.

Allt asks what the DC shortfall might mean to the average tax bill. Staff say they're still working on that, and some of the regulations haven't been released yet. They're trying to factor that into their budget planning.

Allt asks about a comment about the City not being ready yet to proceed with the new DCs. That was in a letter written by former City employee Ian Panabaker. https://pub-guelph.escribemeetings.com/filestream.ashx?DocumentId=38679.

Scandlan says that it's tough to redo all this in 6 months, and like he said in the presentation, it would be kind of a simple thing to compress the plan into 6 years instead of 10. It would be wrong to try and account for some many missing variables.

Cllr Caton asks if high density apartments offer "the most bang for the buck"? Scandlan says there are a lot of things to consider, he just did the math. There's also the phase-in exemptions to consider.

Cllr Downer asks about moratorium in Clearview and Collingwood. Scandlan says that's about water, and in Clearview they're also carrying a lot of debt.

Downer asks if there would be more municipalities that could find themselves exhausting water resources with development? Scandlan says if the province is trying to achieve housing target, taking money from water/w-water affects supply.

He recommended to the Province not to remove the master plan studies. If a community doesn't build a rec centre or delays it, that's not great, but no community can thrive w/o access to water access.

O'Rourke asks about the method for monitoring if a developer's project is truly affordable, and what the City can do if it's not. Scandlan says he's not sure what the answer to that it. It's part of the challenge of these changes.

Baker says the complexity into these scenarios has ballooned over the years, and these new changes have accelerated that. They're still trying to get the answers.

O'Rourke asks why parks and rec is the second highest. DCAO Clack-Bush says that there are significant initiatives including the South End Comm Centre, Wellington Park, urban forestry. There are a "significant" number of projects.

CAO Stewart says that somebody has to make us whole. This is a canary in the coal mine and it's going to affect a lot of municipalities. This council has already said that they can't do this alone, and they need to keep up that message.

Cllr Klassen asks about the exemptions. Baker says right now the City hands out out \$6 million in exemptions per year, but this could go as high as \$23 million but that, again, depends on the regulations.

Cllr Billings asks if it isn't hard to do public engagement when there's so many unanswered questions. Baker says that this is about setting a rate, not that she disagrees. But she thinks that the tax impact doesn't affect the rate that they need to vote on.

Billings that maybe if people knew the full extent of the issue, maybe they'd recommend to pull back on the rate of growth. Baker again says that the rate of growth and pace of growth is not what this process is about, this is a rate setting process.

Goller asks why we don't do residential DCs by square foot. Scandlan says that the smaller the house the higher the occupancy tends to be the trend.

Guthrie says his math is about 8% shortfall over 10 years. Baker says that doesn't take into account a couple of sources, but in terms of the tax base that's correct.

Guthrie says that we also wants staff to look at how the DCs for mansions and affordable homes are essentially the same. Asks about how long it would take to update plans for 18k units. DCAO Holmes says it would take about 3 years (gotta start from scratch essentially).

Guthrie asks if there's something staff can embed in terms of a trigger to initiate an update. Baker says staff will consider the best way to initiate that.

Guthrie asks about looking at exemptions for projects that provide a community good, like upgrade to community centres.

Guthrie says he's concerned that Guelph won't be competitive in industrial DCs, asks for insight about when our immediate neighbours might update their DCs. Doesn't want to make Guelph less competitive in the process.

To wrap up, Guthrie says that there will need to an examination of how these impacts are presented to the public,. Not necessarily the Provincial Impact Local Levy (PILL) he proposed last year, but something to raise awareness.

Recommendation approved. Bylaw of the Week approved.

Meeting adjourned.



@threadreaderapp unroll please!

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