



Addendum to the 2024 Development Charge Background Study

City of Burlington

May 9, 2024

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List of Acronyms and Abbreviations

Acronym	Full Description of Acronym
D.C.	Development Charge
D.C.A.	Development Charges Act
sq.m.	Square Metre



Addendum Report to
the City's 2024
Development Charge
Background Study



Chapter 1

Background



1. Background

The City of Burlington (City) released the 2024 Development Charge (D.C.) Background Study on March 22, 2024 in accordance with the *Development Charges Act, 1997* (D.C.A.). The following provides key dates for the City's D.C. by-law process:

- March 8, 2024 and April 8, 2024 – Consultation Committee Meetings;
- March 22, 2024 - Release of the 2024 D.C. Background Study and draft by-laws to the public;
- April 15, 2024 – Consultation Committee Meeting (sub-committee members);
- May 9, 2024 - Addendum to the 2024 D.C. Background Study;
- May 14, 2024 - Public Meeting of Council;
- May 21, 2024 - Passage of D.C. by-laws; and
- Notice of Passage of D.C. by-laws, at least 20 days after passage.

Through ongoing communication with the Consultation Committee members, external stakeholders in the development industry, City staff, and Dillon Consulting Limited (Dillon) refinements to the City's 2024 D.C. Background Study are required. These refinements have resulted in changes to the calculated D.C. rates. The following briefly identifies the refinements made to the 2024 D.C. Background Study included in this addendum report:

- A refinement to Services Related to a Highway capital program to remove longer-term projects requiring significant coordination with provincial and federal bodies that will better inform costs and timing of projects. These refinements are also being recommended by City staff to better align the proposed charges with Council's housing objectives.
- Revised recommendation to implement one comprehensive D.C. by-law for all City services, as opposed to multiple D.C. by-laws for each service.
- Revised Schedule 4 in Appendix A to accurately reflect the forecast period to 2051.

The following sections of this addendum report present the impacts of these refinements on the calculated D.C.s for a large apartment residential unit, and per square metre (sq.m) of gross floor area (GFA) for non-residential development. Further, the amended pages of the 2024 D.C. Background Study, and the revised D.C. schedule of charges, have been included in this report.



Chapter 2

Discussion



2. Discussion

This section of the addendum report provides additional details of the above-noted refinements to the City's 2024 D.C. Background Study.

2.1 Refinements to the Services Related to a Highway Capital Program

Subsection 5.2.1 of the City's 2024 D.C. Background Study outlines the basis for calculating D.C. eligible costs for Services Related to a Highway that underly the charge. The required calculation process set out in s.5(1) paragraphs 2 to 8 in the D.C.A. was followed in determining D.C. eligible costs. Table 5-1 in this subsection itemizes the capital projects and calculations to determine the potential D.C. recoverable costs related to the increase in need for service of development. The capital program reflects Council's endorsement of infrastructure planning required to accommodate development as approved by the Integrated Mobility Plan, 2024 Capital Budget and Forecast, Multi-Year Community Investment Plan, and 2022 D.C. Update Study.

City staff considered feedback received from the Consultation Committee and broader consultation process on the proposed D.C.s in the 2024 D.C. Background Study in the context of Council's intent to meet the City's housing pledge target of 29,000 units and potential for annual funding from the Building Faster Fund. Moreover, in reviewing the capital program, City staff determined that there were a few projects that require significant coordination with provincial and federal bodies (i.e. CN, CP, Metrolink and MTO). These projects will require significant consultation and further studies to inform planning, design, project scope, timing, and capital costs. It is anticipated that these projects would not be undertaken during the 10-year term of the new D.C. by-law. As such, City staff are recommending to remove the projects identified in the following table from the proposed calculation of the charge at this time and reevaluate their inclusion in future D.C. by-laws.



D.C. Background Study Project No. Reference	Project Description	Gross Capital Cost	D.C. Recoverable Capital Cost
154	AT overpass/underpass of QEW (@ Maple Park) from Greenwood Dr to Maple Ave	\$19,000,000	\$17,100,000
155	AT overpass/underpass of QEW/403 (east of Brant Street) from Truman St to Industrial St	\$26,100,000	\$23,490,000
156	AT overpass/underpass of QEW/403 (east of Appleby Line) from Century Dr to Sutton Dr	\$18,800,000	\$16,920,000
195	Cumberland Ave Extension from Mainway to Fairview St	\$147,600,000	\$147,600,000

Removal of these capital projects and updating of the “adjustment related to existing population incline” result in a reduced D.C. recoverable costs of \$189.3 million over the forecast period to 2051. These changes result in a decrease to the calculated D.C. for Services Related to a Highway of \$4,176/unit for large apartment dwelling units (from \$10,585 to \$6,409) and a decrease of \$64.90 per sq.m of GFA for non-residential development (from \$164.47 to \$99.57). Impacts on the overall proposed D.C. charges are presented in Section 2.4.

2.2 One Comprehensive D.C. By-law

As summarized in Chapter 2 of the City’s 2024 D.C. Background Study, the City currently imposes D.C. through By-law 29-2019. This by-law imposes charges for all D.C. eligible services under one comprehensive by-law.

Subsection 7.2 of the City’s 2024 D.C. Background Study recommends that “the City imposes individual D.C. by-laws for each service to prevent potential loss of D.C. revenue with potential future amendments”. This recommendation is based in the



current requirements of the D.C.A. that the charges in a D.C. by-law must be phased-in over a 5-year period; and moreover, that an amending by-law would have to be phased-in. This was the City's experience with the D.C. amendment undertaken in 2022.

Bill 185, *Cutting Red Tape to Build More Homes Act, 2024*, proposes to amend the D.C.A. to remove the mandatory phase-in of D.C.s. While this legislation is not yet in effect, with the removal of the mandatory phase-in, the risk related to the administration of one comprehensive D.C. by-law is minimized. As such, it is recommended that recommendation in Subsection 7.2 of the City's 2024 D.C. Background Study be amended as follows:

"It is recommended that:

- the City uses a uniform municipal-wide D.C. calculation for all municipal services; and
- the City imposes one D.C. by-law for all services."

2.3 Schedule 4 in Appendix A

Appendix A of the City's 2024 D.C. Background Study includes detailed background information on the residential and non-residential growth forecast used to determine the anticipated development. Schedule 4 in the appendix is meant to summarize the residential growth forecast for the period 2024-2051. The data in this table is provided for the forecast period 2024-2041. This has been corrected by this addendum report and the information pertaining to the 2024-2051 forecast period is provided.

2.4 Overall Changes to the D.C. Calculation

This section presents the changes to the D.C. calculations provided in the City's 2024 D.C. Background Study based on the refinements presented in the preceding sections of this addendum report. The refinements discussed above have been incorporated into the D.C. calculations and are presented in Table 2-1. This table will replace Table 6-3 in the City's 2024 D.C. Background Study and be included in the proposed D.C. by-law.



Table 2-1
City of Burlington
Calculated Schedule of Development Charges by Service and Phase-In
(as amended)

Service/Class of Service	RESIDENTIAL (\$ per Dwelling Unit)						NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Multiples - 3 or more Bedrooms	Multiples - 1 or 2 Bedrooms	Special Care/Special Dwelling Units	(\$ per sq.m of Gross Floor Area)
Municipal Wide Services/Class of Service:							
Services Related to a Highway	12,027	6,409	4,846	9,542	6,872	3,916	99.57
Stormwater Drainage Services	175	93	71	139	100	57	3.01
Fire Protection Services	2,038	1,086	821	1,617	1,164	664	16.47
Transit Services	1,617	862	651	1,283	924	527	13.13
Parks and Recreation Services	4,482	2,388	1,806	3,556	2,561	1,460	8.18
Library Services	256	136	103	203	146	83	0.43
TOTAL	20,595	10,974	8,298	16,340	11,767	6,707	140.79
TOTAL - June 1, 2024-May 31, 2025	16,476	8,779	6,638	13,072	9,414	5,366	112.63
TOTAL - June 1, 2025-May 31, 2026	17,506	9,328	7,053	13,889	10,002	5,701	119.67
TOTAL - June 1, 2026-May 31, 2027	18,536	9,877	7,468	14,706	10,590	6,036	126.71
TOTAL - June 1, 2027-May 31, 2028	19,565	10,425	7,883	15,523	11,179	6,372	133.75
TOTAL - June 1, 2028-May 31, 2034	20,595	10,974	8,298	16,340	11,767	6,707	140.79

For residential development, Table 2-2 compares the City’s current D.C. for a large apartment dwelling unit (i.e. apartments with 2 bedrooms or more), as well as the calculated D.C. within the City’s 2024 D.C. Background Study, and the revised D.C. calculated in this addendum report. The table reflects the charges currently imposed by the City at 90% of its current full charge, and 80% of the charges calculated in the City’s D.C. Background Study and addendum. This is reflective of the actual charges that would be in effect on the anticipated by-law in force date (i.e. June 1, 2024).

The amended D.C. for a large apartment dwelling unit would be \$8,779 on June 1, 2024. This is a reduction of \$3,341/unit (-28%) from the charge included in the City’s 2024 D.C. Background Study. Compared to the City’s current charges, the amended charge would represent a reduction of \$1,537/unit (-15%).



**Table 2-2
City of Burlington
D.C. Comparison per Large Apartment Dwelling Unit**

DEVELOPMENT CHARGES WITH PHASE-IN	Current Rate (April 1st)	D.C. Background Study	D.C. Background Study - Addendum
Municipal Wide Services/Classes:			
Services Related to a Highway	5,213	8,468	5,127
Stormwater Drainage Services	1,063	74	74
Fire Protection Services	110	869	869
Transit Services	420	690	690
Parks and Recreation Services	3,011	1,910	1,910
Library Services	482	109	109
Studies	18	-	-
Total Municipal Wide Services/Classes	10,316	12,120	8,779

Tables 2-3 and 2-4 provide a similar comparison for non-residential development on a per sq.m of G.F.A. basis for retail and non-retail development types respectively.

As provided in Table 2-3 for retail development, the amended D.C. would be \$112.63/sq.m on June 1, 2024. This is a reduction of \$51.92/sq.m (-32%) from the charge included in the City's 2024 D.C. Background Study. Compared to the City's current charges, the amended charge would represent a reduction of \$69.40/sq.m (-38%).

Table 2-4 illustrates that the amended uniform non-residential charge of \$112.63/sq.m would represent a \$9.45/sq.m (+9%) increase relative to the City's current non-retail D.C. of \$103.18/sq.m.



Table 2-3
City of Burlington
D.C. Comparison per Sq.m of GFA for Retail Development

DEVELOPMENT CHARGES WITH PHASE-IN	Current Rate (April 1st)	D.C. Background Study	D.C. Background Study - Addendum
Municipal Wide Services/Classes:			
Services Related to a Highway	160.98	131.58	79.65
Stormwater Drainage Services	6.60	2.41	2.41
Fire Protection Services	2.19	13.18	13.18
Transit Services	8.57	10.50	10.51
Parks and Recreation Services	2.86	6.54	6.54
Library Services	0.46	0.34	0.34
Studies	0.37	-	-
Total Municipal Wide Services/Classes	182.04	164.55	112.63

Table 2-4
City of Burlington
D.C. Comparison per Sq.m of GFA for Non-Retail Development

DEVELOPMENT CHARGES WITH PHASE-IN	Current Rate (April 1st)	D.C. Background Study	D.C. Background Study - Addendum
Municipal Wide Services/Classes:			
Services Related to a Highway	82.13	131.58	79.65
Stormwater Drainage Services	6.60	2.41	2.41
Fire Protection Services	2.19	13.18	13.18
Transit Services	8.57	10.50	10.51
Parks and Recreation Services	2.86	6.54	6.54
Library Services	0.46	0.34	0.34
Studies	0.37	-	-
Total Municipal Wide Services/Classes	103.18	164.55	112.63



2.5 Changes to the City's 2024 D.C. Background Study

Based upon the above, the following revisions are made to the pages within the City's 2024 D.C. Background Study.(new pages are appended to this report):

Page Reference	Description of Revisions
ES (iii) - (ix)	Update executive summary to reflect changes within the body of the D.C. Background Study.
1-1 & 1-2	Updated references to reflect one comprehensive D.C. by-law.
2-1 & 2-2	Updated current schedule of charges to reflect April 1, 2024 rates.
5-2, 5-9 & 5-10	Updated subsection 5.2.1 and Table 5-1 - Infrastructure Costs Included in the Development Charge Calculation for Services Related to a Highway to reflect removal of projects from the capital program.
6-1	Updated Table 6-1 – City-Wide D.C. Calculations for the 28-Year Forecast Period.
6-4 - 6-8	Updates the text and tables to reflect D.C. comparison with existing April 1, 2024 D.C. rates and amended rates.
7-2	Revised recommendations to reflect one comprehensive D.C. by-law.
8-3 & 8-4	Updates to Asset Management Plan to reflect revised capital program for Services Related to a Highway.
A-6	Revised residential growth forecast to reflect 2024-2051 forecast period.
E-3	Updated Table E-1 - Operating and Capital Expenditure Impacts for Future Capital Expenditures, to reflect the revisions in the Addendum Report.



Page Reference	Description of Revisions
Appendix G	Replaced Appendices G-L (separate appendices for each D.C. by-law by service) with one comprehensive D.C. by-law.



Chapter 3

Process for Adoption of the Development Charges By-law



3. Process for Adoption of the Development Charge By-law

The revisions provided herein form the basis for the D.C. By-Law and will be incorporated into the City's 2024 D.C. Background Study to be provided to Council and the general public prior to the statutory public meeting on May 14, 2024 and Council's consideration and adoption of the proposed D.C. By-Law on May 21, 2024.

If Council is satisfied with the above noted changes to the City's 2024 D.C. Background Study and D.C. By-Law, then prior to By-Law passage Council must:

- Approve the Development Charges Background Study dated March 22, 2024, as amended;
- Determine that no further public meetings are required on the matter; and
- Adopt the new Development Charges By-Law.



Appendix A

Amended Pages to the 2024 Development Charge Background Study



Table ES-1
City of Burlington
Summary of Anticipated Development for City-wide D.C.

Measure	10 Year 2024-2033	28 Year 2024-2051
(Net) Population Increase	22,617	68,962
Residential Unit Increase	11,520	34,450
Non-Residential Gross Floor Area Increase (sq.m.)	193,906	695,661
Non-Residential Employment Increase	5,494	19,408

g) In consideration of the basis for the increase in need for service, Services Related to a Highway and Storm Drainage Services are calculated based on a City-wide 28-year growth forecast. The remaining D.C. eligible services considered in the background study, as follows, are calculated based on a City-wide 10-year growth forecast:

- Fire Protection Services
- Transit Services
- Parks and Recreation Services
- Library Services

h) Table ES-2 summarizes the total D.C. eligible capital costs arising from the increase in need for services attributable to the anticipated development for each eligible service. Capital projects, cost estimates and the required deductions for each service are detailed further in Chapter 5.

In total, gross capital costs of approximately \$579.6 million have been identified expressions of Council to address the increase in need for service attributable to development. These expressions include various Master Plans (including the Integrated Mobility Plan, Parks Provisioning Master Plan, Parks & Forestry/Transit Campus Master Plan, and Fire Master Plan), the City's 2024 Capital Budget and Forecast, the Multi-Year Community Investment Plan, Transit 5-Year Business Plan, and prior City D.C. Background Studies.

Approximately \$8.7 million of the gross capital cost estimate is related to the needs of future growth beyond the 10-year forecast period included in the D.C. calculation for Fire Protection Services and Transit Services. These capital costs



will be considered in future D.C. Background Studies as committed excess capacity. In addition, \$171.6 million of the gross cost relates to the portion of capital projects that will benefit the existing community, including the anticipated population increase in existing households over the forecast period. Finally, deductions related to grants, subsidies, and other contributions in the amount of \$9.9 million have been made to only include anticipated City costs in the calculation of the charge.

The resultant net growth-related costs included in the D.C. calculations, after accounting for current D.C. reserve fund balances, is approximately \$355.4 million. This represents approximately 61% of the gross capital costs.

The D.C.A. requires a summary be provided of the gross capital costs and the net costs to be recovered over the life of the by-laws (i.e., 10-years). This calculation is provided by service and is presented in Table 6-4 in Chapter 6. In total, approximately \$143.0 million (40%) of the D.C. recoverable costs are anticipated to occur during the by-law term.

- i) This background study has undertaken a calculation of the charges based on future identified needs, as presented in Table ES-2. Table ES-3 provides a schedule of D.C.s for residential and non-residential development based on these needs. The charges are provided on a City-wide basis for all services consistent with the City's current by-law. The residential charges are imposed by dwelling unit type, and the non-residential charges are imposed on a uniform basis, inclusive of all retail and non-retail development types.

The full calculated DC for a single and semi-detached residential dwelling unit is \$20,595. Apartments with 2 bedrooms or more would pay a lower charge of \$10,974 per dwelling units. This lower charge reflects a lower occupancy in higher density dwelling units. The non-residential charge is \$140.79 per sq.m. of gross floor area (G.F.A.).



**Table ES-2
City of Burlington
Summary of Anticipated Increase in Need for Service and D.C. Recoverable Capital Costs
By Service**

Service/Class	Total Gross Cost	Tax Base or Other Non-D.C. Source		Post D.C. Period Benefit	Sources of Financing		
		Benefit to Existing	Other Funding		D.C. Reserve Fund		
					Existing Reserve Funds	Residential	Non-Residential
1 Services Related to a Highway							
1.1 Roads, Bridges and Culverts, Traffic Signals, Streetlights, Domes and Depots	393,147,558	71,189,798	5,363,833	-	26,054,244	221,290,138	69,249,545
2 Stormwater Drainage Services							
2.1 Storm Drainage Services	32,172,662	24,043,038	-	-	2,784,316	3,228,692	2,116,617
3 Fire Protection Services							
3.1 Fire facilities, vehicles, small equipment and gear	28,845,394	9,410,057	-	3,359,199	232,590	12,643,607	3,199,940
4 Parks and Recreation Services							
4.1 Park development, recreation facilities	35,864,840	3,680,596	-	-	2,790,580	27,814,181	1,579,483
5 Library Services							
5.1 Library facilities, materials, vehicles & equipment	2,562,103	346,061	-	-	538,064	1,587,811	90,167
6 Transit Services							
6.1 Transit Services	86,960,000	62,968,589	4,556,746	5,328,600	1,529,711	10,036,293	2,540,061
Total Expenditures & Revenues	\$579,552,556	\$171,638,139	\$9,920,579	\$8,687,799	\$33,929,505	\$276,600,721	\$78,775,813



**Table ES-3
City of Burlington
Calculated Schedule of Development Charges**

Service/Class of Service	RESIDENTIAL (\$ per Dwelling Unit)						NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Multiples - 3 or more Bedrooms	Multiples - 1 or 2 Bedrooms	Special Care/Special Dwelling Units	(\$ per sq.m of Gross Floor Area)
Municipal Wide Services/Class of Service:							
Services Related to a Highway	12,027	6,409	4,846	9,542	6,872	3,916	99.57
Stormwater Drainage Services	175	93	71	139	100	57	3.01
Fire Protection Services	2,038	1,086	821	1,617	1,164	664	16.47
Transit Services	1,617	862	651	1,283	924	527	13.13
Parks and Recreation Services	4,482	2,388	1,806	3,556	2,561	1,460	8.18
Library Services	256	136	103	203	146	83	0.43
TOTAL	20,595	10,974	8,298	16,340	11,767	6,707	140.79

j) The D.C.A. requires that charges imposed under a new by-law be phased-in over a 5-year period, as follows:

- Year 1 – 80% of the maximum charge;
- Year 2 – 85% of the maximum charge;
- Year 3 – 90% of the maximum charge;
- Year 4 – 95% of the maximum charge; and
- Year 5 to expiry – 100% of the maximum charge.

k) The City-wide D.C. currently in effect under By-law 29-2019, as amended, represents 90% of the full calculated D.C. provided in the City’s 2022 D.C. Update Study, due to the mandatory phase-in. To provide an accurate comparison of the impact of the calculated charges that could be imposed on June 1, 2024, we have compared the City’s current charges (as of April 1, 2024) and adjusted the full calculated rates provided in Table ES-3 to the permitted Year 1 amount (i.e. 80% of the maximum charge). Table ES-4 provides a comparison for D.C.s for a residential apartment dwelling with 2 or more bedrooms. Tables ES-5 and ES-6 provide a comparison for retail and non-retail non-residential development types.

l) The City-wide D.C. currently in effect for residential apartment dwelling with 2 or more bedrooms is \$10,316/unit. The calculated charge with phasing is \$8,779/unit. The calculated decrease in the charge for this dwelling unit type is \$1,537/unit, or a decrease in the charge of approximately 15%.



**Table ES-4
City of Burlington
Comparison of June 1, 2024 D.C. for Large Apartment Dwelling Units
(\$/dwelling unit)**

DEVELOPMENT CHARGES WITH PHASE-IN	Current Rate (April 1st)	D.C. Background Study - Addendum	Difference	Percentage Change
Municipal Wide Services/Classes:				
Services Related to a Highway	5,213	5,127		
Stormwater Drainage Services	1,063	74		
Fire Protection Services	110	869		
Transit Services	420	690		
Parks and Recreation Services	3,011	1,910		
Library Services	482	109		
Studies	18	-		
Total Municipal Wide Services/Classes	10,316	8,779	- 1,537	-15%

- m) The City currently imposed separate non-residential charges for retail and non-retail developments. This is based on prior D.C. background study assumptions of greater transportation needs for retail development as compared to non-retail development. This background study proposes to impose a uniform non-residential charge based on the anticipated transportation needs in the City’s Integrated Mobility Plan.
- n) The City-wide D.C. currently in effect for retail non-residential development is \$182.04/sq.m. The calculated charge with phasing is \$112.63/sq.m. The calculated decrease in the charge for this type of development is \$69.40/sq.m, or a reduction in the charge of approximately 38%.



**Table ES-5
City of Burlington
Comparison of June 1, 2024 D.C. for Retail Development
(\$/sq.m)**

DEVELOPMENT CHARGES WITH PHASE-IN	Current Rate (April 1st)	D.C. Background Study - Addendum	Difference	Percentage Change
Municipal Wide Services/Classes:				
Services Related to a Highway	160.98	79.65		
Stormwater Drainage Services	6.60	2.41		
Fire Protection Services	2.19	13.18		
Transit Services	8.57	10.51		
Parks and Recreation Services	2.86	6.54		
Library Services	0.46	0.34		
Studies	0.37	-		
Total Municipal Wide Services/Classes	182.04	112.63	- 69.40	-38%

o) The City-wide D.C. currently in effect for non-retail non-residential development (i.e. office, service commercial, industrial and non-exempt institutional) is \$103.18/sq.m. The calculated charge with phasing is \$112.63/sq.m. The calculated increase in the charge for this type of development is \$9.45/sq.m, or an increase in the charge of approximately 9%.

**Table ES-6
City of Burlington
Comparison of June 1, 2024 D.C. for Non-Retail Development
(\$/sq.m)**

DEVELOPMENT CHARGES WITH PHASE-IN	Current Rate (April 1st)	D.C. Background Study - Addendum	Difference	Percentage Change
Municipal Wide Services/Classes:				
Services Related to a Highway	82.13	79.65		
Stormwater Drainage Services	6.60	2.41		
Fire Protection Services	2.19	13.18		
Transit Services	8.57	10.51		
Parks and Recreation Services	2.86	6.54		
Library Services	0.46	0.34		
Studies	0.37	-		
Total Municipal Wide Services/Classes	103.18	112.63	9.45	9%



p) Chapter 7 herein, provides the policy recommendations and rules that govern the imposition of the charges. Council will consider the findings and recommendations provided herein and, in conjunction with public input, approve such policies and rates it deems appropriate. These directions will refine the draft D.C. by-laws for each service, which are appended in Appendix G herein. These decisions may include:

- Adopting the charges and policies recommended herein;
- Considering additional exemptions to the D.C. by-laws; and
- Considering reductions in the charge (obtained by removing certain services or capital costs on which the charge is based and/or by a general reduction in the charge).

As the D.C.A. does not allow for any exempted or reduced amount to be made up through higher D.C.s from other development, any such decision would require the consideration of an alternative (i.e., non-D.C.) funding source provided by the City.



1. Introduction

1.1 Purpose of this Document

This Development Charges (D.C.) Background Study has been prepared for public comment. The study has been prepared pursuant to the requirements of section 10 of the *Development Charges Act, 1997* (D.C.A.), as amended, and recommends new D.C. rates and by-law policies for the City of Burlington (City) and Council's consideration.

The City retained Watson & Associates Economists Ltd. (Watson) to undertake this D.C. background study process in 2023. Dillon Consulting Limited (Dillon) was retained as a sub-consultant to Watson during the process to undertake the Services Related to a Highway and Transit Services components of the study process. Watson, in association with Dillon, worked with City staff in preparing the D.C. analysis and policy recommendations herein.

This D.C. background study will be distributed to members of the public in order to provide interested parties with sufficient background information on the legislation, the background study findings and recommendations, and the draft D.C. by-law. The consulting team will continue to work with City staff to further refine the D.C. background study (as required) based on public feedback. The final D.C. Background Study will be provided to the City prior to Council's consideration and adoption of the by-law.

This report has been prepared, in the first instance, to meet the statutory requirements applicable to the City's D.C. background study, as summarized in Chapter 4. It begins by addressing the forecast amount, type, and location of growth as detailed in Chapter 3 and Appendix A. Further, Chapter 5 provides the increase in need for service attributable to development and the associated capital cost estimates. These D.C. recoverable costs provide the basis for the D.C. calculations included in Chapter 6. The D.C. Background Study also addresses the requirements for "rules" to govern the imposition of the charge (contained in Chapter 7) and an asset management plan for the City asset (in Chapter 8). The proposed D.C. by-law for the applicable services is made available as part of the approval process and is included in Appendix G herein.

For context, the background study also includes a summary of the City's current D.C. rates and policies in Chapter 2. This provides a comparison of the rates and policies



being proposed. It further addresses post-adoption implementation requirements (Chapter 9) which are critical to the successful application of the new policy.

The chapters in the report are supported by Appendices containing the data required to explain and substantiate the calculation of the charges.

1.2 Summary of the Process

The public meeting required under section 12 of the D.C.A., as amended, has been scheduled for May 14, 2024. Its purpose is to present the background study and draft by-law to the public to solicit their input and to answer any questions. In advance of the statutory public meeting, the D.C. Background Study and proposed D.C. by-law will be available for public review on March 22, 2024.

The process to be followed in finalizing the D.C. Background Study and recommendations includes:

- Consideration of responses received prior to, at, or immediately following the public meeting;
- Refinements to the background study by addendum, if required; and
- Council consideration of the by-law subsequent to the public meeting.

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



2. City of Burlington Current D.C. Policy

2.1 Schedule of Charges

The City passed By-law 29-2019 on May 27, 2019, under the authority of the D.C.A., to impose D.C.s on residential and non-residential developments. The D.C. By-Law was subsequently amended by By-law 26-2022 on March 22, 2022 to update capital cost estimates and reflect the legislative amendments to the D.C.A. at that time. The D.C. By-Law is set to expire on June 1, 2024, 5 years after its in force date.

2.2 Services Covered

The following services are covered under By-law 29-2019:

- Transportation
- Storm Drainage;
- Fire;
- Transit;
- Parks & Recreation;
- Library; and
- Studies.

The by-law provides for mandatory annual indexing of the charges on April 1st of each year. Table 2-1 provides the charges currently in effect, for residential and non-residential development types, as well as the breakdown of the charges by service. The charges are currently being phased-in over a five (5)-year period as per the D.C.A. and reflect the timing of amending By-Law 26-2022. As such, the current charges represent 90% of the full calculated charges (with indexing) as provided in the City's "Development Charge Update Study" dated January 21, 2022.



**Table 2-1
City of Burlington
Schedule of Development Charges (as of April 1, 2024)**

Service	Residential (\$/dwelling unit)						Non-Residential (\$/sq.m. of GFA)	
	Single & Semi Detached	Apartments with - 2 BR +	Apartments - Bachelor or 1 Bedroom	Multiples - 3 or more Bedrooms	Multiples - 1 or 2 Bedrooms	Special Care/Special Dwelling Units	Retail	Non-Retail
Services Related to a Highway	10,249	5,213	3,841	7,380	5,843	3,296	160.98	82.13
Stormwater Drainage Services	2,090	1,063	783	1,505	1,191	672	6.60	6.60
Fire Protection Services	215	110	81	154	123	69	2.19	2.19
Transit Services	826	420	310	595	471	265	8.57	8.57
Parks and Recreation Services	5,919	3,011	2,218	4,262	3,374	1,904	2.86	2.86
Library Services	948	482	355	682	540	305	0.46	0.46
Studies	38	18	13	25	21	12	0.37	0.37
Total	20,285	10,316	7,600	14,604	11,563	6,523	182.04	103.18



streetlights, and signs, are maintained by the City. Lastly, the City provides 46,756 sq.ft. in public works space specific to Services Related to a Highway.

The total inventory of assets over the past 15 years results in an invested historical level of service of approximately \$18,796 per capita (including employees). When applied to the forecast population and employment growth to 2051, a maximum D.C. eligible cost of approximately \$1.61 billion (accounting for the increase in population within existing residential units).

Waston worked in conjunction with Dillon Consulting Limited (Dillon) to develop the capital needs program and D.C. recoverable costs for Service Related to a Highway over the forecast period. Appendix C contains their “2024 Development Charges Background Study, Services Related to a Highway” report as a technical appendix to the D.C. Background Study. Dillon considered various expressions of Council in the determination of program. These included the City’s Integrated Mobility Plan, 2024 Capital Budget and Forecast, Multi-Year Community Investment Plan, 2022 D.C. Update Study, as well as discussions with City staff. This report contains further details regarding Dillon’s methodology of developing the capital program and D.C. recoverable determination.

Table 5-1 provides the 28-year capital program for Services Related to a Highway. The capital program included a total gross capital cost of approximately \$393.1 million over the 2024-2051 forecast period. Deductions related to the benefit to the existing development and additional grants, subsidies and other contributions for new development were applied of approximately \$71.2 million and \$5.4 million, respectively. Further, a deduction of approximately \$24.2 million has been made to address the anticipated increase in need from population growth within existing residential units over the forecast period. Finally, approximately \$26.1 million in existing reserve funds was applied against the forecast D.C. recoverable capital needs.

As a result, the D.C. recoverable costs of approximately \$290.5 million have been included in the calculation of the charge. In total, approximately \$221.3 million (76%) of the total D.C. recoverable costs are allocated to residential development, with \$69.2 million (24%) allocated to non-residential development. The allocation by development type is based on the incremental forecast of population to employment, with adjustment for the increase in population in existing residential units over the forecast period.



Prj. No.	City's Prj. No	Increased Service Needs Attributable to Anticipated Development 2024 to 2051	Timing (year)	Gross Capital Cost Estimate (2024\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
								Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 78%	Non-Residential Share 22%
139		Elizabeth Street from Caroline Street to Lakeshore Road	2032	18,150	-		18,150	1,815		16,335	12,741	3,594
140		Martha Street from Caroline Street to Lakeshore Road	2029	893,150	-		893,150	89,315		803,835	626,991	176,844
141		Cedar Springs Road from Dundas Street to No. 1 Side Road	2029	1,396,500	-		1,396,500	139,650		1,256,850	980,343	276,507
142		Cedar Springs Road from No. 1 Side Road to No. 2 Side Road	2029	1,379,875	-		1,379,875	137,988		1,241,888	968,672	273,215
143		Cedar Springs Road from No. 2 Side Road to Britannia Road	2026	4,134,375	-		4,134,375	413,438		3,720,938	2,902,331	818,606
144		Britannia Road from Milborough Line to Cedar Springs Road	2034-2051	118,750	-		118,750	11,875		106,875	83,363	23,513
145		Britannia Road from Cedar Springs Road to Guelph Line	2034-2051	3,615,000	-		3,615,000	361,500		3,253,500	2,537,730	715,770
146		Britannia Road from Guelph Line to Walkers Line	2034-2051	1,330,000	-		1,330,000	133,000		1,197,000	933,660	263,340
147		Britannia Road from Walkers Line to Appleby Line	2034-2051	1,520,000	-		1,520,000	152,000		1,368,000	1,067,040	300,960
148		Britannia Road from Appleby Line to Bell School Line	2034-2051	1,425,000	-		1,425,000	142,500		1,282,500	1,000,350	282,150
149		Walkers Line from No. 1 Side Road to No. 2 Side Road	2034-2051	1,947,500	-		1,947,500	194,750		1,752,750	1,367,145	385,605
150		Walkers Line from No. 2 Side Road to Britannia Road	2034-2051	3,040,000	-		3,040,000	304,000		2,736,000	2,134,080	601,920
151		Walkers Line from Britannia Road to Derry Road	2034-2051	2,873,750	-		2,873,750	287,375		2,586,375	2,017,373	569,003
152		Bell School Line from Britannia Road to Derry Road	2034-2051	2,945,000	-		2,945,000	294,500		2,650,500	2,067,390	583,110
153		Snake Road from Old York Road to Thomson Drive / Main Street S (Waterdown)	2026	873,600	-		873,600	87,360		786,240	613,267	172,973
		Standalone Pedestrian Projects										
157		Blairholm Avenue from Brant Street to Deyncourt Drive/ Gary Crescent	2034-2051	750,000	-		750,000	75,000		675,000	526,500	148,500
158		Cavendish Drive from Upper Middle Road to Dawlish Road	2034-2051	725,000	-		725,000	72,500		652,500	508,950	143,550
159		Cavendish Drive from ~90m north of Upper Middle Road to Upper Middle Road	2034-2051	225,000	-		225,000	22,500		202,500	157,950	44,550
160		Corporate Drive from ~145m east of Ironstone Drive to Appleby Line	2034-2051	687,500	-		687,500	68,750		618,750	482,625	136,125
161		Corporate Drive from Appleby Line to ~50m east of Creek Way (end)	2034-2051	1,700,000	-		1,700,000	170,000		1,530,000	1,193,400	336,600
162		Coventry Way from ~45m west of Alder Drive to Guelph Line	2034-2051	437,500	-		437,500	43,750		393,750	307,125	86,625
163		Daryl Drive from Plains Road West to 25m north of Cullum Court	2034-2051	450,000	-		450,000	45,000		405,000	315,900	89,100
164		Dawlish Road from Brant Street to Cavendish Drive	2034-2051	375,000	-		375,000	37,500		337,500	263,250	74,250
165		Driftwood Drive from Guelph Line to Autumn Hill Crescent	2034-2051	275,000	-		275,000	27,500		247,500	193,050	54,450
166		Hampton Heath Road from Lakeshore Road to ~25m north of Stratton Road	2034-2051	400,000	-		400,000	40,000		360,000	280,800	79,200
167		Headon Street from ~40m south of Upper Middle Road to ~30m south of Columbia Crescent	2034-2051	725,000	-		725,000	72,500		652,500	508,950	143,550
168		Heron Way from Appleby Line to Upper Middle Road	2034-2051	775,000	-		775,000	77,500		697,500	544,050	153,450
169		Heron Way from Upper Middle Road to Ironstone Drive	2034-2051	525,000	-		525,000	52,500		472,500	368,550	103,950
170		Imperial Way from Upper Middle Road to Ironstone Drive	2034-2051	562,500	-		562,500	56,250		506,250	394,875	111,375
171		Inverary Road from Fairview Street to ~80m south of Fairview Street	2034-2051	200,000	-		200,000	20,000		180,000	140,400	39,600
172	RD-RC-2026	Ironstone Drive from Heron Way to Appleby Line	2030	500,000	-		500,000	50,000		450,000	351,000	99,000
173		Ironstone Drive from Appleby Line to Imperial Way	2034-2051	500,000	-		500,000	50,000		450,000	351,000	99,000
174		Kenwood Avenue from Lakeshore Road to ~25m north of Banting Court	2034-2051	437,500	-		437,500	43,750		393,750	307,125	86,625
175		Kerns Road from Four Seasons Drive / Winterberry Drive to ~75m south of Four Seasons Drive / Winterberry Drive	2034-2051	187,500	-		187,500	18,750		168,750	131,625	37,125



Prj. No.	City's Prj. No	Increased Service Needs Attributable to Anticipated Development 2024 to 2051	Timing (year)	Gross Capital Cost Estimate (2024\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
								Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 78%	Non-Residential Share 22%
176		King Road from Plains Road East to ~70m north of Plains Road East	2034-2051	175,000	-		175,000	17,500		157,500	122,850	34,650
177		Leighland Road from Brant Street to ~20m west of Ryckman Common	2034-2051	225,000	-		225,000	22,500		202,500	157,950	44,550
178		Longmoor Drive from New Street to ~15m south of Stephanie Street	2034-2051	412,500	-		412,500	41,250		371,250	289,575	81,675
179	RD-RL-2021	Mount Forest Drive from Brant Street to ~55m east of Mountain Side Drive	2029	575,000	-		575,000	57,500		517,500	403,650	113,850
180		Mountain Grove Avenue from Guelph Line to Ireland Drive	2034-2051	250,000	-		250,000	25,000		225,000	175,500	49,500
181		Pinedale Ave from Appleby Line to Timber Lane	2034-2051	675,000	-		675,000	67,500		607,500	473,850	133,650
182	RD-RA-2122	Plains Road East from ~50m east of Helena Street to Brant Street	2028	812,500	-		812,500	81,250		731,250	570,375	160,875
183		Plains Road East from Brant Street to Brenda Crescent	2034-2051	2,475,000	-		2,475,000	247,500		2,227,500	1,737,450	490,050
184	RD-RR-1468	Queensway Drive from ~25m east of Reimer Common to Guelph Line	2027	1,250,000	-		1,250,000	125,000		1,125,000	877,500	247,500
185		Silvan Forest Drive from Mainway to ~80m north of Mainway	2034-2051	200,000	-		200,000	20,000		180,000	140,400	39,600
186		Sutton Drive from Dundas Street to ~120m south of Dundas Street	2034-2051	300,000	-		300,000	30,000		270,000	210,600	59,400
187		Sutton Drive from Upper Middle Road to ~120m north of Upper Middle Road	2034-2051	300,000	-		300,000	30,000		270,000	210,600	59,400
188		Taywood Drive from Boros Road / Turnberry Road to Appleby Line	2034-2051	375,000	-		375,000	37,500		337,500	263,250	74,250
189		Thomas Alton Boulevard from ~35m west of Columbus Drive to Appleby Line	2034-2051	787,500	-		787,500	78,750		708,750	552,825	155,925
190		Thomas Alton Boulevard from Tim Dobbie Drive to ~150 m east of Tim Dobbie Drive	2034-2051	375,000	-		375,000	37,500		337,500	263,250	74,250
191		Tim Dobbie Drive from Thomas Alton Boulevard to ~35m south of Carrick Street	2034-2051	250,000	-		250,000	25,000		225,000	175,500	49,500
192		Timber Lane from New Street to Pinedale Avenue	2034-2051	700,000	-		700,000	70,000		630,000	491,400	138,600
193		Woodview Road from End to Fairview Street	2034-2051	287,500	-		287,500	28,750		258,750	201,825	56,925
194		Woodview Road from Fairview Street to ~80m south of Fairview Road	2034-2051	200,000	-		200,000	20,000		180,000	140,400	39,600
196		New Highways South Service Road Extension from Waterdown Rd to King Rd	2034-2051	30,600,000	-		30,600,000	-		30,600,000	23,868,000	6,732,000
197		New Collector Road (east of Brant Street) from Fairview St to Plains Rd	2034-2051	38,300,000	-		38,300,000	-		38,300,000	29,874,000	8,426,000
198		New Collector Road (east of Appleby Line) from Fairview St to Harvester Rd	2034-2051	34,200,000	-		34,200,000	-		34,200,000	26,676,000	7,524,000
		Adjustment related to Existing Population Incline						24,230,978		(24,230,978)	(24,230,978)	-
		Reserve Fund Adjustment								(26,054,244)	(20,322,310)	(5,731,934)
		Total		393,147,558	-	-	393,147,558	71,189,798	5,363,833	290,539,683	221,290,138	69,249,545



**Table 6-1
City of Burlington
City-Wide D.C. Calculation for the 28-year Forecast Period (2024-2051)**

SERVICE/CLASS	2024\$ D.C.-Eligible Cost		2024\$ D.C.-Eligible Cost	
	Residential	Non-Residential	S.D.U.	per sq.ft.
1 <u>Services Related to a Highway</u>	\$	\$	\$	\$
1.1 Roads, Bridges and Culverts, Traffic Signals, Streetlights, Domes and Depots	221,290,138	69,249,545	12,027	9.25
2 <u>Stormwater Drainage Services</u>				
2.1 Storm Drainage Services	3,228,692	2,116,617	175	0.28
TOTAL	\$224,518,830	\$71,366,162	\$12,202	\$9.53
D.C.-Eligible Capital Cost	\$224,518,830	\$71,366,162		
28-Year Gross Population/GFA Growth (sq.ft.)	62,156	7,488,100		
Cost Per Capita/Non-Residential GFA (sq.ft.)	\$3,612	\$9.53		\$102.58
<u>By Residential Unit Type</u>	<u>P.P.U.</u>			
Single and Semi-Detached Dwelling	3.378	\$12,202		
Apartments - 2 Bedrooms +	1.800	\$6,502		
Apartments - Bachelor and 1 Bedroom	1.361	\$4,916		
Multiples - 3 or more Bedrooms	2.680	\$9,681		
Multiples - 1 or 2 Bedrooms	1.930	\$6,972		
Special Care/Special Dwelling Units	1.100	\$3,973		



Table 6-3 presents the calculated schedule of D.C.s for all services across the residential and non-residential development types. Table 6-3 also includes the charges by residential dwelling unit type and non-residential gross floor area that would be in effect over the 5-year mandatory phase-in period of the D.C. By-Law (assuming a June 1, 2024 effective date).

As noted in Chapter 1, the D.C.A. requires that charges imposed under a new by-law be phased-in over a 5-year period, as follows:

- Year 1 – 80% of the maximum charge;
- Year 2 – 85% of the maximum charge;
- Year 3 – 90% of the maximum charge;
- Year 4 – 95% of the maximum charge; and
- Year 5 to expiry – 100% of the maximum charge.

The City-wide D.C. currently in effect under By-law 29-2019, as amended, represents 90% of the full calculated D.C. provided in the City's 2022 D.C. Update Study, due to the mandatory phase-in. For comparison purposes, the permitted Year 1 amount in Table 6-3 (i.e. 80% of the maximum charge) is compared to the City's current charges. Table 6-4 provides a comparison for D.C.s for a residential apartment dwelling with 2 or more bedrooms. Tables 6-5 and 6-6 provide a comparison for retail and non-retail non-residential development types.



**Table 6-3
City of Burlington
Calculated Schedule of Development Charges by Service and Phase-In**

Service/Class of Service	RESIDENTIAL (\$ per Dwelling Unit)						NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Multiples - 3 or more Bedrooms	Multiples - 1 or 2 Bedrooms	Special Care/Special Dwelling Units	(\$ per sq.m of Gross Floor Area)
Municipal Wide Services/Class of Service:							
Services Related to a Highway	12,027	6,409	4,846	9,542	6,872	3,916	99.57
Stormwater Drainage Services	175	93	71	139	100	57	3.01
Fire Protection Services	2,038	1,086	821	1,617	1,164	664	16.47
Transit Services	1,617	862	651	1,283	924	527	13.13
Parks and Recreation Services	4,482	2,388	1,806	3,556	2,561	1,460	8.18
Library Services	256	136	103	203	146	83	0.43
TOTAL	20,595	10,974	8,298	16,340	11,767	6,707	140.79
TOTAL - June 1, 2024-May 31, 2025	16,476	8,779	6,638	13,072	9,414	5,366	112.63
TOTAL - June 1, 2025-May 31, 2026	17,506	9,328	7,053	13,889	10,002	5,701	119.67
TOTAL - June 1, 2026-May 31, 2027	18,536	9,877	7,468	14,706	10,590	6,036	126.71
TOTAL - June 1, 2027-May 31, 2028	19,565	10,425	7,883	15,523	11,179	6,372	133.75
TOTAL - June 1, 2028-May 31, 2034	20,595	10,974	8,298	16,340	11,767	6,707	140.79



The City-wide D.C. currently in effect for a residential apartment dwelling with 2 or more bedrooms is \$10,316/unit. The calculated charge with phasing is \$8,779/unit. The calculated decrease in the charge for this dwelling unit type is \$1,537/unit, or a decrease in the charge of approximately 15%.

Table 6-4
City of Burlington
Comparison of June 1, 2024 D.C. for Large Apartment Dwelling Units
(\$/dwelling unit)

DEVELOPMENT CHARGES WITH PHASE-IN	Current Rate (April 1st)	D.C. Background Study - Addendum	Difference	Percentage Change
Municipal Wide Services/Classes:				
Services Related to a Highway	5,213	5,127		
Stormwater Drainage Services	1,063	74		
Fire Protection Services	110	869		
Transit Services	420	690		
Parks and Recreation Services	3,011	1,910		
Library Services	482	109		
Studies	18	-		
Total Municipal Wide Services/Classes	10,316	8,779	- 1,537	-15%

The City-wide D.C. currently in effect for retail non-residential development is \$182.04/sq.m. The calculated charge with phasing is \$112.63/sq.m. The calculated decrease in the charge for this type of development is \$69.40/sq.m, or a reduction in the charge of approximately 38%.



**Table 6-5
City of Burlington
Comparison of June 1, 2024 D.C. for Retail Development
(\$/sq.m)**

DEVELOPMENT CHARGES WITH PHASE-IN	Current Rate (April 1st)	D.C. Background Study - Addendum	Difference	Percentage Change
Municipal Wide Services/Classes:				
Services Related to a Highway	160.98	79.65		
Stormwater Drainage Services	6.60	2.41		
Fire Protection Services	2.19	13.18		
Transit Services	8.57	10.51		
Parks and Recreation Services	2.86	6.54		
Library Services	0.46	0.34		
Studies	0.37	-		
Total Municipal Wide Services/Classes	182.04	112.63	- 69.40	-38%

The City-wide D.C. currently in effect for non-retail non-residential development (i.e. office, service commercial, industrial and non-exempt institutional) is \$103.18/sq.m with indexing and phasing. The calculated charge with phasing is \$112.63/sq.m. The calculated increase in the charge for this type of development is \$9.45/sq.m, or an increase in the charge of approximately 9%.



**Table 6-6
City of Burlington
Comparison of June 1, 2024 D.C. for Non-Retail Development
(\$/sq.m)**

DEVELOPMENT CHARGES WITH PHASE-IN	Current Rate (April 1st)	D.C. Background Study - Addendum	Difference	Percentage Change
Municipal Wide Services/Classes:				
Services Related to a Highway	82.13	79.65		
Stormwater Drainage Services	6.60	2.41		
Fire Protection Services	2.19	13.18		
Transit Services	8.57	10.51		
Parks and Recreation Services	2.86	6.54		
Library Services	0.46	0.34		
Studies	0.37	-		
Total Municipal Wide Services/Classes	103.18	112.63	9.45	9%

Table 6-7 summarizes the gross capital expenditures and sources of revenue for works to be undertaken during the 10-year life of the by-laws. This is provided as a requirement of the D.C.A.



7.2 D.C. By-law Structure

It is recommended that:

- the City uses a uniform municipal-wide D.C. calculation for all municipal services; and
- the City imposes one D.C. by-law for all services.

7.3 D.C. By-law Rules

The following sets out the recommended rules governing the calculation, payment and collection of D.C.s in accordance with subsection 6 of the D.C.A., 1997.

It is recommended that the following provides the basis for the D.C.s:

7.3.1 Payment in any Particular Case

In accordance with the D.C.A., 1997, s.2(2), a D.C. be calculated, payable and collected where the development requires one or more of 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;
- d) the approval of a plan of subdivision under Section 51 of the *Planning Act*;
- e) a consent under Section 53 of the *Planning Act*;
- f) the approval of a description under Section 50 of the *Condominium Act*; or
- g) the issuing of a building permit under the *Building Code Act* in relation to a building or structure.

7.3.2 Determination of the Amount of the Charge

The following convention be adopted:

1. Costs allocated to residential uses will be assigned to different types of residential units based on the average occupancy for each housing type



made a concerted effort to integrate the A.M.P. with financial planning and municipal budgeting and are making full use of all available infrastructure financing tools.

Commensurate with the above, the City's prepared an A.M.P. in 2021. The "City of Burlington Asset Management Plan 2021" (2021 A.M.P.) considered key service supported by the infrastructure for Transportation, Transit, Parking, Stormwater, Corporate Facilities, Recreation, Community and Culture, Parks, Fire, Urban Forestry, Corporate Fleet and Information Technology. The Plan addressed the regulatory requirements of the state of the infrastructure, levels of service, lifecycle management strategies, and current and future risks. However, the A.M.P. does not incorporate future growth-related assets. As a result, the asset management requirement for the D.C. must be undertaken in the absence of this information.

8.2 Non-Transit City Services

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

1. The non-D.C. recoverable portion of the projects that will require financing from municipal financial resources (i.e., rates, fees, etc.). This amount has been presented on an annual debt charge amount based on 20-year financing, totaling \$2.9 million.
2. Lifecycle costs for the 2024 D.C. capital works have been presented based on a sinking fund basis. The assets have been considered over their estimated useful lives.
3. Incremental operating costs for the D.C. services (only) have been included.
4. Total incremental costs attributable to the growth-related expenditures (i.e. annual lifecycle costs and incremental operating costs) total approximately \$11.5 million.



5. The resultant total annualized expenditures are approximately \$14.5 million.
6. Consideration was given to the potential new tax and user fee revenue which will be generated as a result of new growth. These revenues will be available to assist in financing the expenditures above. The new operating revenues are \$47.9 million.
7. In consideration of the above, the capital plan is deemed to be financially sustainable.

Table 8-1
City of Burlington
Asset Management – Future Expenditures and Associated Revenues
2024\$

	2051 (Total)
Expenditures (Annualized)	
Annual Debt Payment on Non-Growth Related Capital	2,918,571
Annual Debt Payment on Post Period Capital ¹	-
Lifecycle:	
Annual Lifecycle - Municipal-wide Services	9,739,810
Sub-Total - Annual Lifecycle	\$9,739,810
Incremental Operating Costs (for D.C. Services)	\$1,830,642
Total Expenditures	14,489,023
Revenue (Annualized)	
Total Existing Revenue ²	\$327,701,693
Incremental Tax and Non-Tax Revenue (User Fees, Fines, Licences, etc.)	\$47,898,323
Total Revenues	\$375,600,016

¹ Interim Debt Financing for Post Period Benefit

² As per Sch. 10 of FIR



Schedule 4 City of Burlington Long-Term Growth Forecast Early-2024 to Mid-2051

		Population
Early 2024 Population		188,372
Occupants of New Housing Units, Early 2024 to Mid 2051	<i>Units (2)</i>	33,449
	<i>multiplied by P.P.U. (3)</i>	1.825
	<i>gross population increase</i>	61,055
		61,055
Occupants of New Equivalent Institutional Units, Early 2024 to Mid 2051	<i>Units</i>	1,001
	<i>multiplied by P.P.U. (3)</i>	1.100
	<i>gross population increase</i>	1,101
		1,101
Change in Existing Housing Unit Occupancy, Early 2024 to Mid 2051	<i>Units (4)</i>	74,026
	<i>multiplied by P.P.U. change rate (5)</i>	0.092
	<i>total change in population</i>	6,805
		6,805
Population Estimate to Mid 2051		257,334
<i>Net Population Increase, Early 2024 to Mid 2051</i>		68,962

(1) Early 2024 Population based on:

2021 Population (186,948) + Mid 2021 to Early 2024 estimated housing units to beginning of forecast period (856 x 2.193 = 1,876) + (23 x 1.1 = 25) + (73,170 x -0.007 = -477) = 188,372

(2) Based upon forecast building permits/completions assuming a lag between construction and occupancy.

(3) Average number of persons per unit (P.P.U.) is assumed to be:

Structural Type	Persons Per Unit ¹ (P.P.U.)	% Distribution of Estimated Units ²	Weighted Persons Per Unit Average
<i>Singles & Semi Detached</i>	3.378	6%	0.216
<i>Multiples (6)</i>	2.431	11%	0.273
	<i>two bedrooms or less</i> 1.885		
	<i>three bedrooms or more</i> 2.680		
<i>Apartments (7)</i>	1.622	82%	1.336
	<i>one bedroom or less</i> 1.361		
	<i>two bedrooms or more</i> 1.800		
Total		100%	1.825

¹ Persons per unit based on Statistics Canada Custom 2021 Census database.

² Forecast unit mix based upon historical trends and housing units in the development process.

(4) Early 2024 households based upon 2021 Census (73,170 units) + Mid 2021 to Early 2024 unit estimate (856 units) = 74,026 units.

(5) Population change occurs due to aging of the population and family life cycle changes, lower fertility rates and changing economic conditions.

(6) Includes townhouses and apartments in duplexes.

(7) Includes bachelor, 1-bedroom and 2-bedroom+ apartments.

Note: Numbers may not add to totals due to rounding.



Table E-1
City of Burlington
Operating and Capital Expenditure Impacts for Future Capital Expenditures

SERVICE/CLASS OF SERVICE	GROSS COST LESS BENEFIT TO EXISTING	ANNUAL LIFECYCLE EXPENDITURES	ANNUAL OPERATING EXPENDITURES	TOTAL ANNUAL EXPENDITURES
1 Services Related to a Highway Roads, Bridges and Culverts, Traffic Signals, Streetlights, Domes and Depots				
1.1	8,129,624	7,615,053	1,339,491	8,954,543
2 Stormwater Drainage Services				
2.1 Storm Drainage Services	8,129,624	186,365	11,964	198,330
3 Fire Protection Services Fire facilities, vehicles, small equipment and gear				
3.1	19,435,336	859,472	435,216	1,294,689
4 Parks and Recreation Services				
4.1 Park development, recreation facilities	32,184,244	980,370	28,283	1,008,654
5 Library Services Library facilities, materials, vehicles & equipment				
5.1	2,216,041	98,549	15,687	114,236
6 Transit Services				
6.1 Transit Services	23,991,411	1,517,929	2,694,244	4,212,174
Total	94,086,281	11,257,739	4,524,886	15,782,625



Appendix G

Proposed D.C. By-Law



THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER XX-2024

Development Charges By-law for the City of Burlington

WHEREAS subsection 2(1) of the *Development Charges Act, 1997* (the “Act”), S.O. 1997, c.27, as amended, provides that the council of a municipality may by by-law impose development charges against land to pay for increased capital costs required because of increased needs for services arising from development of the area to which the By-law applies;

AND WHEREAS a development charge background study, entitled “City of Burlington 2024 Development Charges Background Study” (the “Study”) prepared by Watson & Associates Economists Ltd. (“Watson”), in association with Dillon Consulting Limited (“Dillon”), and dated March 22, 2024 has been completed in support of the imposition of the development charges;

AND WHEREAS the Study and the proposed development charges by-law were made available to the public, the Council of the Corporation of the City of Burlington (the “Council”) gave notice to the public, and held a public meeting through its Committee of the Whole on May 14, 2024 pursuant to section 12 of the Act and the regulations thereto, and Council and the Committee of the Whole received written submissions and heard comments and representations from all persons who asked to be heard;

AND WHEREAS on May 21, 2024, Council approved Finance Report F-04-24 thereby indicating that it intends that the increase in the need for services attributable to the anticipated development will be met;

AND WHEREAS at the meeting held on May 21, 2024, Council expressed its intention that post-period capacity identified in the Study shall be paid for by development charges or other similar charges;

AND WHEREAS at the meeting held on May 21, 2024, Council approved the Study, as amended, and determined that no further public meetings were required under the Act.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BURLINGTON HEREBY ENACTS AS FOLLOWS:



DEFINITIONS

1. In this By-law,
 - (a) “accessory dwelling” means a self-contained dwelling unit that is subordinate in purpose to another residential dwelling unit upon the same lot;
 - (b) “affordable residential unit” means a residential unit that meets the criteria set out in subsection 4.1 of the Act;
 - (c) “agricultural use” means a bona fide farming operation, including greenhouses which are not connected to Regional water services or wastewater services, sod farms and farms for the breeding and boarding of horses, and includes, but is not limited to, barns, silos and other ancillary buildings to such agricultural use but excluding in all circumstances any portion thereof used for a residential use, a retail use, a non-retail use, marijuana production facility or the breeding, grooming or boarding of household pets;
 - (d) “air supported structure” means a structure consisting of a pliable membrane which achieves and maintains its shape and support by internal air pressure;
 - (e) “apartment dwelling” means a building containing more than four dwelling units where the units are connected by an interior corridor. Apartment dwelling also means those stacked townhouse dwellings or back-to-back townhouse dwellings that are development on a block approved for development at a minimum density of sixty (60) units per hectare, excluding the site area used or intended to be used as common outdoor amenity space, pursuant to an executed agreement entered into under section 41 of the *Planning Act, R.S.O. 1990, c. P.13* or successor legislation;
 - (f) “attainable residential unit” means a residential unit that meets the criteria set out in subsection 4.1 of the Act;
 - (g) “back-to-back townhouse dwelling” means a building containing four (4) or more dwelling units separated vertically by a common wall, including a rear common wall, that does not have a rear yard with amenity area;



- (h) “bedroom” means a habitable room of at least seven (7) square metres, including a den, loft, study, or other similar area, but does not include a kitchen, bathroom, living room, family room, or dining room;
- (i) “building or structure” means a permanent enclosed area greater than ten (10) square metres but does not include that portion of a temporary or seasonal air-supported structure or seasonal sports bubble, but does include above grade storage tanks;
- (j) “canopy” means a canopy as defined O.Reg. 332/12 under the *Building Code Act, 1992*, S.O. c. 23, and includes a roof-like structure over a gas bar or service station;
- (k) “charitable dwelling” means a residential building or part of a mixed-use building licensed as a charitable home under the *Charitable Institutions Act, R.S.O. 1990*, c. C.9;
- (l) “development” means the construction, erection or placing of one (1) or more building or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes redevelopment;
- (m) “development charge” means a charge or charges imposed pursuant to this By-law;
- (n) “dwelling unit” means either (1) a room or suite of rooms comprising a single housekeeping unit, used, designed or intended for use by one person or persons living together, in which culinary and sanitary facilities are provided for the exclusive use of such person or persons; or (2) in the case of a special care/special need dwelling as defined in this By-law, a room or suite of rooms comprising a single housekeeping unit, used, designed or intended for use by, one person with or without exclusive sanitary and/or culinary facilities or more than one person if sanitary facilities are directly connected and exclusively accessible to more than one room or suite of rooms;
- (o) “enclosed” means an area of a building or structure delineated by one or more walls or part walls, and covered by a roof or roof-like structure;



- (p) “grade” means the average level of finished ground adjoining a building or structure at all exterior walls;
- (q) “group home” means a residential building or the residential portion of a mixed-use building containing a single housekeeping unit which may or not be supervised on a 24-hour a day basis on site by agency staff on a shift rotation basis, funded wholly or in part by any government and licensed, approved or supervised by the Province of Ontario under a general or special Act as may be amended and any successor legislation for the accommodation of residents, exclusive of staff;
- (r) “hospice” means a building or structure used to provide not-for-profit palliative care to the terminally ill;
- (s) “hospital” means land, building or structures used and occupied by a public hospital that receives provincial aid under the *Public Hospitals Act, R.S.O. 1990, c. P. 40*, and excluding any portion of the land occupied by a tenant of the hospital;
- (t) “industrial use” means non-retail uses where the land or buildings, or portions thereof are intended or designed for manufacturing, producing, processing, storing or distribution of something, and the retail sale by a manufacturer, producer or processor of something that they have manufactured, produced or processed, if the retail sales are at the site where the manufacturing, production or processing takes place, as well as office space that is ancillary to the producing, storing or distribution of something at the site, but shall not include self-storage facilities or retail warehouses;
- (u) “institutional” for the purposes of section 34, 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 institution of the following post-secondary institutions for the objects of the institution:
 - (i) a university in Ontario that receives direct, regular and ongoing operation 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 Institute Act, 2017*;
 - (iv) as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion; or
 - (v) as a hospice to provide end of life care;
- (v) “local board” means a municipal service board, municipal business corporation, transportation commission, public library board, board of health, policy service board, planning board, or any other board, commission, committee, body or local authority established or exercising any power under any act with respect to the affairs or purposes of one or more local municipalities or the Region, excluding a conservation authority, any municipal business corporation not deemed to be a local board under O.Reg. 599/06 under the *Municipal Act, 2001*, S.O. c. 25, and any corporation created under the *Electricity Act, 1998*, S.O. 1998, c. 15, Sched. A or successor legislation;
- (w) “marijuana production facilities” means a building or structure connected to Regional water services or wastewater services that is used, designed or intended for growing, producing, testing, destroying, storing or distribution, excluding retail sales, of marijuana or cannabis authorized by a license issued by the federal Minister of Health pursuant to section 25 of the Marijuana for Medical Purposes Regulations, SOR/2013-119, under the *Controlled Drugs and Substances Act, S.C. 1996*, c.19.
- (x) “mixed-use” means land, buildings or structures used or designed or intended for a combination of non-residential use and residential use;



- (y) “multiple dwelling” means all dwellings other than single detached dwellings, semi-detached dwellings, apartment dwellings, special care/special need dwellings, and accessory dwellings;
- (z) “non-profit housing development,” means development of a building or structure intended for use as residential premises by:
 - (i) a corporation to which the *Not-for-Profit Corporations Act, 2010* applies, that is in good standing under that Act and whose primary objective 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 objective is to provide housing; or
 - (iii) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*;
- (aa) “non-residential use” means land, building or structures or portions thereof intended or used for a use other than for a residential use;
- (bb) “nursing home” means a residential building or the residential portion of a mixed-use building licensed as a nursing home under the *Nursing Homes Act, R.S.O. 1990, c. N.8*;
- (cc) “place of worship” means any building or part thereof that is exempt from taxation as a place of worship pursuant to paragraph 3 of section 3 of the *Assessment Act, R.S.O. 1990, c. A.31*;
- (dd) “redevelopment” means the construction, erection or placing of one or more buildings or structures on land where all or part of a building or structure has previously been demolished on such land, or changing the use of a building or structure from residential to non-residential, or from non-residential to residential, or from one form of residential to another form of residential, or from one form of non-residential to another form of non-residential;
- (ee) “rental housing,” for the purposes of section 19 and 34, means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises;



- (ff) “residential mobile home” means a trailer, including park model trailers as defined in the Ontario Building Code and Canadian Standards Association, or a transportable prefabricated structure that is situated in one particular place and used for, or intended to be used for, permanent year-round residential occupancy;
- (gg) “residential use” means lands, buildings or structures or portions thereof used, or designed or intended for use as a home or residence of one or more individuals, and shall include a single-detached dwelling, a semi-detached dwelling, a multiple dwelling, an apartment dwelling, a special care/special need dwelling, an accessory dwelling and the residential portion of a mixed-use building or structure;
- (hh) “retirement home or lodge” means a residential building or the residential portion of a mixed-use building which provides accommodation primarily for retired persons or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and common lounges, recreation rooms and medical care facilities may also be provided;
- (ii) “seasonal air-supported structure” means an air-supported structure that is raised and/or erected for a maximum of six months in any given year to allow for the use of an outdoor sports field or portion thereof during the winter for sports-related activities and includes a seasonal bubble;
- (jj) “seasonal structure” means a building or structure placed on land and used, designed or intended for use for:
 - (i) a non-residential purpose during a single season of the year where such building or structure is designed to be easily demolished or removed from the land at the end of the season; or
 - (ii) residential mobile homes that are not able to be occupied year-round due to municipal or provincial land use regulation;
- (kk) “semi-detached dwelling” means a building divided vertically into 2 dwelling units each of which has a separate entrance and access to grade;



- (ll) “services” means services designated in section 5 of this By-law or in an agreement under section 44 of the Act;
- (mm) “single-detached dwelling” means a completely detached building containing only one dwelling unit and includes a residential mobile home;
- (nn) “special care/special needs dwelling” means a building:
- (i) containing two or more dwelling units which units have a common entrance from street level;
 - (ii) where the occupants have the right to use in common, halls, stairs, yards, common rooms, and accessory buildings; which may or may not have exclusive sanitary and/or culinary facilities;
 - (iii) that is designed to accommodate persons with specific needs, including independent permanent living arrangements,
 - (iv) where support services such as meal preparation, grocery shopping, laundry, housekeeping, nursing, respite care and attendant services are provided at various levels;
- and includes, but is not limited to retirement homes and lodges, nursing homes, charitable dwellings, accessory dwellings and group homes;
- (oo) “stacked townhouse dwelling” means a building containing two or more dwelling units, each dwelling separates horizontally and/or vertically from another dwelling unit by a common wall;
- (pp) “temporary building or structure” means a non-residential building or structure constructed or placed upon lands which is demolished or removed from the lands within three (3) years of building permit issuance, and includes but is not limited to, sales trailers, temporary office trailers and industrial tents provided that such buildings meet the aforementioned criteria but excludes a mobile home;
- (qq) “temporary venue” means a building that is placed or constructed on land and is used, designed or intended for use for a particular event where the event has a duration of one (1) week or less and the building is erected immediately



before the beginning of the event and is demolished or removed from the land immediately following the end of the event;

- (rr) “total floor area” means the sum total of the total areas of the floors whether above or below grade, measured between the exterior faces of the exterior walls, including part walls, of the building or from the centre line of a common wall separating two uses and;
- (i) includes the area of a mezzanine as defined in the Ontario Building Code;
 - (ii) excludes those areas used exclusively for parking garages or structures; and
 - (iii) includes those areas covered by roofs or roof-like structures, but does not include a canopy or covered patios associated with a restaurant.

2. In this By-law where reference is made to a statute or a section of a statute such reference is deemed to be a reference to any amendments or successor legislation.

DESIGNATION OF SERVICES

3. That it is hereby declared by Council that all development of land within the area to which this By-law applies will increase the need for services as set out in Section 5.
4. The development charge applicable to a development as determined under this By-law shall apply without regard to the services required or used by a particular development.
5. Development Charges shall be imposed for the following categories of services and classes of service to pay for the increase capital costs required because of the increased needs for services arising from development:

Services

- (a) Services Related to a Highway;
- (b) Stormwater Drainage Services;



- (c) Fire Protection Services;
- (d) Transit Services;
- (e) Parks and Recreation Services; and
- (f) Library Services.

APPLICATION OF BY-LAW – RULES

6. For the purpose of complying with section 6 of the Act:
- (a) the area to which this By-law applies shall be in the area described in section 7 of this By-law;
 - (b) the rules developed under paragraph 9 of subsection 5(1) of the Act for determining if development charges are payable under this By-law in any particular case;
 - (c) and for determining the amount of the charges shall be as set forth in sections 5 through 44, inclusive of this By-law;
 - (d) the rules for exemptions, relief and adjustments shall be as set forth in section 18 through section 33 inclusive of this By-law; the indexing of charges shall be in accordance with section 40 of this By-law; and
 - (e) the rules with respect to the redevelopment of lands shall be in accordance with the rules set forth in sections 31 and 32 of this By-law.

AREA TO WHICH THE BY-LAW APPLIES

7. Subject to section 8, this By-law applies to all lands in the geographic area of the City.
8. This By-law shall not apply to lands that are owned by and used for the purposes of:
- (a) the City or a local board thereof;
 - (b) a board as defined in subsection (a) of the *Education Act*; R.S.O. 1990, c. E.2;



- (c) the Regional Municipality of Halton or any local board thereof;
- (d) 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 if the development in respect of which development charges would otherwise be payable is intended to be occupied and used by the university.

APPROVALS FOR DEVELOPMENT

9. Development charges shall be imposed upon all lands, buildings or structures that are developed for residential or non-residential uses if the development requires any of 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 subsection 50(7) of the *Planning Act* applies;
 - (d) the approval of a plan of subdivision under section 51 of the *Planning Act*;
 - (e) a consent under section 53 of the *Planning Act*;
 - (f) the approval of a description under section 50 of the *Condominium Act* or s. 9 of the *Condominium Act, 1998*; or
 - (g) the issuance of a permit under the *Building Code Act, 1992* in relation to a building or structure.
10. No more than one development charge for each service designated in section 5 shall be imposed upon any lands or buildings to which the By-law applies even though two or more of the actions described in section 9 are required before the lands or buildings can be developed.
11. Notwithstanding sections 10, 34 and 35, if



- (a) two or more of the actions described in section 9 occur at different times;
or
- (b) a second or subsequent building permit is issued

resulting in increased, additional or different development, then additional development charges shall be imposed in respect of such increased, additional or different development permitted by that action or permit.

12. Where a development requires an approval described in section 9 after the issuance of a building permit and no development charges have been paid, then the development charge shall be paid prior to the granting of the approval required under section 9 of this By-law.
13. If a development does not require a building permit but does require one or more of the approvals described in section 9, then notwithstanding sections 34 and 35, development charges shall nonetheless be payable.
14. Nothing in this By-law prevents Council from requiring in an agreement under section 51, or as a condition of consent or an agreement respecting same under section 53 of the *Planning Act*, that the owner, at his or her own expense, shall install such local services related to or within a plan of subdivision, as council may require in accordance with the City's applicable local services policies in effect at that time, or that the owner pay for local connections to water mains, sanitary sewers and/or storm drainage facilities installed at the owners' expense, including administrative, processing, or inspection fees.

CALCULATION OF DEVELOPMENT CHARGES

15. The development charge with respect to the development of any land, buildings or structures shall be calculated as follows:
 - (a) in the case of residential development, including a dwelling unit accessory to a non-residential use or the residential portion of a mixed-use development, based upon the number and type of dwelling units; or
 - (b) in the case of non-residential development, or the non-residential portion of a mixed-use development, based upon the total floor area of such development.



RESIDENTIAL DEVELOPMENT CHARGES

16. Development charges as described in Schedule A, shall be imposed upon residential uses of lands, buildings or structures, including a residential dwelling unit accessory to a non-residential use, and in the case of a mixed-use building or structure upon the residential component of the mixed-use building or structure.

NON-RESIDENTIAL DEVELOPMENT CHARGES

17. Development charges, as described in Schedule A, shall be imposed upon non-residential uses of lands, buildings or structures, and in the case of a mixed-use building, upon the non-residential uses of the mixed-use building or structure.

RULES WITH RESPECT TO EXEMPTIONS FOR INTENSIFICATION OF HOUSING

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

- (i) the enlargement to an existing residential dwelling unit;
- (ii) the creation of the first two additional dwelling units in, or ancillary to, and existing single detached dwelling; or
- (iii) the creation of the first additional dwelling unit in, or ancillary to, an existing residential building.
- (iv) 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.	The proposed new detached dwelling must only contain two dwelling units. 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.



Item	Name of Class of Proposed New Residential Buildings	Description of Class of Proposed New Residential Buildings	Restrictions
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>

- (b) Notwithstanding subsection 18(a)(ii), development charges shall be imposed in accordance with section 16 if the total floor area of the additional one or two dwelling units in the single detached dwelling exceeds the total floor area of the dwelling unit already in the building.
- (c) Notwithstanding subsection 18(a)(iii), development charges shall be imposed in accordance with subsection 16 if the additional dwelling unit has a total floor area greater than:
 - (i) in the case of a semi-detached or row dwelling, the total floor area of the dwelling unit already in the building; and
 - (ii) in the case of any other residential building, the total floor area of the smallest dwelling unit already in the building.

RULES WITH RESPECT TO DISCOUNTS FOR RENTAL HOUSING

19. Notwithstanding the provisions of this By-law, development charges for rental housing developments will be reduced based on the number of bedrooms in each unit as follows:



- (a) Three or more bedrooms – 25% reduction;
- (b) Two bedrooms – 20% reduction; and
- (c) All other bedroom quantities – 15% reduction.

RULES WITH RESPECT TO AFFORDABLE AND ATTAINABLE RESIDENTIAL UNIT EXEMPTIONS

20. Notwithstanding the provisions of this By-law, once proclaimed, development charges shall not be imposed with respect to developments as follows:

- (a) Affordable residential units; or
- (b) Attainable residential units.

RULES WITH RESPECT TO INDUSTRIAL EXPANSION EXEMPTIONS

21. That if development includes the enlargement of the total floor area of an existing industrial building, the amount of the development charges that is payable is the following:

- (a) if the total floor area is enlarged by fifty percent (50%) or less, the amount of the development charges in respect of the enlargement is zero; or
- (b) if the total floor area is enlarged by more than fifty percent (50%), development charges are payable on the amount by which the enlargement exceeds fifty percent (50%) of the total floor area before the enlargement.

22. For the purpose of section 21, the term “existing industrial building” shall have the same meaning as the term has in O. Reg. 82/98 made under the Act.

23. That for the purpose of interpreting the definition of “existing industrial building” contained in O.Reg. 82/98 made under the Act and as referenced in section 22, regard shall be had for the classification of the lands in question pursuant to the *Assessment Act, R.S.O. 1990, c. A.31*, and in particular:

- (a) whether the lands fall within a tax class such that taxes on the lands are payable at the industrial tax rate; and



- (b) whether more than fifty percent (50%) of the total floor area of the building has an industrial property code for assessment purposes.

- 24. Despite section 23, distribution centers, warehouses, buildings used for the bulk storage of goods and truck terminals shall be considered industrial buildings. For the purposes of this by-law, self-storage facilities are not considered to be industrial buildings.
- 25. For greater certainty in applying the exemption set out in sections 21, 22, 23 and 24, the total floor area of an existing industrial building is enlarged where there is a bona fide increase in the size of the existing industrial building, and the enlarged area is attached to the existing industrial building and is used for or in connection with an industrial purpose as set out in subsection 1(1) of O. Reg. 82/98 made under the Act. Without limiting the generality of the foregoing, the exemption in this section shall not apply where the enlarged area is attached to the existing industrial building by means only of a tunnel, bridge, canopy, corridor or other passage-way, or through a shared below-grade connection such as a service tunnel, foundation, footing or a parking facility.

LOT COVERAGE RELIEF

- 26. Where there is a non-residential development, the development charges otherwise payable pursuant to section 17 shall be calculated in accordance with the following:
 - (a) for the portion of the total floor area of such development that is less than or equal to one (1.0) times the area of the lot or block, the non-residential development charges under this By-law apply; and
 - (b) for the portion of the total floor area of such development that is greater than one (1.0) times the area of the lot or block, non-residential development charges shall not apply.

OTHER EXEMPTIONS

- 27. Notwithstanding section 17, development charges shall not apply to lands, buildings or structures used or to be used for the purposes of:
 - (a) a hospital, excluding any portion of the lands, buildings or structures occupied by a tenant of the hospital;



- (b) facilities providing health and wellness services to senior citizens through programs administered by the Region of Halton or its affiliates;
- (c) hospices;
- (d) a place of worship;
- (e) a conservation authority, unless such buildings or structures are used primarily for or in connection with (i) recreational purposes for which the conservation authority charges admission and/or fees, or (ii) any retail purposes;
- (f) seasonal structures;
- (g) agricultural uses;
- (h) temporary venues;
- (i) a memorial home, clubhouse or athletic grounds of an Ontario branch of the Royal Canadian Legion, pursuant to paragraph 3 of section 3 of the *Assessment Act, R.S.O. 1990, c. A.31*; and
- (j) Non-profit housing developments.

RULES WITH RESPECT TO TEMPORARY BUILDINGS

28. Notwithstanding any other provisions of this By-law, a temporary building or structure shall be exempt from the payment of development charges provided that:

- (a) prior to the issuance of the building permit for the building, the owner shall provide to the City securities in the form of cash or a letter of credit acceptable to the City's Director of Finance in the full amount of the development charges otherwise payable pursuant to this By-law; and
- (b) within three (3) years of building permit issuance, the owner shall provide to the City evidence, to the City's satisfaction, that the temporary building or structure has been demolished or removed from the lands, whereupon the City shall return to the owner the securities provided pursuant to subsection 26(a), without interest.



29. In the event that the owner does not provide satisfactory evidence of the demolition or removal of the temporary building or structure in accordance with subsection 28(b), the building or structure will be deemed not to be a temporary structure and the City shall transfer the amount secured pursuant to subsection 28(a) into the appropriate development charges reserve funds in payment of the development charges applicable to the building without further notification to the owner.
30. The timely provision of satisfactory evidence of the demolition or removal of the temporary building or structure in accordance with subsection 28(b) shall be solely the owner's responsibility.

RULES WITH RESPECT TO THE REDEVELOPMENT OF LAND – DEMOLITION

31. That in the case of a demolition of all or part of a building or structure:
- (a) a credit shall be allowed against the development charges otherwise payable pursuant to this By-law, provided that where a demolition permit for a residential building or structure has been issued and has not been revoked:
 - (i) on or after July 1, 2009, a building permit has been issued for the redevelopment within five (5) years from the date the demolition permit was issued for a residential building or structure.
 - (b) a credit shall be allowed against the development charges otherwise payable pursuant to this By-law, provided that a demolition permit has been issued for a non-residential building or structure and has not been revoked.
 - (c) the credit shall be calculated based on the portion of the building or structure used for a residential purpose that has been demolished by multiplying the number and type of dwelling units demolished, or in the case of a building used for a non-residential purpose that has been demolished by multiplying the non-residential total floor area demolished, by the relevant development charges under this By-law in effect on the date when the development charges are payable pursuant to this By-law with respect to the redevelopment.



- (d) no credit shall be allowed where the demolished building or structure or part thereof would have been exempt pursuant to this By-law.
- (e) where the amount of any credit pursuant to this section exceeds, in total, the amount of the development charges otherwise payable under this By-law with respect to the redevelopment, the excess credit shall be reduced to zero and shall not be carried forward unless the carrying forward of such excess credit is expressly permitted by a phasing plan for the redevelopment that is acceptable to the Director of Finance or equivalent.
- (f) despite subsection 31(a) above, where the building cannot be demolished until the new building has been erected, the owner shall notify the City in writing and pay the applicable development charges for the new building in full and if the existing building is demolished not later than twelve (12) months from the date a building permit is issued for the new building, the City shall provide a refund calculated in accordance with this section to the owner without interest. If more than twelve (12) months is required to demolish the existing building, the owner shall make a written request to the City and the City's Director of Finance and/or Treasurer or designate may extend the time in which the existing building must be demolished in his or her sole and absolute discretion and upon such terms and conditions as he or she considers necessary or desirable and such decision shall be made prior to the issuance of the first building permit for the new building.

RULES WITH RESPECT TO REDEVELOPMENT OF LAND – CONVERSION

32. That in the case of a conversion of all or part of a building or structure:

- (a) a credit shall be allowed against the development charges otherwise payable under this By-law;
- (b) the credit shall be calculated based on the portion of the building or structure that is being converted by multiplying the number and type of dwelling units being converted or the non-residential total floor area being converted by the relevant development charges under this By-law in effect on the date when the development charges are payable pursuant to this By-law with respect to the redevelopment;



- (c) no credit shall be allowed where the building or structure or part thereof prior to conversion would have been exempt pursuant to this By-law; and
- (d) where the amount of any credit pursuant to this section exceeds, in total, the amount of the development charges otherwise payable under this By-law with respect to the redevelopment, the excess credit shall be reduced to zero and shall not be carried forward unless the carrying forward of such excess credit is expressly permitted by a phasing plan for the redevelopment that is acceptable to the Director of Finance or equivalent.

MANDATORY PHASE-IN OF DEVELOPMENT CHARGES

33. The amount of the development charges described in Schedule A to this bylaw shall be reduced as follows, in accordance with section 5(6) of the Act, subject to indexing as per section 40 herein:

- (a) the first year that the by-law is in force - 80 percent of the development charge that could otherwise be charged;
- (b) the second year that the by-law is in force - 85 percent of the development charge that could otherwise be charged;
- (c) the third year that the by-law is in force - 90 percent of the development charge that could otherwise be charged;
- (d) the fourth year that the by-law is in force - 95 percent of the development charge that could otherwise be charged; and
- (e) the fifth to tenth years that the by-law is in force - 100 percent of the development charge will be imposed.

PAYMENT OF DEVELOPMENT CHARGES

34. Development charges, adjusted in accordance with section 40 of this By-law to the date of payment, are payable at the following times:

- (a) Charges imposed under section 16 in relation to residential use are payable on the date that the first building permit approving the construction of a foundation is issued; and



- (b) Charges imposed under section 17 in relation to non-residential use are payable on the date that the first building permit approving the construction of a foundation is issued.
 - (c) Notwithstanding subsection 34(a) and 34(b), development charges for rental housing and institutional developments are due and payable in 6 installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest at the prime lending rate of the City's financial institution, payable on the anniversary date each year thereafter.
 - (d) Where the development of land results from the approval of a Site Plan or Zoning By-law Amendment made on or after January 1, 2020, and the approval of the application occurred within the period of building permit issuance as specific in section 26.2(5) of the Act, the development charges under subsections 34(a), 34(b), and 34(c) shall be calculated based on the rates set out in Schedule "A" on the date the planning application was made, including interest at the prime lending rate of the City's financial institution. Where both planning applications apply development charges under subsections 34(a), 34(b), and 34(c) shall be calculated on the rates set out in Schedule "A", including interest at the prime lending rate of the City's financial institution, on the date of the latter planning application.
35. The City may require, and where so required, an owner shall enter into an agreement, including the provision of security for the owner's obligations under agreement pursuant to section 27 of the Act providing for all or part of a development charge to be paid before or after it otherwise would be payable. The terms of such agreement shall then prevail over the provisions of this By-law.
36. In the alternative to payment by means provided in subsection 32(a) or 32(b), the City may, by an agreement entered into with the owner, accept the provision of services in full or partial satisfaction of the development charge otherwise payable provided that:



- (a) if the City and the owner cannot agree as to the reasonable cost of doing the work under section 35, the dispute shall be referred to Council for decision; and
- (b) if the credit exceeds the amount of the charge for the service to which the work relates:
 - (i) the excess amount shall not be credited against development charges under another by-law for any other service, unless the City has so agreed under section 38 of the Act; and
 - (ii) in no event shall the City be required to make a cash payment to the credit holder.

INTEREST

37. The City shall pay interest on a refund under subsection 18(3), 25(2) and section 36 of the Act at a rate equal to the Bank of Canada rate on the date the By-law comes into force.

UNPAID DEVELOPMENT CHARGES

38. If development charges, or any part thereof, remain unpaid after the due date, the amount unpaid shall be added to the tax roll and shall be collected as taxes.

39. If any unpaid development charges are collected as taxes in accordance with section 38, the monies so collected shall be credited to the appropriate development charge reserve fund.

INDEXING

40. Development charges imposed pursuant to this By-law, shall be adjusted without amendment to this by-law, commencing on the first day of April in the year following enactment of this by-law and annually thereafter, in accordance with the Statistics Canada Quarterly, Construction Price Statistics (catalogue number 62-007).



SCHEDULES

41. The following schedules to this By-law form an integral part thereof:

Schedule A – Residential and Non-residential Development Charges

DATE BY-LAW IN FORCE

42. This By-law shall come into force on June 1, 2024.

DATE BY-LAW EXPIRES

43. This By-law will expire ten (10) years from the date it comes into force, unless it is repealed at an earlier date by a subsequent By-law.

REPEAL

44. By-law 29-2019 be and is hereby repealed effective on the date this By-law comes into force.

REGISTRATION

45. A certified copy of this By-law may be registered on title to any land to which this By-law applies.

SEVERABILITY

46. In the event any provisions, or part thereof, of this By-law is found, by a court of competent jurisdiction, to be ultra vires, such provisions, or part thereof, shall be deemed to be severed, and the remaining portion of such provision and all other provisions of the By-law shall remain in full force and effect.

HEADINGS

47. The headings inserted in this By-law are for convenience of reference only and shall not affect the construction or interpretation of this By-law.

SHORT TITLE

48. This By-law may be cited as the City of Burlington Development Charges By-law.



READ and PASSED this 21 day of May, 2024.

_____ MAYOR
Marianne Meed Ward

_____ CITY CLERK
Samantha Yew



**SCHEDULE “A”
CITY OF BURLINGTON
SCHEDULE OF RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT CHARGES**

Service/Class of Service	RESIDENTIAL (\$ per Dwelling Unit)						NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Multiples - 3 or more Bedrooms	Multiples - 1 or 2 Bedrooms	Special Care/Special Dwelling Units	(\$ per sq.m of Gross Floor Area)
Municipal Wide Services/Class of Service:							
Services Related to a Highway	12,027	6,409	4,846	9,542	6,872	3,916	99.57
Stormwater Drainage Services	175	93	71	139	100	57	3.01
Fire Protection Services	2,038	1,086	821	1,617	1,164	664	16.47
Transit Services	1,617	862	651	1,283	924	527	13.13
Parks and Recreation Services	4,482	2,388	1,806	3,556	2,561	1,460	8.18
Library Services	256	136	103	203	146	83	0.43
TOTAL	20,595	10,974	8,298	16,340	11,767	6,707	140.79