

Memorandum

From	Byron Tan, B.A. (Hons), MBE, PLE
Date	June 18, 2024
Re:	D.C. By-Law Amendment

1. Introduction

The Town of Aurora (Town) passed development charges (D.C.) by-law 6592-24 on March 26, 2024. At the time of by-law passage, the *Development Charges Act* (D.C.A.) did not include studies as an eligible cost to be funded through development charges.

On June, 6, 2024, Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*) received Royal Assent and includes the following changes to the D.C.A.:

- The removal of the Mandatory Phase-in for D.C. by-laws passed after Bill 185 comes into effect;
- A reduction to the D.C. rate freeze timelines for developments proceeding through site plan and zoning by-law amendment applications under the Planning Act. Charges are currently held at rates in place on the date the application is made until building permit issuance, provided the building permit is issued within two (2) years of the approval of the application. This time period is proposed to be reduced to 18 months under Bill 185 (note that the two (2) year timeline will still apply to applications received prior to Bill 185 receiving Royal Assent);
- Inclusion of growth-related studies, including the D.C. background study, as a D.C.-eligible costs;
- Provide a provision of the D.C. by-law specifying the date the by-law expires or to amend the provision to extend the expiry date;
- To allow minor amendments related to the imposition of studies, removal of the mandatory phase-in, and extension of by-law expiry dates (subject to the 10-year limitations provided in the D.C.A.) to be undertaken for by-laws passed after November 28, 2022 and before Bill 185 takes effect; and



- To modernize public notice requirements.

The purpose of this memorandum is to provide the basis for the proposed amendment to the Town's D.C. by-law (attached) to include the costs of growth-related studies.

Subsection 19 (1.2) of the D.C.A. allows for amendments to be made to a D.C. by-law to include growth-related study costs without following subsection 19 (1) of the D.C.A. (subsection 19 (1) of the D.C.A. requires sections 10 to 18 to be followed when making an amendment to a D.C. by-law.). As such an amendment for this purpose does not require the preparation of a background study or a public meeting of Council.

Furthermore, the by-law cannot be appealed to the Ontario Land Tribunal under section 14 of the D.C.A. Notwithstanding the foregoing, the clerk of the municipality is still required to give notice of by-law passage in accordance with subsections 13 (2) to (4) of the D.C.A.

2. General Government (Studies)

The D.C.A. permits the inclusion of studies undertaken to facilitate the completion of the Town's capital works program. These studies have been included as a class of service under General Government (Studies), where each study relates to at least one of the Town's D.C. services.

Table 2-1 summarizes the studies that have been included in the D.C. calculations, which identify the gross capital costs, anticipated timing, deductions, and D.C. eligible costs.



**Table 1
General Government (Studies)**

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2024\$)	Post Period Benefit	Other Deductions (to recognize benefit to non-D.C. services)	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share
	2024 to 2034										
1	Strategic Plan Update	2028	93,700	-		93,700	46,900		46,800	31,824	14,976
2	Facilities Study	2024	90,000	-		90,000	45,000		45,000	30,600	14,400
3	Building Condition Assessment	2024	25,000	-		25,000	12,500		12,500	8,500	4,000
4	Development Charges Background Study	2024	100,000	-		100,000	-		100,000	68,000	32,000
5	Development Charges Background Study Update	2026	100,000	-		100,000	-		100,000	68,000	32,000
6	Development Charges Background Study	2031	100,000	-		100,000	-		100,000	68,000	32,000
7	Official Plan Review	2024	1,100,000	-	110,000	990,000	495,000		495,000	336,600	158,400
8	Official Plan Review	2030-2032	1,100,000	-	110,000	990,000	495,000		495,000	336,600	158,400
9	Fire Master Plan	2026	57,200	-		57,200	-		57,200	38,896	18,304
10	Library Growth Accomodation Study	2024	170,000	-		170,000	-		170,000	161,500	8,500
11	Parks & Recreation Master Plan	2031	110,500	-		110,500	55,300		55,200	52,440	2,760
12	Salt Management Plan Update	2024	152,000	-		152,000	76,000		76,000	51,680	24,320
13	Salt Management Plan Update	2030	162,900	-		162,900	81,500		81,400	55,352	26,048
14	Active Transportation Study	2024	150,000	-		150,000	75,000		75,000	51,000	24,000
15	Master Transportation Study	2028	150,000	-		150,000	-		150,000	102,000	48,000
16	Pedestrian Crossing Study	2025	150,000	-		150,000	75,000		75,000	51,000	24,000
17	Grade Separation Feasibility Study	2026	500,000	-		500,000	250,000		250,000	170,000	80,000
18	Stormwater Master Plan	2025	250,000	-		250,000	-		250,000	170,000	80,000
19	Wastewater Hydraulic Model	2024	125,000	-		125,000	-		125,000	85,000	40,000
20	Wastewater Hydraulic Model	2029	165,500	-		165,500	-		165,500	112,540	52,960
21	Water and Wastewater Master Plan	2024-2025	300,000	-		300,000	-		300,000	204,000	96,000
22	Water Hydraulic Model Upgrade	2024	125,000	-		125,000	-		125,000	85,000	40,000
23	Water Hydraulic Model	2029	165,000	-		165,000	-		165,000	112,200	52,800
24	Reserve Fund Adjustment	Reserve		-		-	504,688		(504,688)	(343,188)	(161,500)
	Total		5,441,800	-	220,000	5,221,800	2,211,888	-	3,009,912	2,107,544	902,368

Based on Table 1, the Town has identified \$5,441,800 in growth-related studies. The following deductions have been made:

- \$220,000 to recognize the portion of the planning studies that benefit non-D.C. services;
- \$1,707,200 to recognize the benefit to the existing community; and
- \$504,688 to recognize the available reserve fund balance related to studies.

Therefore, the net amount to be included in the D.C. for General Government (Studies) is approximately \$3,009,912.

Table 2 presents the amended schedule of D.C.s, with the addition of General Government (Studies).



Table 2-2
Amended Schedule of D.C.s

Service/Class of Service	RESIDENTIAL					NON-RESIDENTIAL	
	Single and Semi-Detached Dwelling	Multiples	Apartments - Large	Apartments - Small	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)	(per sq.m of Gross Floor Area)
Town-Wide Services/Class of Service:							
Wastewater Services	1,233	946	692	476	383	0.55	5.92
Water Services	1,003	769	563	387	312	0.45	4.84
Services Related to a Highway	9,404	7,212	5,281	3,629	2,922	4.22	45.42
Fire Protection Services	1,292	991	726	499	401	0.58	6.24
Library Services	2,935	2,251	1,648	1,133	912	0.15	1.61
Parks and Recreation Services	21,280	16,321	11,950	8,211	6,612	1.07	11.52
General Government (Studies)	556	426	312	215	173	0.23	2.48
Total Town-Wide Services/Class of Services	37,703	28,916	21,172	14,550	11,715	7.25	78.04

By comparison to the current charges, the amended charge for a single and semi-detached residential unit would increase by \$556 (+1.5%) from \$37,147 to \$37,703.