

Addendum to the December 22, 2023 Development Charges Background Study

Town of Lincoln

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February 9, 2024

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List of Acronyms and Abbreviations

Acronym	Full Description of Acronym
D.C.	Development Charges
D.C.A.	Development Charges Act

1. Background

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

- December 22, 2023 – Release of the D.C. Background Study and draft by-law
- February 9, 2024 – Addendum to December 22, 2023 report released
- February 14, 2024 – D.C. Stakeholder Meeting
- February 20, 2024 – Public Meeting of Council
- April 15, 2024 – Council considers adoption of Background Study, as amended and passage of D.C. By-law

The purpose of this addendum report is to revise the capital projects for Water Services and Wastewater Services. As a result of these revisions, a recalculation of the D.C. rates has been undertaken.

2. Updates to the 2023 D.C. Background Study

This section of the addendum report provides an explanation for the above-noted refinements. It is noted that the refinements have resulted in a decrease to the calculated development charges.

2.1 Refinements to Water Services

Based on further review of the capital project listing for Water Services by Town staff, it was determined that the Main Street – Watermain Upgrades (project 4) required an increase in the gross capital cost based on the recent estimates provided by the Town. The revised gross cost now equals $3,040,000 (previously $2,893,157). Subsequently, this increased the benefit to existing amount to $835,000 (previously $761,600), while the other contributions remained unchanged at $1.37 million. Therefore, the net D.C. eligible amount equals $835,000.

The above refinements result in an increase to the calculated development charges for Water Services. For single & semi-detached dwellings the D.C. increases from $5,953 per unit to $5,968 per unit. For non-residential D.C.s:

- Commercial increased from $48.76 to $48.87 per sq.m.
- Industrial increased from $20.24 to $20.34 per sq.m.
- Institutional increased from $36.06 to $36.14 per sq.m.

2.2 Refinements to Wastewater Services

Based on further review of the capital project listing for Wastewater Services by Town staff, it was determined that the Jordan Village Improvements (project 12) be removed from the D.C. calculations.

The above refinements result in a decrease to the calculated development charges for Wastewater Services. For single & semi-detached dwellings the D.C. decreases from $4,902 per unit to $4,457 per unit. For non-residential D.C.s:

- Commercial increased from $40.15 to $36.49 per sq.m.
- Industrial increased from $16.68 to $15.18 per sq.m.
- Institutional increased from $29.71 to $27.02 per sq.m.

3. Overall Changes to the D.C. Calculations

Based on the changes noted in section 2, the calculated development charge (single/semi-detached unit) for Town-wide and Urban services has decreased from $44,568 to $44,138. Regarding the non-residential charges, the calculated development charges for Town-wide and Urban Serviced developments have decreased as follows:

- $314.52 per sq.m to $310.97 per sq.m for commercial;
- $130.89 per sq.m to $129.49 per sq.m for industrial;
- $232.93 per sq.m. to $230.35 per sq.m for institutional; and
- The charge of $34.77 per sq.m for primary development is unchanged.

The summary below compares the current charges (as of January 1, 2024), the charges as calculated in the December 23, 2023 D.C. background study, and the charges calculated in this addendum report.

Residential (Single Detached) Comparison

Service	Current	Calculated (December 22, 2023 Report)	Calculated (February 9, 2024 Addendum)
Town-Wide Services:			
Services Related to a Highway	12,791	17,428	17,428
Fire Protection Services	2,108	3,643	3,643
Parks and Recreation Services	10,418	9,645	9,645
Library Services	727	914	914
Growth Studies	2,233	-	-
Total Town-Wide Services	28,277	31,630	31,630
Urban Services:			
Stormwater Drainage and Control Services	2,412	2,083	2,083
Wastewater Services	3,644	4,902	4,457
Water Services	1,621	5,953	5,968
Total Urban Services	7,677	12,938	12,508
Total Town-wide + Urban	**35,954**	**44,568**	**44,138**
Campden Area Specific:			
Stormwater Drainage	19,728	18,776	18,776
Total Campden Area-Specific	19,728	18,776	18,776

Non-Residential (per sq.m) Comparison

Service	Primary (per sq.m)			Commercial (per sq.m)			Industrial (per sq.m)			Institutional (per sq.m)		
	Current	Calculated (December 22, 2023 Report)	Calculated (February 9, 2024 Addendum)	Current	Calculated (December 22, 2023 Report)	Calculated (February 9, 2024 Addendum)	Current	Calculated (December 22, 2023 Report)	Calculated (February 9, 2024 Addendum)	Current	Calculated (December 22, 2023 Report)	Calculated (February 9, 2024 Addendum)
Town-Wide Services:												
Services Related to a Highway	-	23.57	23.57	99.06	141.33	141.33	41.51	58.88	58.88	70.95	104.73	104.73
Fire Protection Services	-	4.95	4.95	16.57	29.49	29.49	6.90	12.27	12.27	11.67	21.85	21.85
Parks and Recreation Services	-	5.70	5.70	12.07	34.12	34.12	4.90	14.21	14.21	8.62	25.30	25.30
Library Services	-	0.54	0.54	0.80	3.55	3.55	0.53	1.51	1.51	0.66	2.58	2.58
Growth Studies	-	-	-	15.92	-	-	6.77	-	-	11.40	-	-
Total Town-Wide Services	-	34.77	34.77	144.42	208.50	208.50	60.61	86.86	86.86	103.30	154.46	154.46
Urban Specific Services:												
Stormwater Drainage and Control Services	-	-	-	46.29	17.11	17.11	19.10	7.10	7.10	32.48	12.70	12.70
Wastewater Services	-	-	-	29.84	40.15	36.49	12.19	16.68	15.18	20.95	29.71	27.02
Water Services	-	-	-	13.13	48.76	48.87	5.44	20.24	20.34	9.41	36.06	36.17
Total Urban Services	-	-	-	89.26	106.02	102.47	36.73	44.02	42.63	62.84	78.47	75.89
Total Town-wide + Urban	**-**	**34.77**	**34.77**	**233.68**	**314.52**	**310.97**	**97.34**	**130.89**	**129.49**	**166.14**	**232.93**	**230.35**
Campden Area Specific:												
Stormwater Drainage	-	-	-	-	-	-	-	-	-	-	-	-
Total Campden Area-Specific	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**

4. Changes to the Background Study

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

Page Reference	Description of Revisions
ES-iv, ES-v, ES-vii, and ES-viii	Updated the write-up based on the calculated D.C.s, Table ES-2, Table ES-3, and Table ES-4.
1-2	Revised Figure 1-1 to include the release of addendum report and the date of the stakeholder meeting.
5-18 to 5-19	Updated to reflect refinements to the Water Services project list and costing.
5-20 to 5-21	Updated to reflect refinements to the Wastewater Services project list and costing.
6-3, 6-7, and 6-8	Updated Table 6-1, Table 6-4, and Table 6-5 to account for the adjustments to the capital needs.
7-9	Updated section 7.5 to reference the addendum report.
Appendix C	Updated the Long-Term Capital and Operating Cost tables.
Appendix F	Updated values for the Asset Management Plan calculations and associated Table.
Appendix G	Updated draft by-law.

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

Sections 1, 2, 3 & 4 provide for a summary of the revisions to the Town's D.C. Background Study. If Council is satisfied with the above changes to the Background Study and based on the public submissions made at the public meeting, this addendum report #1, along with the recommendations provided in Chapter 7 to the December 22, 2023 report and the updated by-law will be considered for approval by Council.

Amended Pages

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

Measure	10 Year 2023-2032	20 Year 2023-2043	Urban 20 Year 2023-2043
(Net) Population Increase	6,195	12,515	11,710
Residential Unit Increase	3,612	7,210	6,910
Non-Residential Gross Floor Area Increase (sq.ft.)	583,700	1,003,300	834,300

5. On October 1, 2018, the Town of Lincoln passed By-law 2018-93 under the D.C.A. The by-law imposes D.C.s on residential and non-residential uses. This by-law was amended via By-law 2022-30. The Town is undertaking a D.C. public process and anticipates passing a new by-law on April 15, 2024, with the mandatory public meeting on February 20, 2024.

6. The Town's D.C. currently in effect (as of January 1, 2023) is $33,735 for single detached dwelling units for full services. The non-residential charges are as follows: industrial charge is $91.33 per sq.m, commercial is $219.27 per sq.m, and institutional is $155.90 per sq.m. Additionally, area-specific charges for Campden (stormwater) are $18,511 for a single detached dwelling unit. As the Town's current D.C. by-law is set to index on January 1, 2024, these charges are anticipated to increase by 6.57%.

7. This report has undertaken a recalculation of the charges based on future identified needs (presented in Schedule ES-3 and ES-4 for residential and non-residential). Charges have been provided on a Town-wide basis for all services excluding water, wastewater, and stormwater services, which have been provided on an urban-wide basis. The corresponding single-detached unit charge for full services is $44,138. The corresponding non-residential charges (based on a per square metre of building area) for full services are as follows: primary charge is $34.77 per sq.m, industrial charge is $129.49 per sq.m, commercial is $310.97 per sq.m, and institutional is $230.35 per sq.m. With respect to the area-specific charges for Campden (stormwater) the amount is

calculated to be $18,776 for a single detached dwelling unit. These rates are submitted to Council for their consideration.

8. The D.C.A. requires a summary be provided of the gross capital costs and the net costs to be recovered over the life of the by-law. This calculation is provided by service and is presented in Table 6-5. A summary of these costs is provided below:

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

Summary of Expenditures Anticipated Over the Life of the By-law	Expenditure Amount
Total gross expenditures planned over the next ten years	$362,973,134
Less: Benefit to existing development	$124,863,179
Less: Post planning period benefit	$39,494,300
Less: Ineligible re: Level of Service	$542,960
Less: Grants, subsidies and other contributions	$6,130,040
Net costs to be recovered from development charges	**$191,942,656**

This suggests that for the non-D.C. cost over the ten-year D.C. by-law (benefit to existing development, and grants, subsidies and other contributions), $131.54 million (or an annual amount of $13.15 million) will need to be contributed from taxes and rates, or other sources. With respect to the post period benefit amount of $39.49 million, it will be included in subsequent D.C. study updates to reflect the portion of capital that benefits growth in the post period D.C. forecasts.

Based on the above table, the Town plans to spend $362.97 million over the life of the by-law, of which $191.94 million (53%) is recoverable from D.C.s. Of this net amount, $174.42 million is recoverable from residential development and $17.52 million from non-residential development. It is noted also that any exemptions or reductions in the charges would reduce this recovery further.

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

The following services are calculated based on an urban 20-year forecast:

Table ES-3
Schedule of Development Charges

Service	RESIDENTIAL					NON-RESIDENTIAL (per sq.m of Gross Floor Area)			
	Single and Semi-Detached Dwelling	Multiples	Apartments - 2 Bedrooms +	Apartments - Studio and 1 Bedroom	Special Care/Special Dwelling Units	Primary	Commercial	Industrial	Institutional
Town-wide Services									
Services Related to a Highway	17,428	14,422	12,333	7,991	6,680	23.57	141.33	58.88	104.73
Fire Protection Services	3,643	3,015	2,578	1,670	1,396	4.95	29.49	12.27	21.85
Parks and Recreation Services	9,645	7,981	6,825	4,423	3,697	5.70	34.12	14.21	25.30
Library Services	914	756	647	419	350	0.54	3.55	1.51	2.58
Total Town-wide Services	**31,630**	**26,174**	**22,383**	**14,503**	**12,123**	**34.77**	**208.50**	**86.86**	**154.46**
Urban Services									
Stormwater Drainage and Control Services	2,083	1,724	1,474	955	798	-	17.11	7.10	12.70
Wastewater Services	4,457	3,688	3,154	2,044	1,708	-	36.49	15.18	27.02
Water Services	5,968	4,939	4,223	2,737	2,287	-	48.87	20.34	36.17
Total Urban Services	**12,508**	**10,351**	**8,851**	**5,736**	**4,793**	**-**	**102.47**	**42.63**	**75.89**
Total Town-Wide + Urban	**44,138**	**36,525**	**31,234**	**20,239**	**16,916**	**34.77**	**310.97**	**129.49**	**230.35**

Table ES-4
Schedule of Development Charges – Campden Area Specific

Service	RESIDENTIAL					NON-RESIDENTIAL (per sq.m of Gross Floor Area)			
	Single and Semi-Detached Dwelling	Multiples	Apartments - 2 Bedrooms +	Apartments - Studio and 1 Bedroom	Special Care/Special Dwelling Units	Primary	Commercial	Industrial	Institutional
Campden Area-Specific									
Stormwater Drainage	18,776	15,538	13,287	8,609	7,196	-	-	-	-
Campden Area-Specific	**18,776**	**15,538**	**13,287**	**8,609**	**7,196**	**-**	**-**	**-**	**-**

1.2 Summary of the Process

The public meeting required under section 12 of the D.C.A. is scheduled for February 20, 2024. Its purpose is to present the study to the public and to solicit public input. The meeting is also being held to answer any questions regarding the study's purpose, methodology, and the proposed modifications to the Town's D.C.s.

In accordance with the legislation, the background study and proposed D.C. by-law will be available for public review on December 22, 2023.

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

- consideration of responses received prior to, at, or immediately following the public meeting; and
- finalization of the report and Council consideration of the by-law subsequent to the public meeting.

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

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

Schedule of Study Milestone	Dates
1. Data collection, staff review, engineering work, D.C. calculations and policy work	February to November 2023
2. Public release of final D.C. Background study and proposed by-law	December 22, 2023
3. Public meeting advertisement placed in newspaper(s)	By January 30, 2024
4. Public release of addendum to the D.C. Background Study	February 9, 2024
5. Stakeholder Meeting	February 14, 2024
6. Public meeting of Council	February 20, 2024
7. Council considers adoption of background study and passage of by-law	April 15, 2024
8. Newspaper notice given of by-law passage	By 20 days after passage
9. Last day for by-law appeal	40 days after passage
10. Town makes pamphlet available (where by-law not appealed)	By 60 days after in force date

5.4 Urban 20-Year Capital Costs for Lincoln's D.C. Calculation

This section evaluates the development-related capital requirements for water services, wastewater services, and stormwater services over an urban 20-year planning period from 2023 to 2043.

5.4.1 Water Services

The Town has identified the need to undertake water-related capital works in the urban areas in the form of new watermains and upsizing existing watermains. In total, the gross capital cost included is approximately $56.48 million, which includes a reduction of $866,154 to recognize the current balance in the Town's reserve fund. Deductions in the amounts of approximately $14.90 million and $7.39 million have been applied to recognize the portion of the works that will benefit the existing developments in the Town, and the portion of the works that benefit growth outside the forecast period, respectively. Additionally, deductions totalling $2.52 million for the Region's contributions to the capital program have been applied, resulting in a net growth capital cost of approximately $30.81 million for inclusion in the D.C. calculation.

These costs are shared between residential and non-residential based on the population to employment ratio over the 20-year urban forecast period, resulting in 90% being residential development and 10% being allocated to non-residential development.

Table 5-6
Infrastructure Cost Included in the Development Charges Calculation
Water Services

Prj.No	Increased Service Needs Attributable to Anticipated Development 2023-2043	Timing (year)	Gross Capital Cost Estimate (2023$)	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 90%	Non-Residential Share 10%
1	Prudhommes Watermain Construction Upgrade (Includes Victoria Avenue Crossing)	2025	19,500,000	-		19,500,000	5,265,000		14,235,000	12,811,500	1,423,500
2	Victoria Avenue Watermain Twinning for Prudhommes	2028-2032	11,250,000	7,390,700		3,859,300	-		3,859,300	3,473,370	385,930
3	Cherry Heights Blvd & Eastdale Dr WM Replacement	2033-2035	550,000	-		550,000	275,000		275,000	247,500	27,500
4	Main Street - Watermain Upgrades	2023	3,040,000	-		3,040,000	835,000	1,370,000	835,000	751,500	83,500
5	Ontario Street Watermain Upgrade from Fresien to Greenlane	2040	3,000,000	-		3,000,000	900,000		2,100,000	1,890,000	210,000
6	19th St. (St. Johns Drive to King Street)	2029-2032	660,000	-		660,000	198,000		462,000	415,800	46,200
7	19th St WM & Road Reconstruction (4th-Red Maple)	2030-2033	1,430,000	-		1,430,000	429,000		1,001,000	900,900	100,100
8	Jordan Station Rd Reconstruction & WM Replacement	2029	1,649,000	-		1,649,000	725,600		923,400	831,060	92,340
9	Greenlane Ph1 Upgrade/Widening Multi use Trail	2025	3,012,640	-		3,012,640	1,303,800	1,150,000	558,840	502,956	55,884
10	Lincoln Ave S Ph2 Road Reconstruction	2032-2033	523,600	-		523,600	366,500		157,100	141,390	15,710
11	William St Neighbourhood Reconstruction project	2026-2028	3,312,500	-		3,312,500	2,318,800		993,700	894,330	99,370
12	Aberdeen & Hillside Slope Stabil & Reconstruction	2024	106,305	-		106,305	53,200		53,105	47,795	5,311
13	Lincoln Avenue Road Reconstruction - King to SSR	2024	3,474,150	-		3,474,150	1,737,100		1,737,050	1,563,345	173,705
14	Menno St WM Replacement and Road Reconstruction	2031-2032	990,000	-		990,000	495,000		495,000	445,500	49,500
	Financing Costs			-			-				
15	Prudhommes Watermain Construction	2023	3,985,934	-		3,985,934	-		3,985,934	3,587,341	398,593
	Reserve Fund Adjustment						866,154		(866,154)	(779,539)	(86,615)
	Total		**56,484,129**	**7,390,700**	**-**	**49,093,429**	**15,768,154**	**2,520,000**	**30,805,275**	**27,724,747**	**3,080,527**

5.4.2 Wastewater Services

The Town has identified the need to undertake wastewater-related capital works in the urban areas in the form of various new sanitary sewers, extensions, upgrades, and upsizing. The total gross capital cost included is approximately $42.11 million. Deductions in the amounts of approximately $17.06 million and $1.34 million have been made to account for the benefit to existing development and the portion of the works that benefit growth outside of the forecast period. Additionally a deduction of approximately $699,379 has been made to account for the existing reserve fund balance. After deductions, the total net growth related capital cost of approximately $23.01 million has been included in the D.C.

These costs are shared between residential and non-residential based on the population to employment ratio over the 20-year urban forecast period, resulting in 90% being residential development and 10% being allocated to non-residential development.

Table 5-7
Infrastructure Cost Included in the Development Charges Calculation
Wastewater Services

Prj.No	Increased Service Needs Attributable to Anticipated Development 2023-2043	Timing (year)	Gross Capital Cost Estimate (2023$)	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 90%	Non-Residential Share 10%
1	Prudhommes Lakefront Gravity Sewer & Upgrades	2024-2025	4,620,000	1,339,800		3,280,200	-		3,280,200	2,952,180	328,020
2	South Service Rd. (Ontario St to west Urban Boundary)	2030-2035	1,650,000	-		1,650,000	495,000		1,155,000	1,039,500	115,500
3	Twenty-Third Street (Menno St. to Culp Rd.)	2027-2028	840,000	-		840,000	90,500		749,500	674,550	74,950
4	Ontario St (King to Greenlane)	2023-2024	8,350,000	-		8,350,000	4,175,000		4,175,000	3,757,500	417,500
5	Hixon St. (King St. to George St.)	2030	3,000,000	-		3,000,000	1,500,000		1,500,000	1,350,000	150,000
6	Town Wide I/I Reduction Work Program	2023-2043	15,000,000	-		15,000,000	7,500,000		7,500,000	6,750,000	750,000
7	West Avenue - Sewer Upgrades	2024	1,065,000	-		1,065,000	-		1,065,000	958,500	106,500
8	William St Neighbourhood Reconstruction project	2026-2028	1,850,000	-		1,850,000	925,000		925,000	832,500	92,500
9	Lincoln Ave S Ph2 Road Reconstruction	2032-2033	976,800	-		976,800	683,800		293,000	263,700	29,300
10	Hinan Drive Sewer Upsizing	2031-2032	550,000	-		550,000	385,000		165,000	148,500	16,500
11	Union Drive Sewer Upgrade	2030-2032	2,612,500	-		2,612,500	1,306,300		1,306,200	1,175,580	130,620
	Financing Costs			-							
12	Ontario St Sanitary Sewer Upsizing	2023	1,591,031	-		1,591,031	-		1,591,031	1,431,928	159,103
	Reserve Fund Adjustment		-	-		-	699,379		(699,379)	(629,441)	(69,938)
	Total		**42,105,331**	**1,339,800**	**-**	**40,765,531**	**17,759,979**	**-**	**23,005,552**	**20,704,997**	**2,300,555**

Table 6-1
Town of Lincoln
Development Charge Calculation
Urban area Services
20-Year (2023 to 2043)

SERVICE/CLASS	2023$ D.C.-Eligible Cost		2023$ D.C.-Eligible Cost	2023$ D.C.-Eligible Cost				2023$ D.C.-Eligible Cost			
	Residential	Non-Residential	S.D.U.	Primary	Commercial	Industrial	Institutional	Primary per sq.ft.	Commercial per sq.ft.	Industrial per sq.ft.	Institutional per sq.ft.
	$	$	$	$	$	$	$	$	$	$	$
1. Stormwater Drainage and Control Services											
1.1 Channels, drainage and ponds	9,675,614	1,075,068	2,083	-	650,115	94,346	330,607	-	1.59	0.66	1.18
	9,675,614	1,075,068	2,083	-	650,115	94,346	330,607	-	1.59	0.66	1.18
2. Wastewater Services											
2.1 Treatment plants & Sewers	20,704,997	2,300,555	4,457	-	1,391,191	201,892	707,472	-	3.39	1.41	2.51
	20,704,997	2,300,555	4,457	-	1,391,191	201,892	707,472	-	3.39	1.41	2.51
3. Water Services											
3.1 Treatment, storage and distribution systems	27,724,747	3,080,527	5,968	-	1,862,856	270,341	947,330	-	4.54	1.89	3.36
	27,724,747	3,080,527	5,968	-	1,862,856	270,341	947,330	-	4.54	1.89	3.36
TOTAL	**58,105,358**	**6,456,151**	**12,508**	**-**	**3,904,162**	**566,580**	**1,985,409**	**-**	**9.52**	**3.96**	**7.05**
D.C.-Eligible Capital Cost	$58,105,358	$6,456,151		-	$3,904,162	$566,580	$1,985,409				
20-Year Urban Gross Population/GFA Growth (sq.ft.)	13,334	834,300		-	410,000	142,800	281,500				
Cost Per Capita/Non-Residential GFA (sq.ft.)	**$4,358**	**$7.74**		**-**	**$9.52**	**$3.96**	**$7.05**				

By Residential Unit Type	**P.P.U.**	
Single and Semi-Detached Dwelling	2.870	$12,508
Multiples	2.375	$10,349
Apartments - 2 Bedrooms +	2.031	$8,850
Apartments - Bachelor and 1 Bedroom	1.316	$5,735
Special Care/Special Dwelling Units	1.100	$4,793

Table 6-4
Town of Lincoln
Development Charge Calculation
Total All Services

	2023$ D.C.-Eligible Cost		2023$ D.C.-Eligible Cost	2023$ D.C.-Eligible Cost				2023$ D.C.-Eligible Cost			
	Residential	Non-Residential	S.D.U.	Primary	Commercial	Industrial	Institutional	Primary per sq.ft.	Commercial per sq.ft.	Industrial per sq.ft.	Institutional per sq.ft.
	$	$	$	$	$	$	$	$	$	$	$
Urban-wide Services/Classes 20 Year	58,105,358	6,456,151	12,508	-	3,904,162	566,580	1,985,409	-	9.52	3.96	7.05
Town-wide Services/Classes 20 Year	108,736,115	11,817,297	21,985	380,681	7,095,238	963,851	3,377,528	2.70	16.20	6.75	12.00
Town-wide Services/Classes 10 Year	24,848,461	1,307,814	9,645	41,216	746,643	147,426	372,529	0.53	3.17	1.32	2.35
TOTAL	**191,689,934**	**19,581,262**	**44,138**	**421,897**	**11,746,043**	**1,677,857**	**5,735,466**	**3.23**	**28.89**	**12.03**	**21.40**
Campden Area-Specific	2,329,000	-	18,776	-	-	-	-	-	-	-	-

Table 6-5
Town of Lincoln
Gross Expenditure and Sources of Revenue Summary for Costs to be Incurred over the Life of the By-law

Service/Class	Total Gross Cost	Sources of Financing					
		Tax Base or Other Non-D.C. Source			Post D.C. Period Benefit	D.C. Reserve Fund	
		Other Deductions	Benefit to Existing	Other Funding		Residential	Non-Residential
1. Stormwater Drainage and Control Services							
1.1 Channels, drainage and ponds	8,601,400	0	1,825,700	0	0	6,098,130	677,570
1.2 Campden Stormwater Drainage	2,329,000	0	0	0	0	2,329,000	0
2. Wastewater Services							
2.1 Treatment plants & Sewers	32,934,789	0	12,542,629	0	1,339,800	17,147,124	1,905,236
3. Water Services							
3.1 Treatment, storage and distribution systems	52,314,829	0	13,436,500	2,520,000	7,390,700	26,070,866	2,896,763
4. Services Related to a Highway							
4.1 Roads and Related	128,696,213	542,960	47,324,150	2,975,000	0	70,068,693	7,785,410
4.2 Public Works (Facilities and Fleet)	47,336,000	0	20,197,000	0	18,160,000	8,081,100	897,900
5. Fire Protection Services							
5.1 Fire facilities, vehicles & equipment	30,609,033	0	9,230,600	0	2,200,000	17,260,589	1,917,843
6. Library Services							
6.1 Library facilities, materials and vehicles	6,499,536	0	0	0	1,792,000	4,472,159	235,377
7. Parks and Recreation Services							
7.1 Park development, vehicles, trails and recreation facilities	53,652,335	0	20,306,600	635,040	8,611,800	22,893,950	1,204,945
Total Expenditures & Revenues	**$362,973,134**	**$542,960**	**$124,863,179**	**$6,130,040**	**$39,494,300**	**$174,421,612**	**$17,521,044**

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

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

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

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

“Continue the D.C. approach to calculate the charges on an area-specific basis for stormwater in the area of Campden;”

“Approve the capital project listing set out in Chapter 5 of the D.C.s Background Study dated December 22, 2023, subject to further annual review during the capital budget process;”

“Approve the D.C.s Background Study dated December 22, 2023, as amended (with Addendum #1, dated February 9, 2024);"

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

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

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

SERVICE/CLASS OF SERVICE	GROSS COST LESS BENEFIT TO EXISTING	ANNUAL LIFECYCLE EXPENDITURES	ANNUAL OPERATING EXPENDITURES	TOTAL ANNUAL EXPENDITURES
1. Stormwater Drainage and Control Services				
1.1 Channels, drainage and ponds	13,079,682	289,740	34,426	324,166
2. Wastewater Services				
2.1 Treatment plants & Sewers	24,345,352	546,796	2,356,512	2,903,308
3. Water Services				
3.1 Treatment, storage and distribution systems	40,715,975	904,041	2,471,431	3,375,472
4. Services Related to a Highway				
4.1 Roads and Related	90,707,190	4,159,843	1,994,898	6,154,741
4.2 Public Works (Facilities and Fleet)	27,589,000	1,136,722	2,489,784	3,626,506
5. Fire Protection Services				
5.1 Fire facilities, vehicles & equipment	22,218,097	992,262	1,756,210	2,748,472
6. Library Services				
6.1 Library facilities, materials and vehicles	6,552,885	237,747	727,150	964,897
7. Parks and Recreation Services				
7.1 Park development, vehicles, trails and recreation facilities	37,186,015	1,394,309	1,619,718	3,014,027
Total	**262,394,196**	**9,661,460**	**13,450,130**	**23,111,590**

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 Town prepared an A.M.P. in 2022 for its existing assets; however, it did not take into account future growth-related assets for all services included in the D.C. calculations. As a result, the asset management requirement for the D.C. must be undertaken in the absence of this information.

In recognition to the schematic above, the following table (presented in 2023 $) 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 Town'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., taxation, rates, fees, etc.). This amount has been presented on an annual debt charge amount based on 20-year financing.

2. Lifecycle costs for the 2023 D.C. capital works have been presented based on a sinking fund basis. The assets have been considered over their estimated useful lives.

3. Incremental operating costs for the D.C. services (only) have been included.

4. The resultant total annualized expenditures are approximately $36.68 million.

5. Consideration was given to the potential new taxation and user fee revenues which will be generated as a result of new growth. These revenues will be available to finance the expenditures above. The new operating revenues are approximately $9.70 million. This amount, totalled with the existing operating revenues of approximately $48.62 million, provides annual revenues of approximately $58.28 million by the end of the period.

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

Town of Lincoln
Asset Management – Future Expenditures and Associated Revenues
2023$

Asset Management - Future Expenditures and Associated Revenues	2043 (Total)
Expenditures (Annualized)	
Annual Debt Payment on Non-Growth Related Capital[1]	10,658,814
Annual Debt Payment on Post Period Capital[2]	2,912,962
Lifecycle:	
Annual Lifecycle - Municipal-wide Services	9,661,460
Incremental Operating Costs (for D.C. Services)	13,450,130
Total Expenditures	**$36,683,365**
Revenue (Annualized)	
Total Existing Revenue[3]	$48,617,749
Incremental Tax and Non-Tax Revenue (User Fees, Fines, Licences, etc.)	$9,659,963
Total Revenues	**$58,277,712**

[1] Non-Growth Related component of Projects
[2] Interim Debt Financing for Post Period Benefit
[3] As per Sch. 10 of FIR

Appendix G
Proposed D.C. By-law

Appendix G: Proposed D.C. By-law

THE CORPORATION OF THE TOWN OF LINCOLN
BY-LAW NO. 2024-XX
A BY-LAW FOR THE IMPOSITION OF DEVELOPMENT CHARGES AND TO REPEAL BY-LAWS 2018-93 and 2022-30

WHEREAS:

1. Subsection 2(1) of the *Development Charges Act, 1997*, S.O. 1997, c. 27 (hereinafter called "the Act") provides that the council of a municipality may pass by-laws for the imposition of development charges against land for increased capital costs required because of the need for services arising from development in the area which the by-law applies;

2. The Council of the Corporation of the Town of Lincoln ("Town of Lincoln") desires to ensure that the capital costs of meeting development related demands for, or the burden on, Town services does not place an undue financial burden on the Town or its existing taxpayers while, at the same time, ensuring new development contributes no more than the net capital costs attributable to providing the historical level of services and meeting the requirements of Section 5 (1) of the Act;

3. The Council of the Town of Lincoln has given Notice in accordance with Section 12 of the Act of its intention to pass a by-law under Section 2 of the Act;

4. The Council of the Town of Lincoln has heard all persons who applied to be heard no matter whether in objection to, or in support of, the development charge proposal at a public meeting held on February 20, 2024;

5. The Council of the Town of Lincoln had before it a report entitled Development Charges Background Study dated December 22, 2023, as amended February 9, 2024 prepared by Watson & Associates Economists Ltd., wherein it is indicated that the development of any land within the Town of Lincoln will increase the need for services as defined herein;

6. The Council of the Town of Lincoln on February 20, 2024 determined that no additional public meeting was required;

7. The Council of the Town of Lincoln on February 20, 2024 approved the applicable Development Charges Background Study, dated December 22, 2023, as amended February 9, 2024 in which certain recommendations were made relating to the establishment of a development charge policy for the Town of Lincoln pursuant to the *Development Charges Act, 1997.*

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF LINCOLN ENACTS AS FOLLOWS:

1.0 DEFINITIONS

1.1 In this by-law,

(1) "Act" means the *Development Charges Act, 1997,* S.O. 1997, c. 27, as amended, or any successor thereto.

(2) "Accessory Use" means where used to describe a use, building, or structure, that the use, building, or structure is naturally and normally incidental, subordinate in purpose or floor area or both, and exclusively devoted to a principal use, building or structure.

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

(4) "Agricultural Produce Processing Building or Structure" means a building or structure or portion thereof used for processing local farm produce as an ancillary use to an agricultural use.

(5) "Agricultural Produce Stand" means a seasonal building or structure where Ontario grown produce is retailed to the general public and is accessory to an agricultural use.

(6) "Agricultural Produce Warehouse and/or Shipping Building or Structure" means a building or structure or portion thereof where local agricultural produce and/or products are stored and distributed to and from.

(7) “Agricultural Research” means the use of a building or structure for agricultural research.

(8) “Agricultural Use” means use or intended use for bona fide farming purposes

(a) including (but not limited to):

(b) cultivation of crops, whether on open land or in greenhouses, including (but not limited to) fruit, vegetables, herbs, grains, field crops, marijuana, sod, trees, shrubs, flowers, and ornamental plants;

(c) raising of animals, including (but not limited to) cattle, horses, pigs, poultry, livestock, fish;

(d) agricultural animal husbandry, dairying, equestrian activities, horticulture, fallowing, pasturing, and market gardening;

(e) Agricultural Produce Stand and Farm Produce Outlet;

(f) Agricultural Research uses on lands within an Agricultural Zone;

(g) the first 750 square metres of an Agricultural Produce Processing Building, or Structure located on lands within an Agricultural Zone; and

(h) the first 750 square metres of an Agricultural Produce Warehouse and/or Shipping Building or Structure on lands within an Agricultural Zone.

but excluding:

(i) retail sales activities except those retail sales activities associated with Section (7)(a);

(j) restaurants, banquet facilities, hospitality facilities, Craft Breweries, Craft Distilleries, Estate Wineries, Farm Wineries, and Residential Uses;

(k) services related to grooming, boarding, or breeding of household pets; and

(l) Marijuana Processing or Production Facilities.

(9) "Apartment Unit" means any residential dwelling unit within a building containing five or more dwelling units where access to each residential unit is obtained through a common entrance or entrances from the street level and the residential units are connected by an interior corridor.

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

(11) "Back-to-back Townhouse Dwelling" means a building containing four or more dwelling units separated vertically by a common wall, including a rear common wall, that do not have rear yards.

(12) "Bedroom" means a habitable room larger than seven square metres, including a den, study, or other similar area, but does not include a living room, dining room or kitchen.

(13) "Benefiting Area" means an area defined by a map, plan, or legal description in a front-ending agreement as an area that will receive a benefit from the construction of a service.

(14) "Board of Education" means a board defined in subsection 1(1) of the *Education Act*, R.S.O. 1990, c.E.2, as amended, or any successor thereto.

(15) "Building Code Act" means the *Building Code Act*, *1992*, S.O. 1992, c. 23, as amended, or any successor thereto.

(16) "Building Permit" means a permit pursuant to the Building Code Act, 1992, S.O. 1992, c. 23, as amended;

(17) “Capital cost” means costs incurred or proposed to be incurred by the municipality or a local board thereof directly or by others on behalf of, and as authorized by the municipality or local board,

(a) to acquire land or an interest in land, including a leasehold interest;

(b) to improve land;

(c) to acquire, lease, construct or improve buildings and structures; and

(d) to acquire, lease, construct or improve facilities including:

(i) rolling stock with an estimated useful life of seven years or more,

(ii) furniture and equipment, other than computer equipment, and

(iii) materials acquired for circulation, reference or information purposes by a library board as defined in the *Public Libraries Act*;

required for the provision of services designated in this by-law within or outside the municipality, including interest on borrowing for those expenditures under clauses (a), (b), (c) and (d) that are growth-related.

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

(19) “Commercial” means any non-residential development not defined under “institutional” or “industrial” and includes retail development and hotels/motels.

(20) “Council” means the Council of the Corporation of the Town of Lincoln.

(21) “Craft Brewery” means a building or structure as a secondary use on the same farm parcel of land for the processing of crops, fruit, fermentation, production, bottling, aging, and storing of beer and beer-related products where the crops or fruit used in the production of the beer shall be locally grown. A craft brewery may also include the retail sale of beer, hospitality room, restaurant, office, and a laboratory.

(22) “Craft Distillery” means a building or structure as a secondary use on the same farm parcel of land for the processing of crops, fruit, fermentation, production, bottling, aging, and storing of distilled spirits and spirit-related products where the crops or fruit used in the production shall be locally grown. A distillery may also include the retail sale of spirits, hospitality room, restaurant, office, and a laboratory.

(23) “Development” means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof and includes redevelopment. Notwithstanding the foregoing, development does not include temporary structures, including but not limited to, seasonal hoop structures, seasonal fabric structures, tents, or agricultural produce stands.

(24) “Development Charge” means a charge imposed pursuant to this By- law.

(25) “Dwelling Room” means either:

(a) each bedroom used, designed, or intended for use by one or more persons living together in a lodging home, dormitories, or

(b) in the case of a special care/special dwelling unit/room, each individual room or suite of rooms used, designed, or intended for use by one or two persons with or without exclusive sanitary and/or culinary facilities.

(26) “Dwelling unit” means any part of a building or structure used, designed, or intended to be used as a domestic establishment in which one or more

persons may sleep and are provided with culinary and sanitary facilities for their exclusive use.

(27) "Estate winery" means a building or structure as a secondary use to a vineyard and/or fruit farm on the same farm parcel of land for the processing of fruit, fermentation, production, bottling, aging, and storing of wine and wine-related products where the fruit used in the production of the wine shall be locally grown. An estate winery may also include the retail sale of wine, hospitality room, restaurant, winery office and a laboratory.

(28) "Existing" means a building or structure existing as of the date of passage of this by-law.

(29) "Farm Helphouse" means a dwelling unit for seasonal or full-time farm help located within a farm building, ancillary to a farm and located on the same lot therewith.

(30) "Farm Produce Outlet" means a building or structure where Ontario grown produce, bakery produced on the premises, processed fruit is prepared on the premises, Ontario grown greenhouse and nursery produces and Ontario made floral products are retailed to the general public and is accessory to an agricultural use.

(31) "Farm Winery" means a building or structure as a secondary use to a vineyard and/or fruit farm on the same farm parcel of land for the processing of locally grown fruit, fermentation, production, bottling, aging and storage of wine and wine-related products where the fruit used in the production of the wine shall be predominantly from the vineyard and/or fruit farm located on the same land as the farm winery as well as part of a farmer's own farm operation. A farm winery may also include the retail sale of wine, hospitality room, restaurant, winery office and a laboratory.

(32) "Garden Suite" means a one-unit detached, temporary residential structure containing culinary and sanitary facilities, that is ancillary to an existing residential structure and that is designed to be temporary.

(33) “Grade” means the average level of finished ground adjoining a building or structure at all exterior walls.

(34) “Greenhouse” means a building or structure for the growing of such items as flowers, bushes, shrubs, trees, plants, fruits, vegetables, and other types of nursery stock.

(35) “Gross Floor Area” means the total floor area of all floors above grade of a dwelling unit measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing the dwelling unit from other dwelling units or other portion of a building.

In the case of a non-residential building or structure, or in the case of a mixed-use building or structure in respect of the non-residential portion thereof, the total area of all building floors above or below grade measured between the outside surfaces of the exterior walls, or between the outside surfaces of exterior walls and the centre line of party walls dividing a non-residential use and a residential use, except for:

(a) a room, elevator, or enclosed area within the building or structure above or below grade that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical or telecommunications equipment that services the building;

(b) loading facilities above or below grade;

(c) a part of the building or structure below grade that is used for the parking of motor vehicles or for storage or other accessory use.

(36) “Group Home” means a residential building or the residential portion of a mixed-use building containing a single housekeeping unit which is supervised on a 24-hour basis on site by agency staff on a shift rotation basis, and funded wholly or in part by any government or its agency, or by public subscription or donation, or by any combination thereof and licensed, approved or supervised by the Province of Ontario for the

accommodation of persons under any general or special act and amendments or replacements thereto. A group home may contain an office provided that the office is used only for the operation of the group home in which it is located.

(37) "Hotels/Motels" means a commercial establishment catering to the needs of the traveling or vacationing public by supplying accommodation with or without food but does not include a "boarding or lodging dwelling" or an "apartment dwelling". A hotel/motel may include accessory uses such as personal service uses, eating establishments and banquet and/or convention facilities.

(38) "Industrial" means lands, buildings or structures used or designed or intended for use for manufacturing, processing, fabricating or assembly of raw goods, warehousing, or bulk storage of goods, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use but does not include the sale of commodities to the general public through a warehouse club. "Marijuana Processing Facilities" are also included in this category.

(39) "Industrial Use" means land, buildings or structures used for or in connection with manufacturing by:

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

(b) research or development in connection with manufacturing, producing, or processing good for a commercial purpose;

(c) retail sales by a manufacturer, producer, or processor of goods they manufactured, produced, or processed, if the retail sales are at the site where the manufacturing, production or processing takes place;

(d) office or administrative purposes if it is:

(i) carried out with respect to manufacturing, producing, processing, storage or distributing of something; and

(ii) in or attached to the building or structure used for that manufacturing, producing, processing, storage, or distribution;

(40) "Institutional" means lands, buildings or structures used or designed or intended for use by an organized body, society, or religious groups for promoting a public or non-profit purpose and shall include, but without limiting the generality of the foregoing, places of worship, group homes, nursing homes, and special care facilities.

(41) "Institutional Development" means development of a building or structure intended for use:

(a) as a long-term care home within the meaning of subsection 2(1) of the Fixing Long-Term Care Act, 2021, S.O. 2021, c. 39, Sched. 1 ("Fixing Long-Term Care Act");

(b) as a retirement home within the meaning of subsection 2(1) of the Retirement Homes Act, 2010, S.O. 2010, c. 11

(c) by any of the following post-secondary institutions for the objects of the institution:

(i) a university in Ontario that receives direct, regular, and ongoing operating funding from the Government of Ontario,

(ii) a college or university federated or affiliated with a university described in subclause (i), or

(iii) an Indigenous Institute prescribed for the purposes of section 6 of the Indigenous Institutes Act, 2017, S.O. 2017, c. 34, Sched. 20.

(42) "Interest Rate" means the annual rate of interest as set out in section 26.3 of the Act.

(43) “Live/Work Unit” means a unit which contains separate residential and non-residential areas intended for both residential and non- residential uses concurrently and shares a common wall or floor with direct access between the residential and non-residential areas.

(44) “Local Board” has the same definition as defined in the *Development Charges Act, 1997*.

(45) “Local Services” means those services, facilities or things which are under the jurisdiction of the municipality and are related to a plan of subdivision or within the area to which the plan relates in respect of the lands under Sections 41, 51 or 53 of the *Planning Act,* R.S.O. 1990, c.P.13, as amended, or any successor thereto.

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

(47) “Mixed-Use Building” means a building or structure used for both residential and non-residential use;

(48) “Mobile Home” means a dwelling unit that is designed to be transported either on its own wheels, on a flatbed or other trailer, or on detachable wheels, and which is suitable for permanent or seasonal occupancy as a residence, except for minor and incidental unpacking and assembly operations, placement on a mobile home stand and connections to utilities.

(49) “Multiple Dwellings” means all dwellings other than single detached dwellings, semi-detached dwellings, and apartment house dwellings or a dwelling room, including, but not limited to, townhouse dwelling, multiplex, back-to-back townhouse dwelling, stacked townhouse dwelling, and the residential component of live/work units.

(50) “Municipality” means the Corporation of the Town of Lincoln.

(51) “Non-Profit Housing Development” means Development of a building or structure that meets the criteria set out in section 4.2 of the Act.

(52) “Non-Residential Use” means a building or structure of any kind whatsoever used, designed, or intended to be used for other than a residential use and includes all commercial, industrial, and institutional uses.

(53) “Nursing Home” means a residential building or the residential portion of a mixed-use building licensed as a nursing home by the Province of Ontario.

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

(55) “Parking Structure” means buildings or structures uses for the parking of motor vehicles and includes underground parking within a building or structure of a residential, commercial, institutional, or industrial use.

(56) “Place of Worship” means that part of a building or structure that is exempt from taxation as a place of worship under the *Assessment Act*, R.S.O. 1990, c.A.31, as amended or any successor thereto.

(57) “Regulation” means any regulation made pursuant to the Act.

(58) “Rental Housing” means development of a building or structure with four (4) or more residential units all of which are intended for use as rented residential premises.

(59) “Residential Use” means lands, buildings or structures of any kind whatsoever used, designed, or intended to be used as living accommodations for one or more individuals.

(60) “Retail Development” means land, buildings or portions thereof used, designed, or intended for use for the purpose of offering foods, wares, merchandise, substances, articles, or things for sale directly to the public

or providing services or entertainment to the public. Retail development excludes freestanding banks kiosks and seasonal outdoor tables as part of an existing restaurant, and includes, but not limited to:

(a) land, buildings, or portions thereof used, designed, or intended for use for the rental of wares, merchandise, substances, articles, or things;

(b) offices and storage in connection with, related to or ancillary to retail use; and

(c) conventional restaurants; fast food restaurants; catering establishments, bars and taverns; beer and wine-making stores; concert halls/theatres/cinemas/movie houses/drive-in theatres; dinner theatres; casinos; amusement and theme parks; amusement arcades; bowling alleys; pet boarding kennels, pet boarding kennel services, pet obedience training centres, pet care, attendance and grooming services; fitness/recreation sport centres; hotels, motels/bed and breakfast facilities/rooming and boarding houses; gas stations and service stations; specialty automotive shops/auto repairs/collision services/car or truck washes; auto dealerships; shopping centres and plazas, including more than two attached stores under one ownership; department/discount stores; banks and similar financial institutions, including credit unions; insurance brokerages; investment advisory services; and warehouse clubs and retail warehouses.

(61) “Semi-Detached Dwelling” means a dwelling unit in a residential building consisting of two dwelling units having one vertical wall or one horizontal wall, but no other parts, attached or another dwelling unit where the residential units are not connected by an interior corridor.

(62) “Services” or “Service” means those services set out in Schedule “A” to this By-law.

(63) “Servicing Agreement” means an agreement between a landowner and the municipality relative to the provision of municipal services to specified lands within the municipality.

(64) “Single Detached Dwelling Unit” means a residential building consisting of one dwelling unit and not attached to another structure and includes mobile homes.

(65) “Special Care/Special Dwelling Unit/Room” means a residence:

(a) containing two (2) or more dwelling rooms, which rooms have common entrance from street level; and

(b) where the occupants have the right to use in common with other occupants, halls, stairs, yards, common room, and accessory buildings; and

(c) that is designed to accommodate persons with specific needs, including but not limited to, independent permanent living arrangements; and where

(d) support services, such as meal preparation, grocery shopping, laundry, housing, nursing, respite care and attending services are provided at various levels; and includes but is not limited to retirement homes or lodges, group homes, dormitories, and hospices.

(66) “Stacked Townhouse Dwelling” means a building containing two or more dwelling units where each dwelling unit is separated horizontally and/or vertically from another dwelling unit by a common wall.

(67) “Temporary Buildings and Structures” are buildings and structures which are permitted during a period for special events, a temporary office for the sale of residential units and a mobile home as temporary accommodation for a period not to exceed 24 months as a dwelling unit is being erected on the same land, which will be removed at the end of the period.

(68) Townhouse Swelling" means a residential building containing three or more dwelling units separated by vertical division, each of which units has a separate entrance to grade.

2.0 DESIGNATION OF SERVICES/CLASS OF SERVICES

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

(a) services related to a highway;

(b) fire protection services;

(c) parks and recreation services;

(d) library services;

(e) stormwater drainage and control services;

(f) wastewater services;

(g) water services; and

(h) storm water management (Campden).

2.2 Components of the services/class of services designated in Subsection 2.1 are described in Schedule “A”.

3.0 APPLICATION OF BY-LAW RULES

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

(a) the lands are located in the area described in Subsection 3.2; and

(b) the development of the lands requires any of the approvals set out in Subsection 3.4(a).

Area to Which By-law Applies

3.2 Subject to Subsection 3.3, this by-law applies to all lands in the geographic area of the Town of Lincoln.

(a) The Development Charges described in Schedule "B" to this by-law as "Municipal Wide" shall be calculated and collected on all lands in the geographic area of the Town of Lincoln.

(b) The Development Charges described in Schedule "C" to this by-law as "Area Specific" shall be calculated and collected only in those areas as delineated in the Town of Lincoln Urban Service Area, as shown in Schedules "D-1" and "D-2" to this by-law.

(c) The Development Charges described in Schedule "C-1" to this by- law as "Area Specific" shall be calculated and collected only in those areas as delineated in the Phase 2 development area of Campden, as shown in Schedule "D-3" to this by-law.

3.3 This by-law shall not apply to lands that are owned by and used for the purposes of:

(a) the Corporation of the Town of Lincoln or a "local board" thereof;

(b) a "board of education";

(c) the Corporation of the Regional Municipality of Niagara or a "local board" thereof.

Development Charges Imposed

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

(i) the passing of a zoning by-law or an amendment to a zoning by-law under Section 34 of the *Planning Act,* R.S.O. 1990, c.P.13, as amended;

(ii) the approval of a minor variance under Section 45 of the *Planning Act;*

(iii) a conveyance of land to which a by-law passed under Subsection 50(7) of the *Planning Act* applies;

(iv) the approval of a plan of subdivision under Section 51 of the *Planning Act;*

(v) a consent under Section 53 of the *Planning Act*;

(vi) the approval of a description under Section 50 of the *Condominium Act, 1998,* S.O. 1998, c. 19, as amended; or

(vii) the issuing of a building permit under the *Building Code Act, 1992,* S.O. 1992, c. 23, as amended, in relation to a building or structure.

(b) No more than one development charge for each service designated in Subsection 2.1 shall be imposed upon any lands, buildings, or structures to which this by-law applies even though two or more of the actions described in Subsection 3.4 (a) are required before the lands, buildings or structures can be developed.

(c) Despite Subsection 3.4 (b), if two or more of the actions described in Subsection 3.4 (a) occur at different times, additional development charges shall be imposed if the subsequent action has the effect of increasing the need for services.

Exemptions

3.5 Notwithstanding the provisions of this by-law, but subject to Subsection 3.5, development charges shall not be imposed with respect to:

(a) lands, buildings, or structures used or to be used for a place of worship or for the purposes of a cemetery or burial ground exempt from taxation under the *Assessment Act,* R.S.O. 1990, c.A.31, as amended;

(b) the development of non-residential farm buildings for farming activities;

(c) the development of a farm help house;

(d) garden suite;

(e) parking structures, including underground parking garages;

(f) Elevators and elevator machine rooms;

(g) temporary Uses in accordance with Section 1(60);

(h) canopies including gas station canopies and those intended for the parking and loading or unloading of vehicles;

(i) one or more enlargements of an existing industrial building on its site, whether attached or separate from the existing industrial building, up to a maximum of fifty per cent (50%) of the gross floor area before the first enlargement for which an exemption from the payment of development charges was granted pursuant to the *Development Charges Act* or this subsection. Development charges shall be imposed in accordance with Schedules "B" and "C" to this by-law, with respect to the amount of floor area of an enlargement that results in the gross floor area of the industrial building being increased by greater than fifty per cent (50%) of the gross floor area of the existing industrial building; or if the gross floor area is enlarged by more than fifty per cent (50%), development charges are payable on the amount by which the enlargement exceeds fifty per cent (50%) of the gross floor area before the enlargement. The amount of the development charge that would be payable multiplied by the fraction determined as follows:

1. Determine the amount by which the enlargement exceeds fifty per cent (50%) of the gross floor area before the enlargement.

2. Divide the amount determined under paragraph 1 by the amount of the enlargement.

(j) Land vested in or leased to a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary

education is exempt from development charges imposed under the Development Charges Act, 1997 if the development in respect of which development charges would otherwise be payable is intended to be occupied and used by the university.

(k) Non-profit Residential Development;

(l) Affordable Residential Units required pursuant to Section 34 and 16(4) of the Planning Act (Inclusionary Zoning).

(m) Notwithstanding subsections 3.2 and 3.4, as of the date on which Section 4.1 of the Act is proclaimed into force, the following shall be exempt from Development Charges:

(i) Affordable Residential Units; and

(ii) Attainable Residential Units

3.5.1 Rules with Respect to Exemptions for Intensification of Existing or New Housing

(a) Notwithstanding any other provision of this By-law, Development Charges shall not be imposed with respect to:

(i) an enlargement to an existing Dwelling Unit;

(ii) the creation of additional Dwelling Units equal to the greater of one (1) or 1% of the existing Dwelling Units in an existing Residential rental building containing four (4) or more Dwelling Units or prescribed ancillary structure to the existing Residential building;

(b) Notwithstanding any other provision of this By-law, Development Charges shall not be imposed with respect to the creation of any of the following in existing Residential Units:

(i) A second residential unit in an existing detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the existing detached house,

semi-detached house or rowhouse cumulatively contain no more than one (1) residential unit.

(ii) A third residential unit in an existing detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units.

(iii) One (1) residential unit in a building or structure ancillary to an existing detached house, semi-detached house or rowhouse on a parcel of land, if the existing detached house, semi-detached house or rowhouse contains no more than two (2) residential units and no other building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units.

(c) Notwithstanding any other provision of this By-law, Development Charges shall not be imposed with respect to the creation of any of the following in new residential units:

(i) A second residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the new detached house, semi-detached house or rowhouse cumulatively will contain no more than one (1) residential unit.

(ii) A third residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units.

(iii) One (1) residential unit in a building or structure ancillary to a new detached house, semi-detached house or rowhouse on a parcel of land, if the new detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or

structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units.

3.5.1 Rules with Respect to Rental Units Reductions

(a) Notwithstanding any other provision of this By-law, the Development Charges payable for Residential Development, where the Dwelling Units are intended for rented Residential Use, will be reduced based on the number of bedrooms in each Dwelling Unit as follows:

(i) Three (3) or more Bedrooms – 25% reduction;

(ii) Two (2) Bedrooms – 20% reduction; and

(iii) Fewer than two (2) Bedrooms – 15% reduction.

Amount of Charges

Residential

3.6 The development charges described in Schedules "B" and "C" to this by- law shall be imposed on residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use and, in the case of a mixed use building or structure, on the residential uses in the mixed use building or structure, including the residential portion of a live/work unit, according to the type of residential unit, and calculated with respect to each of the services according to the type of residential use.

Non-Residential Uses

3.7 The development charges described in Schedules "B" and "C" to this by- law shall be imposed on non-residential uses of lands, buildings, or structures, and, in the case of a mixed-use building or structure, on the non- residential uses in the mixed-use building or structure, including the non- residential component of a live/work unit, and calculated with respect to each of the services according to the gross floor area of the non-residential use.

Redevelopment of Residential Buildings or Structures

3.8 In the case of the demolition of all or part of a residential building or structure associated with a development on a singular and certain parcel of land:

(a) a redevelopment credit shall be allowed, provided that the singular and certain parcel of land was improved by occupied structures within the last five years prior to the issuance of the building permit required by the development, and the building permit for the development has been issued within five years from the date the demolition permit has been issued; and

(b) if a development on a singular and certain parcel of land involves the demolition and replacement of a building or structure, or the conversion from one principal use to another, a redevelopment credit shall be allowed equivalent to:

(i) the number of dwelling units demolished/converted multiplied by the applicable residential development charge in place at the time the development charge is payable, and/or

(ii) the gross floor area of the building demolished/ converted multiplied by the current non-residential development charge in place at the time the development charge is payable.

Redevelopment of Non-Residential Buildings or Structures

3.9 In the case of the demolition of all or part of a non-residential building or structure associated with a development on a singular and certain parcel of land:

(a) a redevelopment credit shall be allowed, provided that the singular and certain parcel of land was improved by occupied structures within the last five years prior to the issuance of the building permit required by the development, and the building permit has been issued for the development within five years from the date the demolition permit has been issued; and

(b) if a development on a singular and certain parcel of land involves the demolition of and replacement of a building or structure, or the conversion

from one principal use to another, a redevelopment credit shall be allowed equivalent to:

(i) the number of dwelling units demolished/converted multiplied by the applicable residential development charge in place at the time the development charge is payable, and/or

(ii) the gross floor area of the building demolished/converted multiplied by the current non-residential development charge in place at the time the development charge is payable.

Redevelopment - Conversions

3.10 In the case of a conversion of all or part of a building:

(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 that is being converted by multiplying the number and type of dwelling units being converted or the commercial, industrial and institutional 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; and

(c) 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 Treasurer.

Credit Not to Exceed Development Charge

3.11 A redevelopment credit can, in no case, exceed the amount of the development charge that would otherwise be payable, and no redevelopment credit is available if the existing land use is exempt under this by-law.

Time of Payment of Development Charges

3.12 Development charges shall be calculated and be payable in full in money or by provision of services as may be agreed upon, or by credit granted under the Act, on the date that the first building permit is issued in relation to a building or structure on land to which a development charge applies.

3.13 Where development charges apply to land in relation to which a building permit is required, no building permit shall be issued until the development charges have been paid in full.

3.14 Where, by law, a building permit is required for development and development occurs without the issuance of a building permit by the municipality, a development charge shall be calculated and be due and payable in full in money upon demand by the municipality.

3.15 Where a development charge or any part of it remains unpaid after it is due and payable, the amount unpaid shall be added by the Treasurer of the Corporation of the Town of Lincoln to the tax roll where it shall be collected in the same manner as taxes.

3.16 Notwithstanding Sections 3.12 to 3.14, development charges for rental housing and institutional developments are due and payable in six equal annual instalment payments commencing with the first instalment payable on the date of occupancy, and each subsequent instalment, including interest (calculated in accordance with Section 26.3 of the Act), payable on the anniversary date each year thereafter.

3.17 Where the development of land results from the approval of a site plan or zoning by-law amendment application received on or after January 1, 2020, and the approval of the application occurred within two years of building permit issuance, the development charges under Sections 3.6 and 3.7 shall be calculated on the rates set out in Schedule "B" on the date of the receipt of a complete planning application, including interest. Where both planning applications apply development charges under Sections 3.6 and 3.7 shall be calculated on the rates payable on the anniversary date each year thereafter, set out in Schedule "B" on

the date of the later planning application, including interest (calculated in accordance with Section 26.3 of the Act).

Alternative Payment Agreements

3.18 The Town may enter into an agreement under Section 27 of the Act, in a form and having content satisfactory to the Town's solicitor and having content satisfactory to the Treasurer, with any person who is required to pay a development charge providing for all or any part of the development charge to be paid before or after it would otherwise be payable.

3.19 Council directs the Chief Building Official or his or her designate to withhold the issuance of a building permit in relation to a building on land to which the development charge applies unless the development charge has been paid.

4.0 PAYMENT BY SERVICES

4.1 Despite the payments required under Subsection 3.12, Council may, by agreement, give a credit towards a development charge in exchange for work that relates to a service for which a development charge is imposed under this by-law.

5.0 BY-LAW AMENDMENT OR APPEAL

5.1 Where this By-law or any Development Charge prescribed thereunder is amended or repealed either by order of the Ontario Land Tribunal or by resolution of Council, the Treasurer of the Town shall calculate forthwith the

amount of any overpayment to be refunded as a result of said amendment or repeal.

5.2 Refunds that are required to be paid under Subsection 5.1 shall be paid with interest to be calculated as follows:

(1) interest shall be calculated from the date on which the overpayment was collected to the date on which the refund is paid;

(2) the minimum interest rate is what the Bank of Canada rate is on the day the By-law comes into force, updated on the first business day of every January, April, July and October.

6.0 INDEXING

6.1 Development charges imposed pursuant to this by-law shall be adjusted annually, without amendment to this by-law, commencing on May 1, 2024 and each January 1st thereafter, in accordance with the Statistics Canada Quarterly Construction Price Statistics.

7.0 PHASING

7.1 The amount of the Development Charges described in Schedules “B” and “C” to this By-law shall be reduced in accordance with Section 5(8) of the Act. Therefore, commencing in the year this By-law comes into force and subject to annual indexing in accordance with Section 6 of this By-law, the following percentages of the charges provided in Schedule “B” will be imposed:

(1) Year 1 – 80 per cent;

(2) Year 2 – 85 per cent;

(3) Year 3 – 90 per cent;

(4) Year 4 – 95 per cent;

(5) Years 5 through 10 – 100 per cent.

8.0 SCHEDULES

8.1 The following schedules to this by-law form an integral part thereof:

Schedule "A"	Components of Services/Class of Services Designated in Subsection 2.1
Schedule "B"	Residential and Non-Residential Development Charges – Municipal Wide
Schedule "C"	Residential Development Charges – Area-specific (Campden)
Schedules "D-1" through "D-3"	Town of Lincoln Urban Service Areas

9.0 HEADINGS FOR REFERENCE ONLY

9.1 The headings contained in this by-law are for convenience of reference only and shall not affect the construction or interpretation of this by-law.

10.0 SEVERABILITY

10.1 If, for any reason, any provision, section, subsection, or paragraph of this by-law is held to be invalid, it is hereby declared that all of the remainder of this by-law shall continue in full force and effect until repealed, re-enacted, or amended, in whole or in part, or dealt with in any other way.

11.0 DATE BY-LAW IN FORCE

11.1 This By-law shall come into force and effect on April XX, 2024.

12.0 DATE BY-LAW EXPIRES

12.1 This by-law will expire as of ten (10) years from the date of passage unless it is repealed at an earlier date.

13.0 REPEAL

13.1 Upon the coming into force of this by-law, By-law No. 2018-93 (as amended) of the Town of Lincoln is hereby repealed.

PASSED AND ENACTED on the XX day of April, 2024

MAYOR: SANDRA EASTON

CLERK: JULIE KIRKELOS

SCHEDULE "A"
TO BY-LAW NO. 2024-XX
DESIGNATED MUNICIPAL SERVICES/CLASSES OF SERVICES UNDER THIS BY-LAW

Town-Wide Services/Classes of Services

- Services Related to a Highway
    - Roads and Related
    - Public Works Facilities, Vehicles and Equipment
- Fire Protection Services
    - Fire Facilities
    - Fire Vehicles
    - Fire Small Equipment & Gear
- Library Services
    - Library Facilities
    - Collection Materials
- Parks and Recreation Services
    - Parkland Development
    - Park Vehicles and Equipment
    - Recreation Facilities

Urban Area Services (Beamsville, Vineland, Jordan, Jordan Station. and Prudhommes)

- Water Services
    - Distribution Systems
- Wastewater Services
    - Collection Systems
- Stormwater Services
    - Channels and Drainage

Area-Specific Services (Campden)

- Stormwater Drainage

SCHEDULE "B"
TO BY-LAW NO. 2024-XX
RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT CHARGE RATES

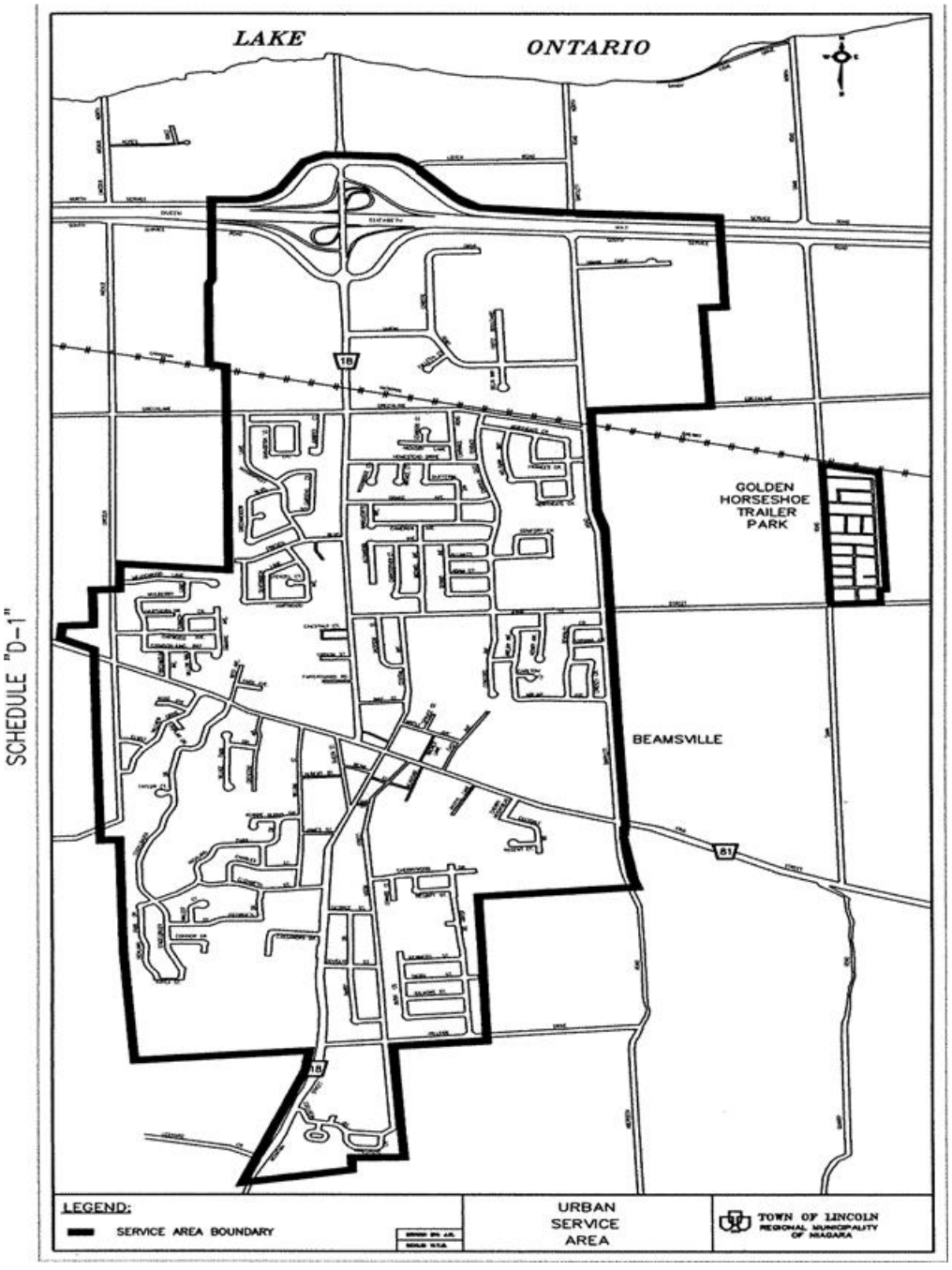
Service	RESIDENTIAL					NON-RESIDENTIAL (per sq.m of Gross Floor Area)			
	Single and Semi-Detached Dwelling	Multiples	Apartments - 2 Bedrooms +	Apartments - Studio and 1 Bedroom	Special Care/Special Dwelling Units	Primary	Commercial	Industrial	Institutional
Town-wide Services									
Services Related to a Highway	17,428	14,422	12,333	7,991	6,680	23.57	141.33	58.88	104.73
Fire Protection Services	3,643	3,015	2,578	1,670	1,396	4.95	29.49	12.27	21.85
Parks and Recreation Services	9,645	7,981	6,825	4,423	3,697	5.70	34.12	14.21	25.30
Library Services	914	756	647	419	350	0.54	3.55	1.51	2.58
Total Town-wide Services	**31,630**	**26,174**	**22,383**	**14,503**	**12,123**	**34.77**	**208.50**	**86.86**	**154.46**
Urban Services									
Stormwater Drainage and Control Services	2,083	1,724	1,474	955	798	-	17.11	7.10	12.70
Wastewater Services	4,457	3,688	3,154	2,044	1,708	-	36.49	15.18	27.02
Water Services	5,968	4,939	4,223	2,737	2,287	-	48.87	20.34	36.17
Total Urban Services	**12,508**	**10,351**	**8,851**	**5,736**	**4,793**	**-**	**102.47**	**42.63**	**75.89**
Total Town-Wide + Urban	**44,138**	**36,525**	**31,234**	**20,239**	**16,916**	**34.77**	**310.97**	**129.49**	**230.35**

SCHEDULE "C"
TO BY-LAW NO. 2024-XX
RESIDENTIAL DEVELOPMENT CHARGES – AREA SPECIFIC (CAMPDEN)

Service/Class of Service	RESIDENTIAL				
	Single and Semi-Detached Dwelling	Multiples	Apartments - 2 Bedrooms +	Apartments - Studio and 1 Bedroom	Special Care/Special Dwelling Units
Campden Area-Specific					
Stormwater Drainage	18,776	15,538	13,287	8,609	7,196

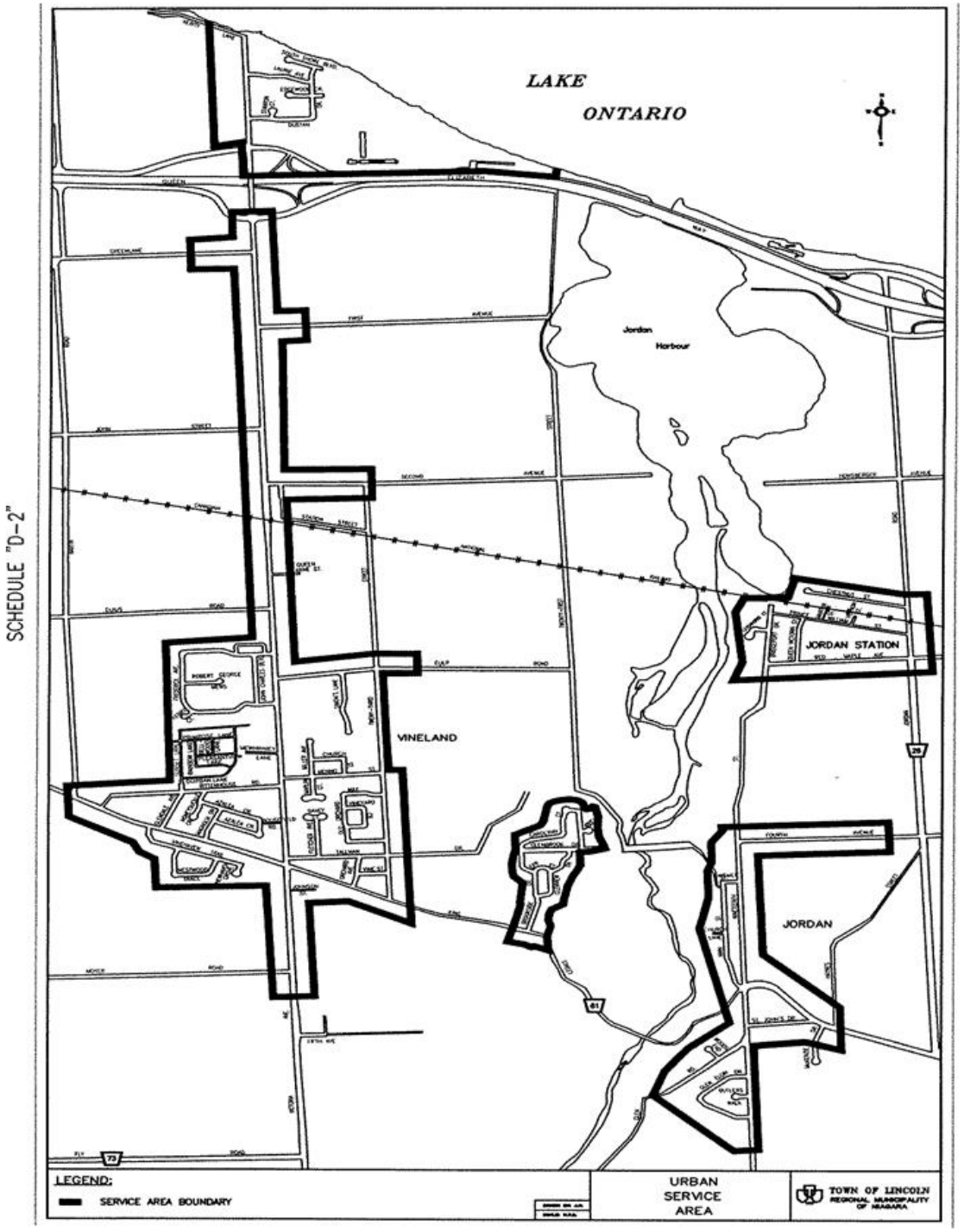
SCHEDULE "D-1"
TO BY-LAW NO. 2024 – XX

TOWN OF LINCOLN URBAN SERVICE AREAS
(BEAMSVILLE)



SCHEDULE "D-2"
TO BY-LAW NO. 2024 – XX

TOWN OF LINCOLN URBAN SERVICE AREAS
(VINELAND, JORDAN, JORDAN STATION, PRUDHOMMES)



SCHEDULE "D-3"
TO BY-LAW NO. 2024 – XX

TOWN OF LINCOLN CAMPDEN PHASE 2 DEVELOPMENT

