



Community Benefits Charge Strategy

Corporation of the City of Guelph

March 31, 2022

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List of Acronyms and Abbreviations

Acronym	Full Description of Acronym
B.U.A.	Built-Up Area
C.B.C.	Community Benefits Charge
C-I-L`	Cash-in-lieu
D.C.	Development charge
D.C.A.	Development Charges Act, 1997, as amended
D.G.A.	Designated Greenfield Area
G.M.S.	Growth Management Strategy
N.F.P.O.W.	No fixed place of work
O.L.T.	Ontario Land Tribunal
O. Reg.	Ontario Regulation
P.P.U.	Persons per unit
sq.ft.	square foot
sq.m.	square metre



Report



Chapter 1

Introduction



1. Introduction

1.1 Purpose of this Document

This strategy report has been prepared pursuant to the requirements of the Planning Act, 1990, (section 37) and, accordingly, recommends the imposition of a Community Benefits Charge (C.B.C.) and associated policies for the Corporation of the City of Guelph (the “City”).

The City retained Watson & Associates Economists Ltd. (Watson), to undertake the C.B.C. strategy process in December, 2021. Watson worked with City staff preparing the C.B.C. analysis and policy recommendations contained within this strategy.

The C.B.C. strategy report, containing the proposed C.B.C. by-law, will be distributed to members of the public in order to provide interested parties the background information on the legislation, the recommendations contained herein, and an outline of the basis for these recommendations.

This report has been prepared, in the first instance, to meet the statutory requirements applicable to the City’s C.B.C. strategy, as summarized in Chapter 3. It also addresses the requirement for “rules” (contained in Chapter 6) and the proposed by-law to be made available as part of the approval process (included as Appendix C).

In addition, the report is designed to set out sufficient background on the legislation (Chapter 3) and the policies underlying the proposed by-law, to make the exercise understandable to those who are involved.

Finally, the report addresses post-adoption implementation requirements (Chapter 7) which are critical to the successful application of the new policy.

The chapters in the strategy report are supported by Appendices containing the data required to explain and substantiate the calculation of the charge. A full discussion of the statutory requirements for the preparation of a strategy and calculation to support the C.B.C. rate is provided herein.



1.2 Legislative Context

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

The COVID-19 Economic Recovery Act received Royal Assent on July 21, 2020. Schedule 3 of the Act amends the Development Charges Act (D.C.A.) and Schedule 17 amends the Planning Act (including amendments to community benefits and the alternative rate of parkland dedication). These amendments replace those not proclaimed under the More Homes, More Choice Act (Bill 108).

The COVID-19 Economic Recovery Act amendments in Schedules 3 and 17 were proclaimed and came into effect on September 18, 2020. In regard to the C.B.C., eligible municipalities have two years after the date of proclamation (i.e., September 18, 2022) to transition to the new rules and pass a C.B.C. by-law if they wish to continue imposing these charges.

D.C.A. Amendments:

Changes to Eligible Services – the amendments reframe the context of the D.C.A. from a tool to fund services that are not defined as "ineligible," to only include "eligible" services for which development charges (D.C.s) may be imposed. Eligible services applicable to the City include:

- Water supply services, including distribution and treatment services;
- Wastewater services, including sewers and treatment services;
- Storm water drainage and control services;
- Services related to a highway;
- Transit services;
- Waste diversion services;
- Policing services;
- Fire protection services;
- Ambulance services;
- Public library services;
- Long-term care services;
- Parks and recreation services;
- Public health services;



- Child-care services;
- Housing services;
- Services related to proceedings under the Provincial Offences Act; and
- Emergency preparedness services.

C.B.C. Amendments:

As per section 37 (5) of the Planning Act, a C.B.C. may be imposed for services that do not conflict with services or projects provided under a municipality's D.C. by-law or Parkland dedication by-law. Hence, the service provided under the C.B.C. would be defined as follows:

- (a) land for park or other public recreational purposes in excess of lands dedicated or provided cash-in-lieu payments under section 42 or 51 of the Planning Act;
- (b) services not provided under section 2 (4) of the D.C.A. (as noted above);
- (c) capital costs for eligible D.C. services that are not intended to be funded under the City's D.C. by-law.

Single-tier and lower-tier municipalities may impose a C.B.C. against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment in the area to which the by-law applies. As noted above, there are no restrictions on the services that may be included in the charge, with the exception of capital costs included under a D.C.A. by-law or Cash-in-Lieu (C-I-L) of Parkland by-law. There are, however, restrictions on the application of the charges, i.e., a C.B.C. may not be imposed with respect to:

- development or redevelopment of fewer than 10 residential units, and in respect of buildings or structures with fewer than five storeys;
- a building or structure intended for use as a long-term care home;
- a building or structure intended for use as a retirement home;
- a building or structure intended for use by a university, college, or an Indigenous Institute;
- a building or structure intended for use as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion;
- a building or structure intended for use as a hospice to provide end-of-life care; or



- not-for-profit housing.

O. Reg. 509/20 specifies that a maximum charge of 4% of the value of land at the time of building permit issuance may be imposed. Prior to adopting a C.B.C. by-law the municipality must undertake a C.B.C. strategy report and follow the required public procedure. The C.B.C. by-law is appealable to the Ontario Land Tribunal (O.L.T.).

1.3 Current Policies

Historically, the City only imposed charges related to community benefits under the prior Planning Act section 37 provisions occasionally. For example, in 2018 a high-density, mixed-use development within the downtown secondary plan requested to construct a 14-storey building, four storeys in excess of the approved zoning heights for the area. Through the required planning process, the additional four storeys were approved, and the developer was required to contribute an amount equal to 25% of the increase in land value for the additional four storeys. The funds were to assist with the acquisition of riverfront parkland and are being held in the downtown parkland reserve fund for this purpose.

1.4 Summary of the Process

Prior to passing a C.B.C. by-law, the Planning Act, section 37 (10) requires the City to consult with the public and such persons and public bodies as the City considers appropriate. As such, a meeting of Council has been set for April 13, 2022 to present the strategy to the public and members of Council to solicit input. The meeting is also being held to present the strategy's purpose, approach, and proposed C.B.C. by-law. Subsequently, a public consultation meeting has been set for April 27, 2022 with the development community and general public to allow for feedback on the strategy. The feedback received during the public consultation will be reported back to Council during a meeting scheduled for July 11, 2022.

Figure 1-1 provides an outline of the schedule to be followed with respect to the C.B.C. strategy and by-law adoption and implementation process.



Figure 1-1
City of Guelph
Schedule of Key Dates in the C.B.C. Strategy Process

Item	Date
1. Data collection, land valuation analysis, growth forecast development, capital needs assessment, staff review, C.B.C. calculations and policy work.	December 2021 to February 2022
2. Release of C.B.C. Strategy Report and proposed by-law	March 31, 2022
3. Meeting of Council advertisement placed in newspaper(s)	Early April, 2022
4. Meeting of Council to present the C.B.C. Strategy and proposed by-law	April 13, 2022
5. Public Consultation Meeting for the Development Community and General Public to present the C.B.C. Strategy and proposed by-law and receive feedback.	April 27, 2022
6. Council considers adoption of C.B.C. strategy and passage of by-law	July 11, 2022
7. Notice given of by-law passage	No later than 20 days after passage
8. Last day for by-law appeal	40 days after passage



Chapter 2

Anticipated Development in the City of Guelph



2. Anticipated Development

2.1 Requirement of the Act

Chapter 3 provides the methodology for calculating a C.B.C. as per the Planning Act. Figure 3-1 presents this methodology schematically. It is noted in the first box of the schematic that in order to determine the C.B.C. that may be imposed, it is a requirement of section 37 (9) of the Planning Act and O. Reg. 509/20 that “the anticipated amount, type and location of development and redevelopment, for which a C.B.C. can be imposed, must be estimated.”

The growth forecast contained in this chapter (with supplemental tables in Appendix A) provides for the anticipated development for which the City will be required to provide services over a 10-year (mid-2022 to mid-2032) time horizon.

2.2 Basis of Population, Household and Employment Forecast

The C.B.C. growth forecast has been derived by Watson. In preparing the growth forecast, the following information sources were consulted to assess the residential and non-residential development potential for the City over the forecast period, including:

- Shaping Guelph: 2021 Growth Management Strategy (G.M.S.);
- Clair Maltby Secondary Plan Preferred Growth Concept;
- 2006, 2011, 2016 and 2021 population and household Census data;
- 2006, 2011 and 2016 employment Census data;
- Historical residential building permit data over the 2006 to 2021 period;
- Residential supply opportunities as identified by City staff; and
- Discussions with City staff regarding anticipated residential development in the City.

2.3 Summary of Growth Forecast

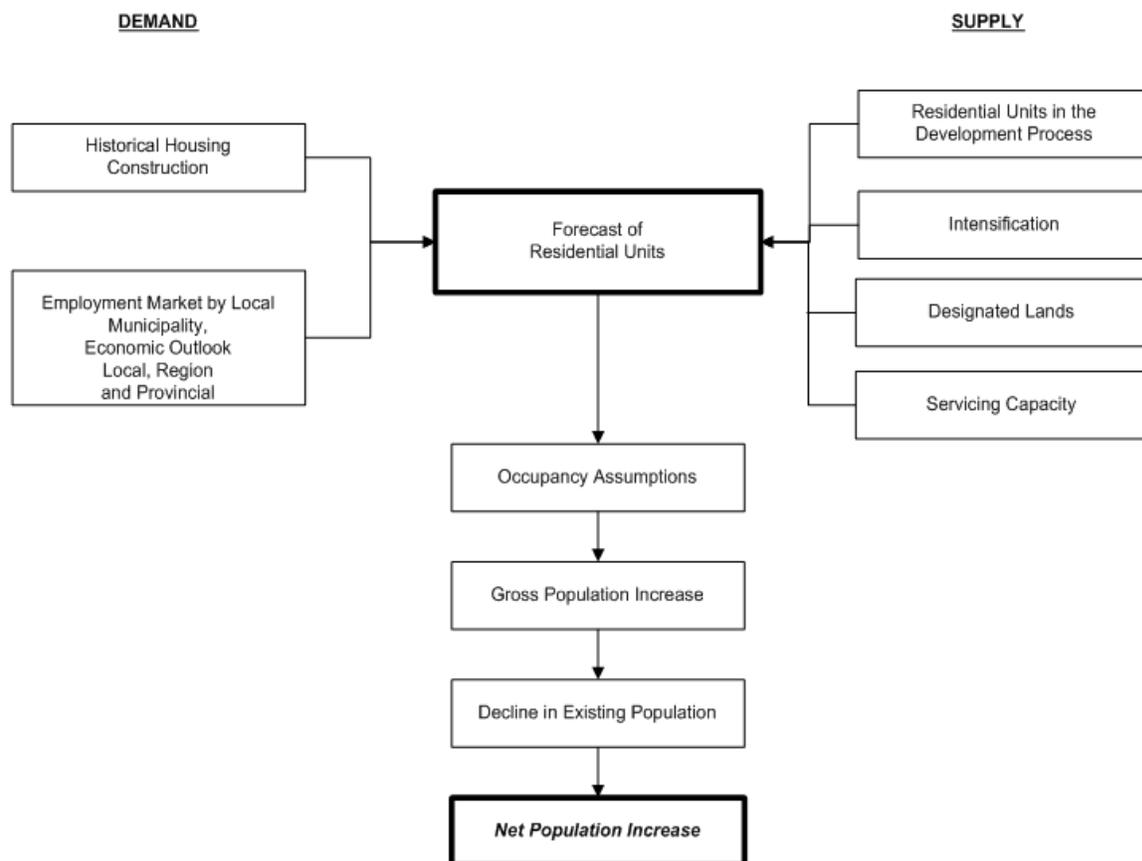
A detailed analysis of the residential and non-residential growth forecasts is provided in Appendix A and the methodology employed is illustrated in Figure 2-1. The discussion provided herein summarizes the anticipated growth for the City and describes the basis



for the forecast. The results of the residential growth forecast analysis are summarized in Table 3-1 below, and Schedule 1 in Appendix A.

As identified in Table 2-1 and Schedule 1, the City's population is anticipated to reach approximately 172,190 by mid-2032, resulting in an increase of 25,940 persons, over the 10-year forecast period.¹

Figure 2-1
Household Formation-based Population and Household Projection Model



¹ The population figures used in the calculation of the 2022 C.B.C. exclude the net Census undercount, which is estimated at approximately 3.4%.



**Table 2-1
City of Guelph
Residential Growth Forecast Summary**

	Year	Population (Including Census Undercount) ¹	Excluding Census Undercount			Housing Units					Person Per Unit (P.P.U.): Total Population/ Total Households
			Population	Institutional Population	Population Excluding Institutional Population	Singles & Semi- Detached	Multiple Dwellings ²	Apartments ³	Other	Total Households	
Historical	<i>Mid 2006</i>	118,840	114,943	1,433	113,510	25,880	7,945	10,805	75	44,705	2.571
	<i>Mid 2011</i>	125,810	121,688	1,133	120,555	28,529	8,608	10,918	60	48,115	2.529
	<i>Mid 2016</i>	136,260	131,794	1,709	130,085	28,895	10,670	12,465	60	52,090	2.530
Forecast	<i>Mid 2022</i>	151,210	146,249	1,901	144,348	29,742	11,739	15,941	60	57,482	2.544
	<i>Mid 2032</i>	178,030	172,192	2,230	169,962	31,680	15,510	22,995	60	70,245	2.451
Incremental	Mid 2006 - Mid 2011	6,970	6,745	-300	7,045	2,649	663	113	-15	3,410	
	Mid 2011 - Mid 2016	10,450	10,106	576	9,530	366	2,062	1,547	0	3,975	
	Mid 2016 - Mid 2022	14,950	14,455	192	14,263	847	1,069	3,476	0	5,392	
	Mid 2022 - Mid 2032	26,820	25,943	329	25,614	1,938	3,771	7,054	0	12,763	

¹ Census undercount estimated at approximately 3.4%. Note: Population including the undercount has been rounded.

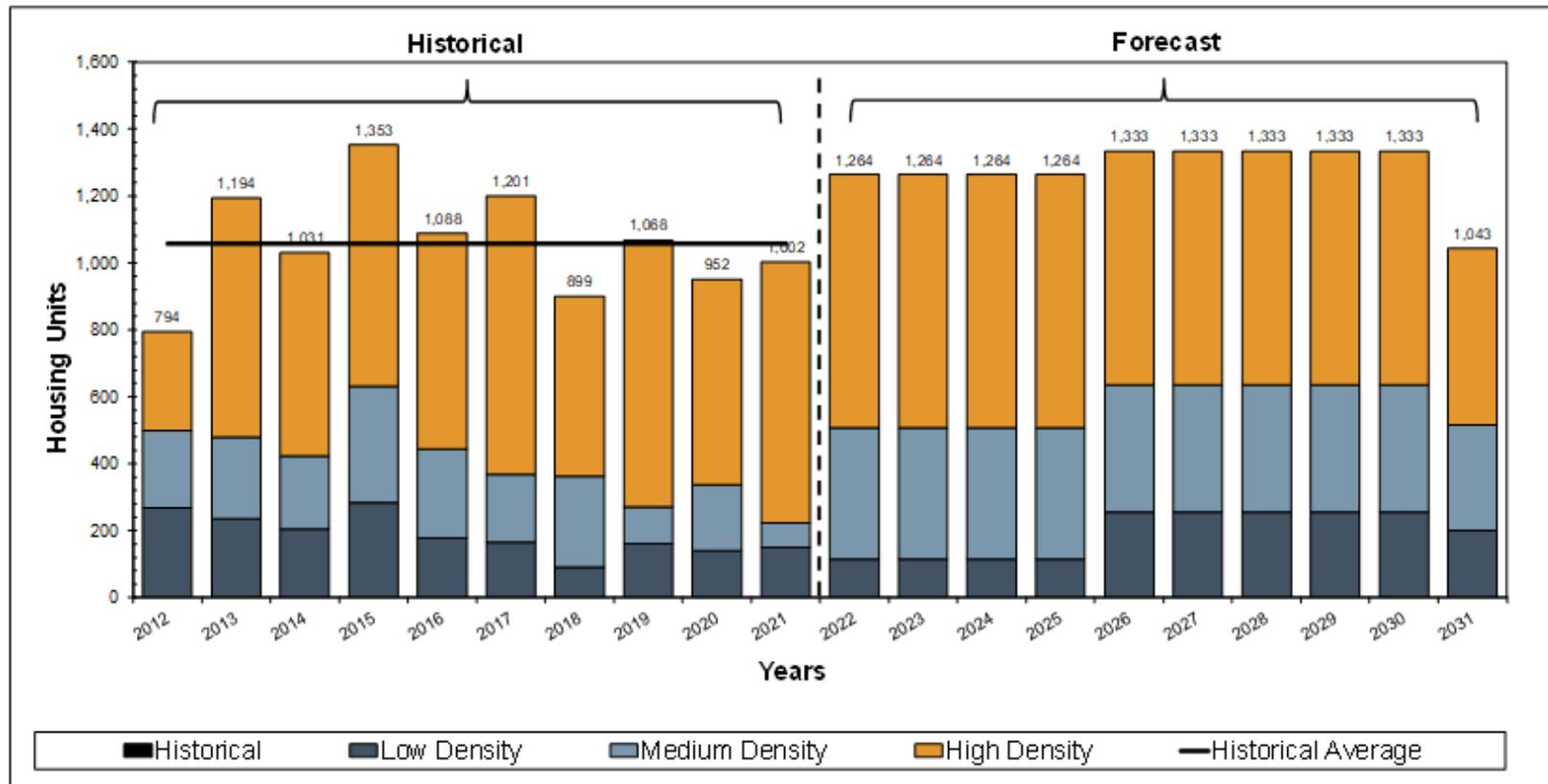
² Includes townhouses and apartments in duplexes.

³ Includes accessory units, bachelor, 1-bedroom and 2-bedroom+ apartments.

Source: Derived from the City of Guelph 2021 Growth Management Strategy: Shaping Guelph.



Figure 2-2
City of Guelph
Annual Housing Forecast



Source: Historical housing activity derived from City of Guelph building permit data, 2012 to 2019, and 2020 to 2021 from Statistics Canada building permit data, by Watson & Associates Economists Ltd.

¹ Growth forecast represents calendar year.



Provided below is a summary of the key assumptions and findings regarding the City C.B.C. growth forecast:

1. Unit Mix (Appendix A – Schedules 1 and 6)

- The housing unit mix for the City was derived from the City of Guelph 2021 G.M.S., Shaping Guelph, a detailed review of historical development activity (as per Schedule 6), as well as active residential development applications and discussions with City staff regarding anticipated development trends for Guelph.
- Based on the above indicators, the 2022 to 2032 household growth forecast for the City is comprised of a unit mix of 15% low density units (single detached and semi-detached), 30% medium density (multiples except apartments) and 55% high density (accessory units, bachelor, 1-bedroom and 2-bedroom apartments) units.

2. C.B.C.-Eligible Units

- Subsection 37 (4) of the Planning Act establishes the criteria for a development to be C.B.C. eligible. A C.B.C. may be imposed if:
 - Development of a proposed building or structure has five or more storeys at or above ground and has 10 or more residential units;
 - Redevelopment of an existing building or structure that will have 5 or more storeys at or above ground after redevelopment and proposes to add 10 or more residential units to an existing building or structure; or
 - Such types of development or redevelopment as prescribed. 2020, c. 18, Sched. 17, section 1.
- The C.B.C.-eligible unit forecast is derived based on the established criteria above and a detailed review of historical Census housing trends, historical development activity (as per Schedule 6), active residential development applications (as per Schedule 5) and discussions with City staff regarding anticipated C.B.C.-eligible developments.
- Based on the above indicators, the City is forecast to accommodate 5,550 C.B.C.-eligible household units over the 10-year forecast period. This translates to 79% of all high-density units, including accessory units, being C.B.C. eligible from 2022 to 2032. Schedule 2 summarizes the anticipated



amount, type, and location of development for the City by settlement and remaining urban area.

3. Geographic Location of C.B.C.-Eligible Residential Development (Appendix A – Schedule 2)

- Schedule 2 summarizes the anticipated amount, type, and location of C.B.C.-eligible development by area for the City.
- In accordance with forecast demand and available land supply, the amount and percentage of forecast C.B.C.-eligible housing growth between 2022 and 2032 by development location is summarized in Table 2-2.
- The remaining Designated Greenfield Area (D.G.A.) and remaining Built-Up Area (B.U.A.) have been broken down into the following additional sub-areas: Downtown Fringe, Gordon Street Corridor Area, and Other Neighbourhoods (see maps in Appendix B).



Table 2-2
City of Guelph
Residential High-Density Growth by Development Area

Development Location	High-Density Housing Growth, 2022 to 2032 ^[1]	C.B.C.- Eligible Share	C.B.C.- Eligible Housing Growth, 2022 to 2032	C.B.C.- Housing Growth Shares by Location, 2022 to 2032
Clair-Maltby Secondary Plan	1,250	100%	1,250	23%
Guelph Innovation District	115	100%	115	2%
Dolime Quarry Lands	588	90%	529	10%
Remaining Designated Greenfields Area	1,035	67%	693	12%
Sub-total: Designated Greenfield Area	2,998	87%	2,587	47%
Urban Growth Centre	1,555	95%	1,477	26%
Remaining Built-Up Area	2,511	59%	1,489	27%
Sub-Total Built-Up Area	4,066	73%	2,966	53%
Total City of Guelph	7,054	79%	5,553	100%

^[1] High density includes accessory apartments, bachelor, 1-bedroom and 2-bedroom+ apartments.

Source: Watson & Associates Economists Ltd.

4. Planning Period

- A 10-year planning horizon has been used based on the City’s budgeting forecast period, recognizing that there are a number of planning initiatives underway that will identify growth outside the planning horizon which have has not yet been endorsed within an Official Plan.



5. Population in New Units (Appendix A – Schedules 3 through 5)

- The number of housing units to be constructed by 2032 in the City over the forecast period is presented in Figure 2-2. Over the 2022 to 2032 forecast period, the City is anticipated to average 1,276 new housing units per year.
- Institutional population¹ is anticipated to increase by approximately 330 people between 2022 to 2032.
- Population in new units is derived from Schedules 3 and 4 which incorporate historical development activity, anticipated units (see unit mix discussion) and average persons per unit (P.P.U.) by dwelling type for new units.
- Schedule 7 summarizes the average P.P.U. assumed for new housing units by age and type of dwelling based on Statistics Canada 2016 custom Census data for the City. The total calculated 20-year average P.P.U.s by dwelling type are as follows:
 - Low density: 3.332
 - Medium density: 2.455
 - High density:² 1.677

6. Existing Units and Population Change (Appendix A – Schedules 3 and 4)

- Existing households for mid-2022 are based on the 2016 Census households, plus estimated residential units constructed between mid-2016 and mid-2022, assuming a six-month lag between construction and occupancy (see Schedule 3).
- The decline in average occupancy levels for existing housing units is calculated in Schedules 3 and 4, by aging the existing population over the forecast period. The forecast population decline in existing households over the 2022 to 2032 forecast period is approximately 1,970.

¹ Institutional population largely includes special care facilities such as nursing home or residences for senior citizens. A P.P.U. of 1.100 depicts 1-bedroom and 2-or-more-bedroom units in collective households.

² Includes accessory units, bachelor, 1-bedroom and 2-or-more-bedroom apartments.



7. Employment (Appendix A – Schedule 8)

- The employment projections provided herein are largely based on the activity rate method, which is defined as the number of jobs in the City divided by the number of residents. Key employment sectors include primary, industrial, commercial/population-related, institutional, and work at home, which are considered individually below.
- 2016 employment data¹ (place of work) for the City is outlined in Schedule 8. The 2016 employment base is comprised of the following sectors:
 - 415 primary (1%);
 - 4,460 work at home employment (6%);
 - 26,328 industrial (36%);
 - 23,883 commercial/population related (32%); and
 - 19,055 institutional (26%).
- In accordance with the 2016 Statistics Canada Census, the City's 2016 employment base by usual place of work, including work at home, is 80,280. An additional 6,140 employees have been identified for the City in 2016 that have no fixed place of work (N.F.P.O.W.).²
- Total employment, including work at home and N.F.P.O.W. for the City is anticipated to reach approximately 98,440 by mid-2032. This represents an employment increase of approximately 14,240 for the 10-year forecast period.
- Schedule 8, Appendix A, summarizes the employment forecast, excluding work at home employment and N.F.P.O.W. employment, which is the basis for the C.B.C. employment forecast. The impact on municipal services from work at home employees has already been included in the population forecast. The need for municipal services related to N.F.P.O.W. employees has largely been included in the employment forecast by usual place of work (i.e., employment and gross floor area generated from N.F.P.O.W. construction employment).

¹ 2016 employment is based on Statistics Canada 2016 Place of Work Employment dataset by Watson & Associates Economists Ltd.

² No fixed place of work is defined by Statistics Canada as "persons who do not go from home to the same workplace location at the beginning of each shift. Such persons include building and landscape contractors, travelling salespersons, independent truck drivers, etc."



- Total employment for the City (excluding work at home and N.F.P.O.W. employment) is anticipated to reach approximately 84,470 by mid-2032. This represents an employment increase of approximately 11,710 for the 10-year forecast period.

Based upon the above information, the following summaries are provided for use in the calculations presented in chapter 4, as follows:

- Of the services to be provided, most service costs will be allocated a 69% residential share (Table 2-3).
- Of the residential portion of the costs, 57% of the population is forecast to reside in high-density residential units (Table 2-4).
- Of those who reside in high density residential units, 79% are forecast to reside in units to which the C.B.C. may be imposed (Table 2-5).

Table 2-3
Residential and Non-Residential Growth Share based on Incremental Growth in
Population and Employment over the 10-Year Forecast Period

Residential Population and Non-Residential Employment	Population/ Employment	Residential/ Non- Residential %
Residential Net Population	25,943	69%
Employment (net of Work at Home & N.F.P.O.W.)	11,711	31%
Total Population & Employment	37,654	100%



Table 2-4
Low/Medium Density Growth and High-Density Growth Share

Residential Density	Residential Population	% of Gross Population in New Units
Low/Medium Density	15,693	57%
High Density	11,851	43%
Total Residential Forecast	27,544	100%

Table 2-5
Eligible and Ineligible High-Density Growth Share

Residential High Density	Residential Population	% of Gross Population in High Density Units
Eligible High Density	9,329	79%
Ineligible High Density	2,522	21%
Total Residential High Density Forecast	11,851	100%

2.4 Land Valuation

As the C.B.C. rate is applied against the value of land the day before a building permit is issued, average land values are required to be assessed in various locations throughout the City where the anticipated development and redevelopment is anticipated. These land values assist in calculating the eligible C.B.C. rate (up to a maximum of 4%). As such the City commissioned a professional land appraiser to provide input into the analysis.

Larry Zions, S.W. Irvine & Associates Real Estate Appraisals & Consulting, undertook land value estimates on behalf of the City to assist with the implementation of this



C.B.C. strategy. The land valuations were based on high density residential lands in six locations within the City. The high-density lands were based on lands permitted to be developed into buildings with five storeys or more and a minimum of 10 residential units.

The six areas assessed are provided below along with mapping provided in Appendix B:

1. Downtown Secondary Plan Area;
2. Clair-Maltby Secondary Plan Area;
3. Guelph Innovation District Secondary Plan Area;
4. Guelph Dolime Quarry Area;
5. Gordon Street Corridor Area;
6. Infill Areas which were further broken down into two (2) sub-areas:
 - a. Downtown Fringe-University of Guelph District-Stone Road Corridor Sub-Area
 - b. All Other Remaining Neighbourhoods

Table 2-6 provides the findings of the land valuation assessment for eligible high-density development, by area.

Table 2-6
Summary of Land Valuations by Area

Area	Location	Average Land Value per Acre		
		High	Low	Guelph Average
1	Downtown Secondary Plan Area (Urban Growth Centre - U.G.C.)	\$10,000,000	\$5,000,000	\$6,250,000
2	Clair Maltby Secondary Plan Area			\$2,000,000
3	Guelph Innovation District			\$1,250,000
4	Dolime Quarry Area			\$2,000,000
5	Gordon Street Corridor Area	\$1,650,000	\$2,850,000	\$2,000,000
6	Infill Areas:			
6a	Downtown Fringe-University of Guelph District - Stone Road Corridor Sub-Area	\$2,880,000	\$3,520,000	\$3,200,000
6b	Other Neighbourhoods Sub-Area	\$750,000	\$1,750,000	\$1,250,000

As per S.W. Irvine & Associates Real Estate Appraisals & Consulting



2.5 Land Analysis

For purposes of calculating the total land value potential for high-density development in the City, the eligible high-density growth forecast was aligned with the average land valuations based on applications in the planning process and the anticipated growth over the 10-year forecast. Table 2-7 provides for the assumptions on growth by area and the corresponding land valuations.

Table 2-7
Summary of Eligible High-Density Growth in the Planning Process by Area

Area	C.B. C. Eligible Units in the Planning Process					Average Land Value Per Acre
	Registered	Approved	Draft Approved	Under Review, Zoned or No Current Application	Total	
Clair-Maltby Secondary Plan	-	-	-	1,250	1,250	\$2,000,000
Guelph Innovation District	-	-	-	115	115	\$1,250,000
Dolime Quarry Lands	-	-	-	529	529	\$2,000,000
Urban Growth Centre/Downtown Secondary Plan Area	-	124	-	1,353	1,477	\$6,250,000
Remaining Designated Greenfield Area	113	124	78	69	385	\$1,250,000
Remaining Built-Up Area:						
Gordon Street Corridor Area	239	283	168	202	892	\$2,000,000
Downtown Fringe-University of Guelph District -Stone Road Corridor Sub-Area	-	-	-	80	80	\$3,200,000
Other Neighbourhoods Sub-Area	243	268	168	147	825	\$1,250,000
Total	595	799	414	3,745	5,553	

Based on the average land valuations identified in Table 2-7 and the eligible high-density units anticipated to develop over the forecast period, the total land value is calculated for each area by converting the units to estimated total acres.

To undertake this conversion, the average eligible high-density units per acre have been estimated by area. The high-density growth identified in the Clair-Maltby Secondary Plan provided for an average of 70 units per acre. Currently there are no active applications in the planning process for the G.I.D. or Dolime Quarry Area, therefore, it has been assumed that the high-density growth in these areas would be similar to that which is anticipated in the Clair-Maltby Secondary Plan area. Based on applications current applications in the development process, an average of 290 units per acre are anticipated within the Downtown Secondary Plan Area and 50 units per acre in the Downtown Fringe-University of Guelph District-Stone Road Corridor Sub-Area. All other remaining areas within the built-up area of the city as well as the remaining designated greenfield areas are also generating an average 70 units per acre based on current applications.



Once the eligible units have been converted to acres of land (by area), the acres are multiplied by the land values to determine a total land value which will be used as the denominator in the C.B.C. calculations. Table 2-8 provides for these calculations. An estimated 63.8 acres of eligible high-density growth is anticipated over the 10-year forecast period; with the total land value estimated at approximately \$137 million.

Table 2-8
Summary of Eligible High-Density Growth and Total Land Value by Area

Area	Total C.B.C. Eligible Units	Average Land Value Per Acre	Average Units Per Acre	Estimated Total Acres	Total Land Value
Clair-Maltby Secondary Plan	1,250	\$2,000,000	70	17.9	\$35,714,000
Guelph Innovation District	115	\$1,250,000	70	1.6	\$2,054,000
Dolime Quarry Lands	529	\$2,000,000	70	7.6	\$15,114,000
Urban Growth Centre/Downtown Secondary Plan Area	1,477	\$6,250,000	290	5.1	\$31,832,000
Remaining Designated Greenfield Area	385	\$1,250,000	70	5.5	\$6,875,000
Remaining Built-Up Area:					
Gordon Street Corridor Area	892	\$2,000,000	70	12.7	\$25,486,000
Downtown Fringe-University of Guelph District -Stone Road Corridor Sub-Area	80	\$3,200,000	50	1.6	\$5,120,000
Other Neighbourhoods Sub-Area	825	\$1,250,000	70	11.8	\$14,732,000
Total	5,553			63.8	\$136,927,000



Chapter 3

Approach to the Calculation

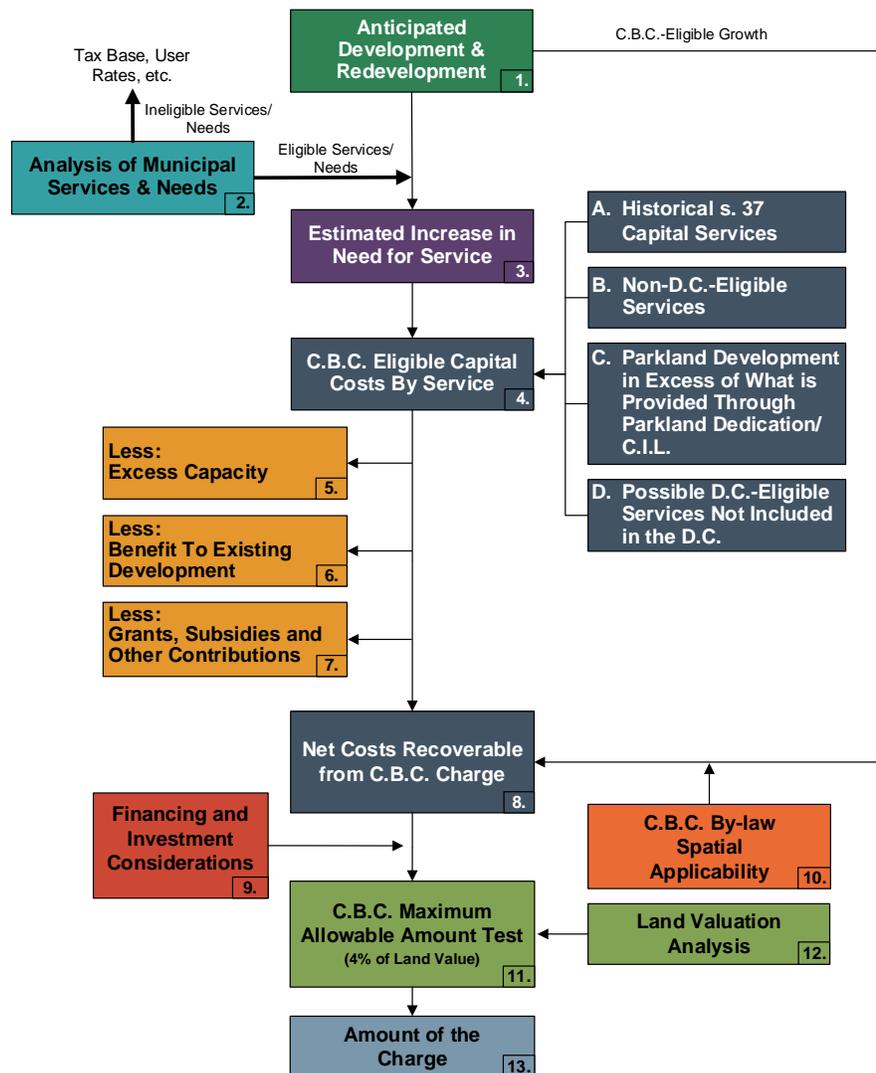


3. The Approach to the Calculation of the Charge

3.1 Introduction

This chapter addresses the requirements of subsection 37(9) of the Planning Act and sections 2 and 3 of O. Reg. 509/20 with respect to the establishment of the need for service which underpins the C.B.C. calculation. These requirements are illustrated schematically in Figure 3-1.

Figure 3-1
The Process of Calculating a Community Benefits Charge under the Planning Act





3.2 Anticipated Development and Redevelopment

The anticipated development and redevelopment forecast is provided in chapter 2 (with supplemental tables in Appendix A). This chapter provides for the anticipated overall growth within the City over a 10-year (mid-2022 to mid-2032) time horizon and then estimates the residential units eligible to be considered as per section 37 (4) of the Planning Act.

3.3 Services Potentially Involved

As per section 37 (5) of the Planning Act, a C.B.C. may be imposed for services that do not conflict with services or projects provided under a municipality's D.C. by-law or Parkland dedication by-law. Hence, the service provided under the C.B.C. would be defined as follows:

- (a) land for park or other public recreational purposes in excess of lands dedicated or provided cash-in-lieu payments under section 42 or 51 of the Planning Act.
- (b) services not provided under section 2 (4) of the D.C.A.
- (c) capital costs for eligible D.C. services that are not intended to be funded under the City's D.C. by-law.

Examples of services not provided by a D.C. or Parkland by-law include (but are not limited to) capital facilities and equipment for municipal parking, airports, municipal administration building expansions, museums, arts centres, public art, heritage preservation, landfill, public realm improvements, community gardens, space for non-profits, etc.

3.4 Increase in the Need for Service

Similar to a D.C., the C.B.C. calculation commences with an estimate of “the increase in the need for service attributable to the anticipated development,” for eligible services to be covered by the by-law. There must be some form of link or attribution between the anticipated development and the estimated increase in the need for service. While the need could potentially be expressed generally in terms of units of capacity, a project-specific expression of need would appear to be most appropriate. This is suggested by



the requirement of section 2 (e) of O. Reg. 509/20 which provides “include estimates of the capital costs necessary to provide the facilities, services and matters referred to in clause 2 (b).” As noted, this is a similar consideration provided when undertaking a D.C. calculation.

3.5 Capital Forecast

Section 37 (2) of the Planning Act provides that, “The council of a local municipality may by by-law impose community benefits charges against land to pay for the capital costs of facilities, services and matters.” The Act does not define what capital costs may be included within the charge. As noted in section 3.3 above, the Act provides that the C.B.C. charge could include capital costs for eligible D.C. services that are not intended to be funded under the City’s D.C. by-law. This provision suggest that capital costs may be defined in an equivalent manner as the D.C.A. Hence, based on this relationship with the D.C.A., capital costs may include:

- (a) costs to acquire land or an interest therein (including a leasehold interest);
- (b) costs to improve land;
- (c) costs to acquire, lease, construct or improve buildings and structures;
- (d) costs to acquire, lease or improve facilities, including rolling stock (with a useful life of 7 or more years), furniture and equipment (other than computer equipment), materials acquired for library circulation, reference, or information purposes;
- (e) interest on money borrowed to pay for the above-referenced costs;
- (f) costs to undertake studies in connection with the above-referenced matters; and
- (g) costs of the C.B.C. Strategy study.

3.6 Deductions

The section 2 of O. Reg. 509/20 potentially requires that three deductions be made to the capital costs estimates. These relate to:



- excess capacity;
- benefit to existing development; and
- anticipated grants, subsidies, and other contributions.

The requirements behind each of these reductions are addressed below.

3.6.1 Reduction for Excess Capacity

Section 2 (c) of O. Reg. 509/20 requires the identification of the excess capacity that exists in relation to the facilities, services and matters referred to in clause 2(b) suggesting the need for a potential deduction to the capital.

“Excess capacity” is undefined, but in this case, the excess capacity must be able to meet some or all of the increase in need for service, in order to potentially represent a deduction. The deduction of excess capacity from the future increase in the need for the service would normally occur as part of the conceptual planning and feasibility work associated with justifying and sizing new facilities, e.g., if a new landfill site to accommodate increased solid waste generated by the new growth is not required because sufficient excess capacity is already available, then a landfill site expansion would not be included as an increase in need, in the first instance.

3.6.2 Reduction for Benefit to Existing Development

Section 2 (c) of O. Reg. 509/20 of the D.C.A. provides that the capital estimates identify extent to which an increase in a facility, service or matter referred to in clause 2 (b) of the regulation would benefit existing development. The general guidelines used to consider benefit to existing development included:

- the repair or unexpanded replacement of existing assets that are in need of repair;
- the elimination of a chronic servicing problem not created by growth; and
- providing services where none previously existed (for example, extending garbage pickup to the rural area which previously did not receive the municipal service).

Where existing development has an adequate service level which will not be tangibly increased by an increase in service, no benefit would appear to be involved. For example, where expanding existing garbage collection vehicles simply replicates what



existing residents are receiving, they receive very limited (or no) benefit as a result. On the other hand, where a clear existing service problem is to be remedied, a deduction should be made accordingly.

In the case of services such as cultural facilities, the service is typically provided on a municipal-wide system basis. For example, facilities of the same type may provide different services (i.e., art vs. theatre), different programs (i.e., art classes vs. acting classes), and different time availability for the same service (i.e., art classes available on Wednesdays in one facility and Thursdays in another). As a result, residents will travel to different facilities to access the services they want at the times they wish to use them, and facility location generally does not correlate directly with residence location. Even where it does, displacing users from an existing facility to a new facility frees up capacity for use by others and generally results in only a very limited benefit to existing development. Further, where an increase in demand is not met for a number of years, a negative service impact to existing development is involved for a portion of the planning period.

3.6.3 Reduction for Anticipated Grants, Subsidies and Other Contributions

This step involves reducing the capital costs by capital grants, subsidies, and other contributions made or anticipated by Council and in accordance with various rules such as the attribution between the share related to new vs. existing development. That is, some grants and contributions may not specifically be applicable to growth or where Council targets fundraising as a measure to offset impacts on taxes.

Although specific grants, subsidies and/or other contributions may not be currently identified and reduced in the calculations, due diligence will be undertaken by City staff during the annual budget process to net off any future identified funding from these other sources.

3.7 Municipal-wide vs. Area Rating

This step involves determining whether all of the subject costs are to be recovered on a uniform municipal-wide basis or whether some or all are to be recovered on an area-specific basis. Unlike D.C.s, there is no mandatory requirement to consider area rating of services (providing charges for specific areas and services); however, the legislation



does not prohibit area rating. There may be instances where Council may consider varying rates to align with other policies or possible incentives in the development area.

Through the C.B.C. strategy process, discussions with City staff took place related to structuring the charge on a municipal-wide vs. area specific basis. As the services being provided in the strategy are not restricted to one specific area and are anticipated to be used by all residents with a city-wide benefit, the charges have been provided on a municipal-wide basis. For example, cultural facilities are provided in different parts of the City, and they will be accessed by residents from all areas depending on the programming offered within the facilities and personal interests. Although the charges are to be calculated and imposed on a city-wide basis, consideration of location of the projects will take place through the annual budget process.

3.8 Land Valuation Analysis

To facilitate the rate calculation provided in section 3.9, an estimate of the market value of the land related to the anticipated applicable development/redevelopment presented in section 3.2, needs to be undertaken. It is noted that the land values may vary based on a number of factors including location, zoning density, parcel size, etc., however, these values should estimate the land value the day before building permit issuance. This data may be available from municipal staff, or the municipality may consider engaging the assistance of a land appraiser.

3.9 Calculation of the Community Benefit Charge

Section 37(32) of the Planning Act provides that the amount of the Planning Act provides that the maximum charge which can be imposed is prescribed by the regulations. O. Reg 509/20 section 3 provides that the maximum charge is to be 4%.

To calculate the rate, the net capital cost (provided by netting the deductions set out in section 3.6 from the capital presented in section 3.5) divided by the land values related to the anticipated applicable development/redevelopment produces a percentage of the capital cost to the land value. The product of this calculation provides for the eligible rate. As noted above, the maximum rate to be imposed is 4%; hence, the rate can any rate between 0% and 4%.



Chapter 4

C.B.C.-Eligible Cost Analysis



4. C.B.C.-Eligible Cost Analysis

4.1 Introduction

This chapter outlines the basis for calculating eligible costs to be recovered through C.B.C.s which are to be applied on a uniform basis throughout the City. In each case, the required calculation process set out in O. Reg. 509/20 section 2 (a) through (f) to the Planning Act and described in Chapter 3 was followed in determining C.B.C.-eligible costs.

The nature of the capital projects and timing identified in the Chapter reflects City staff's recommendation based on Council policy directions. However, it is recognized that over time, capital projects and Council priorities change; accordingly, Council's intentions may alter, and different capital projects (and timing) may be necessary to meet the need for services required by new growth.

4.2 Allocation of Costs to Eligible High-Density Growth

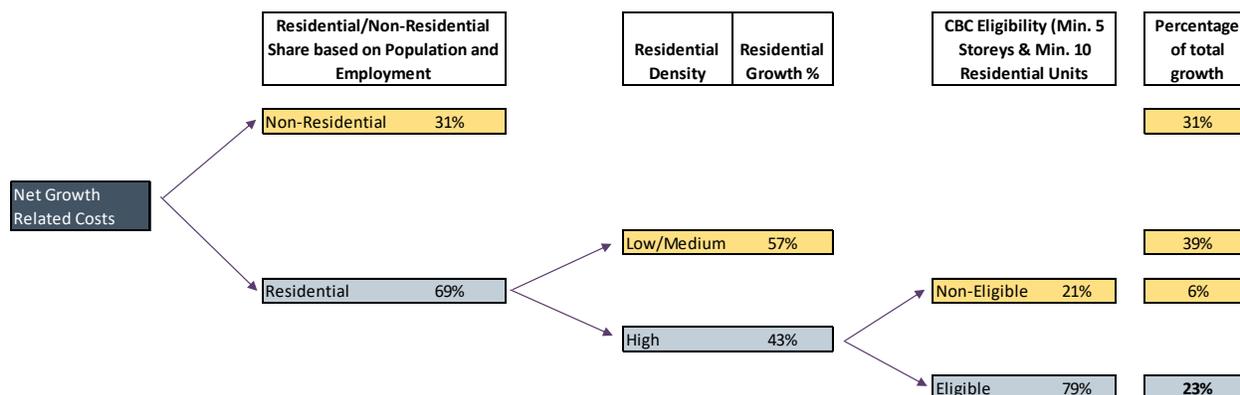
For capital costs identified for recovery through the C.B.C., a review of the gross costs has been made based on information provided by City staff. Each capital project was assessed to determine if there were deductions required to the gross costs related to excess capacity, benefit to existing development, and grants, subsidies, or other contributions known. The resultant net growth costs were then allocated based on the following:

- Net costs for most services were apportioned between residential and non-residential growth (Table 2-3) based upon the relation between population and employment; however, similar to the City's D.C. background study, parks, recreation and culture were apportioned 95% residential and 5% non-residential
- The costs associated with residential growth were then further apportioned between low/medium density growth and total high-density growth anticipated over the forecast (Table 2-4).
- Finally, the costs associated with the total high-density growth were apportioned to eligible growth (i.e., buildings with a minimum of five storeys and a minimum of 10 residential units) and ineligible growth (Table 2-5).



As noted above, similar to the calculations undertaken in the City’s D.C. study, some services are shared between residential and non-residential growth based on the incremental population and employment for the forecast period. Based on the C.B.C. 10-year forecast, this would result in an allocation of 69% residential/31% non-residential. Figure 4-1 provides flowchart of the shares that would be assigned to services such as municipal parking, and growth studies. As noted in Tables 2-3 through 2-5, the allocations between the total growth anticipated over the forecast period would result in 23% of net growth-related costs being eligible for recovery through the C.B.C. (see Table 4-1).

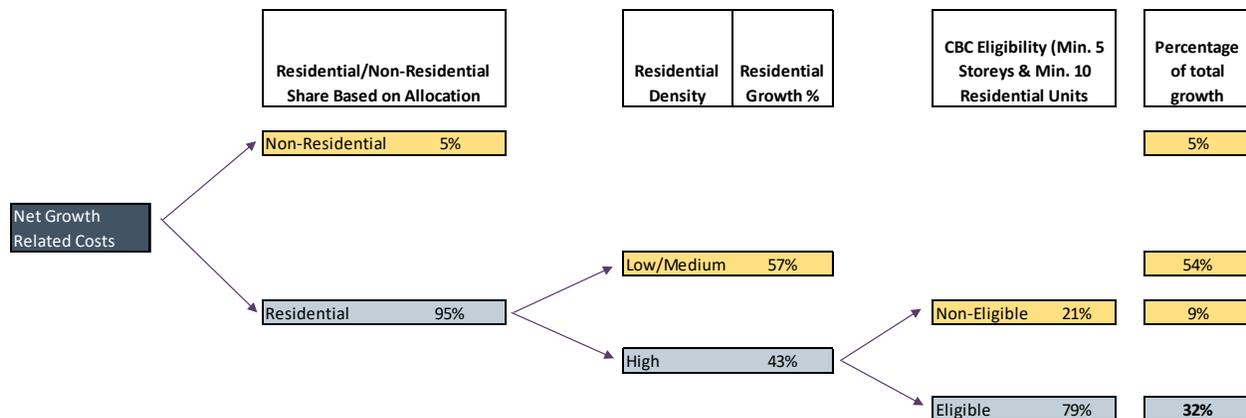
Figure 4-1
Growth Shares for City-Wide Services



As the predominant users of parks, recreation and culture tend to be residents of the City, the forecast growth-related costs have been allocated 95% to residential and 5% to non-residential, similar to the allocations provided for in the City’s D.C. study for these types of services. Figure 4-2 provides flowchart of the shares that would be assigned to services such as parks, recreation, and culture. Therefore, for these services, the total growth anticipated over the forecast period would result in 32% of net growth-related costs being eligible for recovery through the C.B.C. (see Table 4-2).



Figure 4-2
Growth Shares for Parks, Recreation and Cultural Services



For the costs related to undertaking the C.B.C. Strategy Study, 100% is attributable to the eligible high-density growth as the C.B.C. is not applicable to other forms of development (see Table 4-3).

4.3 C.B.C. Eligible Cost Analysis

This section provides for the evaluation of development-related capital requirements over a 10-year planning horizon. The projects include growth studies, cultural projects, , and parkland acquisition. As municipal parking services are no longer eligible for recovery through D.C.s, some of the outstanding projects that were included in the City’s 2018 D.C. study have been carried forward into the C.B.C. project listing. In addition, there were a number of growth-related studies that were removed from the D.C. growth studies list during the 2021 D.C. update study. Those that have not been undertaken have also been included in the C.B.C. project listing.

The estimated gross cost of each project has been reviewed with staff and where necessary, deductions have been made to recognize the benefit the projects have to the existing community. Further, the projects that have been identified have been reviewed and currently, there is no anticipated grants, subsidy or other funding anticipated for the majority of the projects. An exception, however, is for the parkland acquisition project where, funding from the prior Planning Act section 37 provisions and cash-in-lieu of parkland funding has been deducted. Finally, as the projects are associated with future service needs consideration was given to the capacity available



for the existing service and projects provided are considered to be incremental costs to service the future growth needs.

Based on the calculations and allocations to eligible high-density growth, the City has identified just under \$12.77 million in eligible net growth-related costs to be included within the C.B.C. calculations.



Table 4-1
Capital Infrastructure Needs to be Recovered through C.B.C.s for Growth Studies and Municipal Parking

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Costs Less Deductions				Allocations Between Residential and Non-Residential Growth		Allocation Between Residential Growth by Density		Allocation Between Eligible and Ineligible High Density Growth	
			Gross Capital Cost Estimate (2022\$)	Less:		Net Growth-Related Cost	Total Non-Residential Share	Total Residential Share	Low/Medium Density Residential	Total High Density Residential	Ineligible High Density Residential	Eligible High Density Residential
				Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development							
2022-2031												
Growth Studies:												
1	Zoning By-law Review	2025-2027	536,000	134,000	-	402,000	124,600	277,400	158,100	119,300	25,100	94,200
2	Zoning By-law Review	2030-2032	286,000	71,500	-	214,500	66,500	148,000	84,400	63,600	13,400	50,200
3	Heritage Initiatives	2025-2029	238,000	214,200	-	23,800	7,400	16,400	9,300	7,100	1,500	5,600
4	Heritage Initiatives	2030-2034	595,000	535,500	-	59,500	18,400	41,100	23,400	17,700	3,700	14,000
5	Information Technology Master Plan	2024-2025	200,000	100,000	-	100,000	31,000	69,000	39,300	29,700	6,200	23,500
6	Information Technology Master Plan	2029-2030	200,000	100,000	-	100,000	31,000	69,000	39,300	29,700	6,200	23,500
Municipal Parking:												
1	Parkade - Market (496 spaces) - Outstanding Growth-Related Debt - Interest (Discounted)	2022-2031	875,000	-	-	875,000	271,300	603,700	344,100	259,600	54,500	205,100
2	Downtown Parking Master Plan Update	2022-2023	400,000	200,000	-	200,000	62,000	138,000	78,700	59,300	12,500	46,800
3	Downtown Parking Master Plan Update	2028-2029	500,000	250,000	-	250,000	77,500	172,500	98,300	74,200	15,600	58,600
4	Downtown Parkade #3	2027	30,000,000	6,420,000	-	23,580,000	7,309,800	16,270,200	9,274,000	6,996,200	1,469,200	5,527,000
Total			33,830,000	8,025,200	-	25,804,800	7,999,500	17,805,300	10,148,900	7,656,400	1,607,900	6,048,500



Table 4-2
Capital Infrastructure Needs to be Recovered through C.B.C.s for Culture and Parkland Acquisition

Prj. No.	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Costs Less Deductions				Allocations Between Residential and Non-Residential Growth		Allocation Between Residential Growth by Density		Allocation Between Eligible and Ineligible High Density Growth	
			Gross Capital Cost Estimate (2022\$)	Less:		Net Growth-Related Cost	Total Non-Residential Share	Total Residential Share	Low/Medium Density Residential	Total High Density Residential	Ineligible High Density Residential	Eligible High Density Residential
				Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development							
2022-2031												
	Culture:			-	-	-	5%	95%				
1	Public Art Creation	2023-2024	1,000,000	-	-	1,000,000	50,000	950,000	541,500	408,500	85,800	322,700
2	Culture Hub Space	2024-2025	12,000,000	-	-	12,000,000	600,000	11,400,000	6,498,000	4,902,000	1,029,400	3,872,600
3	McCrae House Stage and Pavillion	2025-2026	150,000	-	-	150,000	7,500	142,500	81,200	61,300	12,900	48,400
4	Guelph Museum Hilltop Garden Pavillion	2024-2025	200,000	-	-	200,000	10,000	190,000	108,300	81,700	17,200	64,500
5	Large Special Events Equipment Expansion	2027-2029	210,000	-	-	210,000	10,500	199,500	113,700	85,800	18,000	67,800
6	Municipal Cultural Plan	2022-2023	125,000	31,250	-	93,750	4,700	89,000	50,700	38,300	8,000	30,300
	Parkland Acquisition:											
1	Wellington & Gordon Parkland Acquisition	2027-2031	13,500,000	-	7,480,000	6,020,000	301,000	5,719,000	3,259,800	2,459,200	516,400	1,942,800
	Total		27,185,000	31,250	7,480,000	19,673,750	983,700	18,690,000	10,653,200	8,036,800	1,687,700	6,349,100



Table 4-3
Capital Infrastructure Needs to be Recovered through C.B.C.s for the C.B.C. Strategy

Prj. No.	Increased Service Needs Attributable to Anticipated Development 2022-2031	Timing (year)	Gross Capital Costs Less Deductions				Allocations Between Residential and Non-Residential Growth		Allocation Between Residential Growth by Density		Allocation Between Eligible and Ineligible High Density Growth	
			Gross Capital Cost Estimate (2022\$)	Less:		Net Growth-Related Cost	Total Non-Residential Share	Total Residential Share	Low/Medium Density Residential	Total High Density Residential	Ineligible High Density Residential	Eligible High Density Residential
				Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development							
	C.B.C. Strategies:											
1	C.B.C. Feasibility Study	2022	20,000	-	-	20,000	-	20,000	-	20,000	-	20,000
2	C.B.C. Strategy	2022	100,000	-	-	100,000	-	100,000	-	100,000	-	100,000
3	C.B.C. Strategy	2024	125,000	-	-	125,000	-	125,000	-	125,000	-	125,000
4	C.B.C. Strategy	2029	125,000	-	-	125,000	-	125,000	-	125,000	-	125,000
	Total		370,000	-	-	370,000	-	370,000	-	370,000	-	370,000



Chapter 5

C.B.C. Calculation



5. C.B.C. Calculation

5.1 Anticipated Funding Recovery

To summarize the calculation of the charge, the following has been undertaken:

- 1) Anticipated Development: As presented in Chapter 2, the 10-year growth forecast provides for 5,553 eligible high-density units (i.e., in buildings containing a minimum of five storeys and a minimum of 10 residential units).
- 2) Land Valuation: the City engaged a land appraiser to provide average land valuations for properties anticipated for eligible high-density development. The land valuations were provided for various locations throughout the City, including the downtown secondary plan area, various areas of the built-up area, as well as future greenfield development areas (refer to Chapter 2).
- 3) Identification of a Services: A number of services were identified including municipal parking, and growth studies which are no longer eligible for recovery through D.C.s, other growth-related studies, culture, parkland acquisition, and the C.B.C. strategy itself.
- 4) C.B.C. Eligible Costs: Capital needs related to the identified services were provided by City staff. Gross costs of the capital projects were assessed for the portion of the projects that would benefit the existing community vs. the future growth. The growth-costs that were then allocated amongst all types of growth to calculate the amount that is associated with eligible high-density units.
- 5) Total Land Value: Based on the growth forecast, density assumptions, and land valuation assessment, the total land value for eligible high density was calculated to equal approximately \$136.9 million.
- 6) Maximum C.B.C.: As per the Planning Act, the maximum a municipality can impose for a C.B.C. is equal to 4% of the land value of a property, the day before building permit issuance. Based on the total land value, the estimated potential C.B.C. recovery for the City equates to just under \$5.48 million for the 10-year forecast period (see Table 5-1).



**Table 5-1
Anticipated C.B.C. Funding Recovery**

Area	Total C.B.C. Eligible Units	Average Land Value Per Acre	Average Units Per Acre	Estimated Total Acres	Total Land Value	C.B.C. %	Potential C.B.C. Revenue
Clair-Maltby Secondary Plan	1,250	\$2,000,000	70	17.9	\$35,714,000		
Guelph Innovation District	115	\$1,250,000	70	1.6	\$2,054,000		
Dolime Quarry Lands	529	\$2,000,000	70	7.6	\$15,114,000		
Urban Growth Centre/Downtown Secondary Plan Area	1,477	\$6,250,000	290	5.1	\$31,832,000		
Remaining Designated Greenfield Area	385	\$1,250,000	70	5.5	\$6,875,000		
Remaining Built-Up Area:							
Gordon Street Corridor Area	892	\$2,000,000	70	12.7	\$25,486,000		
Downtown Fringe-University of Guelph District -Stone Road Corridor Sub-Area	80	\$3,200,000	50	1.6	\$5,120,000		
Other Neighbourhoods Sub-Area	825	\$1,250,000	70	11.8	\$14,732,000		
Total	5,553			63.8	\$136,927,000	4%	\$5,477,080

The City has identified capital costs attributable to eligible high-density growth in the amount of \$12.77 million (as per Tables 4-1 through 4-3), well in excess of the maximum allowable amount of approximately \$5.48 million. Therefore, the City has provided herein that the maximum C.B.C. of 4% may be considered to be imposed on eligible forms of development. It is noted that available C.B.C. funding will not provide funding for all project on the capital projects list, and hence City Council will have to consider the highest capital priorities to be funded through C.B.C. revenue during the annual budget process. Table 5-2 provides a summary of the growth capital costs by service.

**Table 5-2
Summary of Growth Capital Costs**

Service	Gross Cost	Deductions		Net Growth-Related Cost	Ineligible High Density Residential	Eligible High Density Residential
		Benefit to Existing Development	Grants, Subsidies and Other Contributions			
C.B.C. Strategies	370,000	-	-	370,000	-	370,000
Growth Studies	2,055,000	1,155,200	-	899,800	56,100	211,000
Municipal Parking	31,775,000	6,870,000	-	24,905,000	1,551,800	5,837,500
Culture	13,685,000	31,250	-	13,653,750	1,171,300	4,406,300
Parkland Acquisition	13,500,000	-	7,480,000	6,020,000	516,400	1,942,800
Total	61,385,000	8,056,450	7,480,000	45,848,550	3,295,600	12,767,600
Total Land Value						136,927,000
Calculated Percentage to Recover all Costs Identified						9.3%



Chapter 6

C.B.C. Policy Recommendations and C.B.C. By-law Rules



6. C.B.C. Policy Recommendations and C.B.C. By-law Rules

6.1 C.B.C. Policies

Planning Act section 37 and O. Reg. 509/20 outline the required policies that must be considered when adopting a C.B.C. by-law. The following subsections set out the recommended policies governing the calculation, payment and collection of C.B.C.s in accordance with the legislation.

6.2 C.B.C. By-law Rules

6.2.1 *Payment in any Particular Case*

In accordance with the Planning Act, subsection 37 (3), a C.B.C. may be imposed only with respect to development or redevelopment that requires one 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 9 of the *Condominium Act, 1998*; or
- (g) the issuing of a permit under the *Building Code Act, 1992* in relation to a building or structure.”



6.2.2 Maximum Amount of the Community Benefit Charge

Subsection 37 (32) of the Planning Act states that the amount of a C.B.C. payable in any particular case shall not exceed an amount equal to the prescribed percentage of the value of the land as of the valuation date.

Based on section 3 of O. Reg. 509/20, the prescribed percentage is 4%.

6.2.3 Exemptions (full or partial)

The following exemptions are provided under subsection 37 (4) of the Planning Act and section 1 of O. Reg. 509/20:

- Development of a development of a proposed building or structure with fewer than five storeys at or above ground;
- Development of a proposed building or structure with fewer than 10 residential units;
- Redevelopment of an existing building or structure that will have fewer than five storeys at or above ground after the redevelopment;
- Redevelopment that proposes to add fewer than 10 residential units to an existing building or structure;
- Such types of development or redevelopment as are prescribed:
 - Development or redevelopment of a building or structure intended for use as a long-term care home within the meaning of subsection 2 (1) of the Long-Term Care Homes Act, 2007.
 - Development or redevelopment of a building or structure intended for use as a retirement home within the meaning of subsection 2 (1) of the Retirement Homes Act, 2010.
 - Development or redevelopment of a building or structure intended for use 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 subparagraph i,
 - iii. an Indigenous Institute prescribed for the purposes of section 6 of the Indigenous Institutes Act, 2017.



- Development or redevelopment of a building or structure intended for use as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion.
- Development or redevelopment of a building or structure intended for use as a hospice to provide end of life care.
- Development or redevelopment of a building or structure intended for use as residential premises by any of the following entities:
 - i. a corporation to which the Not-for-Profit Corporations Act, 2010 applies that is in good standing under that Act and whose primary object is to provide housing,
 - ii. a corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing,
 - iii. a non-profit housing co-operative that is in good standing under the Co-operative Corporations Act.

In addition to the exemptions noted above, the C.B.C. will not apply to buildings or structures owned by and used for the purposes of any municipality, local board, or Board of Education.

6.2.4 Timing of Collection

The C.B.C.s imposed are calculated, payable, and collected upon issuance of a building permit for eligible development or redevelopment.

6.2.5 In-kind Contributions

A municipality that has passed a C.B.C. by-law may allow the landowner to provide to the municipality: facilities, services, or matters required because of development or redevelopment in the area to which the by-law applies.

Prior to providing these contributions, the municipality shall advise the landowner of the value that of the in-kind contributions that will be attributed to them. This value shall be deducted from the amount the landowner would otherwise be required to pay under the C.B.C. by-law.



6.2.6 The Applicable Areas

The C.B.C. by-law will apply to all lands within the City.

6.2.7 Special Account

All money received by the municipality under a C.B.C. by-law shall be paid into a special account. The money contained within the special account:

- may be invested in securities in which the municipality is permitted to invest under the Municipal Act, 2001, and the earnings derived from the investment of the money shall be paid into a special reserve fund account; and
- must have at least 60 percent of the funds spent or allocated at the beginning of the year.

In addition to the monies collected under a C.B.C. by-law, transitional rules for transferring existing reserve funds are provided in subsection 37 (51) of the Planning Act. These rules apply for any existing reserve funds related to a service that is not listed in subsection 2 (4) of the D.C.A., as well as reserve funds established under section 37 of the Planning Act prior to Bill 197.

1. If the municipality passes a C.B.C. by-law under this section before the specified date, the municipality shall, on the day it passes the by-law, allocate the money in the special account or reserve fund to the special account referred to in subsection (45) of the Planning Act.
2. If the municipality has not passed a C.B.C. by-law under this section before the specified date, the special account or reserve fund is deemed to be a general capital reserve fund for the same purposes for which the money in the special account or reserve fund was collected.
3. Despite paragraph 2, subsection 417 (4) of the Municipal Act, 2001 (a provision which requires the funds raised for a reserve fund must only be used for the intended purpose) and any equivalent provision of do not apply with respect to the general capital reserve fund referred to in paragraph 2.
4. If paragraph 2 applies and the municipality passes a C.B.C. by-law under this section on or after the specified date, the municipality shall, on the day it passes the by-law, allocate any money remaining in the general capital reserve fund referred to



in paragraph 2 to the special account referred to in subsection (45) of the Planning Act.

Based on the above, it is recommended that the D.C. reserve funds for Parking services be transferred to the C.B.C. special account.

6.2.8 Credits

Subsection 37 (52) of the Planning Act indicates that any credits that were established under section 38 of the D.C.A. and that are not related to a service that is listed in subsection 2 (4) of the D.C.A., may be used by the holder of the credit with respect to a charge that the holder is required to pay under a C.B.C. by-law.

6.2.9 By-law In-Force Date

A C.B.C. by-law comes into force on the day it is passed, or the day specified in the by-law, whichever is later.

6.3 Recommendations

It is recommended that Council:

“Adopt the C.B.C. approach to calculate the charges on a uniform City-wide basis;”

“Approve the capital project listing set out in Chapter 4 of the C.B.C. Strategy dated March 18, 2022, subject to further annual review during the capital budget process;”

“Create a special reserve fund account which will contain all C.B.C. monies collected;”

“Approve the C.B.C. Strategy dated March 31, 2022, as amended (if applicable);”

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

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



Chapter 7

By-law Implementation



7. By-law Implementation

7.1 Introduction

This chapter addresses the public consultation process and by-law implementation requirements for the imposition of a C.B.C. by-law. Figure 7-1 provides an overview of the process.

7.2 Public Consultation Process

7.2.1 *Required Consultation*

In establishing the policy for which a C.B.C. strategy and by-law will be based; section 37 (10) of the Planning Act requires that:

“In preparing the community benefits strategy, the municipality shall consult with such persons and public bodies as the municipality considers appropriate.”

As there is no specific guidance as to which parties the municipality shall consult with, municipalities may establish their own policy for public consultation. The policy for public consultation should be designed to seek the co-operation and participation of those involved, in order to produce the most suitable policy. Municipalities may consider a public meeting, similar to that undertaken for D.C. study processes (however, this is not a mandated requirement). At a minimum, this would include a presentation to Council and the public on the findings of the C.B.C. strategy, advanced notice of the meeting, and consideration for delegations from the public.

7.2.2 *Interested Parties to Consult*

There are three broad groupings of the public who are generally the most concerned with municipal C.B.C. policy.

1. The first grouping is the residential development community, consisting of land developers and builders, who will typically be responsible for generating the majority of the C.B.C. revenues. Others, such as realtors, are directly impacted by C.B.C. policy. They are, therefore, potentially interested in all aspects of the charge, particularly the percentage applicable to their properties, projects to be funded by



the C.B.C. and the timing thereof, and municipal policy with respect to development agreements and in-kind contributions.

2. The second public grouping embraces the public at large and includes taxpayer coalition groups and others interested in public policy.
3. The third grouping is the non-residential mixed-use development sector, consisting of land developers and major owners or organizations with significant construction plans for mixed use developments. Also involved are organizations such as Industry Associations, the Chamber of Commerce, the Board of Trade, and the Economic Development Agencies, who are all potentially interested in municipal C.B.C. policy. Their primary concern is frequently with the percentage charge applicable to their lands, exemptions, and phase-in or capping provisions in order to moderate the impact.

As noted in Section 1.4, through the C.B.C. strategy process, the City's consultation process includes meetings with the development community, general public, and Council.

7.3 Anticipated Impact of the Charge on Development

The establishment of sound C.B.C. policy often requires the achievement of an acceptable balance between two competing realities. The first is that increased residential development fees (such as a C.B.C.) can ultimately be expected to be recovered via higher housing prices and can impact project feasibility in some cases (e.g., rental apartments). Secondly, C.B.C.s or other municipal capital funding sources need to be obtained in order to help ensure that the necessary infrastructure and amenities are installed. The timely installation of such works is a key initiative in providing adequate service levels and in facilitating strong economic growth, investment, and wealth generation.



7.4 Implementation Requirements

7.4.1 Introduction

Once the City has calculated the charge, prepared the complete strategy, carried out the public process, and passed a new by-law, the emphasis shifts to implementation matters.

These include notices, potential appeals and complaints, in-kind contributions, and finally the collection of revenues and funding of projects.

The sections that follow provide an overview of the requirements in each case.

7.4.2 Notice of Passage

In accordance with subsection 37 (13) of the Planning Act, when a C.B.C. by-law is passed, the clerk of the municipality shall give written notice of the passing and of the last day for appealing the by-law (the day that is 40 days after the day it was passed). Such notice must be given no later than 20 days after the day the by-law is passed (i.e., as of the day of newspaper publication or the mailing of the notice).

Section 4 of O. Reg. 509/20 further defines the notice requirements which are summarized as follows:

- notice shall be given by publication in a newspaper which is (in the clerk's opinion) of sufficient circulation to give the public reasonable notice, or by personal service, fax or mail to every owner of land in the area to which the by-law relates;
- subsection 4 (2) lists the persons/organizations who must be given notice; and
- subsection 4 (5) lists the seven items that the notice must cover.

7.4.3 Appeals

Subsections 37 (13) to 37 (31) of the Planning Act set out the requirements relative to making and processing a C.B.C. by-law appeal as well as an OLT hearing in response to an appeal. Any person or organization may appeal a C.B.C. by-law to the OLT by filing a notice of appeal with the clerk of the municipality, setting out the objection to the



by-law and the reasons supporting the objection. This must be done by the last day for appealing the by-law, which is 40 days after the by-law is passed.

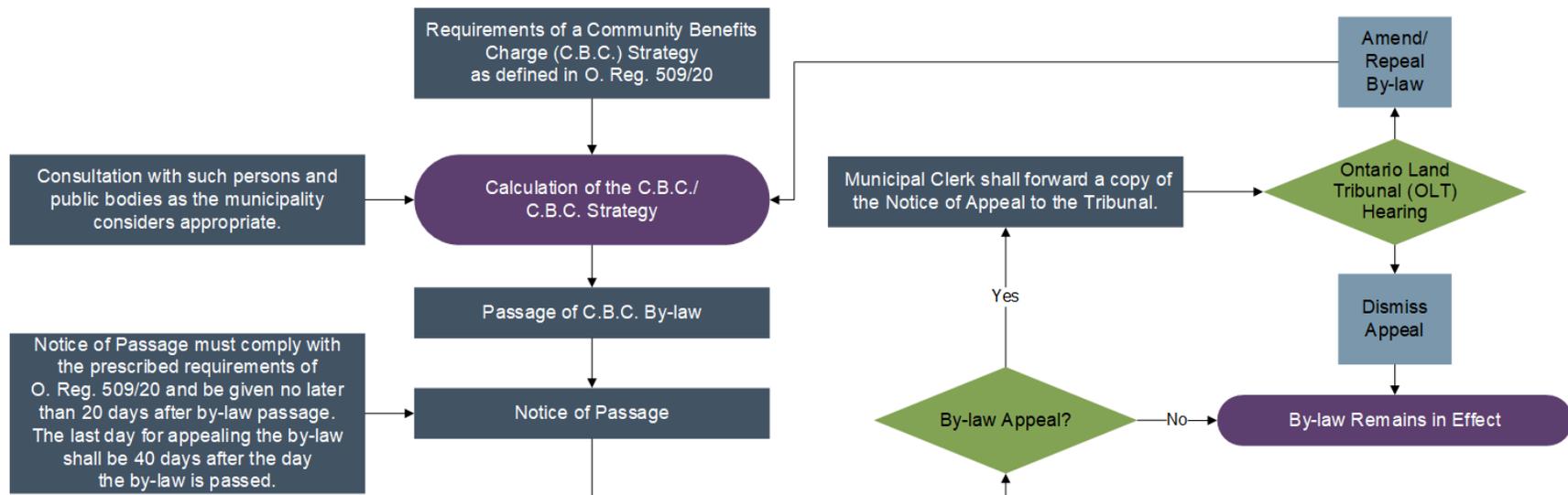
The municipality is carrying out a public consultation process, in order to address the issues that come forward as part of that process, thereby avoiding or reducing the need for an appeal to be made.

7.4.4 In-Kind Contributions

Subsections 37 (6) to 37 (8) provide the rules for in-kind contributions. An owner of land may provide the municipality facilities, services, or matters required because of development or redevelopment in the area to which the by-law applies. Prior to providing these contributions, the municipality shall advise the owner of the land of the value that will be attributed to the contributions. The value of the contributions shall be deducted from the amount the owner of the land would otherwise have to pay under the C.B.C. by-law.



Figure 7-1
The Process of Required for Passing a Community Benefits Charge By-law under the Planning Act





7.5 Ongoing Application and Collection of C.B.C. funds

7.5.1 Introductions

Once the municipality passes a C.B.C. by-law, development or redevelopment that meets the requirements of the C.B.C. by-law will pay a C.B.C. based on the value of their land. The following sections describe the overall process and discusses the approach to appraisals and use of the special account as set out in the Planning Act.

7.5.2 Overview of Process and Appraisals

Figure 7-2 provides an overview of the process for application of the C.B.C. by-law and collection of C.B.C. funds.

Once the C.B.C. by-law is in place, as development or redevelopment that meets the eligibility criteria proceeds (i.e., prior to issuance of a building permit), the municipality collects C.B.C.s based on the calculated percentage (as set out in the by-law and C.B.C. strategy) and the value of the land. The City will require each eligible development to provide a land appraisal of the market value of the land from a certified professional appraiser of real estate who is designated as an accredited appraiser by the Appraisal Institute of Canada, at no expense to the City, for use in calculating the C.B.C. charge on each development or redevelopment.

If the City agrees with the appraised value, then the owner pays their C.B.C.s to the City and the funds will then be deposited into the special account.

If the City does not agree with the appraisal provided by the owner, the City has 45 days to provide the owner of the land with their own appraisal value. Then:

- If no appraisal is provided to the owner within 45 days, the owner's appraisal is deemed accurate and the difference in the amounts shall be refunded to the owner.
- If the municipality's appraisal is within 5% of the landowner's appraisal, the landowner's appraisal is deemed accurate, and the municipality shall refund the difference in the amounts to the owner.
- If the appraisal is more than 5% higher than the landowner's appraisal, the municipality shall request an appraisal be undertaken by an appraiser, selected by the landowner, from the list of approved appraisers provided by the



municipality. This must be undertaken within 60 days. This final appraisal is deemed accurate for the purposes of calculating the applicable C.B.C.

- In regard to the last bullet, subsection 37 (42) and 37 (43) require the municipality to maintain a list of at least three persons who are not employees of the municipality or members of Council and have an agreement with the municipality to perform appraisals for the above. This list is to be maintained until the C.B.C. by-law is repealed or the day on which there is no longer any refund that could be required (whichever is later).

7.5.3 Special Reserve Fund Account

All funds collected under the C.B.C. by-law are to be deposited into a special account. Subsections 37 (45) to 37 (48) of the Planning Act outline the rules with respect to the special reserve fund account. As noted in section 6.2.7, these rules are as follows:

- All money received under a C.B.C. by-law shall be paid into a special account;
- The money in the special account may be invested in securities (as permitted under the Municipal Act) and the interest earnings shall be paid into the special account;
- In each year, a municipality shall spend or allocate at least 60 percent of the monies that are in the special account at the beginning of the year; and
- The municipality shall provide reports and information as set out in section 7 of O. Reg. 509/20
- In regard to the third bullet, it is suggested that the annual capital budget for the City directly list the works which are being undertaken and/or to which monies from this fund are being allocated toward.

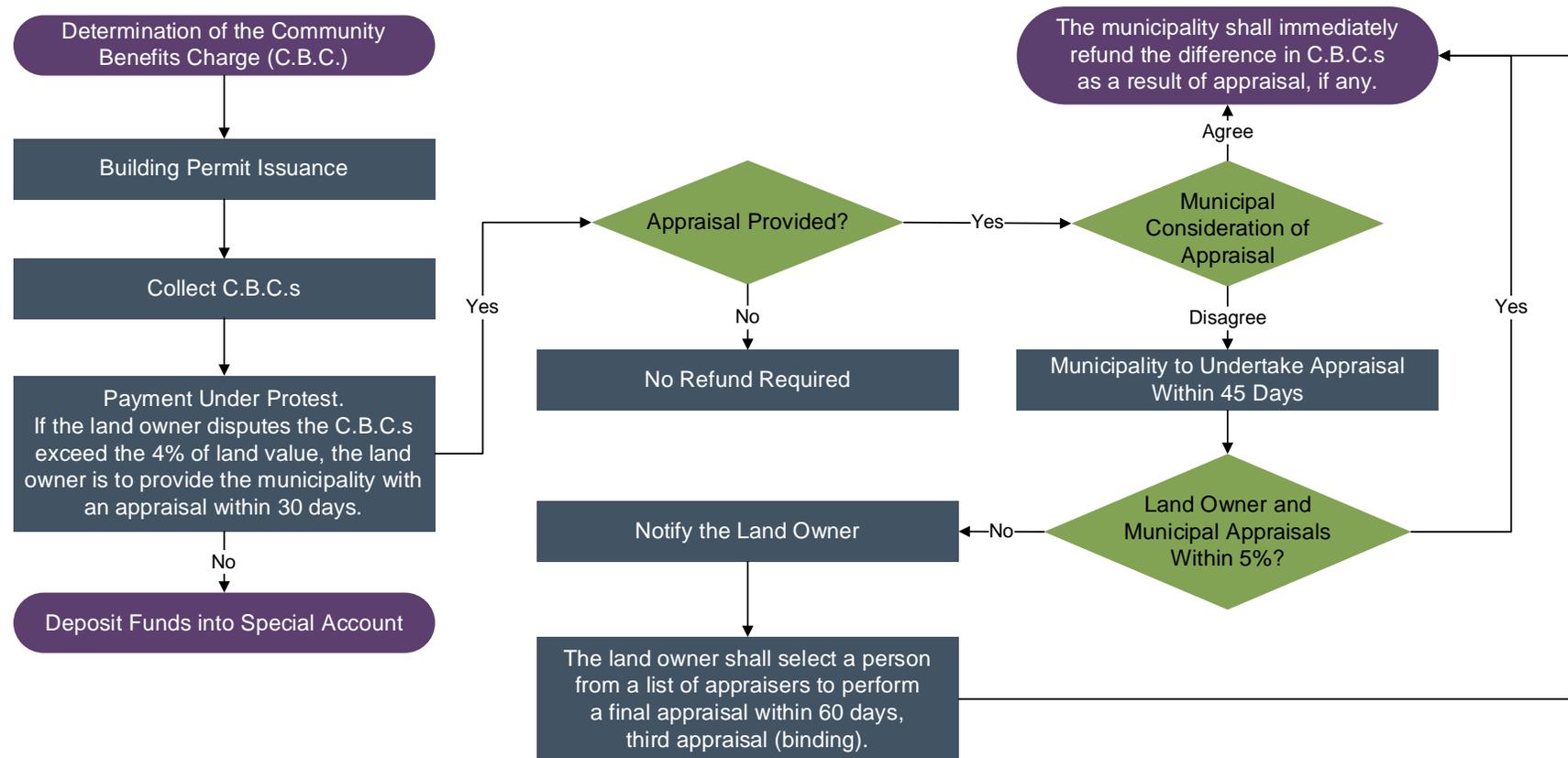
As per this C.B.C. strategy, the growth-related services (as outlined in Chapter 4), form the anticipated capital needs required to service growth over the 10-year forecast period. However, other services may be considered by Council in the future and are subject to approval by resolution and inclusion in the annual budget process. Further, any additional services approved and funded from C.B.C. revenue in the future will be reported on through an annual C.B.C. reserve fund statement, which will form part of the City's overall year-end statements.



During the annual budget process, the use of C.B.C. funding will be reviewed, and the capital costs associated with each eligible service and capital project will be confirmed and identified for approval of Council.



Figure 7-2
City of Guelph
Community Benefits Charge Application and Calculation Process





7.6 Transitional Matters

7.6.1 Existing Reserves and Reserve Funds

The Planning Act, section 37 (49) to section 37 (51) provides transitional provisions for:

1. A special account established under the previous section 37 rules; and
2. A D.C. reserve fund for which services are no longer eligible.

With respect to item 1, the City has collected prior section 37 funds which were allocated to the Downtown Cash-in-lieu of Parkland reserve fund. With respect to item 2, the City presently has a D.C. reserve fund for municipal parking which is no longer an eligible D.C. service.

If the municipality passes a C.B.C. by-law with an in-force date before September 18, 2022, the municipality shall allocate the money in the special account and D.C. reserve fund to the C.B.C. special account.

If the municipality does not pass a C.B.C. by-law before September 18, 2022, the D.C. reserve funds for municipal parking are deemed to be general capital reserve funds for the same purpose in which the money was collected. Subsequently, if a C.B.C. by-law is passed after September 18, 2022, the municipality shall allocate the money from the newly created general capital reserve funds described above and the Downtown Cash-in-lieu of Parkland reserve fund, to the C.B.C. special account.

7.6.2 Credits under Section 38 of the Development Charges Act

The Planning Act (s.37 (52)) provides that, if a municipality passes a C.B.C. by-law before September 18, 2022, any credits held for services that are no longer D.C. eligible (e.g., parking services), may be used against payment of a C.B.C. by the landowner. The City does not currently hold credits related to the services which are no longer D.C. eligible, therefore, there are no adjustment against future payments of a C.B.C. to apply.

7.6.3 Continued Application of Previous Section 37 Rules

Section 37.1 of the Planning Act provides for transitional matters regarding previous section 37 rules. Any charges that are currently in place under the previous rules, may



remain in place until the municipality passes a C.B.C. by-law or September 18, 2022, whichever comes first.



Appendices



Appendix A

Background Information on Residential and Non- Residential Growth Forecast



Schedule 1 City of Guelph Residential Growth Forecast Summary

	Year	Population (Including Census Undercount) ¹	Excluding Census Undercount			Housing Units					Person Per Unit (P.P.U.): Total Population/ Total Households
			Population	Institutional Population	Population Excluding Institutional Population	Singles & Semi-Detached	Multiple Dwellings ²	Apartments ³	Other	Total Households	
Historical	Mid 2006	118,840	114,943	1,433	113,510	25,880	7,945	10,805	75	44,705	2.571
	Mid 2011	125,810	121,688	1,133	120,555	28,529	8,608	10,918	60	48,115	2.529
	Mid 2016	136,260	131,794	1,709	130,085	28,895	10,670	12,465	60	52,090	2.530
Forecast	Mid 2022	151,210	146,249	1,901	144,348	29,742	11,739	15,941	60	57,482	2.544
	Mid 2032	178,030	172,192	2,230	169,962	31,680	15,510	22,995	60	70,245	2.451
Incremental	Mid 2006 - Mid 2011	6,970	6,745	-300	7,045	2,649	663	113	-15	3,410	
	Mid 2011 - Mid 2016	10,450	10,106	576	9,530	366	2,062	1,547	0	3,975	
	Mid 2016 - Mid 2022	14,950	14,455	192	14,263	847	1,069	3,476	0	5,392	
	Mid 2022 - Mid 2032	26,820	25,943	329	25,614	1,938	3,771	7,054	0	12,763	

¹ Census undercount estimated at approximately 3.4%. Note: Population including the undercount has been rounded.

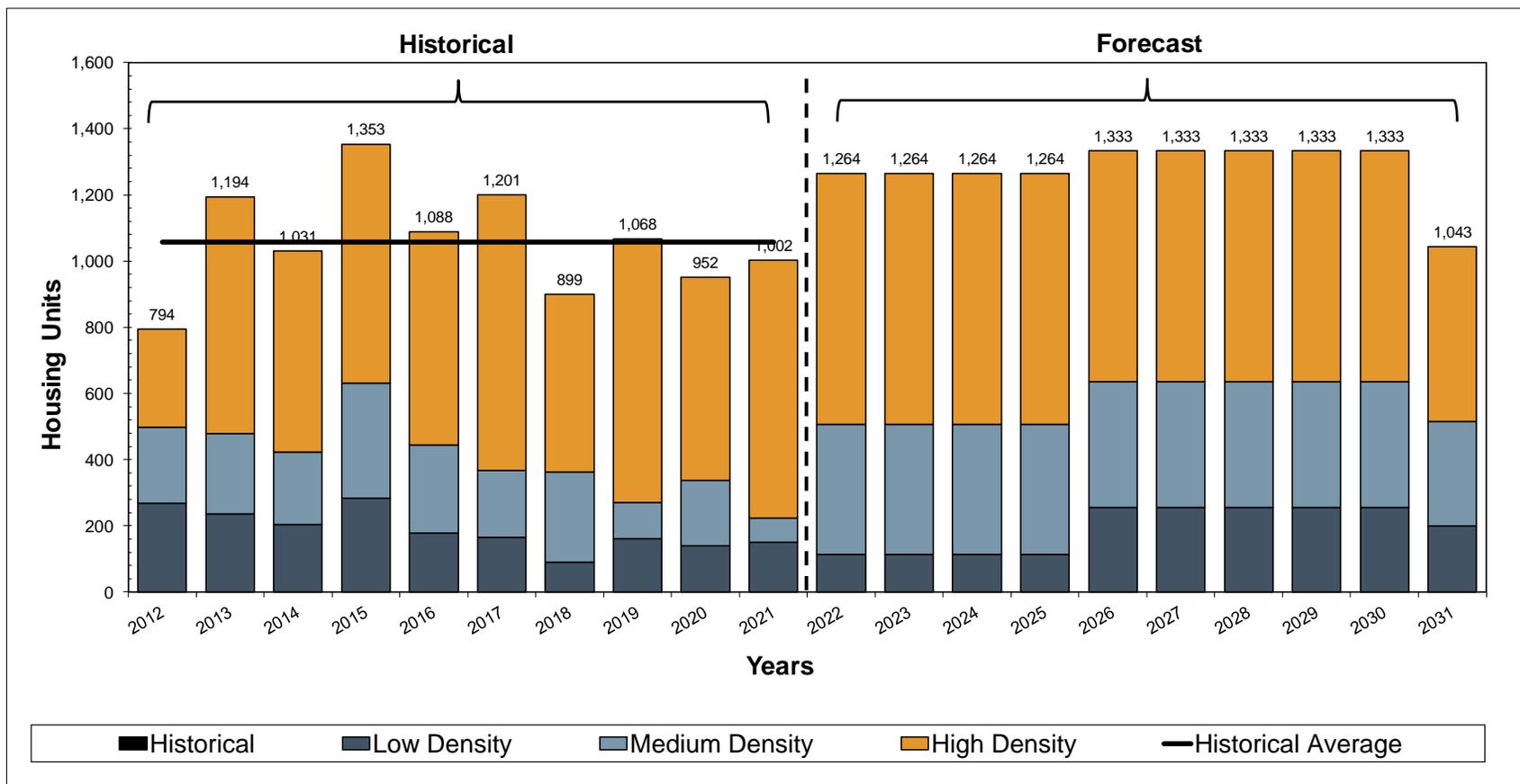
² Includes townhouses and apartments in duplexes.

³ Includes accessory units, bachelor, 1-bedroom and 2-bedroom+ apartments.

Source: Derived from the City of Guelph 2021 Growth Management Strategy: Shaping Guelph.



Figure A-1
City of Guelph
Annual Housing Forecast¹



Source: Historical housing activity derived from City of Guelph building permit data, 2012 to 2019, and 2020 to 2021 from Statistics Canada building permit data, by Watson & Associates Economists Ltd.

¹ Growth forecast represents calendar year.



Schedule 2
City of Guelph
Estimate of the Anticipated Amount, Type and Location of
Residential Development for Which Community Benefits Charges Can Be Imposed

Development Location	Timing	Single & Semi-Detached	Multiples ¹	Apartments ²			Total Residential Units	Gross Population in New Units	Existing Unit Population Change	Net Population Increase, Excluding Institutional	Institutional Population	Net Population Including Institutional
				Units in C.B.C. Ineligible	Units in C.B.C. Eligible	Total Apartment Units						
Designated Greenfield Area	2022 - 2032	1,813	2,447	401	2,587	2,988	7,248	17,059	-294	16,765	144	16,909
Clair-Maltby Secondary Plan	2022 - 2032	997	1,120	0	1,250	1,250	3,367	8,168	0	8,168	0	8,168
Guelph Innovation District	2022 - 2032	60	470	0	115	115	645	1,547	0	1,547	0	1,547
Dolime Quarry Lands	2022 - 2032	300	140	59	529	588	1,028	2,329	0	2,329	0	2,329
Remaining Designated Greenfield Area	2022 - 2032	456	717	342	693	1,035	2,208	5,015	-294	4,721	144	4,865
Built-Up Area	2022 - 2032	125	1,324	1,100	2,966	4,066	5,515	10,486	-1,637	8,849	185	9,034
Urban Growth Centre	2022 - 2032	0	100	78	1,477	1,555	1,655	2,853	-63	2,790	0	2,790
Remaining Built-Up Area	2022 - 2032	125	1,224	1,022	1,489	2,511	3,860	7,633	-1,574	6,059	185	6,244
City of Guelph	2022 - 2032	1,938	3,771	1,501	5,553	7,054	12,763	27,545	-1,931	25,614	329	25,943

Source: Derived from the City of Guelph 2021 Growth Management Strategy: Shaping Guelph.

¹ Includes townhouses and apartments in duplexes.

² Includes accessory apartments, bachelor, 1-bedroom and 2-bedroom+ apartments.

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



Schedule 3
City of Guelph
Current Year Growth Forecast
Mid 2016 to Mid 2022

		Population
Mid 2016 Population		131,794
Occupants of New Housing Units, Mid 2016 to Mid 2022	<i>Units (2)</i>	5,392
	<i>multiplied by P.P.U. (3)</i>	2.035
	<i>gross population increase</i>	10,975
Occupants of New Equivalent Institutional Units, Mid 2016 to Mid 2022	<i>Units</i>	174
	<i>multiplied by P.P.U. (3)</i>	1.100
	<i>gross population increase</i>	191
Decline in Housing Unit Occupancy, Mid 2016 to Mid 2022	<i>Units (4)</i>	52,090
	<i>multiplied by P.P.U. decline rate (5)</i>	0.063
	<i>total decline in population</i>	3,289
Population Estimate to Mid 2022		146,249
<i>Net Population Increase, Mid 2016 to Mid 2022</i>		<i>14,455</i>

- (1) 2016 population based on Statistics Canada Census unadjusted for Census undercount.
- (2) Estimated residential units constructed, Mid-2016 to the beginning of the growth period assuming a six-month 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>	3.394	16%	0.533
<i>Multiples (6)</i>	2.371	20%	0.470
<i>Apartments (7)</i>	1.601	64%	1.032
Total		100%	2.035

¹ Based on 2016 Census custom database

² Based on Building permit/completion activity

- (4) 2016 households taken from Statistics Canada Census.
- (5) Decline 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.



Schedule 4
City of Guelph
Ten Year Growth Forecast
Mid 2022 to Mid 2032

		Population
Mid 2022 Population		146,249
Occupants of New Housing Units, Mid 2022 to Mid 2032	<i>Units (2)</i>	12,763
	<i>multiplied by P.P.U. (3)</i>	2.158
	<i>gross population increase</i>	27,545
Occupants of New Equivalent Institutional Units, Mid 2022 to Mid 2032	<i>Units</i>	299
	<i>multiplied by P.P.U. (3)</i>	1.100
	<i>gross population increase</i>	329
Decline in Housing Unit Occupancy, Mid 2022 to Mid 2032	<i>Units (4)</i>	57,482
	<i>multiplied by P.P.U. decline rate (5)</i>	-0.034
	<i>total decline in population</i>	-1,931
Population Estimate to Mid 2032		172,192
<i>Net Population Increase, Mid 2022 to Mid 2032</i>		<i>25,943</i>

(1) Mid 2022 Population based on:

2016 Population (131,794) + Mid 2016 to Mid 2022 estimated housing units to beginning of forecast period (5,392 x 2.035 = 10,975) + (174 x 1.1 = 191) + (52,090 x 0.063 = 3,289) = 146,249

(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>	3.332	15%	0.506
<i>Multiples (6)</i>	2.455	30%	0.725
<i>Apartments (7)</i>	1.677	55%	0.927
Total		100%	2.158

¹ Persons per unit based on adjusted Statistics Canada Custom 2016 Census database.

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

(4) Mid 2022 households based upon 2016 Census (52,090 units) + Mid 2016 to Mid 2022 unit estimate (5,392 units) = 57,482 units.

(5) Decline 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.



Schedule 5
City of Guelph
Summary of C.B.C Eligible Units in the Development Approvals Process

Area and Stage of Development	Built-Up Area	Designated Greenfield Area	Total
Downtown Secondary Plan Area	832	0	832
Approved	124	0	124
Under Review	708	0	708
% Breakdown	100%	0%	100%
Downtown Fringe	697	0	697
Under Review	697	0	697
% Breakdown	100%	0%	100%
Gordon Street Corridor Area	1,574	798	2,372
Registered	0	239	239
Approved	0	197	197
Draft Approved	168	0	168
Under Review	1,406	362	1,768
% Breakdown	66%	34%	100%
Other Neighbourhoods Sub-Area¹	1,750	1,144	2,894
Registered	356	0	356
Approved	0	392	392
Draft Approved	66	180	246
Under Review	1,328	572	1,900
% Breakdown	60%	40%	100%
City of Guelph	4,853	1,942	6,795
Registered	356	239	595
Approved	124	589	713
Draft Approved	234	180	414
Under Review	4,139	934	5,073
% Breakdown	71%	29%	100%

Notes:

¹ Other neighbourhoods sub-area excludes the Clair-Maltby Secondary Plan area, Guelph Innovation District and Dolime Quarry lands.

- Table does not include C.B.C. eligible units for the Clair-Maltby Secondary Plan, Guelph Innovation District and Dolime Quarry lands which are expected to have growth to 2031.

- Area breakout is consistent with areas which land value estimates were provided for by S.W. Irvine & Associates.

Source: Derived from data provided by the City of Guelph by Watson & Associates Economists Ltd.



Schedule 6
City of Guelph
Historical Residential Building Permits
Years 2012 to 2021

Year	Residential Building Permits			
	Singles & Semi Detached	Multiples ¹	Apartments ²	Total
2012	268	229	297	794
2013	236	243	715	1,194
2014	203	219	609	1,031
2015	283	348	722	1,353
2016	178	266	644	1,088
Sub-total	1,168	1,305	2,987	5,460
Average (2012 - 2016)	234	261	597	1,092
% Breakdown	21.4%	23.9%	54.7%	100.0%
2017	166	200	835	1,201
2018	89	274	536	899
2019	160	111	797	1,068
2020	140	198	614	952
2021	150	73	779	1,002
Sub-total	705	856	3,561	5,122
Average (2017 - 2021)	141	171	712	1,024
% Breakdown	13.8%	16.7%	69.5%	100.0%
2012 - 2021				
Total	1,873	2,161	6,548	10,582
Average	187	216	655	1,058
% Breakdown	17.7%	20.4%	61.9%	100.0%

Source: Historical housing activity derived from City of Guelph building permit data, 2012 to 2019, and 2020 to 2021 from Statistics Canada building permit data, by Watson & Associates Economists Ltd.

¹ Includes townhouses and apartments in duplexes.

² Includes accessory units, bachelor, 1 bedroom and 2 bedroom+ apartments.



Schedule 7
City of Guelph
Person Per Unit by Age and Type of Dwelling
(2016 Census)

Age of Dwelling	Singles and Semi-Detached						20 Year Average
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total	
1-5	-	-	2.571	3.347	4.947	3.394	
6-10	-	-	2.364	3.383	4.475	3.426	
11-15	-	-	1.943	3.408	4.457	3.424	
16-20	-	-	1.906	3.128	4.395	3.083	3.332
20-25	-	-	1.952	2.996	3.167	2.928	
25-35	-	-	1.978	2.849	3.375	2.843	
35+	-	1.439	1.849	2.595	3.577	2.518	
Total	-	1.488	1.908	2.913	3.913	2.864	

Age of Dwelling	Multiples ¹						20 Year Average
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total	
1-5	-	1.188	1.870	2.630	-	2.371	
6-10	-	1.308	1.844	2.821	-	2.552	
11-15	-	-	1.833	2.743	3.583	2.548	
16-20	-	1.143	1.912	2.597	-	2.348	2.455
20-25	-	1.267	1.966	2.602	3.818	2.428	
25-35	-	1.190	1.639	2.793	-	2.437	
35+	-	1.290	2.013	2.747	3.234	2.470	
Total	-	1.263	1.894	2.726	3.388	2.461	

Age of Dwelling	Apartments ²						20 Year Average
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total	
1-5	-	1.262	1.678	2.063	-	1.601	
6-10	-	1.333	1.558	-	-	1.500	
11-15	-	1.385	1.914	2.545	-	1.965	
16-20	-	1.244	1.710	-	-	1.642	1.677
20-25	-	1.209	1.937	2.600	-	1.763	
25-35	-	1.362	1.898	2.579	-	1.780	
35+	0.939	1.220	1.913	2.536	-	1.648	
Total	0.971	1.245	1.865	2.506	2.364	1.670	

Age of Dwelling	All Density Types					
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total
1-5	-	1.299	1.808	3.005	4.571	2.573
6-10	-	1.394	1.811	3.185	4.426	2.965
11-15	-	1.448	1.867	3.244	4.341	3.111
16-20	-	1.276	1.837	3.000	4.239	2.722
20-25	-	1.290	1.923	2.877	3.457	2.523
25-35	-	1.345	1.875	2.821	3.420	2.511
35+	1.273	1.239	1.903	2.625	3.583	2.243
Total	1.512	1.271	1.882	2.855	3.868	2.498

¹ Includes townhouses and apartments in duplexes.

² Includes bachelor, 1 bedroom and 2 bedroom+ apartments.

Note: Does not include Statistics Canada data classified as 'Other'

P.P.U. Not calculated for samples less than or equal to 50 dwelling units, and does not include institutional population.



Schedule 8 City of Guelph Employment Forecast, Mid-2022 to Mid-2032

Period	Population	Activity Rate								Employment								Employment Total (Excluding Work at Home and N.F.P.O.W.)
		Primary	Work at Home	Industrial	Commercial/ Population Related	Institutional	Total	N.F.P.O.W. ¹	Total Includin g NFPOW	Primary	Work at Home	Industrial	Commercial/ Population Related	Institutional	Total	N.F.P.O.W. ¹	Total Employment (Including N.F.P.O.W.)	
Mid 2016	131,794	0.003	0.034	0.200	0.181	0.145	0.563	0.047	0.609	415	4,460	26,328	23,883	19,055	74,140	6,140	80,280	69,680
Mid 2022	146,249	0.003	0.034	0.186	0.172	0.137	0.531	0.045	0.576	395	4,923	27,168	25,217	19,974	77,676	6,522	84,198	72,753
Mid 2032	172,192	0.002	0.035	0.175	0.180	0.134	0.526	0.046	0.572	315	6,069	30,094	30,998	23,058	90,534	7,905	98,439	84,465
Incremental Change																		
Mid 2016 - Mid 2022	14,455	-0.0004	-0.0002	-0.0140	-0.0088	-0.0080	-0.0314	-0.0020	-0.0334	-20	463	840	1,335	919	3,536	382	3,918	3,073
Mid 2022 - Mid 2032	25,943	-0.0009	0.0016	-0.0110	0.0076	-0.0027	-0.0054	0.0013	-0.0040	-80	1,146	2,926	5,781	3,084	12,857	1,383	14,240	11,711
Annual Average																		
Mid 2006 - Mid 2011	1,349	-0.0001	-0.0005	-0.0038	0.0004	0.0027	-0.0013	0.0000	-0.0013	-10	-19	-155	292	512	620	0	620	639
Mid 2011 - Mid 2016	2,021	0.0000	0.0010	-0.0020	-0.0001	-0.0007	-0.0018	0.0093	0.0075	1	194	161	360	204	919	1,228	2,147	725
Mid 2016 - Mid 2022	2,409	-0.0001	0.0000	-0.0023	-0.0015	-0.0013	-0.0052	-0.0003	-0.0056	-3	77	140	222	153	589	64	653	512
Mid 2022 - Mid 2032	2,594	-0.0001	0.0002	-0.0011	0.0008	-0.0003	-0.0005	0.0001	-0.0004	-8	115	293	578	308	1,286	138	1,424	1,171

Source: Derived from the City of Guelph 2021 Growth Management Strategy: Shaping Guelph.

¹ Statistics Canada defines no fixed place of work (N.F.P.O.W.) employees as "persons who do not go from home to the same work place location at the beginning of each shift". Such persons include building and landscape contractors, travelling salespersons, independent truck drivers, etc.



Appendix B

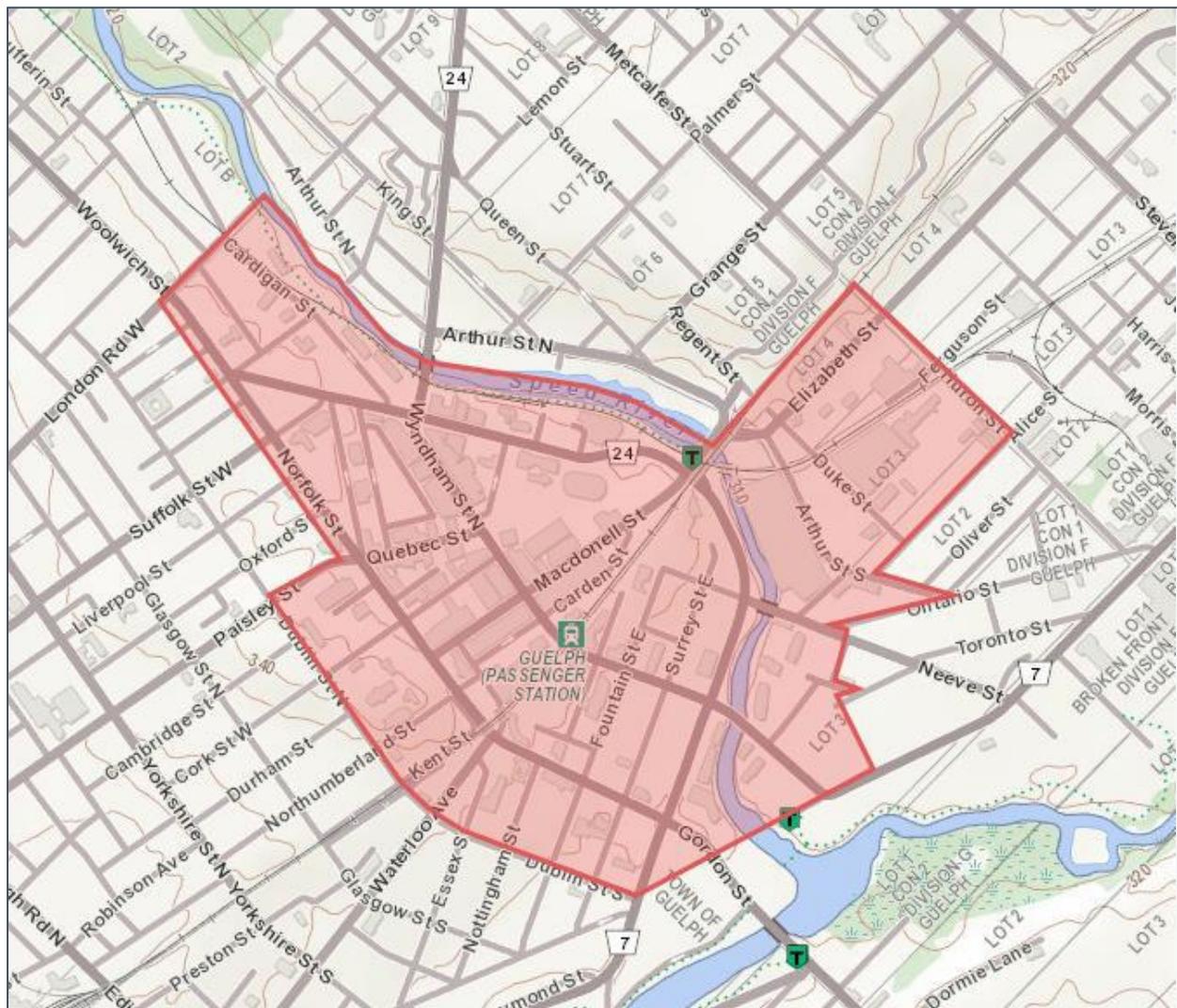
Land Valuation Mapping



Appendix B: Land Valuation Mapping

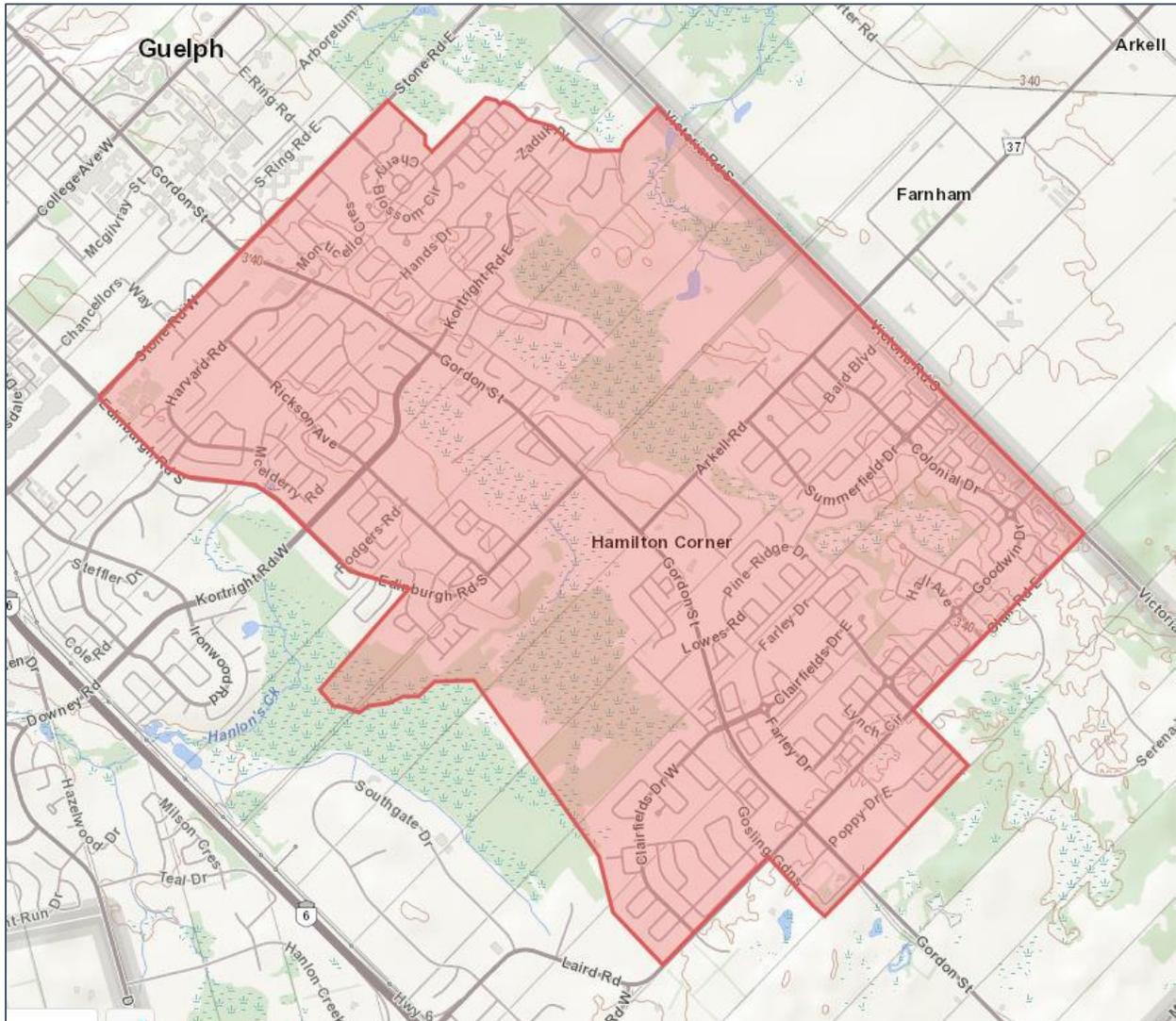
The land valuation analysis undertaken by the City's land appraiser, has established areas and sub-areas which provide similar land values. This information was detailed in Chapter 2. The following maps provide a visual representation of the areas defined by the land appraiser.

Map B-1
Downtown Secondary Plan Area



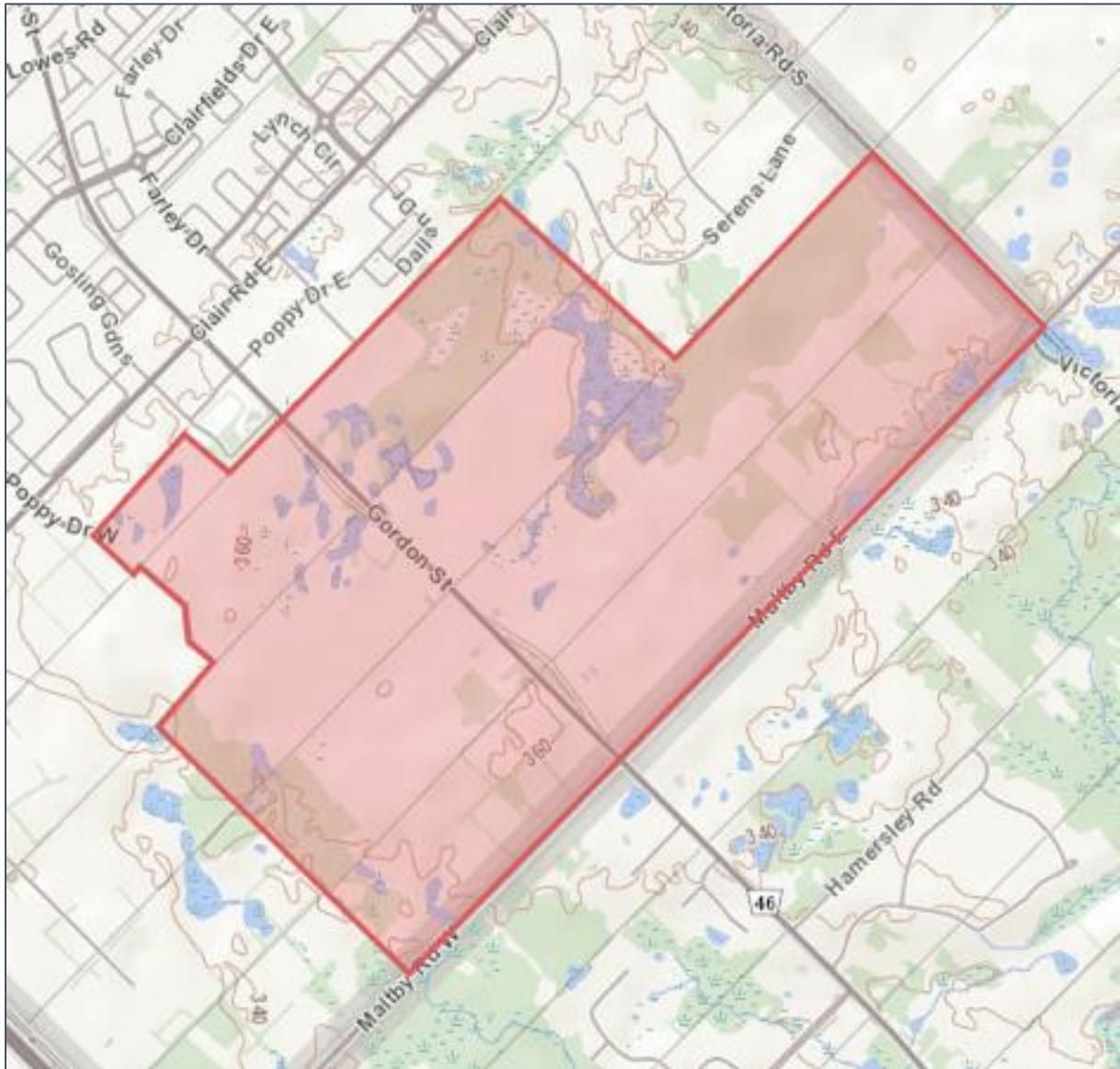


Map B-2 Gordon Street Corridor Area



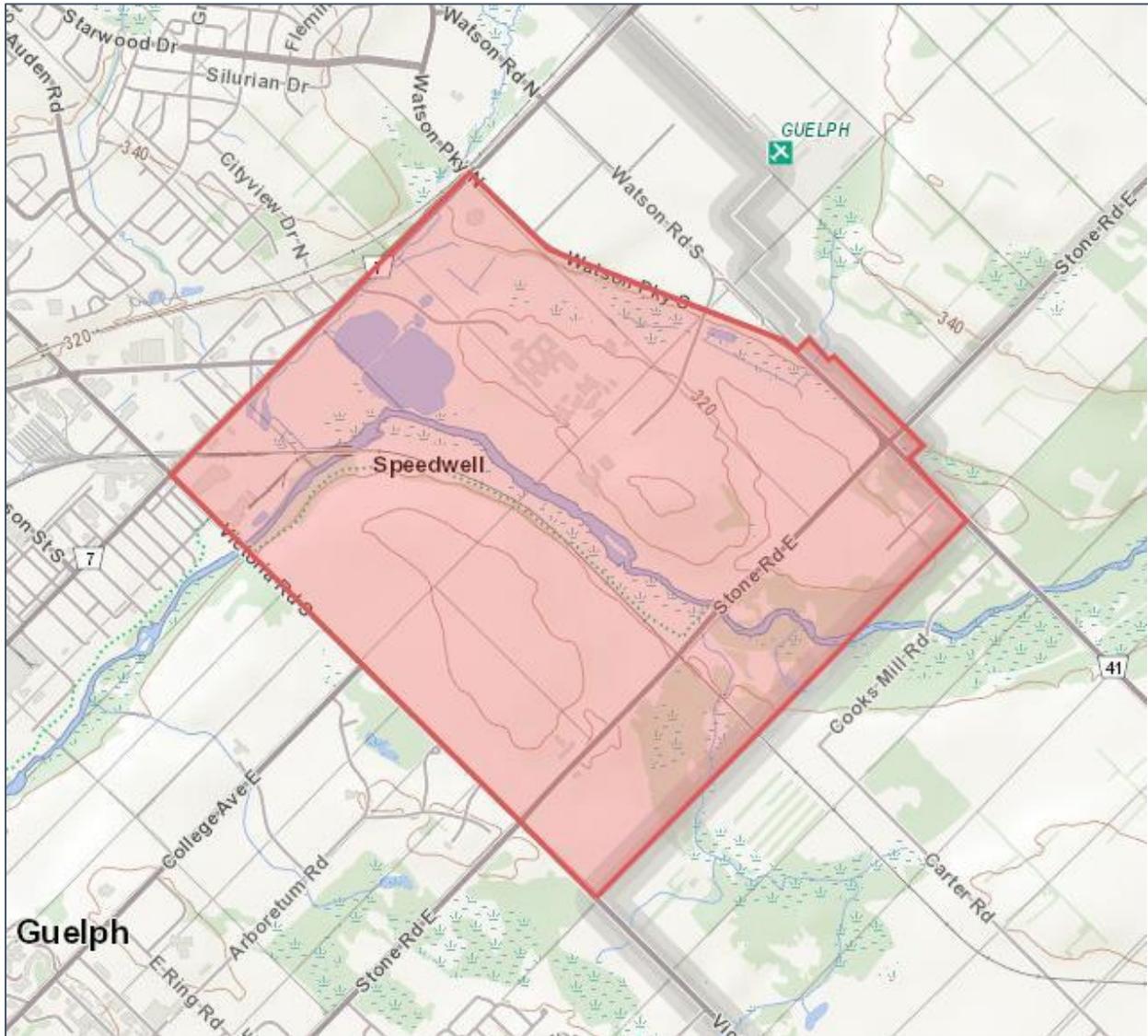


Map B-3
Clair-Maltby Secondary Plan Area



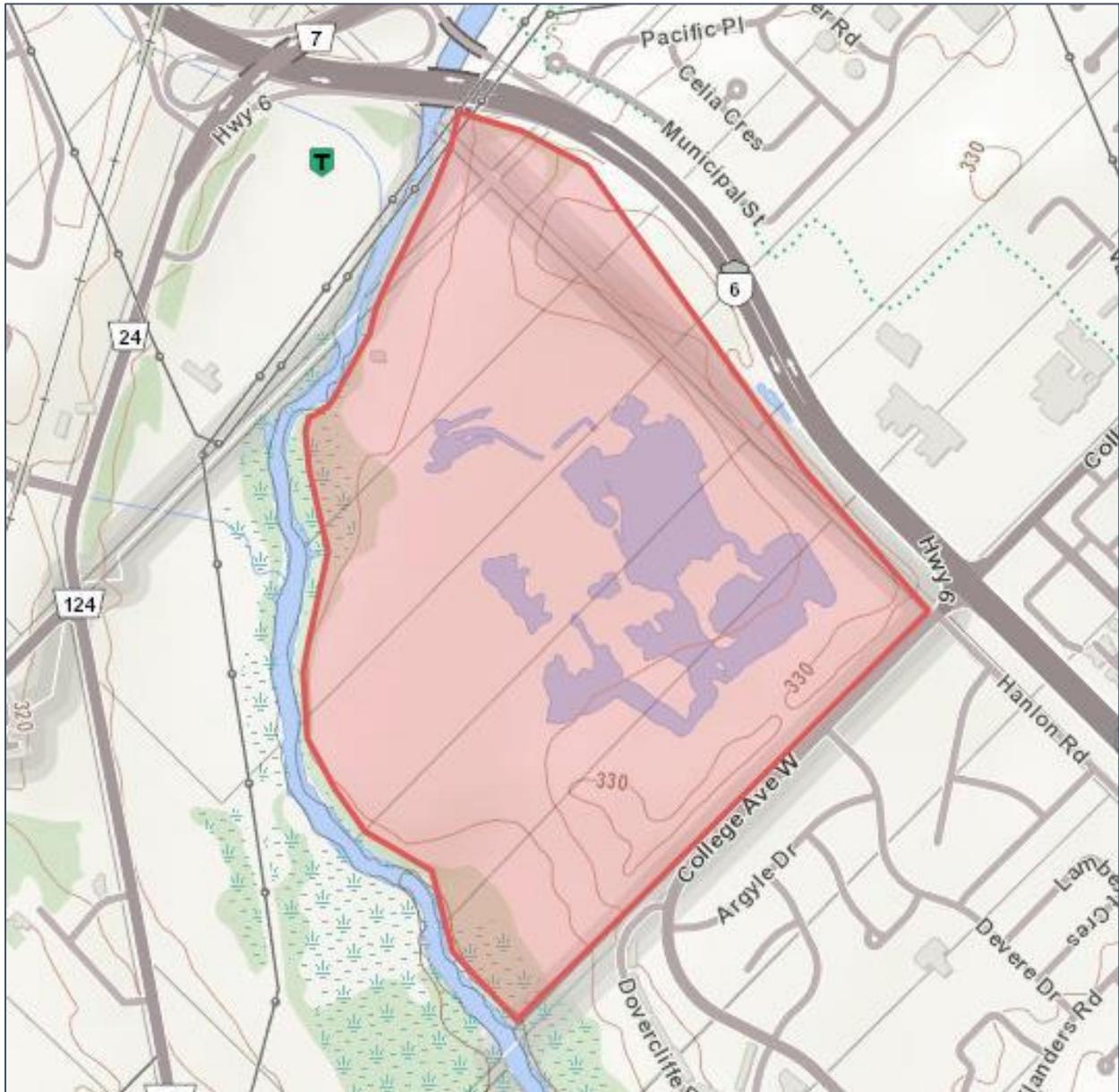


Map B-4
Guelph Innovation District Secondary Plan Area



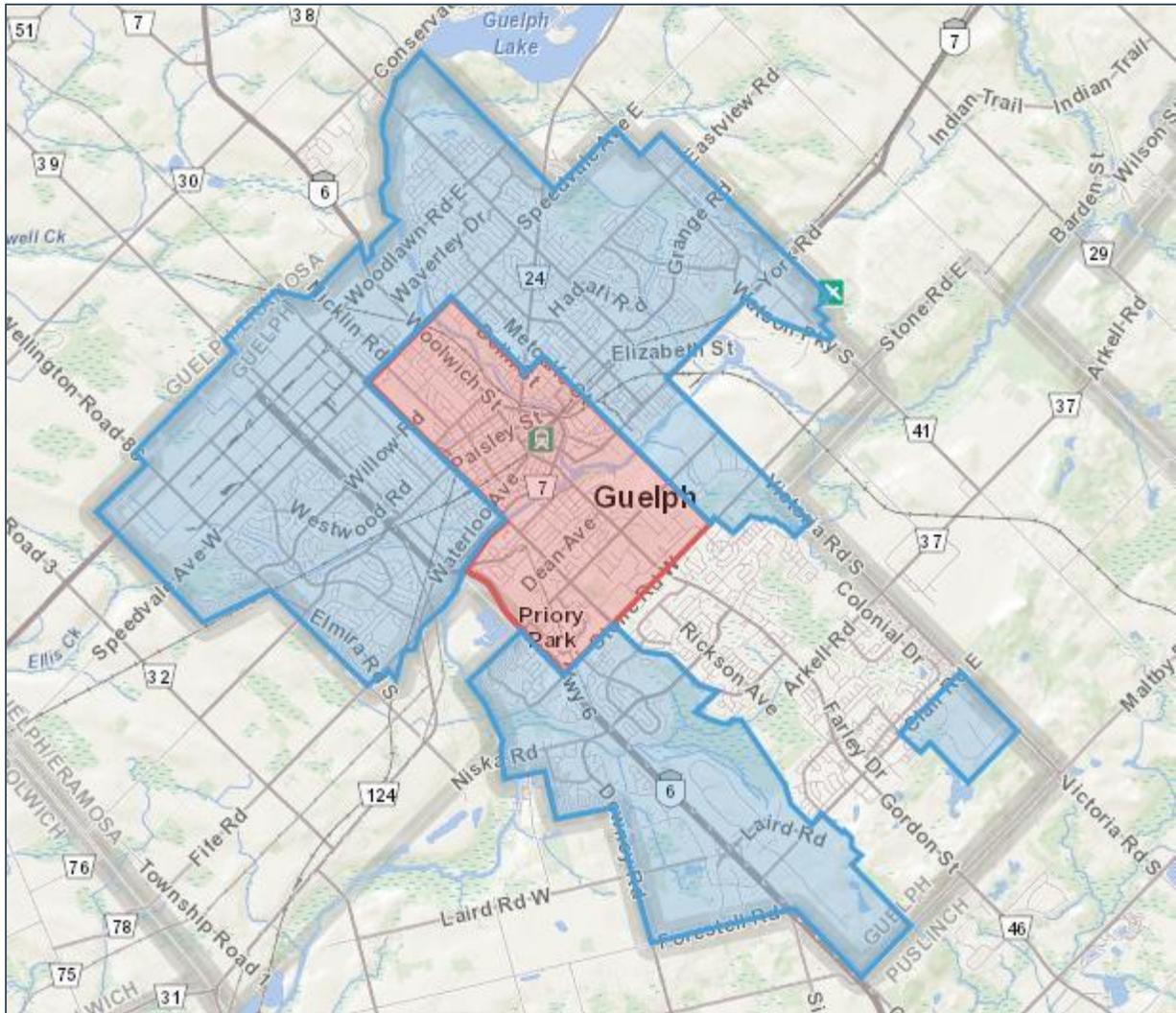


Map B-5 Guelph Dolime Quarry Area





Map B-6
Infill Areas
Downtown Fringe – University of Guelph District – Stone Road Corridor Sub-Area²
and Other Neighbourhoods Sub-Area³



² The Downtown Fringe – University of Guelph District – Stone Road Corridor Sub-Area is depicted in pink on the map.

³ The Other Neighbourhoods Sub-Area is depicted in blue on the map.



Appendix C

Proposed C.B.C. By-law

The Corporation of the City of Guelph

By-law Number (20XX) - XXXXX

A by-law for the imposition of Community Benefits Charges

Whereas The Corporation of the City of Guelph (the "City") will experience growth through development and re-development;

And Whereas Council desires to impose Community Benefits Charges against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment in the area to which the by-law applies;

And Whereas the *Planning Act, 1990* (the "Act") provides that the council of a municipality may by by-law impose Community Benefits Charges against higher density residential development or redevelopment;

And Whereas a Community Benefits Charge strategy report, dated March 31, 2022, has been completed which identifies the facilities, services and matters that will be funded with community benefits charges and complies with the prescribed requirements;

And Whereas the City has consulted with the public and such persons and public bodies as the City considers appropriate;

The Council of the City enacts as follows:

1. INTERPRETATION

1.1 In this By-law, the following items shall have the corresponding meanings:

"Act" means the *Planning Act*, R.S.O. 1990, CHAPTER P.13;

"Accessory Apartment" see "Dwelling Unit";

"Apartment" see "Residential Unit";

"Building" means any structure or building as defined in the *Ontario Building Code* (O Reg 332/12 under the Building Code Act, but does not include a vehicle;

"Building Code Act" means the *Building Code Act, 1992*, SO 1992, c 23;

“Capital Costs” means growth-related costs incurred or proposed to be incurred by the City or a Local Board thereof directly or by others on behalf of, and as authorized by, the City 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,
- (d) to acquire, construct or improve facilities including,
 - (i) furniture and equipment, and;
 - (ii) rolling stock.
- (e) to undertake studies in connection with any of the matters referred to in clauses (a) to (d) above, including the Community Benefits Charge strategy study,

required for the provision of Services designated in this By-law within or outside the City, including interest on borrowing for those expenditures under clauses (a) to (e) above;

“City” means The Corporation of the City of Guelph or the geographic area of the municipality, as the context requires;

“Council” means the Council of the Corporation of the City of Guelph;

“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 or any development requiring any of the actions described in section 3.4(a), and includes Redevelopment;

“Community Benefits Charge” means a charge imposed with respect to this By-law;

“Grade” means the average level of finished ground adjoining a building or structure at all exterior walls;

“Land” (or “Lot”) means, for the purposes of this By-law, the lesser of the area defined as:

- (a) The whole of a parcel of property associated with the Development or Redevelopment and any abutting properties in which a person holds the fee or equity of redemption in, power or right to grant, assign or exercise a power of appointment in respect of, or;

- (b) The whole of a lot or a block on a registered plan of subdivision or a unit within a vacant land condominium that is associated with the Development or Redevelopment;

But not including any hazard lands, natural heritage features, or ecological buffers identified in the City's Official Plan, an approved Secondary Plan, or through an environmental impact study accepted by the City.

"Owner" means the owner of land or a person who has made application for an approval for the Development of land for which a Community Benefits Charge may be imposed;

"Prescribed" means prescribed in the regulations made under the Act;

"Redevelopment" means the construction, erection or placing of one or more Buildings on land where all or part of a Building has previously been demolished on such land, or changing the use of a Building from a Non-Residential Use to a Residential Use, or changing a Building from one form of Residential Use to another form of Residential Use and including any development or redevelopment requiring any of the actions described in section 3.4(a);

"Residential Unit" means a room or group of rooms occupied or designed to be occupied exclusively as an independent and separate self-contained housekeeping unit including a house;

- (a) "Accessory Apartment" means a Residential Unit located within and subordinate to an existing Single Detached Dwelling, Semi-Detached Dwelling, Townhouse and a Multiple Attached Dwelling;
- (b) "Apartment Building" means a Building consisting of 10 or more Residential Units, where access to each unit is obtained through a common entrance or entrances from the Street level and subsequently through a common hall or halls, and "Apartment" means a Residential Unit in an Apartment Building;

"Residential Use" means land, Buildings or structures of any kind whatsoever used or designed or intended for use as living accommodations for one or more individuals, but does not include land, Buildings, or structures used or designed or intended for use as Short Term Accommodation;

"Service" means a service designated in section 2.1, and "Services" shall have a corresponding meaning;

“Valuation date” means, with respect to land that is the subject of development or redevelopment,

- (a) the day before the day the building permit is issued in respect of the development or redevelopment, or
- (b) if more than one building permit is required for the development or redevelopment, the day before the day the first permit is issued.

“Zoning By-Law” means City By-law Number (1995)-14864.

1.2 The reference to any applicable statute, regulation, by-law, or to the Official Plan in this Community Benefits Charge By-law shall be deemed to refer to the statute, regulation, by-law, and/or Official Plan as they may be amended from time to time and shall be applied as they read on the date on which Community Benefits Charges are due to the City.

2. DESIGNATION OF SERVICES

2.1 A Community Benefits Charge may be imposed in respect of the following:

- (a) land for park or other public recreational purposes in excess of lands dedicated or provided cash-in-lieu payments under section 42 or 51.1 of the Planning Act.
- (b) services not provided under section 2(4) of the Development Charges Act.
- (c) As per the March 31, 2022, Community Benefits Charges Strategy Report, the City intends to recover the following services through this by-law, however, other services may be considered by Council and approved through resolution during the annual budget process:
 - (i) Growth Studies;
 - (ii) Municipal Parking;
 - (iii) Parkland Acquisition;
 - (iv) Culture; and
 - (v) C.B.C. Strategies.

3. APPLICATION OF BY-LAW RULES

3.1 Community Benefits Charges shall be payable in the amounts set out in this By-law where:

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

- (b) the Development requires any of the approvals set out in section 3.4(a).

Area to Which By-law Applies

3.2 Subject to section 3.3, this By-law applies to all lands in the City.

3.3. 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 of Education; or
- (c) a municipality, or a Local Board of the County of Wellington.

Approvals for Development

3.4 (a) A Community Benefits Charge may be imposed only with respect to development or redevelopment that requires:

- (i) the passing of a Zoning By-Law or of an amendment to a Zoning By-Law under section 34 of the *Planning Act*;
- (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 9 of the *Condominium Act, 1998*, SO 1998, c 19, as amended, or any successor thereof; or
- (vii) the issuing of a permit under the *Building Code Act, 1992* in relation to a building or structure.

(b) Despite 3.4(a) above, a Community Benefits Charge may not be imposed with respect to:

- (i) development of a proposed building or structure with fewer than five storeys at or above ground;
- (ii) development of a proposed building or structure with fewer than 10 residential units;

- (iii) redevelopment of an existing building or structure that will have fewer than five storeys at or above ground after the redevelopment;
- (iv) redevelopment that proposes to add fewer than 10 residential units to an existing building or structure; or
- (v) such types of development or redevelopment as are prescribed. 2020, c. 18, Sched. 17, s. 1.

Exemptions

3.5 Notwithstanding the provisions of this By-law, Community Benefits Charges shall not be imposed with respect to:

- (a) Development for a Place of Worship or for the purposes of a cemetery or burial site exempt from taxation under the *Assessment Act*;
- (b) Development or redevelopment of a building or structure intended for use as a retirement home within the meaning of subsection 2 (1) of the Retirement Homes Act, 2010.;
- (c) Development or redevelopment of a building or structure intended for use 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 subparagraph (i);
 - (iii) an Indigenous Institute prescribed for the purposes of section 6 of the Indigenous Institutes Act, 2017.
- (d) Development or redevelopment of a building or structure intended for use as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion.;
- (e) Development or redevelopment of a building or structure intended for use as a hospice to provide end of life care;
- (f) Development or redevelopment of a building or structure intended for use as residential premises by any of the following entities:

- (i) a corporation to which the Not-for-Profit Corporations Act, 2010 applies, that is in good standing under that Act and whose primary object is to provide housing,
- (ii) corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing,
- (iii) a non-profit housing co-operative that is in good standing under the Co-operative Corporations Act. O. Reg 509/20, s. 1, 8

Amount of Charge

3.6 The amount of a Community Benefits Charge payable in any particular case shall be four (4) percent of the value of the land as of the valuation date.

In-Kind Contributions

3.7 The City may at its discretion allow an owner of land to provide to the municipality facilities, services or matters required because of development or redevelopment in the area to which the by-law applies.

3.8 For in-kind contributions to be considered, application for consideration of in-kind contributions must be submitted to the City with supporting documentation as to the suggested value thereof no less than 180 days prior to the first building permit.

3.9 In-kind contributions shall only be accepted as recommended by the Chief Administrative Officer and approved by Council, and the determination of Council as to whether in-kind contributions shall be accepted in full or partial satisfaction of Community Benefits Charges shall be final and binding.

3.10 The value attributed under subsection (3.8) shall be as determined by Council, based on appropriate third-party valuations.”

Time of Payment of Community Benefits Charges

3.11 Community Benefits Charges imposed under this By-law are calculated, payable, and collected upon issuance of a building permit for the Development.

Interest on Refunds

3.12 If it is determined that a refund is required, the City shall pay interest on a refund under subsections 37 (28) and 37 (29) of the Act at a rate not

less than the prescribed minimum interest rate, from the day the amount was paid to the municipality to the day it is refunded.

4. SEVERABILITY

If, for any reason, any provision of this By-law is held to be invalid, it is hereby declared to be the intention of Council that all the remainder of this By-law shall continue in full force and effect until repealed, re-enacted, amended or modified.

5. DATE BY-LAW IN FORCE

This By-law shall come into effect at 12:01 A.M. on July 11, 2022.

Passed this 11th day of July, 2022

Cam Guthrie, Mayor

**Stephen O'Brien, City Clerk (or)
Dylan McMahon, Deputy Clerk**