



CITY OF BRANTFORD

AREA-SPECIFIC DEVELOPMENT CHARGES

NOTE

This pamphlet is intended to provide general information regarding the City of Brantford's Area Specific Development Charges for the Northern Settlement Expansion Area Lands and Tutela Heights Settlement Area By-law 103-2021, which has been incorporated as Chapter 262 of the Municipal Code. For detailed information on the By-law and how it may apply to your property, contact Building Services, the City of Brantford. This pamphlet does not include Development Charge information for city-wide rates. For information relating to the Development Charge By-law 32-2019, a pamphlet can be found on the city of Brantford website at: <https://www.brantford.ca/en/business-and-development/development-charges.aspx>

PURPOSE OF AREA-SPECIFIC DEVELOPMENT CHARGES

Area-specific development charges assist in financing capital projects required to meet the increased need for services resulting from growth and development in a specific area within the city. Area-specific development charge funds may only be used for the purpose for which they are collected and are held separate from city-wide development charges.

BACKGROUND

Council for the City of Brantford approved By-law 103-2021 on April 27, 2021 in accordance with the requirements of the *Development Charges Act, 1997*. By-law 103-2021 imposes a charge as it relates to land within the area of the Northern Settlement Expansion Area Lands and Tutela Heights Settlement Area. Both the Study and the By-law are available for examination in the Clerk's Department at City Hall, 100 Wellington Square during the regular office hours of 8:30 A.M. to 4:30 P.M. or on the City's website: www.brantford.ca.

SERVICES TO WHICH AREA-SPECIFIC DEVELOPMENT CHARGES RELATE

Area-specific development charge revenues will help finance capital projects, related to growth in the aforementioned areas, for the following services:

- Roads and related
- Water services
- Wastewater services
- Stormwater services

As the aforementioned lands will increase capital requirement city-wide as a result of the growth and development in the area, they are also subject to the city-wide development charges found in By-law 32-2019.

RESIDENTIAL DEVELOPMENTS

For new residential developments, the charge is based on the number and type of dwelling units. Area-specific development charges do not apply to those residential developments where the only effect is to:

- (a) Enlarge an existing dwelling unit; or
- (b) Create up to two additional dwelling units within an existing residential building if such additional dwelling units are within the classes and comply with the restrictions contained in the bylaw.

NON-RESIDENTIAL DEVELOPMENTS

In the case of non-residential developments, the area-specific development charge is based upon the gross floor area of the building. Non-residential development includes commercial, institutional and industrial developments.

INDUSTRIAL DEVELOPMENTS- MAXIMUM CHARGE OF 25% LOT COVERAGE

The charge for industrial developments will be calculated on the basis of gross floor area to a maximum of 25% building coverage multiplied by the non-residential development rate. For example, an application for 20% industrial lot coverage would be calculated based on 20% lot coverage. However, an application for 30% lot coverage would be charged based on the maximum charge of 25% lot coverage.

INDUSTRIAL EXPANSIONS

Expansions to industrial buildings that are in excess of 50% of the original building floor area may be subject to area-specific development charges calculated at the industrial gross floor area rate.

MIXED USE DEVELOPMENTS

For mixed use developments containing residential, non residential and industrial uses or any combination of uses in these three categories, the area-specific development charges will be calculated on the basis of the gross floor area of the non-residential uses, and in accordance with the number and type of dwelling units included within the development.

REDEVELOPMENT – CREDIT FOR EXISTING DEVELOPMENT

Redevelopment includes the demolition of existing buildings and structures or part thereof and the construction of replacement buildings and structures under a building permit applied for within 120 months (10 years) of the date of issue of the first demolition permit applicable to the existing buildings and structures. Redevelopment also includes changes of use within existing buildings such as the conversion of a commercial building into residential apartments. In such redevelopments, the area-specific development charges payable shall be reduced to account for existing development. The reduction shall be determined by applying a credit equal to the current area-specific development charge rates against the existing development on the property.

TREASURER’S STATEMENT

By May 1st of each year, the Treasurer for the City of Brantford shall present a financial statement to City Council regarding the area-specific development charge reserve funds, individual separate reserve funds will be established to account for the newly adopted area-specific development charges. The Treasurer’s Statement documents transactions relating to the funds, opening and closing balances, a description of the services for which the fund is established, credit transactions, funds borrowed, repayments and interest earnings. For each project financed in whole or in part, by the area-specific development charge funds, the Treasurer’s Statement shall indicate the amount drawn from the area-specific development charge reserve fund and the amount and source of any other money spent on the project. The Treasurer’s Statement may be reviewed in the offices of the City Treasurer at 1 Market Square, Suite 115 (Finance Administration), during regular office hours or on the City’s website: www.brantford.ca.

WHEN AREA-SPECIFIC DEVELOPMENT CHARGES ARE PAYABLE (not including Rental Units, Institutional Development and Non-Profit Housing)

The area-specific development charge is calculated at the rate in effect when a site plan application or zoning by-law application is made and deemed to be complete. Once the application is approved, building permit issuance must occur within two years to maintain the frozen rate. For development not requiring a zoning by-law amendment or site plan application, area-specific development charges will be calculated at building permit issuance. Area-specific development charges are payable in full, including any applicable interest owing, on the date that a building permit is issued in relation to the building or structure to which the development charge applies. A building permit will not be issued unless the area-specific development charge and applicable interest is paid in full. However, Council may enter into an agreement with an owner providing for the payment of all or part of an area-specific development charge following the issuing of a building permit.

Interest will be calculated from the date the application is deemed complete (site plan, zoning or building) until the area-specific development charge is fully paid at the time of the building permit issuance.

WHEN AREA-SPECIFIC DEVELOPMENT CHARGE IS PAYABLE (Rental Units, Institutional Development and Non-Profit Housing)

The area-specific development charge is calculated at the rate in effect when a site plan application or zoning by-law application is made and deemed to be complete. Once the application is approved, building permit issuance must occur within two years to maintain the frozen rate. For development not requiring a zoning by-law amendment or site plan application, area-specific development charges will be calculated at building permit issuance. For the development types of rental units, institutional development and non-profit housing, area-specific development charges are payable at the time of occupancy over a set number of instalments:

1. Rental units (six annual instalments)
2. Institutional development (six annual instalments)
3. Non-profit Housing (21 annual instalments)

Interest will be calculated on the instalments from the date of the building permit issuance until full payment is received.

INTEREST ON AREA-SPECIFIC DEVELOPMENT CHARGES:

Area-specific development charges that have qualified for instalment payments under section 26.1 of the DCA shall be subject to interest on the instalments from the date the area-specific development charges would have been payable to the date the instalment is paid.

Area-specific development charges that have qualified for a rate freeze under section 26.2 of the DCA shall be subject to interest on the area-specific development charge from the date the application is deemed received complete, until the area-specific development charge has been paid in full.

An interest rate of the Bank of Canada's prime lending rate plus 2% shall be used. All interest shall continue to accrue and be compounded annually beginning based on the application dates as outlined in section 26.1 and section 26.2 of the DCA until the date the total accrued amount is fully paid.

INDEXING OF AREA-SPECIFIC DEVELOPMENT CHARGE RATES:

Area-specific development charge rates shall be indexed to take in to account inflation. The indexing shall be based on changes to the Non-Residential Construction Cost Index (Toronto), Statistics Canada Quarterly, Building Construction Price Indexes. The indexing of area-specific development charges shall occur on January 1st of each year, commencing on January 1, 2022 using the most recent statistical information available in accordance with the bylaw.

AREA-SPECIFIC DEVELOPMENT CHARGE RATES

Effective April 27, 2021, area-specific development charges for residential, non-residential and industrial development projects within the areas specified above as follows:

Area Specific Development Charges
Northern Settlement Expansion Area Lands

TYPE OF DEVELOPMENT	Area-Specific DEVELOPMENT CHARGE RATES	Total Northern Settlement Expansion DEVELOPMENT CHARGE RATES
	As of April 27, 2021	As of April 27, 2021
RESIDENTIAL		
Single & Semi- Detached Dwelling	\$ 25,887	\$ 49,966
Rows & Other Multiple Units	\$18,264	\$ 35,399
Large Apartment over 70 sq. m.	\$ 13,584	\$ 26,330
Small Apartment 70 sq. m or less	\$ 11,314	\$ 21,371
NON-RESIDENTIAL	\$ 93.21 per square metre	\$ 173.04 per square metre
INDUSTRIAL	\$ 93.21 per square metre	\$ 173.04 per square metre

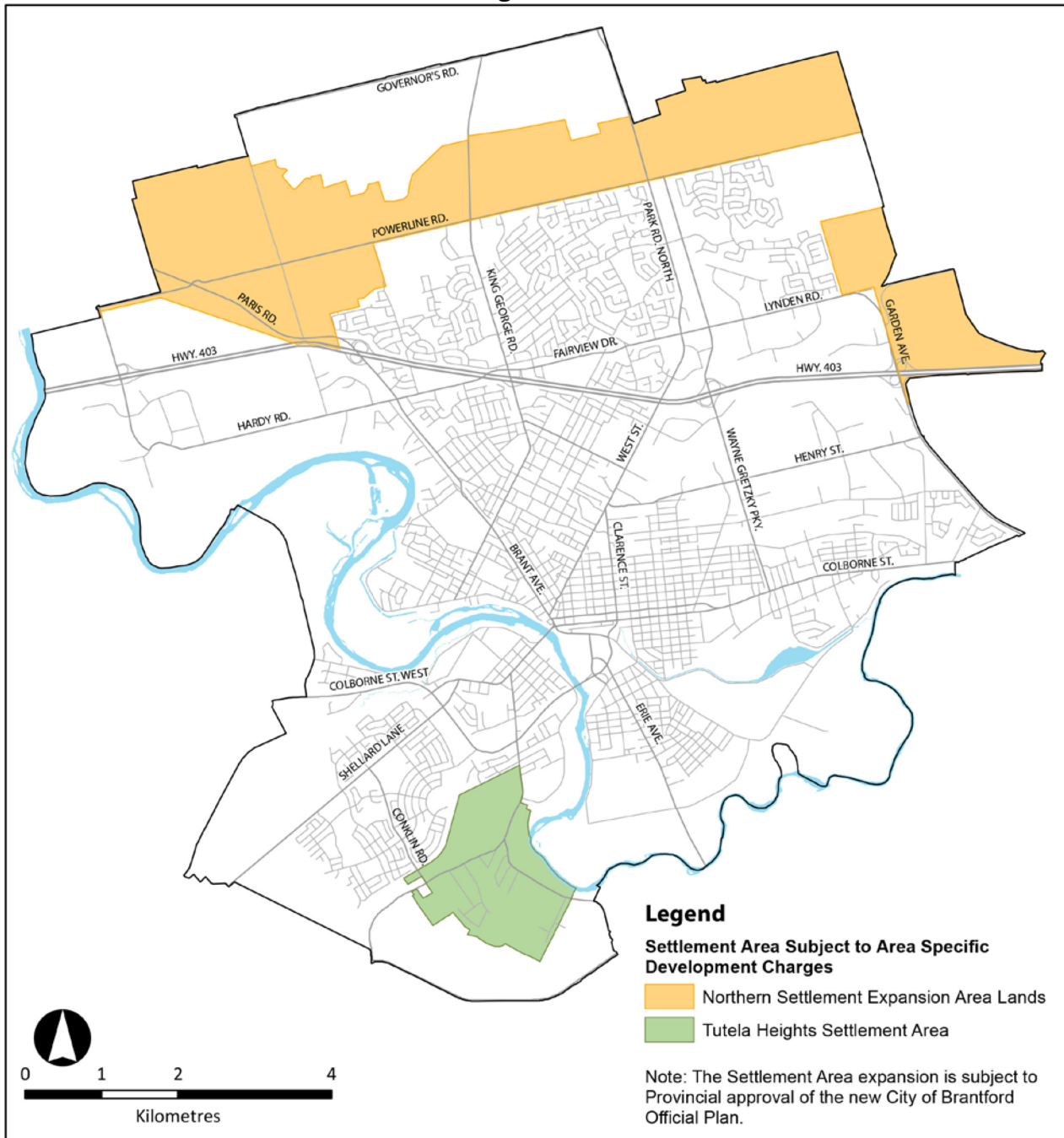
Tutela Heights Settlement Area

TYPE OF DEVELOPMENT	Area-Specific DEVELOPMENT CHARGE RATES	Total Tutela Heights Settlement DEVELOPMENT CHARGE RATES
	As of April 27, 2021	As of April 27, 2021
RESIDENTIAL		
Single & Semi- Detached Dwelling	\$ 14,968	\$ 39,047
Rows & Other Multiple Units	\$ 10,561	\$ 27,696
Large Apartment over 70 sq. m.	\$ 7,855	\$ 20,601
Small Apartment 70 sq. m or less	\$ 6,543	\$ 16,600
NON-RESIDENTIAL	\$ 69.31 per square metre	\$ 149.14 per square metre
INDUSTRIAL	\$ 69.31 per square metre	\$ 149.14 per square metre

AREA-SPECIFIC DEVELOPMENT CHARGE LOCATIONS

Developments located within the Northern Settlement Expansion Area Lands and Tutela Heights Settlement Area depicted in **Map 1** are subject to the rates discussed within this pamphlet.

City of Brantford Map of Northern Settlement Expansion Area Lands and Tutela Heights Settlement Area



EXEMPT DEVELOPMENTS

Lands that are owned by and used for the following purposes are exempt from paying area-specific development charges:

- A board of education;
- City of Brantford or any local board thereof;
- A farm building;

- A place of worship, a churchyard, cemetery and burial ground;
- Approved “affordable housing” projects, as confirmed in writing by the Director of Housing, City of Brantford.

MORE INFORMATION

For more information on the City of Brantford Development Charge Bylaw 103-2021, and on how area-specific development charges may relate to your property, please contact the Building Department of the City of Brantford. The Department may be contacted as follows:

Address: City Hall, 100 Wellington Square, Brantford Ontario N3T 2M3
Mailing Address City Hall, P.O. Box 818, Brantford, ON N3T 5R7
Telephone: 519-759-4150
Fax: 519-752-1874
EMAIL: building@ brantford.ca

REFUNDS

Under Sections 18 and 20 of the Development Charges Act, 1997, a refund of area-specific development charges may be issued in two instances.

- 1) An applicant/agent seeking a development charge refund may file a complaint to Council in writing and initiate a public hearing process under one of the following circumstances:
 - The amount of the development charge was incorrectly determined
 - A credit is available to be used against the development charge, or the amount of the credit or service with respect to which the credit was given, was incorrectly determined
 - There was an error in the application of the Development Charges By-law

A complaint may not be made later than 90 days after the day the development charge, or any part of it, is payable.

The complaint must be in writing and include the complainant’s name, the address where notice can be given and the reasons for the complaint. The applicant shall be provided with an opportunity to make representation during the public hearing process. Council shall make its decision based on the evidence provided and may dismiss the complaint or issue a refund.

- 2) Where the Local Planning Appeal Tribunal repeals or amends a development charge by-law or orders Council to repeal or amend a development charge bylaw, the municipality shall refund the difference between the development charges paid and the development charges approved under the repealed or amended by-law.

In addition, Section 262.4.10, Chapter 262 of the City of Brantford Municipal Code also provides for a refund of development charges paid in the event that the application for the building permit is abandoned or the owner requests a cancellation of the application or the building permit prior to the commencement of construction of the development.