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STAFF REPORT: Finance & IT Services



REPORT TO: Council
MEETING DATE: September 17, 2012
REPORT NO.: FIT.12.57
SUBJECT: Development Charge By-law Update
PREPARED BY: Darcy Chapman, Capital Accountant

A. Recommendations

THAT Council receive Staff Report FIT.12.57 "Development Charge By-law Update" for information;

AND THAT Council adopts the Background Study entitled "Development Charges Amendment Study, Town of The Blue Mountains" dated July 18, 2012;

AND THAT Council direct Staff to report on potential Development Charge refunds within the Craigleith Service Area from payments made between April 1, 2010 and September 17, 2012 upon the conclusion of the 60 day appeal period;

B. Background

As previously reported to Council through FIT.12.43 "Craigleith, Castle Glen & Osler Sewer DC Update", the Town was in a position to amend the Development Charge (DC) study to reflect changes in sewer DC rates within the Craigleith, Castle Glen and Osler areas along with water DC rates in the Osler service area.

As per the *Development Charges Act, 1997*, the Town has complied with the public meetings and notification required for updates to a DC Background Study. The Town advertised for a public meeting on August 1, 2012. As well, the updated Study was available at the same time. The mandatory public meeting occurred on August 27, 2012. Hemson Consulting presented the findings to Council and the public without any questions or concerns being brought forward. Town Council must now adopt the amended Study as posted on August 1, 2012.

The next step is to pass the By-law incorporating the amended DC charges. Once the By-law is passed, any member of the public or developer has 60 days to provide notice of appeal to the By-law. Should this happen, negotiations may take place to rectify the complaint or the issue can be taken to the OMB for settlement. The 60-day appeal period does not affect the new development charge in place as a result of the By-law.

C. The Blue Mountains' Strategic Plan

Providing a strong, well managed municipal government

D. Environmental Impacts

N/A

E. Financial Impact

Being that errors were found in the calculations within the 2010 DC Background Study update, Council may find it prudent and fair to provide refunds. With this in mind, the potential impact of overpayment refunds may be in the magnitude of \$25,000-\$30,000. This refund will only impact the balance of DC reserves within the Craighleith Area Sewer DC Reserve Fund that had a positive 2011 ending balance of \$130,286.

F. In Consultation With

Craig Binning & Janet Lee, Hemson Consulting

G. Attached

Respectfully submitted,

Darcy Chapman, Capital Accountant

Robert Cummings, CMA
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