
HALDIMAND COUNTY

Report FIN-08-2022 Development Charges Reserve Funds Treasurer's Annual Statement for 2021

For Consideration by Council in Committee on May 10, 2022



OBJECTIVE:

To provide the Treasurer's Annual Statements of Development Charges Reserve Funds for 2021, as required by the Development Charges By-law and the Development Charges Act, as amended.

RECOMMENDATIONS:

1. THAT Report FIN-08-2022 Development Charges Reserve Funds Treasurer's Annual Statement for 2021 be received;
2. AND THAT the Treasurer's Annual Statement of Development Charges Reserve Funds for 2021 be made publicly available on the Haldimand County website.

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Reviewed by: Amy Vesprini, Supervisor, Taxation & Revenue

Respectfully submitted: Mark Merritt, CPA, CA, General Manager of Financial & Data Services

Approved: Craig Manley, MCIP, RPP, Chief Administrative Officer

EXECUTIVE SUMMARY:

In accordance with the Development Charges Act, 1997 (the Act), the Treasurer is required to present to Council an annual statement of the County's Development Charges Reserve Funds.

Attachment #1 is the unaudited Development Charges Reserve Fund Statement, which provides a summary of the 2021 financial transactions affecting all the Development Charges reserve funds which includes:

- ✓ Opening balances;
- ✓ transfers in (development charge receipts and interest);
- ✓ transfers out to fund capital projects;
- ✓ and the resulting closing balance for the year.

Attachment #2 provides the detail, by reserve fund, of each capital project that required growth related funding from development charges in 2021.

BACKGROUND:

The Development Charges Act, 1997 (the Act), as amended, provides the legislative framework for the collection and use of Development Charges. The Act provides that the Treasurer of a municipality, on or before such date as Council may direct, shall give Council an annual financial statement for each

Development Charges Reserve Fund established under the Act and the municipality's Development Charges By-law.

As outlined in the Development Charges By-law, the Treasurer shall provide an annual statement to Council, on or before May 31st of each year, containing information for the prior calendar year. The information to be included in this statement is set out in Section 43 of the Act and Section 12 of Ontario Regulation 82/98 (the Regulation).

The main reporting requirements under the Act are as follows:

- Statement of opening and closing balances of all development charges reserve funds and the transactions for the year relating to each of these funds;
- The transactions shall identify all the capital costs funded by the reserve fund and the amounts funded from other sources (other than development charges);
- Statement of compliance with S. 59.1 (1) of the Act (essentially that no charges to the reserve funds occurred that are not permitted under the Act);
- Council shall ensure that the statement is made available to the public.

ANALYSIS:

Attached to this report are the unaudited Treasurer's Statements for each Development Charges Reserve Fund, as established in By-law 2042/19, for the calendar year 2021. The following Table provides the historical amounts of Development Charges revenue collected for growth related capital works in the years 2017 to 2021.

Table 1: Development Charges Collected

Service	2017	2018	2019	2020	2021
	\$	\$	\$	\$	\$
Ambulance Services	61,775	24,623	34,744	72,007	149,512
Fire Services	478,830	191,962	138,815	211,162	438,138
General Government	103,606	39,606	35,379	68,056	141,898
Waste Diversion (established 2019)			18,561	48,675	92,800
Cemeteries	59,749	23,860	15,475	21,425	44,611
Leisure Services	2,004,324	766,492	1,073,340	2,119,076	3,958,470
Parking Services	41,333	16,652	15,561	27,983	58,157
Library Services	332,878	127,043	172,012	335,589	626,761
Public Works - Buildings and Fleet	105,913	42,063	40,627	72,868	151,058
Roads and Related	714,105	286,766	318,442	602,397	1,240,043
Wastewater	781,127	237,887	583,919	1,464,036	3,173,550
Stormwater	114,985	35,484	20,658	37,823	65,743
Water	679,476	206,944	232,915	519,736	1,051,748
	5,478,101	1,999,384	2,700,448	5,600,833	11,192,488
Allocation:					
Residential	5,291,348	1,833,769	2,678,857	5,484,052	10,119,961
Non-Residential	186,753	165,615	21,592	116,781	1,072,527
# of Building Permits Issued					
Requiring a Development Charge	561	195	178	303	530

The substantial amount of Development Charges collected in 2021 was a result of a significant increase in the number of building permits that attract development charges. In 2018, there was a decrease in annual building permits issued, from 1,586 in 2017 to 907 in 2018 and then an increase in 2019 to 1,470. For 2020, there was a slight decrease in annual building permits issued to 1,281 and in 2021, the annual building permits issued increased to 1,728. It should be noted that not all building permits require payment of a Development Charge. The increase in 2021 can be attributed to construction primarily in Caledonia and Hagersville. Development Charges are based on the type of permit and development; the number of building permits that required a Development Charge in 2021 was 530 compared to 303 in 2020. The County experienced an increase of approximately \$4,636,000 in Development Charges collected. In 2019, the County finalized the Development Charge Rate Study and adopted By-law 2042/19 which resulted in the residential rate for an urban Single/Semi Detached Home to increase 64.79%. The new Development Charge Study also projected average annual housing units of 226 through the years 2018 to 2020 inclusively, and 276 in 2021. As noted above, the actual housing units in 2018 and 2019 fell slightly below this projection, while the number of housing units in 2020 and 2021 was higher resulting in additional development charges being collected.

The County's DC By-law, enacted May 13, 2019 under By-law 2042/19 was appealed. In March 2020 the parties reached a mutual settlement agreement and the resulting Minutes of Settlement were approved by Local Planning Appeal Tribunal (LPAT). This resulted in a lower development charge for multiple unit dwellings. As the change was retroactive to the day the by-law was passed, being May 13, 2019, refunds were required for any difference that a developer may have paid related to multiple unit dwellings. Refunds of approximately \$60,000 were netted from the development charges collected noted above for 2020.

The attached Treasurer's Statements provide information for each Development Charges Reserve Fund, as required in the Act and Regulation. Attachment #1 provides a summary of the 2021 financial transactions affecting all the development charges reserve funds showing: opening balances, transfers in (development charge receipts and interest), transfers out (to fund capital projects) and the resulting closing balance for the year. Attachment #2 provides the detail, by reserve fund, for each capital project that required growth related funding from development charges in 2021.

In particular, it should be noted from Attachment #1 that two of the Development Charges Reserve Funds are in a deficit balance – General Government and Stormwater. These particular funds/service areas were anticipated to have negative balances when the 2019 Development Charges Background Study was developed (due to the fact that certain growth related capital projects were initiated prior to the collection of the related development changes in order to allow development to proceed in communities where there were servicing constraints).

As shown in the 2022 Capital Budget, there will be further planned negative development charge balances due to the timing of developer payments in relationship to the expenditures on growth related projects that are planned over the forecast period. These shortfalls were anticipated when setting the development charge rates and will require future growth related debt to be issued. These debt charges must be fully recovered from future development charge receipts. In addition, there are some funding commitments related to past capital works that have already been incurred (for example, Haldimand County Caledonia Centre, Cayuga Memorial Arena, Dunnville Memorial Arena, Hagersville Fire Station/EMS Base, Cayuga Fire Station/EMS Base, South Haldimand Fire Station, Dunnville Library, water and wastewater projects, etc.) which will require withdrawals from the applicable Development Charges Reserve Fund in future years, specifically to repay the existing growth related debt charges.

FINANCIAL/LEGAL IMPLICATIONS:

Development Charges are an important component of the County's long-term financial plan. As outlined in the Development Charges Act, the funds in the Development Charges Reserve Funds may only be used to finance growth related projects.

As identified in the applicable approved Capital Forecast (Tax Supported and Rate Supported), the Development Charges Reserve Funds are in line with the projections included in the Development Charges Background Study, and will continue to be monitored annually. If there are indications that the anticipated targets are not being met, a review of the development charge rates can be initiated before the statutory five year review period. The current by-law expires May 13, 2024.

STAKEHOLDER IMPACTS:

Not applicable.

REPORT IMPACTS:

Agreement: No

By-law: No

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Development Charges Reserve Fund Statement Summary for the Year Ended 2021
2. Treasurer's Statements for Development Charges Reserve Funds for the year ended December 31, 2021:
 - a) Roads & Related
 - b) Public Works – Buildings & Fleet
 - c) Parking Services
 - d) Fire Protection Services
 - e) Leisure Services
 - f) Library Services
 - g) General Government
 - h) Cemeteries
 - i) Ambulance Services
 - j) Waste Diversion
 - k) Stormwater Drainage & Control Services
 - l) Wastewater Services
 - m) Water Services