



Staff Report

Planning & Development Services

Report To: Council Meeting
Meeting Date: December 2, 2024
Report Number: PDS.24.148
Title: Allocation Policy – Latest Draft
Prepared by: Adam Smith, Director of Planning & Development Services

A. Recommendations

THAT Council receive Staff Report PDS.24.148, entitled “Allocation Policy – Latest Draft”;

AND THAT Council enact the revised by-law as of December 2, 2024 implementing a Water and Sewage Allocation Policy for the purpose of allocating water and wastewater services to new developments;

AND THAT Council approve the transitional provisions identified in PDS.24.081 for the purpose of implementing the Water and Sewage Allocation By-law in a fair and transparent manner;

AND THAT Council direct staff to review the by-law 18 months following its enactment and recommend further revisions to the Water and Sewage Allocation Policy and associated Evaluation Framework.

B. Overview

During the November 19, 2024 Committee of the Whole, Ken Hale representing Great Gulf offered additional comments related to the revised Water and Wastewater Allocation By-law. In response, staff have added Development Charge Credit Agreements to the definition of Development Agreement.

C. Background

In [PDS.24.143](#) staff reinforced the statutory authority to enact the Water and Sewage Allocation By-law based on legal input. However, there was recognition that developer-led external works to support approved developments could be eligible under the proposed by-law given the uncertainty the by-law presents when there are extensive resources invested upfront. To do so, the definition of Development Agreement was expanded to include Development Charge (DC) Front-Ending Agreements. When this report was presented, additional comment was provided by representation from Great Gulf requesting confirmation that Council direction was followed, reaffirming concerns previously brought forward and requesting that in addition to Front-Ending Agreements, DC credit agreements be included.

D. Analysis

While similar in intent, DC Front-Ending Agreements and DC Credit Agreements are regulated under different sections of the Development Charges Act, 1997. Credit Agreements are governed under Section 38 of the Act, stating that if a municipality agrees to allow a person to perform work that relates to a service to which a development charge by-law relates, the municipality shall give the person a credit towards the development charge in accordance with the agreement.

Under Section 44 of the Act, Front-Ending Agreements relate to the provision of services for which there will be an increased need because of development. The front-ending agreement must apply to an area in which the development charge applies along with providing for the cost of the works to be borne by one or more of the parties to the agreement. The persons who in the future develop land within the area defined in the agreement are required to pay an amount to reimburse some part of the costs of the work.

The Town has previously executed arrangements under Section 38 and 44 of the Development Charges Act and as such, staff do not have concerns in having both encompassed within the context of the Water and Sewage Allocation By-law. Importantly, these agreements will still require Council approval either in the form of execution or delegation to administration for execution. In addition, if used to secure allocation, the development that is benefiting from the agreement must have first secured reservation through planning review.

E. Strategic Priorities

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders

2. Organizational Excellence

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

F. Environmental Impacts

N/A

G. Financial Impacts

N/A

H. In Consultation With

Brian Worsley, Manager of Development Engineering

I. Public Engagement

The topic of this Staff Report has not been the subject of a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. However, any comments regarding this report should be submitted to Adam Smith, directorplanningdevelopment@thebluemountains.ca

J. Attached

1. N/A

Respectfully submitted,

Adam Smith
Director of Planning & Development Services

For more information, please contact:
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