

Markham's Proposed Changes to the Act	Final Changes to the Act	Impact
<p><b>Ineligible Service List</b></p> <p>Expand the services eligible for DC funding to include administrative offices, waste management and hospitals</p>	<p>The Regulations (and not the DCA) now list the services not eligible for DC funding. Solid waste which was on the list of ineligible services has been removed and replaced with landfill and incineration</p>	<p>The DCA now provides for some waste services to be eligible for DC funding, such as waste collection. This will allow the City to utilize DC funding for capital expenditure associated with its waste disposal contract as well as alternative waste collection/ disposal systems</p>
<p><b>Service Level</b></p> <p>Amend the usage of the 10-year historical average service level and replace with a more forward-looking service level calculation</p>	<p>A new section is added in the Regulation that only lists transit services as a service that will not be subject to the 10-year service level calculation. A new planned service level methodology is established for transit services</p>	<p>This amendment has no impact on the City as only transit services currently benefit from the new methodology</p>
<p><b>10% Mandatory Discount</b></p> <p>Eliminate the 10% discount for services such as indoor recreation, park development and library services</p>	<p>The amended DCA only added transit to the list of services exempt from the 10% discount</p>	<p>This change has no impact to the City. 90% of the services will continue to be recovered through DCs</p>
<p><b>Definition in Regulations rather than Act</b></p> <p>No changes proposed. The City supported this change to the DCA</p>	<p>The DCA now defines "Prescribed" and "Regulation". The Regulation (and not the DCA) now includes the list of ineligible services</p>	<p>The Regulations are made under the DCA and allows for easier adjustments to add or reduce the list eligible services</p>
<p><b>Payment Timing for Multiple Building Permits</b></p> <p>No changes proposed. The City did not support this change to the DCA</p>	<p>The amendment requires that the DC be calculated and payable at the issuance of the first building permit for a development requiring multiple permits. Where two or more phases are not constructed concurrently, each phase is seen as a separate development</p>	<p>This is at variance with, and supersedes, the DC by-law. For these developments the City currently collects land-based DCs at below grade permit and the remaining DCs at above grade permit. This change will require the development industry to pay DCs earlier in the process</p>

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<b>Area Specific Charges</b> No changes proposed. The City did not support this change to the DCA and required further clarification from the Province	New requirements provide that area specific charges be considered for prescribed services or municipalities. The Regulation does not, at this time, list any applicable services or municipalities	The City currently uses area specific charges and with no specific direction provided through the Regulation, there is no direct impact to the City at this time
<b>No Additional Levies</b> No changes proposed. The City did not support this change to the DCA and required further clarification from the Province	New sections prohibit the imposition of additional payments or requiring the construction of a service not authorized under the DCA, except as permitted under the Act or another Act. While a subsection of the DCA allows for exemptions to be provided in the Regulation, there is none at this time	Without clarification from the Province or an exemption through the Regulation, payments for Public Art and Public Realm are no longer allowed, if these were not already agreed to before the January 1, 2016 enactment date.
<b>Asset Management Plan</b> No changes proposed. The City required further clarification	Background studies must include an asset management plan related to new infrastructure proposed in the study and demonstrate that the assets are financially sustainable over their life cycle	The City is currently in the process of preparing an Asset Management Plan for existing assets and will expand this to include new infrastructure
<b>Annual Treasurer's Report</b> No changes proposed. The City supported this change to the DCA	Amendment will see a continuation of the existing requirements with additional information on the funding of each asset through DCs and/or other sources. A statement indicating the City's compliance with the "No Additional Levies" section of the DCA is required	The City already tracks information on the various funding sources and will be able to incorporate this in the annual report as required

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<p><b>OMB Powers</b></p> <p>Proposed giving the Board the authority to increase a charge when a by-law is appealed. This introduces equity in the appeal process</p>	<p>Not addressed</p>	<p>The development community can continue to appeal the application of DCs with no risk – DCs can only be reduced not increased</p>
<p><b>Availability of Background Study</b></p> <p>No changes proposed</p>	<p>The background study is required to be available to the public 60 days prior to the passage of a new by-law (up from the former 20 day requirement)</p>	<p>This amendment has no immediate impact and can be included at the planning stages of an update with little effect on the projected timelines</p>