

Development Charges Reduction Program

The current Regional Development Charges By-law expires on August 31, 2022, and all grant programs contained within the By-law will expire. Niagara Region is in the process of reviewing all Regional incentive programs, which may result in changes to the current programs. To get updates, email the Regional Development Charge Team at RegionDC@niagararegion.ca.

A Niagara Region program in partnership with:



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Program Overview

Initiated in 2003, the Smarter Niagara Incentives Program is a key tool in promoting well designed, energy efficient and sustainable development across Niagara. It provides grants and/or loans for qualifying redevelopment and building improvements that incorporate Smart Growth Design Principles within specific **Community Improvement Project Areas***. A set of Model Urban Design Guidelines were developed as a tool to guide both developers and municipalities with incorporating the Smart Growth Design Principles into development.

Smarter Niagara Incentives Program includes a Development Charge Reduction Program that provides major financial incentive to encourage development and redevelopment in designated exemption areas as well as **brownfield*** sites. As per the Niagara Region Development Charges By-law 2017-98, the amount of the development charge reduction is tied to:

- a. Location (i.e. development located within a Designated Exemption Area of the Development Charges By-law) and type (i.e. residential, commercial, employment, etc.) of the proposed project
- b. The development meeting the appropriate number of Smart Growth Design Criteria

This document describes the Development Charges Reduction Program and the Smart Growth Design Criteria that projects must meet in order to qualify for these reductions. If your project is located on a brownfield in an urban area, please refer to the Niagara Region Brownfield Development Charges Reduction Program web page on niagararegion.ca/business/property for eligibility requirements.

Please note that additional exemptions may be sought through the Niagara Region Development Charges By-law: Search By-law No. 2017-98 at niagararegion.ca/government/bylaws

*Words in **bolded blue*** are defined on page 13 of this guide.

Is your Project Eligible?

Designated Exemption Area

Your project may be eligible for a rebate of 50% of the applicable Regional Development Charges if:

- Your development is located within a Designated Exemption Area defined by Schedule E of the Regional Development Charge By-Law
- The proposal meets the requisite number of smart growth design criteria and or achieves any level of LEED certification
- Building permits have been issued and the construction of your development is complete

Smart growth design criteria based on land use

Type of Land Use	Number of Smart Growth Design Criteria to be met	
All Development 5 or More Storeys	6 of 8	
Commercial Development Under 5 Storeys	6 of 7	
Employment Land Development Under 5 Storeys	4 of 6	
'Main Street'/Commercial Corridor Development Under 5 Storeys	6 of 9	
Residential Development Under 5 Storeys	Apartment: 7 of 9	All other: 6 of 8*

*Criterion #6 does not apply to Residential Development under 5 storeys. Accordingly, there is a total of 8 criteria that should be considered for this type of land use.

Brownfield

Your project may be eligible for a rebate of the applicable Regional Development Charges up to 50% of the applicable Regional Development Charges if:

- Your development is located within Brownfields as defined by the By-law in the urban area (Schedule D) of the Regional Development Charge By-law 2017-98
- The proposal meets the requisite number of smart growth design criteria and/ or achieves any level of LEED certification
- Building permits have been issued and the construction of your development is complete

Smart growth design criteria based on land use

Type of Land Use	Number of Smart Growth Design Criteria to be met	
All Development 5 or More Storeys	5 of 8	
Commercial Development Under 5 Storeys	5 of 7	
Employment Land Development Under 5 Storeys	3 of 6	
'Main Street'/Commercial Corridor Development Under 5 Storeys	5 of 9	
Residential Development Under 5 Storeys	Apartment: 6 of 9	All other: 5 of 8*

*Criterion #6 does not apply to Residential Development under 5 storeys. Accordingly, there is a total of 8 criteria that should be considered for this type of land use.

How the Program Works: Application Process Summary

Step 1: Pre-consultation

- Contact Niagara Region's Planning and Development Services Department to arrange a pre-consultation meeting and/or request a preliminary assessment of the proposal by email
- If your proposal will require a development review, such as a Site Plan application, contact your local municipality to arrange this meeting
- Meeting will determine which Smart Growth Design Criteria are applicable as well as identifying project-specific requirements for the submission of drawings, agreements, documentation and studies

Step 2: Preliminary Assessment

- If desired, a preliminary assessment under the Development Charges Reduction Program can be requested
- Fill out the application form (Form B1) as defined by the By-law and indicate on the form that the application is for a preliminary assessment. In addition, the appropriate criteria checklist (Form B3) should be completed and submitted to Niagara Region's Planning and Development Services Department. The criteria checklist is available on the Region's website or by contacting Regional staff.
- A preliminary assessment confirmation letter will be sent to the applicant within 10 business days of receiving the form and checklist detailing whether the development meets the requisite number of criteria. Niagara Regional staff may also outline how the applicant can satisfy additional criteria in advance of the formal application.

Step 3: Application Submission

- After the completion of construction, fill out and submit the application form (B1, checking off 'Formal Application'), the appropriate criteria completion checklist (Form B3) and all required documentation to support submission, including proof of who paid the Development Charges
- The municipality that the project is located in will determine who the form is submitted to (Appendix)
- **Note:** The submission requirements will vary based on the type of development confirmed at the pre-consultation meeting/ preliminary assessment

Step 4: Decision

- If your application is complete and includes all required documentation, Niagara Region's Planning and Development Services Department will notify you of a decision on your application within 15 business days

Application Requirements

Preliminary Assessment Submission (Form B1)

- Following a formal pre-consultation meeting with the Niagara Region and local municipality, the applicant may choose to request a preliminary assessment
- To apply for a preliminary assessment fill out Form B1, check the preliminary assessment box, and attach the appropriate checklist based on the type of development. Supporting materials should also be submitted with the application, including but not limited to: site plan, facade drawings, landscape and lightning plans.
- Submit the form to Niagara Region's Planning and Development Services Department. You will receive a response from the Planning and Development Services Department within 10 business days confirming whether the development satisfies the requisite design criteria.

Application Submission (Form B1)

- After project construction, fill out Form B1 and submit to either the applicable Local Area Municipality or to the Niagara Region (see Appendix for where to submit). Include the completed checklist and provide all supporting documentation. All information is required before the application will be evaluated, including receipts for the Regional Developments Charges paid, proof of who paid them, and photos/plans for the completed development.
- It is the responsibility of the applicant to identify (through studies, documents, site plans, landscape plans, photographs etc.) how the development meets the criteria (To be included in the application submission as supporting materials)

- To qualify for a refund of Development Charges, the development needs to either meet the appropriate number of Smart Growth Criteria or achieve any level of LEED certification. Niagara Region's Planning and Development Services Department will review the application.

Is your project on a Brownfield in an urban area?

If yes, the owner must file a Record of Site Condition on the Environmental Site Registry for the property. It must be signed by a qualified person and the owner must submit, with the Development Charges Reduction Program application, proof that the Record of Site Condition has been acknowledged by the Ministry of the Environment, Conservation and Parks. Refer to the Development Charges Reduction Program web page for eligibility and submission requirements. Brownfield redevelopment may also be eligible for the Brownfield Development Charge Reduction program. More information on that program can be found at niagararegion.ca/business/property

Developing to LEED standards?

In order to meet the LEED requirement, documentation confirming that LEED certification has been acquired must be provided.

Smart Growth Design Criteria (Form B3)

- The Smart Growth Design Criteria checklist can be found in Form B3. There are 5 Smart Growth categories:
 - Residential Development (all types under five storeys)
 - Main Street/ Commercial Corridor (under five storeys)
 - Commercial Development (under five storeys)
 - Employment Land Development (under five storeys)
 - All development that is five or more storeys
- Program details, including the appropriate category for the proposed development can be discussed at the pre-consultation meeting or by contacting Niagara Region's Planning and Development Services Department
- Indicate using a checkmark, which criteria are being met , and include an analysis/description of how the criteria are met. Only criteria based on the appropriate category needs to be met in order to be eligible for the program.
- Program eligibility and criterion requirements are depicted on page 6 of this guide

Definitions

Class 1 Bike Parking Facility:

A secure, weather-protected bicycle parking facility used to accommodate long-term parking, such as for residents or employees, usually within a room or a covered, fenced area.

Class 2 Bike Parking Facility:

A short-term visitor bicycle parking facility that may offer some security, and may be partially protected from the weather, for example a bike rack at a building's entrance.

Community Improvement Project Area:

A municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason. The community improvement project area is approved by local council and designated by bylaw.

Brownfield:

Land located within the urban areas as defined from time to time in the Niagara Region Official Plan, upon which there has been previous agricultural, industrial, institutional or commercial or open lands use or other use as prescribed under the Environmental Protection Act, R.S.O. 1990, c.E.19 and Ontario Regulation 153/04 thereto, each as amended from time to time, and for which site remediation is required in accordance with a Phase 2 Environmental Site Assessment, and for which a Record of Site Condition has been filed on the Province's Brownfields Environmental Site Registry pursuant to the Environmental Protection Act, R.S.O. 1990, c.E.19 and Ontario Regulation 153/04 thereto, each as amended from time to time.

Gross Density:

The number of residential units per hectare. The calculation is made over the gross developable area of the site but excludes wetlands, woodlands, valley lands, areas of natural and scientific interest, habitat of endangered species and threatened species, wildlife habitat and fish habitat.

Floor Area Ratio):

The ratio of the gross floor area of building to the total lot area (refer to drawing on page 18 for illustration).

Traffic Calming Features:

Some examples are trees, bump outs, street parking, and appropriately landscaped boulevards.

Descriptions of the Five Smart Growth Design Categories

Residential Development (all types under five storeys):

One or more buildings or structures that is primarily used for residential purposes and is under five storeys.

Examples: a townhouse or group of townhouses, a single detached dwelling, an apartment building.

Main Street/ Commercial Corridor (under five storeys):

Typically includes the main street of a downtown with commercial use(s) at ground level and residential above and is under five storeys. Streets that are predominantly commercial/ office space, are under five storeys and located within the Central Area as defined by Schedule E of the Regional Development Charge By-Law 2017-98 also fall under this category.

Examples: St. Paul Street in St. Catharines, Victoria Avenue in Niagara Falls, Ontario Street in St. Catharines.

Commercial Development (under five storeys):

Development that is predominantly a commercial use and is located outside the downtown.

Examples: commercial development along St. Paul Avenue West, Pine Street North commercial development in Thorold, commercial development within the East Waterfront area in Port Colborne.

Employment Land Development (under five storeys):

Existing and emerging clusters of economic activity and development such as advanced manufacturing, warehousing, research and development, offices and associated retail and business support.

All development that is five or more storeys:

Any development (commercial, residential etc) that is five or more storeys.

Frequently Asked Questions

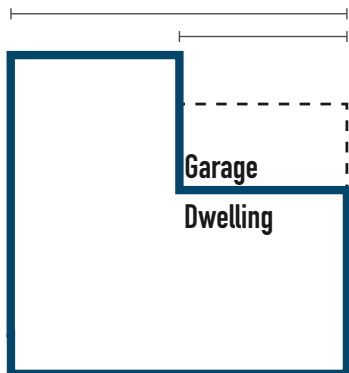
What does a front-facing garage setback look like?

A garage that faces the street must be setback from the front of the dwelling unit as seen in Figure 1.

What does a unit width of less than 50% garage and driveway look like?

The garage and driveway must be setback from the rest of the dwelling unit and cannot be larger than 50% of the total unit width.

Garage and driveway are < 50%
of the total unit width



What are traffic calming features?

Traffic calming features are aimed at reducing vehicle speeds, improving safety, and altering motorist behavior on a street or street network. Some examples are trees, bump outs, and speed tables.

What are Class 1 and Class 2 bicycle parking facilities?

Class 1 bicycle parking facilities* are long-term parking facilities, which are secure and weather-protected. These are usually in a covered, fenced area or within a room (Image 1). **Class 2 bicycle parking facilities*** are short-term visitor parking facilities, which may offer some security and may be partially protected from the weather. These are usually bike racks (Image 2).



Image 1: Class 1 facility



Image 2: Class 2 facility

What are examples of energy conservation features?

Energy conservation features can be green roofs or vegetated roofs; high-albedo material that is light in colour and reflects sunlight away from the surface. This can be reflective roofing or white pavement; permeable pavement such as interlocking brick or permeable asphalt.

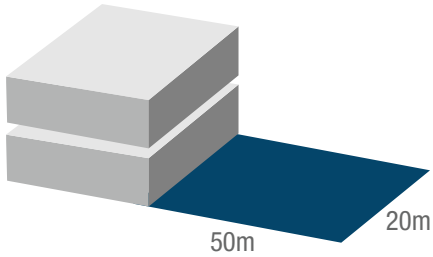
Who do I submit my application to?

If you are requesting a preliminary assessment or formal rebate request for your project, submit Form B1 to Niagara Region's Planning and Development Services Department or the Local Municipality (see Appendix for where to submit). Be sure to include all the necessary information and supporting material indicated on the form.

How is Floor Area Ratio calculated?

Floor Area Ratio* is the ratio of the gross floor area of a building to the total lot area of a building. Calculating Floor Area Ratio is illustrated below.

Calculating Floor Area Ratio



Main St. / Downtown

1:1 Floor Area Ratio

Lot Area:

$$50\text{m} \times 20\text{m} = 1,000\text{m}^2$$

Gross Floor Area of Building:

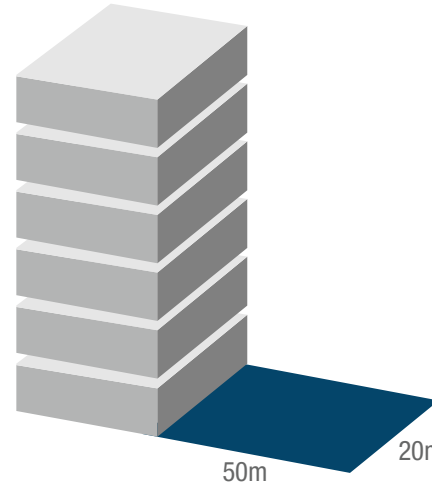
$$1,000\text{m}^2$$

Floor Area Ratio Calculation:

Gross Floor Area of Building / Total Area of Lot

$$\text{Floor Area Ratio} = 1,000\text{m}^2 / 1,000\text{m}^2$$

$$\text{Floor Area Ratio} = 1:1$$



All Development 5+ Storeys (downtown) 3:1 Floor Area Ratio

Lot Area:

$$50\text{m} \times 20\text{m} = 1,000\text{m}^2$$

Gross Floor Area of Building:

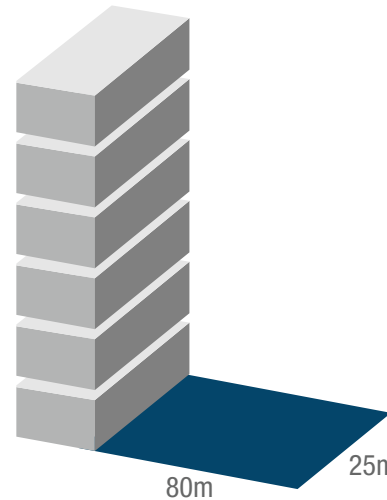
$$3,000\text{m}^2$$

Floor Area Ratio Calculation

Gross Floor Area of Building / Total Area of Lot

$$\text{Floor Area Ratio} = 3,000\text{m}^2 / 1,000\text{m}^2$$

$$\text{Floor Area Ratio} = 3:1$$



5+ Storeys (not downtown) 1.75:1 Floor Area Ratio

1.75:1 Floor Area Ratio

Lot Area:

$$80\text{m} \times 25\text{m} = 2,000\text{m}^2$$

Gross Floor Area of Building:

$$3,500\text{m}^2$$

Floor Area Ratio Calculation:

Gross Floor Area of Building / Total Area of Lot

$$\text{Floor Area Ratio} = 3,500\text{m}^2 / 2,000\text{m}^2$$

$$\text{Floor Area Ratio} = 1.75:1$$

Resources and Best Practices

Green Roof

Green roof systems are an extension of the existing roof that involves a high quality water proofing and roof repellent system, a drainage system, filter cloth, a lightweight growing medium and plants. Green roofs help with the moderation of the heat island effect, stormwater management, and create aesthetic greenspace.

Open-Grid Paving

Open-grid paving is permeable pavement that allows water to percolate down into the soil. This type of paving is often made up of interlocking bricks or previous concrete that reduce stormwater runoff and can lower the amount of surface pollutants reaching the stormwater system.

High-Albedo Materials

Albedo refers to the solar reflectivity of any surface. High-albedo materials are constructed surfaces that allow for high solar reflectivity and are light in colour to reduce the heat island effect and reduce cooling costs. High-albedo materials can be high albedo pavement which reduces the amount of heat absorbed.

Information to consider for high-albedo materials:

Reducing Urban Heat Islands: Compendium of Strategies, USA EPA
epa.gov/sites/production/files/2014-06/documents/basiccompendium.pdf

Drought Tolerant Native Species

Native plants do not require extra watering and thrive without the application of pesticides and fertilizers. They get all the nutrients they need from the existing soil.

The Niagara Peninsula Conservation Authority has a document '**A Guide to Celebrate Niagara Peninsula's Native Plants**' with further information.
ourniagarariver.ca/wp-content/uploads/2016/03/14047-NPCA-Plant-Guide-Jan-2015.pdf

Contact Information

Niagara Region

Development Planner
Planning and Development Services
905-980-6000 ext. 3432
devtplanningapplications@niagararegion.ca

1815 Sir Isaac Brock Way,
PO Box 1042, Thorold, ON L2V 4T7

Fort Erie

Associate Director
Planning and Development Services
905-871-1600 ext. 2500

1 Municipal Centre Dr.,
Fort Erie, ON L2A 2S6

Grimsby

Senior Planner
905-945-9634

160 Livingston Ave.
Grimsby, ON L3M 4G3

Lincoln

Policy and Development Supervisor
905-563-2799 ext. 270
4800 South Service Rd.,
Beamsville, ON L0R 1B1

Niagara Falls

Planner II- Policy
Planning and Development
905-356-7521 ext. 4238

4310 Queen St., PO Box 1023,
Niagara Falls, ON L2E 3N8

Niagara-on-the-Lake

Planner II

905-468-3266
1593 Four Mile Creek Rd., PO Box 100,
Virgil, ON L0S 1T0

Pelham

Senior Planner

905-892-2607

20 Pelham Town Square
Fonthill, ON LOS 1E0

Port Colborne

Planning and Development Assistant

905-835-2901 x 204

66 Charlotte St.,
Port Colborne, ON L3K 3C8

St. Catharines

Project Expeditor

905-688-5600

50 Church St.,
St Catharines, ON L2R 7C2

Thorold

Manager of Planning Services

Planning and Building Services

905-227-6613 ext. 248

3540 Schmon Pky., PO Box 1044,
Thorold, ON L2V 4Y6

Welland

Planning Supervisor

905-735-1700 ext. 2310

60 East Main St.,
Welland, ON L3B 3W4

West Lincoln

Planner II

905-957-3346

18 Canborough St., PO Box 400
Smithville, ON L0R 2A0

Appendix

Application Form Submission

Port Colborne, Fort Erie, Pelham, Thorold and Lincoln submit forms to the local area municipality.

Niagara Falls, Grimsby, Welland, West Lincoln, Niagara-on-the-Lake and St. Catharines submit forms to Niagara Region.



Niagara  Region

niagararegion.ca/business/property

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