



The Corporation of the Town of Orangeville

By-law Number 2024-

Being a by-law to Establish Development Charges for Town Wide and Area-Specific Services

Whereas the Development Charges Act, 1997 (the "ACT") provides that the council of a municipality may by By-law impose development charges against land to pay for increased capital costs required because of increased needs for services; and

Whereas a development charge background study has been completed in accordance with the ACT; and

Whereas the Council of the Corporation of the Town of Orangeville (the "Council") has given notice of the proposed development charges by-law and development charge background study and held a public meeting on the 16th day of September, 2024 and has heard all persons who applied to be heard and considered all submissions in accordance with the ACT and the regulations thereto; and

Whereas the Council has by Resolution determined in accordance with section 12 of the *Development Charges Act, 1997*, that no further public meetings were required; and

Whereas the Council had before it a development charge background study entitled "The Town of Orangeville 2024 Development Charges Background Study" by Watson & associates Economists Ltd., dated August 8, 2024 (hereinafter referred to as the "Study"), wherein it is indicated that the development of certain lands within an area of the Town of Orangeville will increase the need for the services as defined herein; and

Whereas the Council on August 8, 2024 received the Study, pursuant to the *Development Charges Act, 1997* and have thereafter indicated its intent by Resolution that it intends to ensure that the increase in the need for services attributable to the anticipated development will be met;

Now therefore the Council of the Corporation of the Town of Orangeville enacts as follows:

1. DEFINITIONS

1.1. In this By-law, the following items shall have the corresponding meanings:

- 1) "Act" means the *Development Charges Act, 1997*, S.O. 1997, c. 27 as amended, or any successor thereof;
- 2) "Accessory Use" means a use of land, a building or a structure which is naturally and normally incidental and subordinate in purpose and/or floor area, and exclusively devoted to, the principal use of such land, building or structure;
- 3) "Affordable Residential Unit" means a Residential Unit that meets the criteria set out in subsection 4.1 of the Act;
- 4) "Apartment Unit" means any residential dwelling unit within a building containing three or more dwelling units where access to each residential unit is obtained through a common entrance or entrances from the street level and the residential units are connected by an interior corridor, and includes Stacked Townhouses;
- 5) "Agricultural Use" means a bona fide farming operation, including barns, silos, and other ancillary buildings to such agricultural development for the purposes of the growing of field crops, flower gardening, truck gardening, berry crops, tree crops, nurseries, aviaries, apiaries, maple syrup production, mushroom cultivation or farms for the grazing, breeding, raising, boarding of livestock or any other similar uses carried on in the field of general agriculture and aquaculture. Agricultural use does not include the development of a single detached dwelling on agricultural land, nor does it include a building for the growing or processing of cannabis;
- 6) "Ancillary Residential Use" means a residential dwelling that would be ancillary to a single detached dwelling, semi-detached dwelling, or row dwelling;
- 7) "Assembly Plant" means a building to which parts for consumer goods are delivered, stores, and assembled into consumer goods and shipped;

- 8) "Attainable Residential Unit" means a residential unit that meets the criteria set out in subsection 4.1 of the Act;
- 9) "Back-to-Back Townhouse Dwelling" means a building containing three or more dwelling units separated vertically by a common wall, including a rear common wall, which do not have rear yards;
- 10) "Bedroom" means a habitable room larger than seven square meters, including a den, study or other similar area, but does not include a living room, dining room or kitchen;
- 11) "Benefiting Area" means an area defined by a map, plan or legal description in a front-ending agreement as referred to under Section 44 of the Act as an area that will receive a benefit from the construction of a service;
- 12) "Board of Education" has the same meaning as set out in the *Education Act*, R.S.O. 1990, Chap. E.2, as amended, or any successor thereof;
- 13) "Bona Fide Farm Uses" means the proposed development will qualify as a farm business operating with a valid Farm Business Registration Number issued by the Ontario Ministry of Agriculture, Food and Rural Affairs and be assessed in the Farmland Realty Tax Class by the Ontario Property Assessment Corporation;
- 14) "Building Code Act" means the *Building Code Act, 1992* S.O. 1992, c.23, as amended, or any successor thereof.
- 15) "Capital Costs" means costs incurred or proposed to be incurred by the municipality or a local board thereof directly or under an agreement,
 - (a) to acquire land or an interest in land,
 - (b) to improve land,
 - (c) to acquire, construct or improve buildings and structures,
 - (d) to acquire, construct or improve facilities including:
 - (i) rolling stock, furniture, and equipment with an estimated useful life of seven years or more,

- (ii) materials acquired for circulation, reference or information purposes by a library board as defined in the *Public Libraries Act, 1984*, S.O. 1984, c. 57,
 - (iii) furniture and equipment, other than computer equipment,
 - (e) to undertake studies in connection with any matter under the Act and any of the matters in clauses (a) to (d) above, included the development charge background study required for the provision of services designated in this By-law or within or outside the Town, including interest of borrowing for those expenditures under clauses (a) to (e).
- 16) “Cannabis Plant” means a plant that belongs to the genus “Cannabis.”
- 17) “Cannabis Production Facilities” means a Building, or part thereof, designed, used, or intended to be used for one or more of the following: cultivation, growing, propagation, production, processing, harvesting, testing, alteration, destruction, storage, packaging, shipment, or distribution of Cannabis where a license, permit, or authorization has been issued under applicable federal law but does not include a building or part thereof solely designed, used, or intended to be used for retail sales of Cannabis;
- 18) “Cemetery” means lands, buildings, or structures used in connection to a churchyard, cemetery, burying ground or burial site that is exempt from taxation under section 3 of the *Assessment Act*,
- 19) “Charitable Dwelling” means a residential building, a part of a residential building or the residential portion of a mixed-use building maintained and operated by a corporation approved under the *Charitable Institutions Act, R.S.O. 1990, c. C.9*, for persons requiring residential, specialized or group care and charitable dwelling includes a children’s residence under the *Child and Family Services Act, R.S.O. 1990, c. C.11*, a home or a joint home under the *Homes for the Aged and Rest Homes Act, R.S.O. 1990, c. H.13*, an institution under the *Mental Hospitals Act, R.S.O. 1990, c. M.8*, a nursing home under the subsection 2 (1) of the *Long-Term Care Homes Act, 2007*;
- 20) “Correctional Group Home” means a residential building or the residential portion of a mixed-use building containing a single housekeeping unit

supervised on a 24-hour basis on site by agency staff on a shift rotation basis, and funded wholly or in part by any government or its agency, or by public subscription or donation, or by any combination thereof, and licensed, approved or supervised by the Province of Ontario as a detention or correctional facility under any general or special act and amendments or replacement thereto. A correction group home may contain an office provided that the office is used only for the operation of the correctional group home in which it is located. A correctional group home shall not include any detention facility operated or supervised by the Federal Government, nor any correctional institution or secure custody and detention facility operated by the Province of Ontario;

- 21) “Commercial Use” means the use of land, structure or building for the purpose of buying and selling of commodities and supplying of services as distinguished from manufacturing or assembling of goods, also as distinguished from other purposes such as warehousing and/or an open storage yard;
- 22) “Council” means the Council of the Town of Orangeville;
- 23) “Development” means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes redevelopment;
- 24) “Development Charge” means a charge imposed pursuant to this By-law;
- 25) “Duplex” means a building comprising, by horizontal division, two (2) dwelling units, each of which has a separate entrance to grade;
- 26) “Dwelling Unit” means any part of a building or structure used, designed, or intended to be used as a domestic establishment in which one or more persons may sleep and are provided with culinary and sanitary facilities for their exclusive use;
- 27) “Existing Industrial Building” means a building used for or in connection with:
 - (a) manufacturing, producing, processing, storing, or distributing something;

- (b) research or development in connection with manufacturing, producing, or processing something;
 - (c) retail sales by a manufacturer, producer, or processor of something they manufactured, produced, or processed, if the retail sales are at the site where the manufacturing, production or processing takes place;
 - (d) office or administrative purposes if they are:
 - (i) carried out with respect to manufacturing, producing, processing, storage or distributing of something, and
 - (ii) in or attached to the building or structure used for that manufacturing, producing, processing, storage, or distribution;
- 28) “Farm Building” means that part of a bona fide farm operation encompassing barns, silos, and other ancillary development to an agricultural use, but excluding a residential use and an on-farm diversified use;
- 29) “Front-end Payment” means a payment made by an owner pursuant to a front-ending agreement, which may be in addition to a development charge that the owner is required to pay under this by-law, to cover the net capital costs of the services designated in the agreement that are required to enable the land to be developed;
- 30) “Front-ending Agreement” means an agreement made under Section 44 of the Act between the municipality and any or all owners within a benefitting area providing for front-end payments by an owner or owners or for the installation of services by an owner or owners or for the installation of services by an owner or owners or any combination thereof;
- 31) “Grade” means the average level of finished ground adjoining a building or structure at all exterior walls;
- 32) “Gross Floor Area” means the total area of all floors above grade of a dwelling unit measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing the dwelling unit from another dwelling unit or other portion of a building;

- a) in the case of a residential building or structure, the total area of all floors above grade of a dwelling unit measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing the dwelling unit from any other dwelling unit or other portion of a building; and
 - b) in the case of a non-residential building or structure, or in the case of a mixed-use building or structure in respect of the non-residential portion thereof, the total area of all building floors above or below grade measured between the outside surfaces of the exterior walls, or between the outside surfaces of exterior walls and the centre line of party walls dividing a non-residential use and a residential use;
- 33) "Group Home" means a residential building or the residential portion of a mixed-use building containing a single housekeeping unit which may or may not be supervised on a 24-hour basis on site by agency staff on a shift rotation basis, and funded wholly or in part by any government or its agency, or by public subscription or donation, or by any combination thereof and licensed, approved or supervised by the Province of Ontario for the accommodation of persons under any general or special act and amendments or replacements thereto. A group home may contain an office provided that the office is used only for the operation of the group home in which it is located;
- 34) "Hospice" means a building or portion of a mixed-use building designed and intended to provide palliative care and emotional support to the terminally ill in a home or homelike setting so that quality of life is maintained, and family members may be active participants in care;
- 35) "Industrial" means lands, buildings or structures used or designed or intended for use for manufacturing, processing, fabricating or assembly of raw goods, warehousing or bulk storage of goods, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use, but does not include the sale of commodities to the general public through a warehouse club, or any land, buildings or structures used for an agricultural use;
- 36) "Industrial Use" means all of the industrial uses permitted by Zoning By-law number 22-90 of the Town as amended or any successor thereof;

- 37) "Institutional" means development of a building or structure intended for use:
- a) as a long-term care home within the meaning of subsection 2 (1) of the *Fixing Long-Term Care Homes Act, 2021*;
 - b) as a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*;
 - c) by any institution of the following post-secondary institutions for the objects of the institution:
 - (i) a university in Ontario that receives direct, regular, and ongoing operation funding from the Government of Ontario;
 - (ii) a college or university federated or affiliated with a university described in subclause (i); or
 - (iii) an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institute Act, 2017*;
- 38) "Live-work Unit" means a Building, or part of thereof, which contains, or is intended to contain, both a Dwelling Unit and non-residential unit and which is intended for both Residential Use and Non-residential Use concurrently, and shares a common wall or floor with or without direct access between the residential and non-residential uses;
- 39) "Local Board" has the same meaning as in the Act;
- 40) "Local Services" means those services, facilities or things which are under the jurisdiction of the municipality and are related to an application for consent or to a plan of subdivision or within the area to which the plan relates and are to be installed or paid for by the owner as a condition of approval under Sections 51 or 53 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, or any successor thereof;
- 41) "Long-term Care Home" means a residential building or the residential portion of a mixed-use building within the meaning of subsection 2 (1) of the *Long-Term Care Homes Act, 2007*;
- 42) "Mixed Use" means land, buildings or structures used, or designed or intended for use, for a combination of residential and non-residential uses;

- 43) "Mobile Home" means any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer;
- 44) "Municipality" means The Corporation of the Town of Orangeville;
- 45) "Net Developable Hectare" means a buildable hectare of land but shall not include public highways, private roads (other than driveways) which are designed for the circulation of traffic in the same manner as public highways, and lands defined as hazard lands;
- 46) "Non-profit housing development" means development of a building or structure intended for use as residential premises by:
- a) a corporation without share capital to which the *Corporations Act* applies, that is in good standing under that Act and whose primary objective is to provide housing;
 - b) a corporation without share capital to which the *Canada Not-for-profit Corporation Act* applies, that is in good standing under that Act and whose primary objective is to provide housing; or
 - c) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*.
- 47) "Non-Residential Use" means a building or structure of any kind whatsoever used, designed, or intended to be used for other than a residential use;
- 48) "On-Farm Diversified Use" means a use occurring entirely and exclusively within a detached building that is secondary and subordinate to the active and principle agricultural use occurring on a property. Such uses shall be integrated within a farm cluster of buildings which must include a dwelling, and may include, but are not limited to, uses that produce value added agricultural products or provide a service that is supportive of agri-business;
- 49) "Other Multiples" means all dwellings other than single-detached, semi-detached, apartment, and special care/special dwelling units;

- 50) "Owner" means the owner of land or a person who has made application for an approval for the development of land upon which a development charge is imposed;
- 51) "Place of Worship" means land that is owned by and used for the purposes of worship within a place of worship, a churchyard, cemetery, or burial ground exempt from taxation under section 3 of the *Assessment Act*, R.S.O., 1990, c. A.31, as amended, and includes related administrative, assembly, and associated space, but does not include portions of such buildings or structures used for any commercial or institutional use, including but not limited to daycare facilities, private schools, or banquet facilities;
- 52) "Planning Act" means the *Planning Act*, 1990, as amended;
- 53) "Rate" means the interest rate established weekly by the Bank of Canada for treasury bills having a term of 30 days;
- 54) "Redevelopment" means the construction, erection or placing of one or more buildings or structures on land where all or part of a building or structure has previously been demolished on such land, or changing the use of a building or structure from residential to non-residential or from non-residential to residential;
- 55) "Regulation" means any regulation made pursuant to the Act;
- 56) "Rental Housing" means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises.
- 57) "Residential Use" means land or buildings, or structure of any kind whatsoever used, designed, or intended to be used as living accommodations for one or more individuals;
- 58) "Retirement Home or Lodge" means a residential building or the residential portion of a mixed-use building which provides accommodation primarily for retired persons or couples where each private bedroom or living accommodation has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and common lounges, recreation rooms and medical care facilities may also be provided;

- 59) "Rowhouse Dwelling" means a building containing three or more attached dwelling units in a single row, each of which dwelling units has an independent entrance from the outside and is vertically separated from any abutting dwelling unit;
- 60) "School Board" has the same meaning as that specified in the *Education Act*, R.S.O. 1990, c. E.2, as amended or any successor thereto;
- 61) "Semi-Detached Dwelling" means a dwelling unit in a residential building consisting of two dwelling units having one vertical wall or one horizontal wall, but no other parts, attached or another dwelling unit where the residential units are not connected by an interior corridor;
- 62) "Services" (or "service") means those services and class of services designated in Schedule "A" to this by-law or specified in an agreement made under Section 44 of the Act;
- 63) "Service Standards" means the prescribed level of services on which the schedule of charges in Schedule "B" are based;
- 64) "Servicing Agreement" means an agreement between a landowner and the municipality relative to the provision of municipal services to specified lands within the municipality;
- 65) "Single Detached Dwelling Unit" means a residential building consisting of one dwelling unit and not attached to another structure and includes a mobile home;
- 66) "Special Care/Special Need Dwelling" means a Building, or part of a Building:
- a) containing two or more Dwelling Units which units have a common entrance from street level;
 - b) where the occupants have the right to use, in common with other occupants, halls, stairs, yards, common rooms and accessory Buildings;
 - c) that is designed to accommodate persons with specific needs, including but not limited to, independent permanent living arrangements;

- d) where support services, such as meal preparation, grocery shopping, laundry, housekeeping, nursing, respite care and attendant services are provided at any one or more various levels; and
- e) the residential building or the residential portion of a mixed-use building maintained and operated as a Long-term Care Home under subsection 2 (1) of the Long-Term Care Homes Act, 2007.

and includes, but is not limited to, Retirement Home or Lodge, Charitable Dwelling, Group Home (including a Correctional Group Home), Hospice, and Long-term Care Home;

- 67) "Stacked Townhouse Dwelling" means a Building, or part of a building, containing two or more dwelling units where each Dwelling Unit is separated horizontally and/or vertically from another Dwelling Unit by a common wall and having direct separate access to an exterior ground level main entrance/exit;
- 68) "Town" means The Corporation of the Town of Orangeville;
- 69) "Townhouse Dwelling" means a dwelling unit in a building divided vertically into no less than three nor more than eight dwelling units attached by common walls extended from the base of the foundation to the roof line, each dwelling unit having a separate entrance at grade, and includes a Back-to-Back Townhouse.
- 70) "Warehouse" means a building to which goods of every nature are delivered, stored and from which such goods are shipped when storage is no longer required;

2. DESIGNATION OF SERVICES

- 2.1 It is hereby declared by the Council of the Town that all development of land within the Town will increase the need for services.
- 2.2 Once this By-law is in force, the development charge applicable to a development as determined under this By-law shall apply without regard to the services required or used by any individual development.

- 2.3 Development charges shall be imposed for the following categories of Town-Wide and Area Specific services/class of services to pay for the increased capital costs required because of increased need for services arising from development.

Town-Wide Services:

- a) Services Related to a Highway
- b) Fire Protection Services
- c) Parks and Recreation Services
- d) Library Services
- e) Policing Services
- f) Transit Services
- g) Water Services
- h) Wastewater Services
- i) Stormwater Services

Area-Specific Services:

- a) Services Related to a Highway
- b) Water Services
- c) Wastewater Services
- d) Stormwater Services

- 2.4 The services and class of services designated in section 2.3 are provided in Schedule A.

3. Application of By-law Rules

- 3.1 For the purpose of complying with section 6 of the ACT

- 1) The rules developed under paragraph 9 of subsection 5(1) of The ACT for determining if a development charge is payable in any particular case and for determining the amount of the charge shall be as set forth in section 3.2 through 3.13 of this By-law;
- 2) The exemptions provided for by such rules shall be the exemptions set forth in section 3.8 and 3.9 of this By-law, and the indexing of charges shall be in accordance within section 3.7 of this By-law;

- 3) Determining the development charges payable on the redevelopment or conversion of land shall be in accordance with the rules set forth in section 3.10 of this By-law;
- 4) The area to which this By-law applies shall be the area described in section 3.2 of this By-law

Lands Affected

3.2 Subject to the conditions and limitation contained herein, this By-law applied to all lands located within the Town of Orangeville.

Application

3.3

- 1) Development charges shall apply to lands to be developed with:
 - a) residential units;
 - b) commercial buildings;
 - c) institutional buildings; and
 - d) industrial buildings.
- 2) In the case of a development containing more than one use as described in subsection 1), development charges payable shall be the total of the development charges for each use.
- 3) In the case of residential development, charges set out in Schedule B shall be imposed on residential uses of lands, buildings or structures, including a dwelling unit accessory to a residential use and, in the case of a mixed-use building or structure, on the residential uses in the mixed-use building or structure, and the residential portion for a Live-Work unit, according to the type of residential unit, and calculated with respect to the services according to the type of residential use;
- 4) In the case of non-residential development, charges described in Schedule B to this by-law shall be imposed on non-residential uses of lands, buildings, or structures, and, in the case of a mixed-use building or structure, on the non-residential uses in the mixed-use building or structure, including the non-residential portion for a Live-Work unit, and

calculated with respect to the services according to the total floor area of the non-residential use;

Approvals Subject to Development Charges

3.4

- 1) Subject to subsection 2) a development charge shall be calculated, paid and collected in accordance with the provisions of this by-law, where the development requires;
 - a) the passing of a zoning By-law or of an amendment to a zoning By-law under section 34 of the Planning Act;
the approval of a minor variance under section 45 of the Planning Act;
 - b) a conveyance of land to which a By-law passed under subsection 50(7) of the Planning Act applies;
 - c) the approval of a plan of subdivision under section 51 of the Planning Act;
 - d) a consent under section 53 of the Planning Act;
 - e) a consent under section 53 of the Planning Act;
 - f) the approval of a description under section 50 of the Condominium Act; or
 - g) the issuing of a permit under the Building Code Act, in relation to a building or structure.
- 2) Subsection (1) shall not apply in respect of local services to be installed or paid as a condition of approval under Section 51 and 53 of the Planning Act;
- 3) Nothing in this by-law prevents Council from requiring, as a condition of an agreement under Sections 51 or 53 of the Planning Act, that the owner, at his or her own expense, shall install or pay for such Local Services, as Council may require.

Imposition of Development Charges

- 3.5 Subject to section 3.7, 3.8, 3.9, and 3.10, the development charges set forth in Schedule "B" hereto shall be imposed, without phasing in, on all lands within the Town of Orangeville.

- 3.6 Subject to section 3.7, 3.8, 3.9, and 3.10, the area-specific development charges set forth in Schedule "C" hereto shall be imposed, without phasing in, on all lands within the respective benefitting areas provided in Schedules D, E, F, and G.

Indexing

- 3.7 Development charges imposed pursuant to this By-law shall be adjusted annually, without amendment to this By-law, commencing on the first anniversary date of this By-law and each anniversary date thereafter while this by-law is in force in accordance with the prescribed index in the ACT.

Exemptions for Intensification of Existing Housing

3.8

- 1) This by-law shall not apply to that category of exempt development described in the Development Charges Act, 1997, c.27 and O. Reg. 82/98, namely:
 - a) an enlargement to an existing dwelling unit;
 - b) A second residential unit in an existing detached house, semi-detached house, or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the existing detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
 - c) A third residential unit in an existing detached house, semi-detached house, or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units;
 - d) One residential unit in a building or structure ancillary to an existing detached house, semi-detached house or rowhouse on a parcel of land, if the existing detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units;

- e) A second residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the new detached house, semi-detached house or rowhouse cumulatively will contain no more than one residential unit;
- f) A third residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units;
- g) One residential unit in a building or structure ancillary to a new detached house, semi-detached house or rowhouse on a parcel of land, if the new detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units; or
- h) In an existing rental residential Building, which contains four or more residential Dwelling Units, the creation of the greater of one residential Dwelling Unit or one percent of the existing residential Dwelling Units.

Other Exemptions

3.9

- 1) No land, except land owned by and used for the purposes of a Board of Education, a municipality or a local board thereof is exempt from a development charge by reason only that it is exempt from taxation under Section 3 of the Assessment Act.
- 2) Notwithstanding subsection 1), this By-law shall not apply to land that is used for the purposes of a Cemetery.
- 3) Notwithstanding subsection 1), a 50% exemption is applicable to a Place of Worship.
- 4) If a development includes the enlargement of the gross floor area of an existing industrial building, the amount of the development charge that is payable in respect of the enlargement will be determined as follows:

- a) If the gross floor area is enlarged by 50% or less, the amount of the development charge in respect of the enlargement is zero; and
 - b) If the gross floor area is enlarged by more than 50%, the amount of the development charge in respect of the enlargement is the amount of the development charge that would otherwise be payable multiplied by the fraction determined as follows:
 - (i) Determine the amount by which the enlargement in gross floor area exceeds 50% of the gross floor area in existence at the time of the building permit application; and
 - (ii) Divide the amount determined under paragraph (i) by the amount of the enlargement.
 - c) For greater certainty, where a proposed enlargement exceeds fifty percent (50%) of the Gross Floor Area of an Existing Industrial Building, Development Charges are payable on the amount by which the proposed enlargement exceeds fifty percent (50%) of the Gross Floor Area before the enlargement; and
 - d) The cumulative total of the Gross Floor Area previously exempted hereunder shall be included in the determination of the amount of the exemption applicable to any subsequent enlargement.
- 5) Notwithstanding the provisions of this By-law, development charges shall not be imposed on:
- a) land vested in or leased to a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education if the development is intended to be occupied and used by the university;
 - b) Non-profit Housing;
 - c) Affordable inclusionary residential units;
 - d) Affordable residential units; and
 - e) Attainable residential units.

Redevelopment

3.10

- 1) If an existing building is demolished and replaced with a new building(s), a credit shall be given against the development charge otherwise payable pursuant to this By-law for the demolished building, the credit to be an amount equal to the development charge that would be applied to the demolished building if it were being developed as a new building with the use of the demolished building determined as its most recent legal use before the demolition, and the credit being calculated based on the applicable development charge for that use as of the date on which the development charge is payable for the new building(s) in accordance with Schedule "B" to this By-law.
- 2) If an existing building or a portion of an existing building is converted to another use, a credit shall be given against the development charge otherwise payable pursuant to this By-law for the converted building or portion of building, the credit to be an amount equal to the development charge that would be applied to the converted building or the converted portion of building if it were being developed as a new building with the use of the building or portion of building determined as its most recent legal use before the conversion took place, and the credit being calculated based on the applicable development charge for that use as of the date on which the development charge is payable for the conversion of the building in accordance with Schedule "B" to this By-law.
- 3) Notwithstanding subsection 1), the credit described therein shall apply provided that a building permit is issued within two years of the date of issue of a permit for demolition or change of use or conversion permit.
- 4) In no case shall the credit described in subsections 1) and 2) exceed the total development charges payable for the new or converted building(s).

Timing and Calculation of Payment

- 3.11 Subject to the provisions of this by-law, development charges shall be calculated, paid and collected at the rates as set out in Schedule "B" to this by-law.

- 1) Development charges shall be calculated and payable in full in money or by provision of services as may be agreed upon, or by credit granted by the Act, on the date that the first building permit is issued in relation to a building or structure on land to which a development charge applies, or in a manner or at a time otherwise lawfully agreed upon.
- 2) Where development charges apply to land in relation to which a building permit is required, the building permit shall not be issued until the development charge has been paid in full.
- 3) Development charges for rental housing and institutional developments are due and payable in 6 equal instalments commencing with the first instalment payable on the date of occupancy, and each subsequent instalment, including interest, payable on the anniversary date each year thereafter.
- 4) Where the development of land results from the approval of a Site Plan or Zoning By-law Amendment made on or after January 1, 2020, and the approval of the application occurred within the period of building permit issuance as specific in section 26.2(5) of the Act, the development charges under subsection (1) shall be calculated based on the rates set out in Schedule "B" on the date the planning application was made. Where both planning applications apply, development charges under subsections (1) shall be calculated on the rates set out in Schedule "B", on the date of the latter planning application, including interest.
- 5) Interest for the purposes of rule (3) and (4) shall be determined as prescribed in the Development Charges Act, as amended from time to time.
- 6) Notwithstanding Subsections (1), (2), and (3), an owner may enter into an agreement with the municipality to provide for the payment in full of a development charge before building permit issuance or later than the issuing of a building permit.

Unpaid Charges

- 3.12 If a development charge of any part of it remains unpaid after it is payable, the amount unpaid shall be added to the tax roll and shall be collected in the same manner as taxes.

3.13 Where any unpaid Development Charges are collected as taxes, the monies so collected shall be credited to a Development Charge reserve fund.

4. Headings for Reference Only

The headings inserted in this By-law are for convenience of reference only and shall not affect the construction or interpretation of this By-law.

5. Severability

If, for any reason, any provision, section, subsection or paragraph of this By-law is held to be invalid, it is hereby declared to be the intention of Council that all of the remainder of this By-law shall continue in full force and effect until repealed, re-enacted or amended, in whole or in part or dealt with in any other way.

6. Date By-law in Force

This by-law shall come into force and effect at 12:01 a.m. on October 8, 2024.

7. Additional Development Charges

Additional development charges may be imposed pursuant to other By-laws.

8. Transfer of Credit

As provided for in subsection 41(2) of the Act, a credit under any other by-law enacted by the Council, pursuant to the Act, may be used, subject to the discretion of the Council, against any Development Charge imposed by this By-law.

9. By-Law Registration

A certified copy of this by-law may be registered on title to any land to which this by-law applies.

10. SCHEDULES TO THE BY-LAW

The following schedules to this by-law form an integral part of this by-law:

Schedule A – Schedule of Designated Town-wide and Area-Specific Services

Schedule B - Schedule of Residential and Non-residential Development Charge Services for Town-wide Services

Schedule C –Schedule of Residential and Non-Residential Development Charges for Area-Specific Services

Schedule D - Schedule of Lands to Which Area-Specific Charges Apply – Services Related to a Highway

Schedule E - Schedule of Lands to Which Area-Specific Charges Apply – Wastewater Services

Schedule F - Schedule of Lands to Which Area-Specific Charges Apply – Water Services

Schedule G - Schedule of Lands to Which Area-Specific Charges Apply – Stormwater Services

Read three times and finally passed this 7th day of October, 2024.

Lisa Post, Mayor

Raylene Martell, Town Clerk

Schedule A

Schedule of Designated Town-wide and Area-Specific Services/Class of Services

Town-wide Services

1. Services Related to a Highway
2. Transit Services
3. Fire Protection Services
4. Parks and Recreation Service
5. Library Services
6. Growth-related Studies (Class of Service)
7. Water Services
8. Wastewater Services
9. Stormwater Services

Area-Specific Services

1. Services Related to a Highway
2. Wastewater Services
3. Water Services
4. Stormwater Services

Schedule B

Schedule of Residential and Non-residential Development Charge Services for Town-wide Services

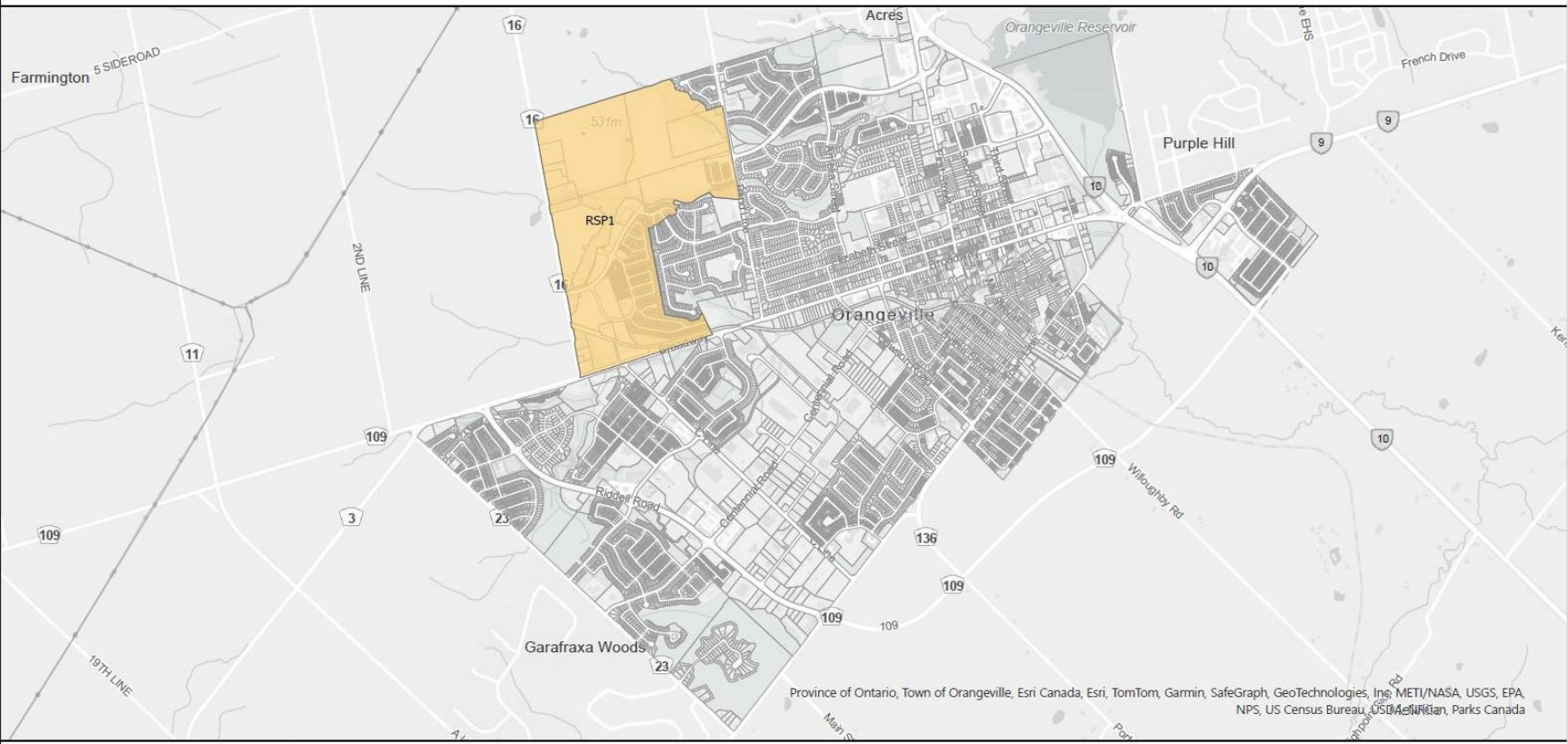
Services/Class of Services	RESIDENTIAL					NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)
Town-Wide Services/Class of Services:						
Services Related to a Highway	9,620	7,944	6,063	3,347	3,194	3.32
Transit Services	1,282	1,059	808	446	426	0.56
Fire Protection Services	1,498	1,237	944	521	497	0.52
Policing Services	298	246	188	104	99	0.10
Parks and Recreation Services	11,951	9,868	7,533	4,158	3,969	1.68
Library Services	1,571	1,297	990	547	522	0.22
Growth-Related Studies	3,253	2,686	2,050	1,132	1,080	1.24
Total Town-Wide Services/Class of Services	\$29,473	\$24,337	\$18,576	\$10,255	\$9,787	\$7.64
Town-Wide Urban Services						
Wastewater Services	8,688	7,174	5,476	3,022	2,885	2.47
Water Services	10,517	8,684	6,629	3,659	3,492	2.98
Stormwater Services	855	706	539	297	284	0.77
Total Urban Services	\$20,060	\$16,564	\$12,644	\$6,978	\$6,661	\$6.22
GRAND TOTAL RURAL AREA	\$29,473	\$24,337	\$18,576	\$10,255	\$9,787	\$7.64
GRAND TOTAL URBAN AREA	\$49,533	\$40,901	\$31,220	\$17,233	\$16,448	\$13.86

Schedule C

Schedule of Residential and Non-Residential Development Charges for Area-Specific Services

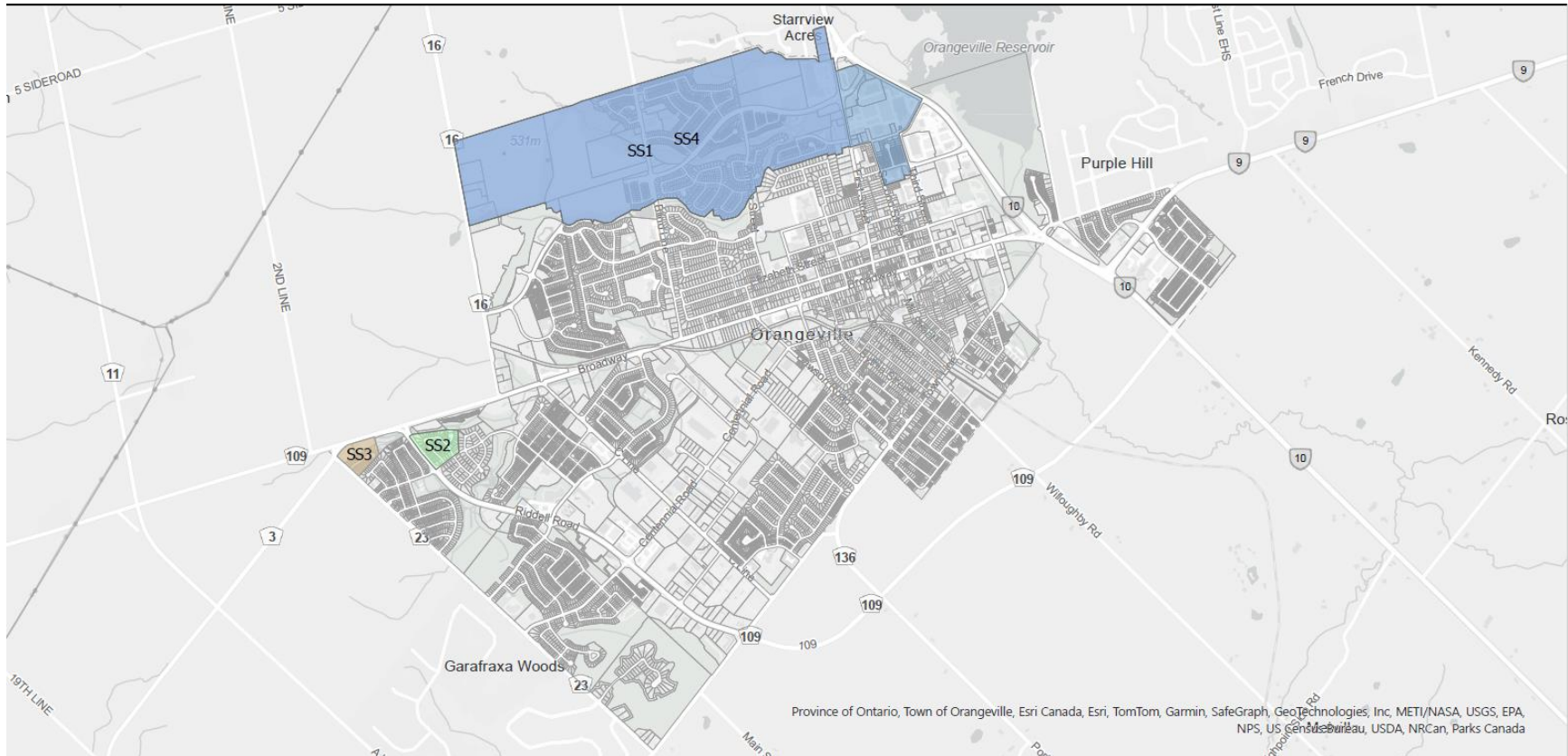
Services	\$/Net Developable Hectare
Roads and Related Services	
Roads - RSP1	\$14,803
Water Services	
Water - WD-1	\$23,903
Water - WD-2	\$5,176
Water - WD-3	\$7,216
Water - WD-4	\$7,847
Water - WD-5	\$26,738
Water - WD-6	\$12,058
Wastewater Services	
Wastewater - SS1	\$6,713
Wastewater - SS3	\$12,701
Wastewater - SS4	\$5,689
Stormwater Management Services	
Stormwater Management - SWM1	\$12,222
Stormwater Management - SWM2	\$19,166
Stormwater Management - SWM3	\$21,727
Stormwater Management - SWM4	\$0
Stormwater Management - SWM5	\$0
Stormwater Management - SWM6	\$5,037
Stormwater Management - SWM 3/4 Ext.1	\$9,529
Stormwater Management - SWM 3/4 Ext.2	\$8,252

Schedule D
Schedule of Lands to Which Area-Specific Charges Apply – Services Related to a Highway



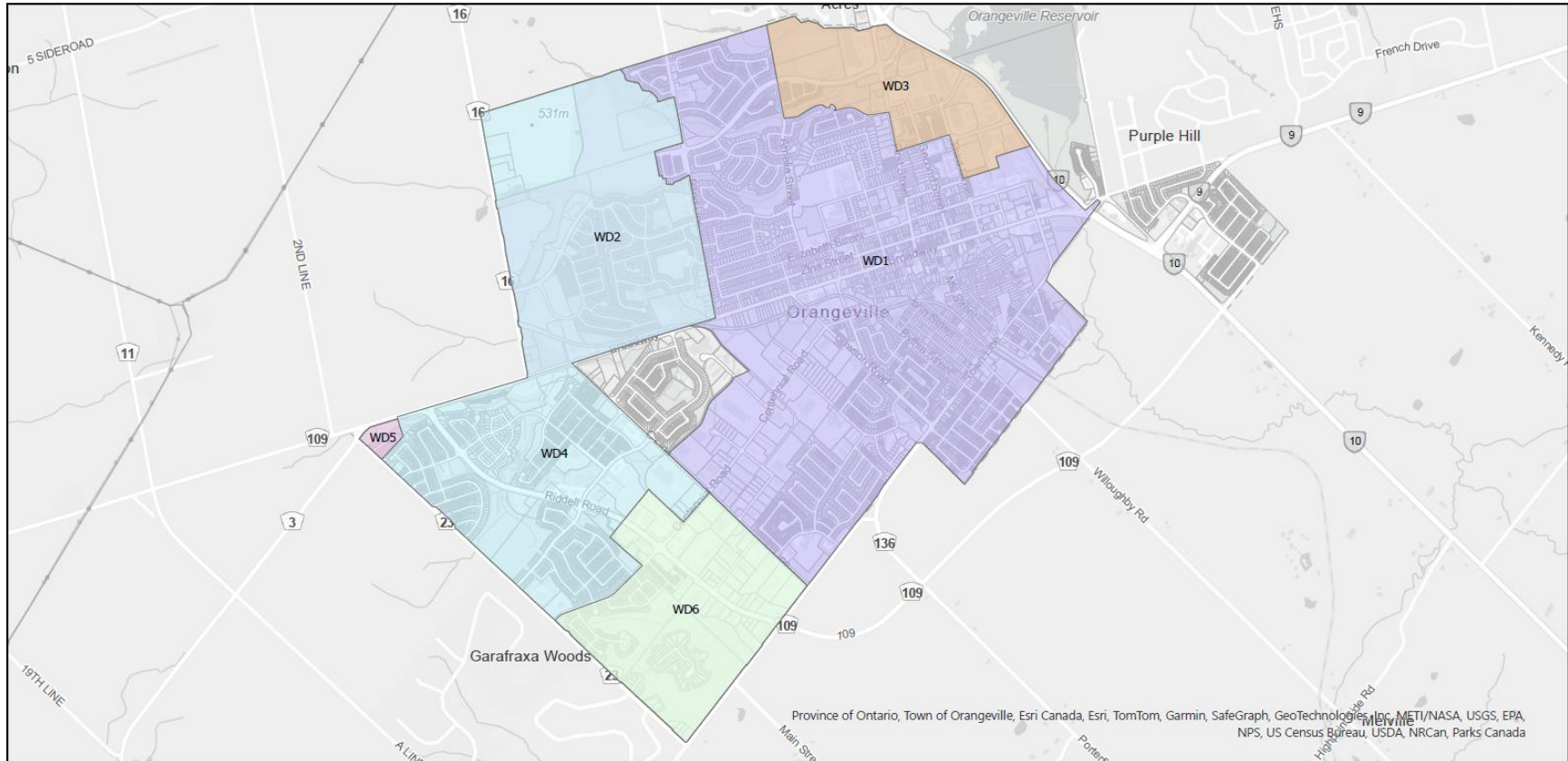
Schedule E

Schedule of Lands to Which Area-Specific Charges Apply – Wastewater Services



Schedule F

Schedule of Lands to Which Area-Specific Charges Apply – Water Services



Schedule G

Schedule of Lands to Which Area-Specific Charges Apply – Stormwater Services

