THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC
BY-LAW NO. 2024-53
BEING A BY-LAW OF THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC
WITH RESPECT TO DEVELOPMENT CHARGES

WHEREAS Section 2(1) of the *Development Charges Act*, 1997, S.O. 1997, c. 27 (hereinafter called the Act) enables the Council of a municipality to pass by-laws for the imposition of development charges against land located in the municipality where the development of the land would increase the need for municipal services as designated in the by-law and the development requires one or more of the actions set out in Subsection 2(2) of the Act;

AND WHEREAS a Development Charges Background Study for the Corporation of the Township of South Frontenac, dated May 16, 2024 (the "Study") as required by section 10 of the Act was presented to Council along with a draft of this By-law as then proposed on July 16, 2024, and was completed within a one-year period prior to the enactment of this By-law;

AND WHEREAS notice of a public meeting was given pursuant to subsection 12(1) of the Act, and in accordance with the regulations under the Act, on or before May 27, 2024, and copies of the Study and this proposed development charge by-law were made available to the public not later than May 16, 2024, in accordance with subsection 12(1) of the Act;

AND WHEREAS a public meeting was held on June 20, 2024, in accordance with the Act to hear comments and representations from all persons who applied to be heard (the "Public Meeting");

AND WHEREAS any person who attended the public meeting was afforded an opportunity to make representations and the public generally were afforded an opportunity to make written submissions relating to this proposed By-law;

AND WHEREAS the Council, in adopting the Township of South Frontenac Development Charges Background Study on May 16, 2024, as amended on June 17, 2024, directed that development charges be imposed on land under development or redevelopment within the geographical limits of the municipality as hereinafter provided.

NOW THEREFORE the Council enacts as follows:

DEFINITIONS

1. In this By-law:

1) "Act" means the *Development Charges Act*, 1997, S.O. 1997, c. 27;

2) "Accessory Use" means where used to describe a use, building or structure, that the use, building, or structure is naturally and normally incidental, subordinate in purpose of floor area or both, and exclusively devoted to a principal use, 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) "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.

5) "Ancillary Residential Use" means a residential dwelling that would be ancillary to a single detached dwelling, semi-detached dwelling, or row dwelling;

6) "Apartment Unit" means any residential dwelling unit within a building containing more than two dwelling units where the residential units are connected by an interior corridor;

7) "Attainable Residential Unit" means a residential unit that meets the criteria set out in subsection 4.1 of the Act;

8) "Bedroom" means a habitable room larger than seven square metres, including a den, study, or other similar area, but does not include a living room, dining room or kitchen;

9) "Benefiting Area" means an area defined by a map, plan, or legal description in a front-ending agreement as an area that will receive a benefit from the construction of a service;

10) "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,

11) "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;

12) "Council" means the Council of the municipality;

13) "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;

14) "Development Charge" means a charge imposed with respect to growth-related net capital costs against land in the municipality under this by-law;

15) "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;

16) "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;

17) "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;

18) "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;

19) "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;

20) "Grade" means the average level of finished ground adjoining a building or structure at all exterior walls;

21) "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 commercial, industrial and/or institutional building or structure, or in the case of a mixed-use building or structure in respect of the commercial, industrial and/or institutional 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 commercial, industrial and/or institutional use and a residential use.

22) "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;

23) "Institutional" means development of a building or structure intended for use:

    (1) as a long-term care home within the meaning of subsection 2 (1) of the *Fixing Long-Term Care Homes Act*, 2021;

    (2) as a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act*, 2010;

    (3) 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

24) an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institute Act*, 2017;

25) "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;

26) "Local Board" means a school board, public utility, commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of the municipality or any part or parts thereof;

27) "Mixed Use" means land, buildings or structures used, or designed or intended for use, for a combination of residential and non-residential uses;

28) "Municipality" (or the "Township") means The Corporation of the Township of South Frontenac;

29) "Non-profit housing development" means development of a building or structure intended for use as residential premises by:

(iii) 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;

(iv) 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

(v) a non-profit housing co-operative that is in good standing under the Co-operative Corporations Act.

30) "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;

31) "Other Multiple Dwellings" means all residential dwellings other than a Single-detached Dwelling, Semi-detached Dwelling, and Apartment Dwelling, and includes the portion of a Live-Work Unit intended to be used exclusively for living accommodations for one or more individuals;

32) "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;

33) "Place of Worship" means land that is owned by and used for the purposes of 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.

34) "Planning Act" means the *Planning Act*, 1990, as amended;

35) "Quadraplex" means a building containing four Apartment Dwelling Units;

36) "Rate" means the interest rate established weekly by the Bank of Canada for treasury bills having a term of 30 days;

37) "Regulation" means any regulation made pursuant to the Act;

38) "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.

39) "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;

40) "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

41) "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;

42) "Semi-Detached Dwelling," "Duplex" or "Row Housing" means a dwelling unit in a residential building consisting of two (or more in the case of row housing) dwelling units having one vertical wall or one horizontal wall, but no other parts, attached to another dwelling unit where the residential units are not connected by an interior corridor;

43) "Services" (or "service") means those services designated in Schedule "A" to this by-law or specified in an agreement made under Section 44 of the Act;

44) "Services in Lieu" means those services specified in an agreement made under Section 9 of this by-law;

45) "service standards" means the prescribed level of services on which the schedule of charges in Schedule "B" are based;

46) "Servicing Agreement" means an agreement between a landowner and the municipality relative to the provision of municipal services to specified lands within the municipality;

47) "Single Detached Dwelling Unit" means a residential building consisting of one dwelling unit and not attached to another structure;

48) "Triplex" means a building containing three Apartment Dwelling Units.

2. For the purposes of this by-law each of the following permanent and seasonal units shall be deemed to be a separate dwelling unit:

    (i) Each single detached dwelling;

    (ii) Each dwelling unit within a duplex, semi-detached dwelling, or live/work unit; and

    (iii) Each suite, apartment or unit within a triplex, quadraplex, high density multiple unit residential development or similar development;

SCHEDULE OF DEVELOPMENT CHARGES

3. (1) Subject to the provisions of this by-law, development charges against land shall be calculated and collected in accordance with the base rates set out in Schedules "B", which relate to the services and class of services set out in Schedule "A".

(2) The development charge with respect to the use of any land, buildings, or structures shall be calculated as follows:

(a) 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;

(b) 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.

(3) Council hereby determines that the development of land, buildings, or structures for residential and non-residential uses will require the provision, enlargement, expansion, or improvement of the services and class of services referenced in Schedule "A."

APPLICABLE LANDS

4. (1) Subject to Subsections (2), (3), (4) and (5), this by-law applies to all lands in the Township of South Frontenac whether or not the land or use is exempt from taxation under Section 3 of the *Assessment Act*, R.S.O. 1980, c.31.

(2) This by-law shall not apply to land that is owned by and use for the purposes of:

(a) a board of education;

(b) any municipality or local board thereof;

(c) bona fide agricultural use or farm building;

(d) portion of lands, buildings, or structures used for worship in a place of worship, as well as a churchyard, cemetery, or burial ground exempt from taxation under Section 3 of the *Assessment Act,* R.S.O. 1980, c.31.

(3) 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.

(3.1) Notwithstanding subsection (3), development charges shall be imposed if the total floor area of the additional one or two dwelling units in the single detached dwelling exceeds the total floor area of the dwelling unit already in the building.

(3.2) Notwithstanding subsection (3), development charges shall be imposed if the additional unit has a gross floor area greater than:

(a) in the case of a semi-detached or row dwelling, the gross floor area of the existing dwelling unit; and

(b) in the case of any other residential building, the gross floor area of the smallest dwelling unit contained in the residential building.

(4) (a) 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 is determined in accordance with this section.

(b) If the gross floor area is enlarged by 50 percent or less, the amount of the development charge in respect of the enlargement is zero.

(c) If the gross floor area is enlarged by more than 50 percent, 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 exceeds 50 percent of the gross floor area before the enlargement.

(ii) Divide the amount determined under paragraph 1 by the amount of the enlargement.

(d) The exemption to Development charges in (a) through (c) above shall only apply to the first instance of an industrial expansion.

(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.

(6) That where a conflict exists between the provisions of the new by-law and any other agreement between the Township and the owner, with respect

to land to be charged under this policy, the provisions of such agreement prevail to the extent of the conflict.

(7) This by-law is not applicable to development for which a complete application for building permit has been submitted prior to the in-force date of this by-law.

5. (1) Subject to Subsection (2), development charges shall apply to, and shall be calculated and collected in accordance with, the provisions of this by-law on land to be developed for residential and commercial, industrial and/or institutional use, where:

(a) the development of that land will increase the need for services, and

(b) the development requires:

(i) the passing of a zoning by-law or an amendment thereto under Section 34 of the *Planning Act, 1990*;

(ii) the approval of a minor variance under Section 45 of the *Planning Act, 1990*;

(iii) a conveyance of land to which a by-law passed under Subsection 50(7) of the *Planning Act, 1990*;

(iv) the approval of a plan of subdivision under Section 51 of the *Planning Act, 1990*;

(v) a consent under Section 53 of the *Planning Act, 1990*;

(vi) the approval of a description under Section 51 of the *Condominium Act*, R.S.O. 1980, c.84; or

(vii) the issuing of a permit under the *Building Code Act*, R.S.O. 1992 in relation to a building or structure.

(2) Subsection (1) shall not apply in respect of:

(a) local services installed at the expense of the owner within a plan of subdivision as a condition of approval under Section 52 of the *Planning Act, 1990*;

(b) local services installed at the expense of the owner as a condition of approval under Section 53 of the *Planning Act, 1990*.

EXISTING AGREEMENTS

6. An agreement with respect to charges related to development registered prior to passage of the by-law remains in effect after enactment of this by-law.

MULTIPLE CHARGES

7. (1) Where two or more of the actions described in Section 5(1)(b) are required before land to which a development charge applies can be developed, only one development charge shall be calculated and collected in accordance with the provisions of this by-law.

(2) Notwithstanding subsection (1), if two or more of the actions described in Section 5(1)(b) occur at different times, and if the subsequent action has the effect of increasing the need for municipal services and class of services, as designated in Schedule "A", an additional development charge on the additional residential units and/or commercial and/or industrial floor area, shall be calculated and collected in accordance with the provisions of this by-law.

SERVICE STANDARDS

8. For the purposes of Section 8, the approved service standards for the municipality are those contained in the Development Charges Background Study dated May 16, 2024.

SERVICES IN LIEU

9. (1) Council may authorize an owner to substitute the whole or such part of the development charge applicable to the owner's development as may be specified in an agreement by the provision at the sole expense of the owner, of services in lieu. Such agreement shall further specify that where the owner provides services in lieu, in accordance with the agreement, Council shall give to the owner a credit against the development charge otherwise applicable to the development, equal to the reasonable cost to the owner of providing the services in lieu provided such credit shall not exceed the total development charge payable by an owner to the municipality.

(2) In any agreement under Subsection (1), Council may also give a further credit to the owner equal to the reasonable cost of providing services in addition to, or of a greater size or capacity, than would be required under this by-law.

(3) The credit provided for in Subsection (2) shall not exceed the service standards referenced in Section 7 and used in the calculation of the charges in Schedules "B" and no credit shall be charged to any development charges reserve fund prescribed in this by-law.

FRONT-ENDING AGREEMENTS

10. (1) Council may enter into a front-ending agreement with any or all owners within a benefitting area pursuant to Section 21 of the *Development Charges Act, 1997*, providing for the payment by the owner or owners of a front-end payment or for the installation of services by the owners or any combination of front-end payments and installation of services, which may be in addition to the required development charge.

(2) Front-end payments made by benefitting owners under a front-ending agreement relating to the provision of services for which a development

charge is payable shall be credited with an amount equal to the reasonable cost to the owner of providing the services, against the development charges otherwise payable under Schedule "B" of this by-law.

(3) No credit given pursuant to Subsection 9(1) shall exceed the total development charge payable by the owner for the applicable service component or the standard of service outlined in Schedule "B" and referenced in Section 7.

(4) The front-end payment required to be made by the benefitting owner under a front-ending agreement may be adjusted annually.

DEVELOPMENT CHARGE REDEVELOPMENT CREDITS

11. (1) Where there is a redevelopment of land on which there is a conversion of space proposed, or on which there was formerly erected a building or structure that has been demolished, a credit shall be allowed against the development charge otherwise payable by the owner pursuant to this By-law for the portion of the previous building or structure still in existence that is being converted or for the portion of the building or structure that has been demolished, as the case may be, calculated by multiplying the number and type of dwelling units being converted or demolished or the non-residential total floor area being converted or demolished by the relevant development charge in effect on the date when the development charge is payable in accordance with this By-law. If the development includes the conversion from one use (the "first use") to another use, the credit shall be based on the development charges calculated pursuant to this By-law at the current development charge rates, that would be payable as development charges in respect of the first use.

(2) A credit in respect of any demolition under this section shall not be given unless a building permit has been issued or a subdivision agreement, site plan agreement or a consent application has been entered into with the Township for the development within 5 years from the date the demolition permit was issued.

(3) The amount of any credit hereunder shall not exceed, in total, the amount of the development charges otherwise payable with respect to the development.

DISCOUNTS FOR RENTAL HOUSING

12. The Development Charge payable for Rental Housing developments will be reduced based on the number of bedrooms in each unit as follows:

(a) Three or more bedrooms - 25% reduction;

(b) Two bedrooms - 20% reduction; and

(c) All other bedroom quantities - 15% reduction.

TIMING OF CALCULATION AND PAYMENT

13. (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) Notwithstanding subsection (1) and (2), Development Charges for rental housing and institutional developments are due and payable in 6 equal installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest at the prescribed rate, as per the Act, payable on the anniversary date each year thereafter.

(4) Notwithstanding subsections (1) through (3), where the development of land results from the approval of a Site Plan or Zoning By-law Amendment received between January 1, 2020, and June 5, 2024, and the approval of the application occurred within 2 years of building permit issuance, the Development Charges under Section 2 shall be calculated based on the rates set out in Schedule "B" on the date of the planning application,

including interest. Where both planning applications apply, Development Charges shall be calculated on the rates, including interest at the prescribed rate, set out in Schedule "B" on the date of the later planning application, the Development Charges shall be calculated based on the rate in effect on the date of the Site Plan or Zoning By-law Amendment application, including interest at the prescribed rate.

(5) Notwithstanding subsections (1) through (3), where the development of land results from the approval of a Site Plan or Zoning By-law Amendment received as of June 6, 2024, and the approval of the application occurred within 18 months of building permit issuance, the Development Charges under Section 2 shall be calculated based on the rates set out in Schedule "B" on the date of the planning application, including interest at the prescribed rate. Where both planning applications apply, Development Charges shall be calculated on the rates, including interest, set out in Schedule "B" on the date of the later planning application, the Development Charges shall be calculated based on the rate in effect on the date of the Site Plan or Zoning By-law Amendment application, including interest at the prescribed rate.

(6) Notwithstanding Subsections (1) through (5), 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.

BY-LAW REGISTRATION

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

RESERVE FUND(S)

15. (1) Monies received from payment of development charges shall be maintained in a separate reserve fund or funds and shall be used only to meet the growth-related net capital costs for which the development charge was levied under this by-law.

(2) Council directs the Municipal Treasurer to divide the reserve fund(s) created hereunder into the separate sub-accounts in accordance with the

service categories set out in Schedule "A" to which the development charge payments shall be credited in accordance with the amounts shown, plus interest earned thereon.

(3) Where any development charge, or part thereof, remains unpaid after the due date, the amount unpaid shall be added to the tax roll and shall be collected as taxes.

(4) Where any unpaid development charges are collected as taxes under Subsection (3), the monies so collected shall be credited to the development charge reserve fund or funds referred to in Subsection (1).

BY-LAW AMENDMENT OR REPEAL

16. (1) Where this by-law or any development charge prescribed thereunder is amended or repealed either by order of the Ontario Land Tribunal or by the Municipal Council, the Municipal Treasurer shall calculate forthwith the amount of any overpayment to be refunded as a result of said amendment or repeal.

(2) Refunds that are required to be paid under Subsection (1) shall be paid to the registered owner of the land on the date on which the refund is paid.

(3) Refunds that are required to be paid under Subsection (1) shall be paid with interest to be calculated as follows:

(a) interest shall be calculated from the date on which the overpayment was collected to the date on which the refund is paid;

(b) the refund shall include the interest owed under this Section;

(c) interest shall be paid at the Bank of Canada rate in effect on the later of:

(i) the date of enactment of this by-law, or

(ii) the date of the last quarterly adjustment, in accordance with the provisions of Subsection (4).

(4) The Bank of Canada interest rate in effect on the date of enactment of this by-law shall be adjusted on the next following business day to the rate

established by the Bank of Canada on that day and shall be adjusted quarter-yearly thereafter in January, April, July, and October to the rate established by the Bank of Canada on the day of adjustment.

DEVELOPMENT CHARGE SCHEDULE INDEXING

17. The development charges referred to in Schedules "B" shall be adjusted annually, without amendment to this by-law, commencing on the anniversary date of this by-law and annually thereafter in each year while this by-law is in force, in accordance with the Statistics Canada Quarterly, Construction Price Statistics as prescribed in the Act.

BY-LAW ADMINISTRATION

18. The Municipal Treasurer shall administer this by-law.

SCHEDULES TO THE BY-LAW

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

Schedule "A" – Summary of Development Charge Services and Class of Services

Schedule "B" – Schedule of Residential and Non-Residential Development Charges

DATE BY-LAW EFFECTIVE

20. This By-law shall continue in force and effect for a term not to exceed ten years from the date of its enactment unless it is repealed at an earlier date.

21. This By-law shall come into force and take effect on August 7, 2024.

BY-LAW REPEAL

22. By-law No. 2019-48 is hereby repealed on the effective date this By-law comes into force.

SHORT TITLE

23. This by-law may be cited as the Development Charges By-law.

THIS By-law read a first time the 16th day of July, 2024.

THIS By-law read a second and third time and finally passed this 16th day of July, 2024.

Ron Vandewal, Mayor

James Thompson, Clerk

SCHEDULE "A"

DESIGNATED MUNICIPAL SERVICES UNDER THIS BY-LAW

Municipal-Wide Services

- Services Related to a Highway;
- Fire Protection Services;
- Policing Services;
- Parks and Recreation Services;
- Library Services; and
- Waste Diversion.

Municipal-Wide Class of Services

- Growth-Related Studies

SCHEDULE "B"
SCHEDULE OF DEVELOPMENT CHARGES

Services/Class of Services	RESIDENTIAL				NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	(per sq.ft. of Gross Floor Area)
Township-Wide Services					
Services Related to a Highway	8,041	6,699	5,216	3,598	5.07
Fire Protection Services	998	831	647	446	0.63
Policing Services	318	265	206	142	0.20
Parks and Recreation Services	2,339	1,949	1,517	1,047	1.12
Library Services	161	134	104	72	0.08
Waste Diversion	15	12	10	7	0.01
Township-Wide Class of Services					
Growth-Related Studies	966	805	627	432	0.61
Total Township-Wide Services/Class of Services	**$12,837**	**$10,695**	**$8,327**	**$5,744**	**$7.72**