

THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE

BY-LAW NO. 68-2024

Being a By-law for the Imposition of Development Charges

WHEREAS the Municipality of Port Hope is expected to experience growth through development and redevelopment; and

WHEREAS development and redevelopment require the provision of physical and social services by the Corporation of the Municipality of Port Hope, hereinafter referred to as the "Municipality"; and

WHEREAS Council desires to ensure that the capital cost of meeting growth-related demands for, or burden on, municipal services does not place an excessive financial burden on the Municipality of Port Hope or its existing taxpayers while at the same time ensuring new taxpayers contribute no more than the net capital cost attributable to providing the current level of municipal services; and

WHEREAS the *Development Charges Act, 1997* (the "Act") as amended 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 the Municipality of Port Hope has collected development charges from property developers in accordance with the Development Charges Act, 1997 for many years with regular reviews and amendments being made as required to maintain currency with Provincial Legislation changes; and

WHEREAS Council retained the services of Watson & Associates Economists Ltd. to prepare a Development Charge Background Study and make recommendations with respect to a development charge policy; and

WHEREAS Council has received and studied a report "Municipality of Port Hope 2024 Development Charge Background Study" prepared by Watson & Associates Economists Ltd., dated May 10, 2024, as amended (hereinafter referred to as the "Watson Report"); and

WHEREAS the Council of The Corporation of the Municipality of Port Hope has given notice of, and held, a public meeting on the 8th day of October 2024 in accordance with the Act and the Regulations thereto; and

WHEREAS Council has considered the comments of people at the said public meeting and comments subsequently received; and

WHEREAS Council has complied with the pre-enactment requirements set out in sections 10, 11 and 12 of the Act;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE ENACTS AS FOLLOWS:

1. DEFINITIONS

1.1 In this By-law, unless a contrary intention appears, a term has the same meaning as that which exists in the Act or any Regulation made pursuant to sections 60 or 68 of the Act, both as amended from time to time.

1.2 In this by-law:

"Act" means the *Development Charges Act, 1997*, as amended, or any successor thereof.

"Accessory use" shall mean a use customarily incidental and subordinate to, and exclusively devoted to the principle or main use of the lot, building or structure and located on the same lot as such principal or main use.

"Accessory building or structure" shall mean a detached building or structure that is not used for human habitation and the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot therewith.

"Additional dwelling unit" means a dwelling unit, whether contained within a proposed single detached dwelling, semi-detached dwelling or row dwelling, or ancillary to a single detached dwelling, a semi-detached dwelling, or a row dwelling including but not limited to a coach house, laneway suite or structure constructed above an existing garage or other structure separate from the primary dwelling unit, and which is not capable of being legally conveyed as a separate parcel of land from the primary dwelling unit.

"Advance services" means services identified within the by-law relating to water services, wastewater services and services related to a highway.

"Affordable Residential Unit" means a residential unit that meets the criteria set out in section 4.1 of the Act.

"Agricultural use" means the use of land and/or buildings for the cultivation or foraging of crops, livestock or poultry production, raising or training of horses, and orchards, market gardening, maple sugar bushes, tobacco crops or other forms of specialized crop production.

"Attainable Residential Unit" means a residential unit that meets the criteria set out in section 4.1 of the Act.

"Bank of Canada rate" means the policy interest rate established by the Bank of Canada.

"Bedroom" means a room over 4.65 square metres in area, used for sleeping, a computer room, den, recreation room, and a sunroom (more than 7 square metres in area), study or other similar area, but does not include a room with kitchen or sanitary facilities if such room is not used for sleeping.

"Board of education" has the same meaning as set out in the *Education Act*, as amended, or any successor thereof.

"Bona fide farm operation" 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 Municipal Property Assessment Corporation.

"Building Code Act" means the *Building Code Act, 1992*, as amended, or any successor thereof.

"Capital cost" means capital costs as defined in subsection 5 (3) of the Act.

"Commercial use" means any use of land, structures or buildings for the purposes of buying or selling commodities and services, including hotels, motels, motor inns and boarding, lodging and rooming houses. Commercial use does not include industrial uses, agricultural uses, or home occupations as defined in the applicable zoning by-law.

"Council" means the Council of the Municipality of Port Hope.

"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 with the effect of increasing the size of usability thereof, and includes redevelopment. Development is residential, non-residential or mixed.

"Development charge" means a charge imposed with respect to this by-law.

" Dwelling unit" means a suite operated as a housekeeping unit, used or intended to be used as a domicile by 1 or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities for their exclusive use, and includes:

1. a basement apartment;
2. a park model home;
3. a bedroom in a students' or seniors' residence; and
4. a building, or portion of a building, used for residential purposes as defined by residential use in this by-law.

"Existing" means the number, use and size that existed as of the date this by-law was passed.

"Farm building" means that part of a bona fide farming operation encompassing barns, silos and other ancillary development to an agricultural use, but excluding a residential use.

"Grade" means the average level of proposed or finished ground adjoining a building or structure at all exterior walls.

"Gross floor area" means:

1. 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
2. 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, except for:
 - a. a room or enclosed area within the building or structure above or below that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical or telecommunications equipment that service the building;
 - b. loading facilities above or below grade; and
 - c. a part of the building or structure below grade that is used for the parking of motor vehicles or for storage or other accessory use.

"Inclusionary zoning residential unit" means residential units that are affordable housing units required to be included in a development or redevelopment pursuant to a by-law passed under section 34 of the *Planning Act* to give effect to the policies described in subsection 16 (4) of that Act.

"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 an agricultural use.

"Institutional" means land, buildings, structures or any part thereof used by any organization, group or association for promotion of charitable, educational or benevolent objectives and not for profit or gain. For the purposes of section 3.19 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 *Long-Term Care Homes Act, 2007*;
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:
 - a. a university in Ontario that receives direct, regular and ongoing operation funding from the Government of Ontario;
 - b. a college or university federated or affiliated with a university described in subclause a; or
 - c. an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institute Act, 2017*;
4. as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion; or
5. as a hospice to provide end of life care.

"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 of Port Hope or any part or parts thereof.

"Local services" means those services, facilities or things which are under the jurisdiction of the Municipality and are related to a plan of subdivision or within the area to which the plan relates in respect of the lands under sections 41, 51 or 53 of the *Planning Act*, as amended, or any successor thereof.

"Mixed use building" means a building, structure or development with portions which are to be used for residential development and other portions for non-residential development.

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

1. 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;

2. 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
3. a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*;

"Non-residential development" means development other than residential development as defined below, and includes development for agricultural, commercial, industrial and institutional uses.

"Official Plan" means the Official Plan adopted for the Municipality, as amended and approved.

"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.

"Place of worship" means that part of a building or structure that is exempt from taxation as a place of worship under the *Assessment Act*, as amended, or any successor thereof.

"Regulation" means any regulation made pursuant to the Act.

"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.

"Residential use" means designed, adopted or used as a home or residence of one or more individuals who reside or dwell there permanently or for a considerable period of time and includes:

1. "apartment dwelling" means any dwelling unit within a building containing four or more dwelling units, which is not a single detached dwelling, a semi-detached dwelling, a row dwelling, a special care dwelling, hotel, motel, tourist home, student residence, barracks, or any other development included in non-residential development;
2. "multiple dwellings" means all dwellings other than an apartment dwelling, a semi-detached dwelling, a single detached dwelling, and a special care dwelling;
3. "row dwelling" means a residential building containing not less than three dwelling units with each unit separated by a common or party wall or walls with a separate outside entrance to each unit. For the purposes of this definition, a row dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a row dwelling;
4. "semi-detached dwelling" means a residential building that is divided vertically into two dwelling units. For the purposes of this definition, a semi-detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a semi-detached dwelling;
5. "single detached dwelling" means a residential building consisting of one dwelling unit and not attached to another structure. For the purposes of this definition, a single detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a single detached dwelling;

6. "special care dwelling" means a building not otherwise defined herein containing more than four dwelling units: where the occupants have the right to use in common, halls, stairs, yards, common rooms and accessory buildings; which dwelling units may or may not have exclusive sanitary and/or culinary facilities; that is designed to accommodate individuals with specific needs, where meals are provided within the development on a regular basis and includes a bedroom, student residence, retirement home and lodge, nursing home, granny flat, accessory dwelling and group home.

"Residential development" means development used, or intended to be used, in the whole or in part for residential uses and includes: a special care dwelling, the residential portion of a mixed development, and an apartment building but does not include a place of worship, hotel, motel, bed and breakfast where people typically stay less than one week.

"Residential unit" means the same as dwelling unit as defined in this by-law.

"Service" means a service designed in section 2.1 to this by-law, and "services" shall have a corresponding meaning.

"Suite" means one or more rooms used or capable of being used for human habitation.

"Urban service area" means that area within the Municipality of Port Hope delineated on Schedule "B".

"Use" means occupation and utilization for a particular purpose, practice or benefit. For the purposes of this by-law uses are either residential or non-residential.

2. DESIGNATION OF SERVICES

- 2.1 The categories of services for which development charges are imposed under this by-law are as follows:
 1. Services Related to a Highway;
 2. Fire Protection Services;
 3. Parks and Recreation Services;
 4. Library Services;
 5. By-law Enforcement Services;
 6. Growth-related Studies;
 7. Policing Services (Port Hope Police Services (P.H.P.S.)) (within the urban area only);
 8. Wastewater (within the wastewater serviced area only);
 9. Wastewater Treatment Plants (within the wastewater serviced area only); and
 10. Water Services (within the water serviced area only).

3. APPLICATION OF BY-LAW RULES

- 3.1 Development charges shall be payable by the Owner in the amounts set out in this by-law where:
 1. the lands are located in the area described in section 3.2; and
 2. the development of the lands requires any of the approvals set out in subsection 3.4 (1).

Area to Which By-law Applies

- 3.2 Subject to section 3.3, this by-law applies to all lands in the Municipality of Port Hope whether or not the land or use thereof is exempt from taxation under section 13 of the *Assessment Act*.
- 3.3. Notwithstanding section 3.2 above, this by-law shall not apply to lands that are owned by and used for the purposes of:
1. the Municipality or a local board thereof;
 2. a board of education;
 3. the Corporation of the County of Northumberland or a local board thereof; or
 4. a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education.

Approvals for Development

- 3.4 1. Development charges shall be imposed on all lands, buildings or structures that are developed for residential or non-residential uses if 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*,
 - b. the approval of a minor variance under section 45 of the *Planning Act*;
 - c. a conveyance of land to which a by-law passed under subsection 50 (7) of the *Planning Act* applies;
 - d. the approval of a plan of subdivision under section 51 of the *Planning Act*,
 - e. a consent under section 53 of the *Planning Act*,
 - f. the approval of a description under section 9 of the *Condominium Act, 1998*, or any successor thereof; or
 - g. the issuing of a permit under the *Building Code Act* in relation to a building or structure.
2. No more than one development charge for each service designated in section 2.1 shall be imposed upon any lands, buildings or structures to which this by-law applies even though two or more of the actions described in subsection (1) are required before the lands, buildings or structures can be developed.
3. Despite subsection (2), if two or more of the actions described in subsection (1) occur at different times, additional development charges shall be imposed if the subsequent action has the effect or increasing the need for services.

Exemptions

Residential Units in Existing Residential

- 3.5 This by-law shall not apply to that category of exempt development described in subsections 2 (3), 2 (3.1), and 2 (3.2) of the Act, namely:
1. An enlargement to an existing dwelling unit;
 2. 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;
 3. 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;

4. One residential unit in a building or structure ancillary to an existing detached house, semi-detached house or rowhouse on a parcel of residential 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; or
5. In an existing rental residential building, which contains four or more residential units, the creation of the greater of one residential unit or one per cent of the existing residential units.

Residential Units in New Residential

- 3.6 This by-law shall not apply to that category of exempt development described in subsection 2 (3.3) of the Act, namely:
 1. 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;
 2. 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; or
 3. One residential unit in a building or structure ancillary to a new detached house, semi-detached house or rowhouse on a parcel of residential 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.

Enlargement of an Existing Industrial Development

- 3.7 This by-law does not apply to that category of exempt development described in section 4 of the Act, namely:
 1. the enlargement of the gross floor area of an existing industrial building, if the gross floor area is enlarged by 50 percent or less;
 2. for the purpose of subsection (1) the terms “gross floor area” and “existing industrial building” shall have the same meaning as those terms have in O. Reg. 82/98 made under the Act.
 3. Notwithstanding subsection (1), if the gross floor area of an existing industrial building is enlarged by more than 50 percent, development charges shall be calculated and collected in accordance with Schedule “A” on the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement.
 4. For the purpose of the application of section 4 of the Act to the operation of this by-law:
 - a. the gross floor area of an existing industrial building shall be calculated as it existed prior to the first enlargement in respect of that building for which an exemption under section 4 of the Act is sought; and
 - b. the enlargement of the gross floor area of the existing building must:
 - i. be attached to the existing industrial building;
 - ii. not be attached to the existing industrial building by means only of a tunnel, bridge, canopy, corridor or other passageway, shared below-grade connection, foundation, footing, parking facility, service tunnel or service pipe;

- iii. be for use or in connection with an industrial purpose as set out in this by-law; and
- iv. constitute a bona fide increase in the size of the existing building.

Non-Profit, Inclusionary Zoning, Affordable, and Attainable

- 3.8 This by-law shall not apply to that category of exempt development described in section 4.2 of the Act, namely that development charges shall not be imposed with respect to non-profit housing development.
- 3.9 This by-law shall not apply to that category of exempt development described in section 4.3 of the Act, namely that development charges shall not be imposed with respect to inclusionary zoning residential unit development.
- 3.10 This by-law shall not apply to that category of exempt development described in section 4.1 of the Act, namely that development charges shall not be imposed with respect to affordable residential units and attainable residential units.

Other Exemptions

- 3.11 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to:
 1. Lands, buildings or structures used or to be used for a place of worship or for the purposes of a churchyard or cemetery exempt from taxation under the *Assessment Act*.
 2. The construction of a non-residential farm building or structure constructed for a bona fide farm operation.
 3. Buildings used as hospitals as governed by the *Public Hospitals Act*.
 4. For industrial uses, only the water and wastewater portions of the development charge identified in Schedule "A" are applicable.

Amount of Charges

Residential

- 3.12 The development charges set out in Schedule "A" to this by-law shall be imposed on residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use and, in the case of a mixed-use building or structure, on the residential uses in the mixed-use building or structure, according to the type of residential unit, and calculated with respect to each of the services according to the type of residential use.

Non-Residential

- 3.13 The development charges described in Schedule "A" 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, and calculated with respect to each of the services according to the total floor area of the non-residential use.

Reduction of Development Charges for Redevelopment

- 3.14 Despite any other provisions of this by-law, where, as a result of the redevelopment of land, a building or structure existing on the same land within 60 months prior to the date of payment of development charges in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:
1. in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge under section 312 by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and
 2. in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charges under section 3.13, by the gross floor area that has been or will be demolished or converted to another principal use;
- provided that:
- (a) no credit or reduction shall be given for the components pertaining to Wastewater Treatment Plants and Water Services, and;
 - (b) such amounts shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment.
- 3.15 Notwithstanding section 3.14, a full development charge credit (including Wastewater Treatment Plants and Water Services) will be provided for redevelopments where no additional residential units or non-residential gross floor area are created.

Rebated Components – Urban Service Area

- 3.16 Where a development charge is paid pursuant to this by-law for development located within the Urban Service Area and:
1. land is not within a plan, or pending plan of subdivision under section 51 of the *Planning Act* registered after September 10, 1973;
 2. there is no Municipal water service and/or Municipal wastewater service feasibly available within five hundred feet of the front lot line;
 3. no Municipal water service and/or Municipal wastewater service is scheduled to service the subject lands within five years of the date of approval of the building itself, and
 4. the current registered owner(s) of the land who applies within 24 months of the date of payment of the applicable development charge and provides proof that adequate private water and/or sanitary services, as the case may be, have been installed and are properly functioning so as to provide service to the subject lands satisfactory to the Director of Municipal Engineering Services.

The Treasurer of the Municipality shall rebate to the then current registered owner(s) the Municipal water services component and/or the Municipal wastewater service component of the development charge for the service(s) which is not available.

Timing of Payment of Development Charges

- 3.17 Development charges imposed under this by-law are calculated, payable, and collected on the date a building permit is issued in relation to the development; except for advance services (i.e. services related to a highway, wastewater and water services) where at the discretion of Council shall be payable immediately upon the owner entering into subdivision agreement or in instances where a plan of subdivision has not been pursued development charges are payable prior to the release of holding provisions on the implementing zoning by-law amendment.
- 3.18 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.
- 3.19 Notwithstanding section 3.17 and 3.18, development charges for rental housing and institutional developments are due and payable in 6 installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest as provided in the Municipality's Council approved Development Charge Interest Policy, payable on the anniversary date each year thereafter.
- 3.20 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 prescribed amount of time from the building permit issuance, the development charges under sections 3.17 and 3.19 shall be calculated based on the rates set out in Schedule "A" on the date the planning application was made, including interest as provided in the Municipality's Council approved Development Charge Interest Policy. Where both planning applications apply, Development Charges under sections 3.17 and 3.19 shall be calculated based on the rates, including interest as provided in the Municipality's Council approved Development Charge Interest Policy, set out in Schedule "A" on the date of the later planning application.
- 3.21 Despite sections 3.17, 3.19, and 3.20, Council from time to time, and at any time, may enter into agreements providing for all or any part of a development charge to be paid before or after it would otherwise be payable, in accordance with section 27 of the Act.

Development Charge Reductions

3.22 Notwithstanding the provisions of this by-law, development charges for rental housing developments will be reduced based on the number of bedrooms in each unit as follows:

1. Three or more bedrooms – 25% reduction;
2. Two bedrooms – 20% reduction; and
3. All other bedroom quantities – 15% reduction.

4. PAYMENT BY SERVICES

4.1 Despite the payment required under sections 3.12 and 3.13, Council may, by agreement, give a credit towards a development charge in exchange for work that relates to a service to which a development charge relates under this by-law.

5. INDEXING

5.1 Development charges imposed pursuant to this by-law shall be adjusted annually on January 1st, without amendment to this by-law, in accordance with the most recent available twelve month change in the Toronto series of the prescribed index in the Act (currently Statistics Canada Table 18-10-0276-02).

6. CONFLICTS

- 6.1 Where the Municipality and an owner or former owner have entered into an agreement with respect to land within the area to which this by-law applies, and a conflict exists between the provisions of this by-law and such agreement, the provisions of the agreement shall prevail to the extent that there is a conflict.
- 6.2 Notwithstanding section 6.1, where a development which is the subject of an agreement to which section 6.1 applies, is subsequently the subject of one or more of the actions described in subsection 3.4 (1), an additional development charge in respect of the development permitted by the action shall be calculated, payable and collected in accordance with the provisions of this by-law if the development has the effect of increasing the need for services, unless such agreement provides otherwise.

7. BY-LAW AMENDMENT OR REPEAL

- 7.1 Where this by-law or any development charge prescribed there under is amended or repealed by order of the Ontario Land Tribunal or by resolution of 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.
- 7.2 Refunds that are required to be paid under section 7.1 shall be paid to the registered owner of the land on the date on which the refund is paid.
- 7.3 Refunds that are required to be paid under section 7.1 shall be paid with interest to be calculated as follows:
1. interest shall be calculated from the date on which the overpayment was collected to the day on which the refund is paid;
 2. the refund shall include the interest owed under this section;
 3. interest shall be paid at the Bank of Canada rate in effect on the date of enactment of this by-law.

8. SEVERABILITY

- 8.1 In the event any provision, or part thereof, of this by-law is found, by a court of competent jurisdiction, to be ultra vires, such provision, or part thereof, shall be deemed to be severed, and the remaining portion of such provision and all other provisions of the by-law shall remain in full force and effect.

9. HEADINGS FOR REFERENCE ONLY

- 9.1 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.

10. SCHEDULES

- 10.1 The following schedules shall form part of this by-law:

Schedule A – Schedule of Development Charges
Schedule B – Urban Service Area (Map)

11. DATE BY-LAW IN FORCE

- 11.1 This By-law shall come into effect at 12:01 AM on November 6, 2024.

12. DATE BY-LAW EXPIRES

- 12.1 This By-law will expire at 12:01 AM on November 6, 2034 unless it is repealed by Council at an earlier date.

13. REPEAL FORMER DEVELOPMENT CHARGES BY-LAW

13.1 Upon the passing of this by-law, By-law 63/2019 being a By-law for the Imposition of Development Charges is hereby repealed.

BYLAW READ AND PASSED in open Council this 5th day of November, 2024.

Olena Hankivsky, Mayor

Shrishma Davé, Clerk



SCHEDULE "A" TO BY-LAW 68-2024

SCHEDULE OF DEVELOPMENT CHARGES

| Service/Class of Service | RESIDENTIAL | | | | | NON-RESIDENTIAL |
|--|-----------------------------------|------------------|---------------------------|-------------------------------------|-----------------------------|----------------------------------|
| | Single and Semi-Detached Dwelling | Other Multiples | Apartments - 2 Bedrooms + | Apartments - Bachelor and 1 Bedroom | Special Care Dwelling Units | (per sq.ft. of Gross Floor Area) |
| Municipal Wide Services/Class of Service: | | | | | | |
| Services Related to a Highway | \$ 9,103 | \$ 6,700 | \$ 6,661 | \$ 5,349 | \$ 4,333 | \$ 3.80 |
| Fire Protection Services | \$ 2,674 | \$ 1,968 | \$ 1,957 | \$ 1,571 | \$ 1,273 | \$ 1.11 |
| Parks and Recreation Services | \$ 3,944 | \$ 2,903 | \$ 2,886 | \$ 2,318 | \$ 1,877 | \$ 0.39 |
| Library Services | \$ 408 | \$ 300 | \$ 299 | \$ 240 | \$ 194 | \$ 0.04 |
| By-law Enforcement Services | \$ 7 | \$ 5 | \$ 5 | \$ 4 | \$ 3 | \$ - |
| Growth-related Studies | \$ 271 | \$ 199 | \$ 198 | \$ 159 | \$ 129 | \$ 0.11 |
| Total Municipal Wide Services/Class of Services | \$ 16,407 | \$ 12,075 | \$ 12,006 | \$ 9,641 | \$ 7,809 | \$ 5.45 |
| Area Specific Services (Urban Area) | | | | | | |
| Policing Services (P.H.P.S.) | \$ 786 | \$ 579 | \$ 575 | \$ 462 | \$ 374 | \$ 0.34 |
| Total Area Specific Services (Urban Area) | \$ 786 | \$ 579 | \$ 575 | \$ 462 | \$ 374 | \$ 0.34 |
| Urban Services | | | | | | |
| Wastewater | \$ 3,152 | \$ 2,320 | \$ 2,306 | \$ 1,852 | \$ 1,500 | \$ 0.82 |
| Wastewater Treatment Plants | \$ 7,321 | \$ 5,389 | \$ 5,357 | \$ 4,302 | \$ 3,485 | \$ 6.96 |
| Water Services | \$ 5,241 | \$ 3,858 | \$ 3,835 | \$ 3,080 | \$ 2,495 | \$ 4.98 |
| Total Urban Services | \$ 15,714 | \$ 11,567 | \$ 11,498 | \$ 9,234 | \$ 7,480 | \$ 12.76 |
| GRAND TOTAL RURAL AREA | \$ 16,407 | \$ 12,075 | \$ 12,006 | \$ 9,641 | \$ 7,809 | \$ 5.45 |
| GRAND TOTAL URBAN AREA | \$ 32,907 | \$ 24,221 | \$ 24,079 | \$ 19,337 | \$ 15,663 | \$ 18.55 |



**SCHEDULE "B" TO BY-LAW 68-2024
URBAN SERVICE AREA**

