

THE CORPORATION OF THE TOWN OF MONO

BY-LAW NUMBER 2024-28

A BYLAW FOR THE IMPOSITION OF DEVELOPMENT CHARGE

WHEREAS the Town of Mono will experience growth through development and re-development;

AND WHEREAS development and re-development requires the provision of physical and social services by the Town of Mono;

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 Town of Mono 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") 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 Mono has given notice of and held a public meeting on the 25th day of June, 2024 in accordance with the Act and the regulations thereto;

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;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF MONO ENACTS AS FOLLOWS:

1. INTERPRETATION

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

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

"Accessory Use" means that the building or structure is naturally and normally incidental to or subordinate in purpose or both, and exclusively devoted to a principal use, building or structure;

"Affordable Residential Unit" means a Residential Unit that meets the criteria set out in subsection 4.1 of the Act;

"Agricultural Use" means the growing of crops, including nursery, biomass, and horticulture crops; raising of livestock; raising of other animals for food, fur, or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry, maple syrup production; and associated on-farm buildings and structures, including but not limited to livestock facilities and manure storages, but excluding:

- a) A Residential Use;
- b) On-farm Diversified Uses;
- c) Cannabis Facilities; and
- d) A Greenhouse.

"Ancillary Residential Use" means a Residential Dwelling that would be ancillary to a Single Detached Dwelling, Semi-Detached Dwelling, or Row dwelling;

"Apartment Unit" means any residential unit within a building containing more than four dwelling units where the units are connected by an interior corridor, and include stacked townhouses;

"Assessment Act" means the *Assessment Act*, R.S.O. 1990, c. A.31, as amended or any successor thereto;

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

"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, that do not have rear yards;

"Bedroom" means a habitable room which can be used as sleeping quarters, but does not include a bathroom, living room, dining room or kitchen;

"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;

"Bona Fide Farm Uses" means the proposed development that 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;

"Building" means a permanent enclosed structure occupying an area greater than ten square metres (10 m²) and, notwithstanding the generality of the foregoing, includes, but is not limited to:

- a) An above-grade storage tank;
- b) An air-supported structure;
- c) An industrial tent;
- d) A roof-like structure over a gas-bar or service station; and
- e) An area attached to and ancillary to a retail development delineated by one or more walls or part walls, a roof-like structure, or any one or more of them.

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

"Cannabis" means:

- a) A Cannabis plant;
- b) Any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;

- c) Any substance or mixture of substances that contains or has on it any part of such a plant; and
- d) Any substance that is identical to any phytocannabinoid produce by, or found in, such a plant, regardless of how the substance was obtained.

“Cannabis Plant” means a plant that belongs to the genus “Cannabis;”

“Cannabis 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 licence, 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;

“Capital Cost” means costs incurred or proposed to be incurred by the municipality or a local board thereof directly or by others on behalf of and as authorized by the municipality or local board,

- a) to acquire land or an interest in land, including a leasehold interest;
- b) to improve land;
- c) to acquire, lease, construct or improve buildings and structures;
- d) to acquire, construct or improve facilities including;
 - i. furniture and equipment other than computer equipment;
 - ii. material acquired for circulation, reference or information purposes by a library board as defined in the *Public Libraries Act*, R.S.O. 1990, Chap. P.44, as amended, or any successor thereof; and
 - iii. rolling stock with an estimated useful life of seven years or more.

“Commercial” means any use of land, structures, or buildings for the purposes of buying or selling commodities and services, but does not include industrial or agricultural uses, but does include hotels, motels, motor inns and boarding, lodging and rooming houses;

“Council” means the Council of the Town of Mono;

“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 the effect of increasing the size of usability thereof, and includes redevelopment;

“Development Charge” means a charge imposed with respect to this By-law;

“Duplex” means a building that is divided horizontally into two dwelling units each of which has an independent entrance either directly or through a common vestibule.

“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;

"Education Act" means the *Education Act*, R.S.O. 1990, c. E.2, as amended or any successor thereto;

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

"Existing Industrial" means an Industrial Building or structure existing on a site as of the date this by-laws comes into effect, or the first building or structures constructed on a vacant site pursuant to site plan approval under section 41 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, or any successor thereof, subsequent to this by-law, for which full development charges were paid;

"Farm Building" means a building or structure associated with and located on land devoted to the practice of farming and that is used essentially for the housing of farm equipment or livestock or the production, storage or processing of agricultural and horticultural produce or feeds and as part of or in connection with a bona fide farming operation and includes barns, silos and other buildings or structures ancillary to that farming operation, including greenhouses, but excludes:

- a) a residential use, with the exception of a bunk house for seasonal farm workers required for that farm operation; and
- b) any building or portion thereof used or intended to be used for any other Non-Residential Use, including, but not limited to: retail sales; commercial services; restaurants; banquet facilities; hospitality and accommodation facilities; gift shops; contractors' shops; services related to grooming, boarding, or breeding of household pets; and alcohol and marijuana production facilities.

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

"Greenhouse" means the use of a building or structure for the growing of such items as flowers, bushes, shrubs, trees, plants, fruits, vegetables, and other types of nursery stock for wholesale or retail purposes. Such use may also include the retail sale of greenhouse products customarily, incidental, subordinate, and exclusively, devoted to the principal use, located on the same lot therein. A retail space accessory to a greenhouse shall have a maximum retail floor area of 75 square metres.

"Gross Floor Area" means:

- 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, except for:

- i. 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;
 - ii. outdoor loading facilities above 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, but does not include showrooms

“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;

“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 self- storage facilities.

“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*;
- d) as a memorial home, clubhouse, or athletic grounds by an Ontario branch of the Royal Canadian Legion; or
- e) as a hospice to provide end of life care.

“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;

“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;

“Local Services” means those services, facilities or things which are under the jurisdiction of the Town of Mono 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*, R.S.O. 1990, Chap. P.13, as amended, or any successor thereof;

“Mixed Use Development” means a building that is used, designed, and/or designated to be used for both residential and non-residential purposes, including, but not limited to a Live-work Unit;

“Municipality” means the Corporation of the Town of Mono;

“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*;

“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;

“Official Plan” means the Official Plan adopted for the Town, as amended, and approved;

“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 residential dwelling, and may include, but not be limited to, uses that produce value added agricultural products or provide a service that is supportive of regional agri-business.

“Other Multiple Dwellings” means all dwellings other than single-detached, semi-detached and apartment unit dwellings;

“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*, R.S.O. 1990, Chap. A.31, as amended, or any successor thereof;

“Rate” means the interest rate established weekly by the Bank of Canada based on Treasury Bills having a term of 91 days;

"Redevelopment" means the construction, erection or placing of one (1) 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;

"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 Dwelling" means a building, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, containing one or more dwelling units but not including motels, hotels, tents, truck campers, tourist trailers, mobile camper trailers or boarding, lodging or rooming houses;

"Residential Use" means the use of a building or structure or portion thereof for one or more dwelling units. This also includes a dwelling unit on land that is used for an agricultural use;

"Retirement Home" 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;

"Row 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;

"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 not other parts, attached or another dwelling unit where the residential unit are not connected by an interior corridor;

"Service" means a service designed in Schedule "A" to this By-law, and "services" shall have a corresponding meaning;

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

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

"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;

"Temporary Structure" means a building or structure constructed or erected or placed on land for a continuous period not exceeding eight months, or an

addition or alteration to a building or structure that has the effect of increasing the gross floor area thereof for a continuous period not exceeding eight months;

“Town” means the area within the geographic limits of the Town of Mono; and

“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.

“Zoning By-Law” means the Zoning By-Law of the Town of Mono, or any successor thereof passed pursuant to section 34 of the *Planning Act*, S.O. 1998.;

2. DESIGNATION OF SERVICES

2.1 The categories of services for which development charges are imposed under this By-law includes Service Related to a Highway, Fire Protection Services, Library Services, Policing Services, Parks and Recreation Services, and Provincial Offences Act Including By-law Enforcement.

2.2 The categories of class of services for which development charges are imposed under this By-law includes Growth-Related Studies.

2.3 The components of the services designated in subsections 2.1 and 2.2 are described in Schedule “A”.

3. APPLICATION OF BY-LAW RULES

3.1 Development charges shall be payable in the amounts set out in this By-law where:

- a) the lands are located in the area described in section 3.2; and
- b) the development of the lands requires any of the approvals set out in subsection 3.4 (a).

Area to Which By-law Applies

3.2 Subject to section 3.3, this By-law applies to all lands in the Town of Mono whether or not the land or use thereof is exempt from taxation under section 13 or the Assessment Act.

3.3 Notwithstanding clause 3.2 above, this by-law shall not apply to lands that are owned by and used for the purposes of:

- a) the municipality or a local board thereof; or
- b) a board of education.

Approvals for Development

3.4

- a) Development Charges shall be imposed on all lands, buildings or structures that are developed for residential or non-residential uses if the development requires:

- i. the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*;
 - ii. the approval of a minor variance under section 45 of the *Planning Act*;
 - iii. a conveyance of land to which a by-law passed under subsection 50 (7) of the *Planning Act* applies;
 - iv. the approval of a plan of subdivision under section 51 of the *Planning Act*;
 - v. a consent under section 53 of the *Planning Act*;
 - vi. the approval of a description under section 50 of the *Condominium Act*, R.S.O. 1990, Chap. C.26, as amended, or any successor thereof; or
 - vii. the issuing of a permit under the *Building Code Act* in relation to a building or structure.
- b) No more than one development charge for each service or class of services designated in sections 2.1 and 2.2 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 3.4 (a) are required before the lands, buildings or structures can be developed.
- c) Despite subsection 3.4 (b), if two or more of the actions described in subsection 3.4 (a) occur at different times, additional development charges shall be imposed if the subsequent action has the effect of increasing the need for services.

Exemptions

- 3.5 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to developments or portions of developments as follows:
- 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.

3.6 Exemption for Industrial Development

- a) Notwithstanding any other provision of this by-law, no development charge is payable with respect to an enlargement of the gross floor area of an existing industrial building where the gross floor area is enlarged by 50 percent or less.
- b) If the gross floor area of an existing industrial building is enlarged by greater than 50 percent, the amount of the development charge payable 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. notwithstanding section 3.9, if the Gross Floor Area is enlarged by more than 50 percent (50%), development charges shall be payable and collected and the amount payable shall be calculated in accordance with s.4(3) of the Act.
 - ii. that for greater certainty in applying the exemption in this section, the gross floor area of an Existing Industrial building is enlarged where there is a bona fide increase in the size of the Existing Industrial building, the enlarged area is attached to the Existing Industrial building, there is a direct means of ingress and egress from the Existing Industrial building to and from the enlarged areas for persons, goods, and equipment, and the Existing Industrial building and the enlarged area are used for or in connection with an industrial purpose as set out in subsection 1.1 of this by-law. Without limiting the generality of the foregoing, the exemption in this section shall not apply where the enlarged area is attached to the Existing Industrial building by means only of a tunnel, bridge, canopy, corridor, or other passageway, or through a shared below-grade connection such as a service tunnel, foundation, footing, or a parking facility
 - iii. in particular, for the purposes of applying this exemption, the industrial building is considered existing if it is built, occupied,

and assessed for property taxation at the time of the application respecting the enlargement

- iv. the exemption of an Existing Industrial building provided by this section shall be applied to a maximum of fifty percent (50%) of the gross floor area that was existing as of the effective date of this by-law, or based on the first building or structures constructed on a vacant site pursuant to site plan approval under section 41 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, or any successor thereof, subsequent to the effective date of this by-law, for which full development charges were paid.

3.7 Other Exemptions

- a) Notwithstanding the provision of this by-law, development charges shall not be imposed with respect to:
 - i. Land vested in or leased to a publicly assisted university where it is intended to be occupied and used by the university that receives direct, regular, and ongoing operating funds from the Government of Ontario for the purposes of post-secondary education if the development is intended to be occupied and used by the university;
 - ii. Non-profit Housing;
 - iii. Non-residential farm buildings constructed for bona fide farm uses; and
 - iv. Temporary uses as defined in this by-law.
 - v. Affordable residential units;
 - vi. Affordable inclusionary zoning units; or
 - vii. Attainable residential units.

Amount of Charges

Residential

- 3.8 The 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 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, and the residential portion for a Live-Work unit, according to the type of residential unit, and calculated with respect to the service according to the type of residential use.

Non-residential

- 3.9 The 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, and the non-residential portion for a Live-Work unit, 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

3.10 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 5 years 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:

- a) 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 3.8 by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and
- b) 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 3.9, by the gross floor area that has been or will be demolished or converted to another principal use;

provided that such amounts shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment.

Discounts for Rental Housing

3.11 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.

Time of Payment of Development Charges

3.12 Development charges shall be calculated and payable in money or by provision of service as may be agreed upon, or by credit granted under the Act, on the date that the first building permit is issued in relation to a building or structure on land to which the development charge applies.

3.13 Except as otherwise provided in this By-law, a building permit shall not be issued until the development charge has been paid in full.

3.14 Notwithstanding Subsections 3.12, 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, payable on the anniversary date each year thereafter.

3.15 Notwithstanding Subsections 3.12 through 3.14, where the development of land results from the approval of a Site Plan or Zoning By-law Amendment received and approved 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 subsections 3.8 and 3.9 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 3.8 and 3.9 shall be calculated on the rates set out in Schedule "B", on the date of the latter planning application, including interest at the prescribed rate.

3.16 Notwithstanding subsection 3.12 through 3.15, where the development of land results from the approval of a Site Plan or Zoning By-law Amendment received on or after January 1, 2020, where the approval of the application occurred on or after June 6, 2024, and the approval of the application occurred within 18 months of building permit issuance, the Development Charges under subsection 3.8 and 3.9 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 under subsections 3.8 and 3.9 shall be calculated on the rates set out in Schedule "B", on the date of the latter planning application, including interest, including interest at the prescribed rate.

3.17 Interest for the purposes of subsections 3.14 through 3.16 shall be determined as prescribed in the Development Charges Act, as amended from time to time.

3.18 Despite subsections 3.12, and 3.14 through 3.16, 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 the Act.

4. Payment by Services

4.1 Despite the payment required under subsections 3.8 and 3.9, 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 the anniversary date of the By-law without amendment to this By-law, in accordance with the most recent quarter of the prescribed index in the Act.

6. Schedules

6.1 The following schedules shall form part of this By-law:

Schedule "A" – Designated Town Services and Class of Services Under This By-law

Schedule "B" - Schedule of Development Charges

7. Conflicts

7.1 Where the Town 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.

7.2 Notwithstanding subsection 7.1, where a development which is the subject of an agreement to which subsection 7.1 applies, is subsequently the subject of one or more of the actions described in subsection 3.4 (a), 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.

8. Severability

8.1 If, for any reason, any provision of this By-law is held to be invalid, it is hereby declared to be the intention of Council that all the remainder of this By-law shall continue in full force and effect until repealed, re-enacted, amended or modified.

9. Date By-law In Force

9.1 This By-law shall come into effect on July 16, 2024, upon enactment by Council.

10. Date By-law Expires

10.1 This By-law will expire on July 16, 2034 unless it is repealed by Council at an earlier date.

BY-LAW GIVEN THE NECESSARY READING AND PASSED IN OPEN COUNCIL
THIS 16th DAY OF JULY 2024.


MAYOR


CLERK

SCHEDULE "A" TO BY-LAW
DESIGNATED TOWN SERVICES AND CLASS OF SERVICES UNDER THIS BY-LAW

Town-Wide Services:

1. Services Related to a Highway
2. Fire Protection Services
3. Policing Services
4. Parks and Recreation
5. Library Services
6. *Provincial Offences Act* including By-law Enforcement

Class of Services:

1. Growth-Related Studies.

**SCHEDULE "B" TO BY-LAW
SCHEDULE OF DEVELOPMENT CHARGES**

Services/Class of Services	RESIDENTIAL						NON-RESIDENTIAL
	Single/Semi-Detached Dwelling - 4+ Bedrooms	Single/Semi-Detached Dwelling - 3 Bedrooms	Single/Semi-Detached Dwelling - 2 or less Bedrooms	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	(per sq. ft. of Gross Floor Area)
Town-Wide Services							
Services Related to a Highway	22,641	17,364	11,175	19,513	14,633	7,274	10.19
Fire Protection Services	684	525	338	590	442	220	0.31
Policing Services	5	4	2	4	3	2	0.00
Parks and Recreation Services	10,735	8,233	5,299	9,252	6,938	3,449	3.33
Library Services	70	54	35	60	45	22	0.02
Provincial Offences Act including By-Law Enforcement	2	2	1	2	1	1	0.00
Total Town-Wide Services	\$34,137	\$26,182	\$16,850	\$29,421	\$22,062	\$10,968	\$13.85
Growth-Related Studies	644	494	318	555	416	207	0.25
Total Town-Wide Services/Class of Services	\$34,781	\$26,676	\$17,168	\$29,976	\$22,478	\$11,175	\$14.10