

The Corporation of The Township of Adjala-Tosorontio

By-Law No. 2026-027

A By-Law for the Imposition of Development Charges, and to Repeal By-law 21-84

WHEREAS the Corporation of the Township of Adjala-Tosorontio (the "Township") will experience growth through development and re-development;

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

AND WHEREAS Council desires to ensure that the capital cost of meeting growth- related demands or burden on municipal services does not place an excessive financial burden on the Township 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, S.O. 1997, c.27 (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 Council authorized a development charges background study by Hemson Consulting Limited, which study is dated March 24, 2026 and has been completed in accordance with the Act and approved by Council;

AND WHEREAS the Council of the Township has given notice of and held a public meeting on the 8th day of April 2026 and on May 13th, 2026 in accordance with Section 12 of the Act and the regulations thereto;

AND WHEREAS the Council of the Township of Adjala-Tosorontio determined that no further public meetings were required under section 12(3) of the Act;

AND WHEREAS the Council of the Township has given consideration of the use of more than one development charge By-law to reflect different needs for services in different areas, also known as area rating or area specific development charges, and has determined that for the services and associated infrastructure proposed to be funded by development charges under this By-law, that it is fair and reasonable that the charges be calculated on a municipal-wide uniform basis;

AND WHEREAS the Background Study includes a Cost of Growth Analysis that deals with all assets whose capital costs are intended to be funded under this By-law, and that such assets are considered to be financially sustainable over their full life-cycle;

AND WHEREAS the Council of the Township approved the asset management plan outlined in the Background Study and gave consideration to incorporate the asset management plan identified in the Background Study within the Township's ongoing practices and corporate asset management strategy.

NOW THEREFORE the Council of Township of Adjala-Tosorontio hereby ENACTS AS FOLLOWS:

SHORT TITLE

This By-law shall be known as the Development Charges By-law.

1. INTERPRETATION

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

"Act" means the Development Charges Act, S.O. 1997, c.27 as amended, or any successor thereof;

"apartment unit" means any residential unit within a building containing more than four dwelling units where the units are connected by an interior corridor. Despite the foregoing, an apartment includes Stacked Townhouse dwellings;

"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;

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

"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, and
 - (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, and
- (e) to undertake studies in connection with any matter under the Act and any of the matters in clauses (a) to (d) above, including the development charge background study required for the provision of services designated in this By-law within or outside the municipality, including interest on borrowing for those expenditures under clauses (a) to (e) above that are growth-related;

"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 Corporation of the Township of Adjala-Tosorontio;

"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;

"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;

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

"farm use" means that part of a bona fide farming operation encompassing barns, silos and other ancillary development to an agricultural use, but excluding residential use. Notwithstanding the foregoing, a farm building does not include retail sales activities including, but not limited to restaurants; banquet facilities; hospitality and accommodation facilities; gift shops; services related to grooming, boarding or breeding of household pets; and marijuana and alcohol processing or production facilities;

"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) loading facilities above or below grade; and
 - (iii) 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;

"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;

"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 Long-Term Care Homes Act, 2007;
- (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 1.16.3.1; 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.

"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 Township of Adjala-Tosorontio 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, R.S.O. 1990, Chap. P.13, as amended, or any successor thereof;

"multiple dwellings" means all dwellings other than single-detached, semi-detached and apartment unit dwellings;

"municipality" or "township" means the Corporation of the Township of Adjala-Tosorontio;

"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 Township, 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, 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;

"regulation" means any regulation made pursuant to the Act;

"rental housing development" 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 lands, buildings or structures or portions thereof used, or designed or intended for use as a home or residence of one or more individuals, and shall include a single detached dwelling, a semi-detached dwelling, a multiple dwelling, an apartment dwelling, and the residential portion of a mixed-use building or structure. This also includes a dwelling unit on land that is used for a farm use;

"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" or "services" 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" means row dwellings, one on top of each other

"Township" means the area within the geographic limits of the Township of Adjala-Tosorontio; and

"Zoning By-Law" means the Zoning By-Law of the Township of Adjala-Tosorontio, including the former Township of Adjala or any successor thereof passed pursuant to Section 34 of the Planning Act, R.S.O. 1990.

2. INTERPRETATION

- 2.1 The categories of services and classes of service for which development charges are imposed under this By-law are as follows:

Municipal-Wide

- (a) Fire Protection Services;
- (b) Parks and Recreation;
- (c) Police Services;
- (d) Services Related to a Highway;
- (e) Land Acquisition; and
- (f) Development-Related Studies

- 2.2 The components of the services and classes of service designated in Section 2.1 are described below in "Schedule A".

3. APPLICATION OF BY-LAW RULES

Development Charges Payable

- 3.1 Development charges shall be payable in the amounts set out in Schedule "B" to 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 Township of Adjala- Tosorontio whether or not the land or use thereof is exempt from taxation under s. 13 or the Assessment Act, R.S.O. 1990, c.A.31.
- 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;
 - (b) a board of education;
 - (c) the Corporation of the County of Simcoe or a local board thereof; or
 - (d) 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.

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 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 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 or increasing the need for services.

Exemptions

- 3.5 Notwithstanding the provisions of this By-law, development charges shall not be imposed with respect to approvals related to the residential development of land, buildings or structures that would have the effect only:
- (a) of permitting the enlargement of an existing dwelling unit; or
 - (b) of creating additional dwelling units in existing rental residential buildings, existing houses, or new residential buildings pursuant to subsections 2 (3.1), 2 (3.2) and 2 (3.3) of the Act.
- 3.6 In addition to the restrictions outlined in Subsection 3.5, for the purposes of the exemption for an additional residential unit in a building ancillary to a proposed new Single Detached, Semi-Detached or Row Townhouse Dwelling, the proposed new Single Detached, Semi-Detached or Row Townhouse Dwelling must be located on a parcel of land on which no other Single Detached, Semi- Detached or Row Townhouse dwelling is or would be located.
- 3.7 For the purposes of Subsection 3.5, "parcel of land" means a lot or block within a registered plan of subdivision or draft plan of subdivision or any land that may be legally conveyed under the exemption provided in clause 50 (3) (b) or clause 50 (5) (a) of the Planning Act.
- 3.8 Exemption for Industrial Development
- 3.8.1 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.

3.8.2 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:

- (a) determine the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement;
- (b) divide the amount determined under subsection 1) by the amount of the enlargement

3.8.3 For the purpose of Section 3.8 herein, "existing industrial building" is used as defined in the Regulation made pursuant to the Act.

3.8.4 The exemption for an existing industrial building provided by this section shall be applied to a maximum of fifty percent (50%) of the gross floor area before the first enlargement for which an exemption from the payment of development charges was granted pursuant to this By-law

3.9 Other Exemptions

Notwithstanding the provision of this by-law, development charges shall not be imposed with respect to:

- (a) 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.
- (b) The development of non-residential farm buildings constructed for bona-fide farm uses except for any building constructed to accommodate an On-Farm Business which shall be considered to be an industrial building.
- (c) Any vacant lot established prior to the effective date of the respective By-laws for the former Townships of Adjala and Tosoronto, i.e. Adjala By-law 91-43 on November 22nd 1991 and Tosoronto By-law 93-37 on September 7th, 1993, shall receive a credit equal to the levy paid under By-law 91-43 or By-law 93-97, indexed to current values in accordance with prescribed index under the Act. In no case shall the amount of the credit exceed the charge for a single detached dwelling unit at the time of building permit issuance.

- (d) Long-term care home development as defined in subsection 2 (1) of the *Fixing Long-Term Care Home Act, 2021*;
- (e) Affordable housing as defined by subsection 4.1 (1) of the Act;
- (f) Non-profit housing as defined by subsection 4.2 (1) of the Act.

3.10 Rental Housing Development

Development charges payable for Rental Housing Developments, where all of the Dwelling Units are intended to be used as rented residential premises, shall be reduced based on the number of bedrooms in each Dwelling Unit as follows:

- (a) 3 or more bedrooms – 25% reduction.
- (b) 2 bedrooms – 20% reduction; and
- (c) all other quantities of bedrooms – 15% reduction.

Amount of Charges

Residential

- 3.11 The 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, 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

- 3.12 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 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

- 3.13 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:

- (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 subsection 3.11 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 subsection 3.12, 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.

Time of Payment of Development Charges

- 3.14 The total amount of development charges shall be calculated and be payable pursuant to this Bylaw, in accordance with Section 26, Section 26.1, and Section 26.2 of the Act.
- 3.15 Where Section 26.1 and Section 26.2 of the Act do not apply, the total amount of development charges shall be calculated and be payable pursuant to this Bylaw as of the date the first building permit is issued.
- 3.16 Notwithstanding Sections 3.14 and 3.15 above, 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.

Interest Payments

- 3.17 Where subsections 26.2(1) (a) or (b) of the Act applies, the Township may charge interest on the development charge from the date of the application referred to in the applicable clause to the date the development charge is payable under subsection 26.2(3) of the Act.

- 3.18 The Township may determine, by Council resolution or policy external to this Bylaw, interest rates in relation to subsection 3.17 of this Bylaw but will not exceed the maximum permissible rate outlined in the *DCA*.

4. PAYMENT BY SERVICES

- 4.1 Despite the payment required under subsections 3.11 and 3.12 above, 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, without amendment to this By-law, on January 1st, in accordance with the prescribed index in the Act.

6. SCHEDULES

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

Schedule "A" - Components of Services Designated in Section 2.1

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

7. CONFLICTS

- 7.1 Where the Township 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 section 7.1, where a development which is the subject of an agreement to which section 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 force and effect on June 10, 2026.
- 9.2 Nothing herein shall restrict the ability of Council to amend this By-law as it deems appropriate from time to time.

10. EXISTING BY-LAW REPEALED

- 10.1 That By-law 21-84 is hereby repealed as of the date and time of this By-law coming into effect.

11. REFERENCE

- 11.1 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.

ENACTMENT

THAT the provisions of this By-law shall take full force and effect with the passing hereof.

THAT notwithstanding anything contrary to the rules of procedure, this By-law be introduced and read a first and second time and be considered read a third time and finally passed this 10th day of June, 2026.



Scott W. Anderson, Mayor



Robin Reid, Clerk

SCHEDULE “A” TO BY-LAW 2026-027

COMPONENTS OF SERVICES DESIGNATED IN SUBSECTION 2.1

Township-wide Services

- Fire Protection Services
- Parks and Recreation
- Police Services
- Services Related to a Highway:
 - Public Works (Road Operations)
 - Roads and Related
- Land Acquisition
- Development Related Studies

SCHEDULE "B" TO BY-LAW 2026-027

SCHEDULE OF DEVELOPMENT CHARGES

Service	Residential				Non-Residential (per Sq. M of Gross Floor Area)
	Single and Semi- Detached Dwelling	Other Multiples	Apartment – 2 Bedrooms +	Apartment – Bachelor and 1 Bedroom	
Fire Protection Services	\$11,404	\$8,904	\$5,993	\$4,178	\$44.06
Parks & Recreation	\$3,439	\$2,685	\$1,807	\$1,260	\$0.00
Police Services	\$13	\$10	\$7	\$5	\$0.05
Development-Related Studies	\$625	\$488	\$328	\$229	\$2.41
Land Acquisition	\$1,561	\$1,219	\$820	\$572	\$2.45
Services Related To A Highway	\$6,845	\$5,344	\$3,597	\$2,508	\$26.64
TOTAL	\$23,887	\$18,650	\$12,552	\$8,752	\$75.61