The Corporation of the Town of Fort Erie
By-law 22-2024

Being a By-Law to Establish Development Charges for Water, Wastewater and Storm Services in The Town of Fort Erie

Whereas subsection 2(1) of the *Development Charges Act, 1997*, c. 27 (hereinafter called "the Act") provides that the council of a municipality may pass by-laws for the imposition of development charges against land for increased capital costs required because of the needs for services arising from development of the area to which the by-law applies; and

Whereas the Council of The Corporation of the Town of Fort Erie ("Town of Fort Erie") has given Notice in accordance with Section 12 of the *Act* of its intention to pass a by-law under Section 2 of the said Act; and

Whereas the Council of the Town of Fort Erie received a report entitled Development Charges Background Study dated November 21, 2023 prepared by Hemson Consulting Ltd., wherein it was indicated that the development of any land within the Town of Fort Erie will increase the need for services as defined herein; and

Whereas copies of the Development Charges Background Study were made available on November 22, 2023 and copies of the proposed Development Charges by-laws were made available on November 27, 2023 to the public in accordance with Section 12 of the *Act*; and

Whereas the Council of the Town of Fort Erie on January 29, 2024 approved the Development Charges Background Study, dated November 21, 2023, as amended (the "Study"), in which recommendations were made relating to the establishment of a development charge policy for the Town of Fort Erie pursuant to the *Act*; and

Whereas the Council of the Town of Fort Erie heard all persons who applied to be heard no matter whether in objection to, or in support of, the proposed development charges at a Public Meeting held on December 11, 2023; and

Whereas Council of the Town of Fort Erie on January 29, 2024 determined that the increase in the need for services attributable to the anticipated development as contemplated in the Study, including any capital costs, will be met by updating the annual capital budget and forecast for the Town of Fort Erie, where appropriate; and

Whereas Council of the Town of Fort Erie on January 29, 2024 approved the Study and determined that no further public meetings were required under Section 12 of the Act; and

Whereas Council of the Town of Fort Erie on January 29, 2024 determined that the future excess capacity identified in the Study, shall be paid for by the development charges contemplated in the said Study, or other similar charges; and

Whereas the Council of the Town of Fort Erie 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 Study dated November 21,2023 as amended includes an Asset Management Plan that deals with all assets whose capital costs are intended to be funded under the Development Charge By-law and that such assets are considered to be financially sustainable over their full life-cycle; and

Whereas the Council of the Town of Fort Erie will give consideration to incorporating the Asset Management Plan outlined in the Study within the Town of Fort Erie's ongoing practices and Corporate Asset Management Plan; and

Now therefore the Municipal Council of the Town of Fort Erie enacts as follows:

1.0 DEFINITIONS

1.1 In this by-law,

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

"**accessory use**" means a use customarily incidental and exclusively devoted to the main use and located on the same lot therewith;

"agricultural use" means use or intended use for bona fide farming purposes including (but not limited to):

(a) cultivation of crops, whether on open land or in greenhouses, including (but not limited to) fruit, vegetables, herbs, grains, field crops, marijuana, sod, trees, shrubs, flowers, and ornamental plants;
(b) raising of animals, including (but not limited to) cattle, horses, pigs, poultry, livestock, fish; and
(c) agricultural animal husbandry, dairying, equestrian activities, horticulture, fallowing, pasturing, and market gardening;
(d) but excludes any portion used for residential, commercial or industrial use;

"apartment" means any residential dwelling unit within a building containing four or more dwelling units where the residential units are connected by an interior corridor and including units defined as a Stacked Townhouse or Special Care Dwelling Units;

"**bedroom**" means a room which can be used as sleeping quarters but does not include a kitchen, bathroom, living room or dining room, but does include a den or study or similar;

"back-to-back townhouse dwelling" means a building containing more than two dwelling units separated vertically by a common wall, including a rear common wall, that do not have rear yards;

"**Board of Education**" means a board defined in subsection 1(1) of the *Education Act*, R.S.O. 1990, c. E. 2 as amended, or any successor thereto;

"Building Code Act" means the *Building Code Act*, 1992, S.O. 1992, c. 23 as amended, or any successor thereto;

"**brownfield sites"** means abandoned, vacant, derelict, idled or underutilized property in the urban area of the Town of Fort Erie with an active potential for redevelopment, where redevelopment is complicated by real or perceived environmental contamination. Brownfields are also often characterized by building deterioration/obsolescence, and/or inadequate infrastructure. Brownfields can include many uses such as old landfills and abandoned factories to dry cleaners and former gasoline stations. Most brownfields are located in urban areas and many are located in key areas such as the downtown or along the waterfront;

"**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, as set out in Section 5 of the *Act*;

"**commercial**" means any building or structure used, designed or intended for use for or in connection with the purchase and/or sale and/or rental of commodities; the provision of services for a fee; or the operation of a business office, including but not limited to:

(a) Accommodations including but not limited to hotels and motels;
(b) personal or self-storage facilities;
(c) Wholesale trade;
(d) Retail trade;
(e) Auto repair shops; Car sales/dealers;
(f) Food Services; and
(g) Parking structures not used exclusively by a residential structure;

"development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes redevelopment; notwithstanding the foregoing, development does not include temporary structures, including but not limited to, seasonal hoop structures, seasonal fabric structures and tents erected for six consecutive months or less;

"**development charge**" means a charge imposed pursuant to this By-law;

"**dwelling unit**" means a suite of habitable rooms which:
(a) is located in a building;
(b) is used or intended to be used in common by one or more persons as a single, independent and separate housekeeping establishment;
(c) contains food preparation and sanitary facilities provided for the exclusive common use of the occupants thereof; and
(d) has a private entrance directly from outside the building or from a common hallway or stairway inside the building;

"**existing industrial building"** has the same meaning as in O.Reg. 82/98, as amended;

"farm help house" means a dwelling unit constructed on agricultural land used for agricultural uses and not attached to any other building or structure, with sleeping, cooking, living and sanitary facilities, and used for seasonal, interim or occasional residential uses by farm labourers;

"**gross floor area**" means the total floor area, measured between the outside of exterior walls, virtual walls or between the outside of exterior walls or virtual walls and the centre line of party walls dividing the building from another building, of all floors and mezzanines, above and below the average level of finished ground adjoining the building at its exterior walls

"**industrial**" means land, buildings or structures used for or in connection with manufacturing by:
(a) manufacturing, producing, and processing goods for a commercial purpose, as well as storing and/or distribution of goods associated with an industrial operation;
(b) research or development in connection with manufacturing, producing or processing good for a commercial purpose;
(c) retail sales by a manufacturer, producer or processor of goods they manufactured, produced or processed, if the retail sales are at the site where the manufacturing, production or processing takes place;
(d) office or administrative purposes, if it is: carried out with respect to manufacturing, producing, processing, storage or distributing of something; and in or attached to the building or structure used for that manufacturing, producing, processing, storage or distribution;

"**institutional development"** means development of a building or structure intended for institutional development use as defined by O. Reg. 82/98.

"local board" has the same meaning as in the Act;

"**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, c. P. 13 as amended, or any successor thereto;

"marijuana production facilities" means a building used, designed or intended for

growing, producing, testing, destroying, storing or distribution of marijuana or cannabis and does not include retail sales;

"**mobile home**" means any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, notwithstanding that such vehicle is jacked up or that its running gear is removed, but not including any vehicle used or intended for the living, sleeping, or eating accommodation of persons therein for permanent year-round use;

"mixed-use building" means a building or structure used for both residential and non-residential use

"**multiple dwelling"** means a residential building consisting of three or more dwelling units where units may be attached by a vertical wall or walls. Multiple dwelling units refer to all dwellings units other than single detached dwellings, semis and apartments and may include but is not limited to townhouses, street townhouses, rowhouse, back-to-back townhouses, and duplexes;

"**Municipality**" means The Corporation of the Town of Fort Erie;

"non-profit housing development" means the development of a building or structure intended for use as a residential premises, as defined by the Development Charges Act and any amended thereof, and developed by,

(a) a corporation to which the Not-for-Profit Corporations Act, 2010 applies, that is in good standing under that Act and whose primary object is to provide housing,
(b) a corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing, or
(c) a non-profit housing co-operative that is in good standing under the Co-operative Corporations Act. 2022, c. 21, Sched. 3, s. 4.

"**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 and includes all commercial, industrial and institutional uses;

"owner" means any person whose interest in a parcel of land is registered on title in the appropriate Land Registry Office;

"place of worship" means any building or part thereof that is owned by a church or religious organization that is exempt from taxation as a place of worship pursuant to the Assessment Act, R.S.O. 1990, c A.31 as amended, but excludes a residential use;

"private school" means an educational institution, excluding any dormitory or residence accessory to such private school, that is used primarily for the instruction of students in courses of study approved or authorized by the Minister of Education;

"Regulation" means O. Reg. 82/98; as amended, or a successor thereto, made under the Development Charges Act, 1997;

"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 lands, buildings or structures of any kind whatsoever used, designed or intended to be used as living accommodations for one or more individuals but does not include a room or suite of rooms in hotels or motels;

"semi-detached dwelling" means a residential building containing two dwelling units separated by vertical division, each of which units has a separate entrance to grade;

"services" (or "service") means those services set out in section 2.0 to this By-law;

"servicing agreement" means an agreement entered into in connection with the development of land including an agreement under Section 51 or Section 53 of the Planning Act, but not including an agreement under Section 41 of the Planning Act;

"single-detached dwelling" means a dwelling unit which is freestanding, separate and detached from other main buildings or main structures;

"site" means a parcel of land which can be legally conveyed pursuant to Section 50 of the Planning Act and includes a development having two or more lots consolidated under identical ownership;

"special care dwelling unit" means a residential use or the residential portion of a mixed-use building that has a common entrance at street level, where such units may or may not have exclusive use of sanitary or culinary facilities, or both and which occupants have the right to use, in common, hallways, stairs, yards, common rooms and where support services such as meal preparation, grocery shopping, laundry, housekeeping, nursing, respite care and attendant services may be provided as appropriate to occupants and includes but is not limited to retirement homes, senior living accommodations and group homes;;

"stacked townhouse" means a residential building containing four (4) or more dwelling units which are horizontally and vertically separated with dwelling units entirely or partially above another and where each dwelling unit egresses directly outside to grade (no egress to a common corridor) and for the purposes of this by-law are defined as Apartment Units.

2.0 DESIGNATION OF SERVICES

2.1 The categories of services for which development charges are imposed under this by-law are as follows:

(a) storm water drainage and control services;
(b) wastewater services, if available; and
(c) water supply service, if available.

3.0 APPLICATION OF DEVELOPMENT CHARGES

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 Subsection 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 Subsection 3.3, this by-law applies to all lands in the geographic area of the Town of Fort Erie whether or not the land or the use of the land is exempt from taxation under Section 3 of the *Assessment Act*.

(a) The Development Charges described in Schedule "A" to this By-law shall be calculated and collected on all lands in the geographic area of the Town of Fort Erie.

3.3 This By-law shall not apply to development of lands that are owned by and used for the purposes of:

(a) The Corporation of the Town of Fort Erie or a local board thereof;

(b) a Board of Education;

(c) The Regional Municipality of Niagara or a local board thereof;

(d) the Niagara Peninsula Conservation Authority;

(e) the Crown in right of Ontario or the Crown in right of Canada;

(f) the Niagara Parks Commission.

(a) This By-law shall not apply to development of lands that are leased by the Niagara Parks Commission.

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 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 9 of the *Condominium Act*, *1998*, S.O. 1998, c. 19 as amended, or any successor hereto; 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 Subsection 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 of increasing the need for services.

Statutory Exemptions for Intensification of Housing

3.5 (a) Notwithstanding the provisions of this By-law, and in accordance with sections 2(3), 2(3.1), 2(3.2) and 2(3.2) of the Act and any amendments thereof, development charges shall not be imposed with respect to:

(i) the enlargement of an existing residential dwelling unit;

(ii) the creation of additional dwelling units equal to the greater of one or 1% of the existing dwelling units in an existing residential rental building containing four or more dwelling units or prescribed ancillary structure to the existing residential building;

(iii) the creation of the following as it relates to the creation of additional residential dwelling units in existing residential buildings:

• A second residential unit in an existing single-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 single-detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit.
• A third residential unit in an existing single-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
• One residential unit in a building or structure ancillary to an existing single-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

(iv) the creation of the following as it relates to the creation of additional residential dwelling units in new residential buildings:

• A second residential unit in a new single-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 single-detached house, semi-detached house or rowhouse cumulatively will contain no more than one residential unit.
• A third residential unit in a new single-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 single-detached house, semi-detached house or rowhouse contains any residential units.
• One residential unit in a building or structure ancillary to a new single-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 single-detached house, semi-detached house or rowhouse contains any residential units.

Statutory Exemption for Industrial Expansion

3.7 (a) Pursuant to the Act, and notwithstanding any other provision of this By-law, there shall be an exemption from the payment of development charges for one or more enlargements of existing industrial buildings on a site, up to a maximum of 50% of the gross floor area before the first enlargement for which an exemption from the payment of development charges was granted pursuant to the Act or this section. The development need not be an attached addition or expansion of an existing industrial building, but rather may be a new standalone structure, provided it is located on the same parcel of land. Development charges shall be imposed in accordance with this By-law with respect to the amount of floor area of an enlargement that results in the gross floor area of the industrial building on the site being increased by greater than 50% of the gross floor area of all the existing industrial buildings on the site.

(b) If the gross floor area is enlarged by more than 50%, the amount of the development charge in respect of the enlargement is the amount of the development charge that would otherwise be payable multiplied by the fraction determined as follows:

(i) Determine the amount by which the enlargement exceeds 50% of the gross floor area before the enlargement;

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

Other Statutory Exemptions and Discounts

3.8 Notwithstanding the provisions of this By-law, and in accordance with the Act, development charges shall not be imposed with respect to:

(a) Non-profit housing development;

(b) Inclusion zoning 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;*

3.9 The following designated categories of uses are subject to discounted development charges, as per the Act, as noted below:

(a) notwithstanding the table of development charges set out in Schedule “A”, in the case of rental housing development, the development charge for a residential unit intended for use as a rental residential premises with three or more bedrooms shall be reduced by 25%;

(b) notwithstanding the table of development charges set out in Schedule “A”, in the case of rental housing development, the development charge for a residential unit intended for use as a rental residential premises with two bedrooms shall be reduced by 20%;

(c) notwithstanding the table of development charges set out in Schedule “A”, in the case of rental housing development, the development charge for a residential unit intended for use as a rental residential premises not referred to in subsection (a) or (b) above shall be reduced by 15%.

Discretionary Exemptions

3.10 Notwithstanding the provisions of this By-law, development charges shall not be imposed with respect to:

(a) lands, buildings or structures used or to be used for the purposes of a cemetery or burial ground exempt from taxation under the Assessment Act;

(b) places of worship;

(c) agricultural uses;

(d) commercial space associated with agricultural uses up to a maximum size of 500 square feet;

(e) private schools;

(f) universities or colleges including residential buildings owned and operated by universities or colleges;

(g) buildings and structure uses as Hospitals as governed by the *Public Hospitals Act,* RSO 1990;

(h) development occurring within the boundaries of the core areas as set out in Schedules “B”, “C” “D”, “E” and “F” to this By-law;

(i) Properties subject to eligibility in the Brownfield Development Charge Exemption Program as outlined in the adopted and inforce CIP By-law.

(j) lands and buildings used or intended to be used as municipal housing project facilities, as set out in section 110 of the Municipal Act, 2001, S.O. 2001 c. 25, O.Reg.603/06 under the Municipal Act 2001, and the Region’s Municipal Housing Facility By-law, all as may be amended;

Rules with Respect to Redevelopment – Demolitions

3.11 (a) If a building permit is issued in respect of a parcel of land upon which a building/structure existed within five years prior to the date of issuance, then the amount of the development charges payable shall be difference between the development charges for the building/structure constructed and the development charges for the building/structure demolished or destroyed. This calculation is based on the development charge rates as of the date the charges are calculated and payable for the new building/structure.

(b) If, at the time of payment of development charges in respect of a parcel of land, the owner of the said land provides written notification of his/her intention to demolish (within five years) a building/structure existing on that parcel at the time of such payment, within five years after such payment, that such building/structure on such parcel has indeed been so demolished (and the particulars of such demolished building/structure), the Town shall refund (without interest) to such owner a reduction in the development charges paid, which reduction is the amount, calculated pursuant to this By-law or a predecessor By-law of the Town, of the development charge rates in effect at the time of such payment, that would have been payable as development charges in respect of the building/structure demolished, provided that such reduction shall not exceed the development charges actually paid.

(c) Where demolition takes place on a brownfield or an archaeological site, the

conditions in section 3.11 (a) and (b) apply. However, an application may be made to the Treasurer for an extension of time for the redevelopment credit of up to three additional years if the redevelopment has not been able to proceed due to delays in completing the remediation works. This application must be received prior to the expiry of the initial five-year period as provided in section 3.11 (a) of this By-law. This application will be considered by Council prior to any approval.

(d) Any demolition credit which exceeds the identified time period in sections 3.11 (a), (b) and (c) during the period from March 1, 2020 to December 31, 2023 can apply to the Treasurer for an extension of the time for the redevelopment credit up to two years additional years.

(e) Notwithstanding section 3.11 (a), (b), (c) and (d), no development charge credit for demolition shall be provided for a development that is exempt from payment of development charges under sections 3.5 to 3.10 of this by-law.

Rules With Respect to Redevelopment – Conversions

3.12 (a) If a development includes the conversion of a building/structure or part of a building/structure from one use (the “first use”) to another use, then the amount of development charges payable shall be reduced by the amount, calculated pursuant to this by-law at the current development charge rates, that would be payable as development charges in respect of the first use, provided that such reduction does not exceed the development charges otherwise payable.

(e) Notwithstanding section 3.12 (a), no development charge credit for conversion shall be provided for a development that is exempt from payment of development charges under sections 3.5 to 3.10 of this by-law.

4.0 CALCULATION OF DEVELOPMENT CHARGES

Residential Uses

4.1 The development charges described 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 Uses

4.2 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 gross floor area of the non-residential use.

Time of Payment of Development Charges

4.3 Development charges shall be calculated, payable and collected as of the date a /building permit is issued in respect of each dwelling unit, building or structure.

4.4 Not withstanding section 4.3 of this by-law, the amount of development charge will be determined in accordance with Section 26, 26.1 and 26.2 of the Act, prior to issuance of the building permit or revision to building permit;

4.5 Notwithstanding section 4.3 and 4.4 of this by-law, development charges for Rental Housing and Institutional Developments in accordance with Section 26.1 of the Act, are due inclusive of interest established from the date the development charge would have been payable in accordance with section 26 of the Act, in 6 equal annual payments beginning on the date that is the earlier of:

(i) the date of the issuance of a permit under the Building Code Act, 1992 authorizing occupation of the building; and

(ii) the date the building is first occupied and continuing on the following five anniversaries of that date.

4.6 Not withstanding section 4.3, 4.4 and 4.5 of this by-law, the Town may enter into an agreement with any person in accordance with section 27 of the Act to pay a development charge providing for all or part of the development charge to be paid before or after the time it would otherwise be payable.

4.7 Where any Development Charge, or part thereof, remain unpaid after the due date, the amount unpaid shall be added to the tax roll and shall be collected in like manner as taxes.

4.8 Where any unpaid Development Charges are collected as taxes under Subsection 4.7 the monies so collected shall be credited to the Development Charges reserve fund or funds.

4.9 Despite the payments required under section 4.0 of this by-law, Council may, by agreement, give a credit towards a development charge in exchange for work that relates to a service for which a development charge is imposed under this By-law.

4.10 If construction has not begun after 24 months from the date of issuance of a building permit (conditional or full), the applicable development charges will be recalculated in accordance with the rate in effect at that time.

5.0 INDEXING

5.1 Development charges imposed pursuant to this By-law as set out in Schedule “A” shall be adjusted annually, without amendment to this By-law, in accordance with the Statistics Canada Quarterly Construction Price Statistics (catalogue number 62-007) as follows:

(a) The initial adjustment shall be January 1, 2025, and

(b) Thereafter, adjustment shall be made on January 1 of each year.

5.2 For greater certainty, on January 1 of each year, the annual indexation adjustment shall be applied to the development charge as set out in Schedule “A” plus the accumulated annual indexation adjustment from previous years if any.

6.0 PHASE-IN OF DEVELOPMENT CHARGES AND TRANSITION PROVISIONS

6.1 Development charges shall be phased in accordance with the requirements of the Act.

7.0 RESERVE FUNDS

7.1 Development charge payments received by the Municipality pursuant to this By-law shall be maintained in a separate reserve fund or funds for each service to which the development charge relates and shall be spent only for the capital costs determined under paragraphs 2 to 8 of Subsection 5(1) of the Act.

8.0 INTEREST

8.1 The Municipality shall pay interest on a refund under Subsection 18(3), and 25(2) of the Act at a rate equal to the Bank of Canada rate on the date this By-law comes into force.

9.0 FRONT ENDING AGREEMENTS

9.1 The Municipality may enter into agreements with an owner or owners of land in accordance with Section 44 of the Act.

10.0 SCHEDULES

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

Schedule “A” - Residential and Non-Residential Development Charges

Schedule “B” to Schedule “F” – Core Areas for Exemption

11.0 SERVICES INSTALLED PURSUANT TO THE PLANNING ACT

11.1 Nothing in this by-law prevents Council from requiring, as a condition of approval under Sections 41, 51 or 53 of the *Planning Act* that an owner, at his or her own

expense, install such local services as Council may require, or that the owner pay for local connections to watermains, sanitary sewers and storm drainage facilities installed at the owner's expense.

12.0 DATE BY-LAW IN FORCE

12.1 This By-law shall come into force upon its final passage thereof.

13.0 DATE BY-LAW EXPIRES

13.1 This By-law shall expire ten years from the date of passage, unless it is repealed at an earlier date.

14.0 CORRECTIONS

14.1 The Clerk of the Town is authorized to effect any minor modifications, corrections or omissions solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 26 day of February 2024.

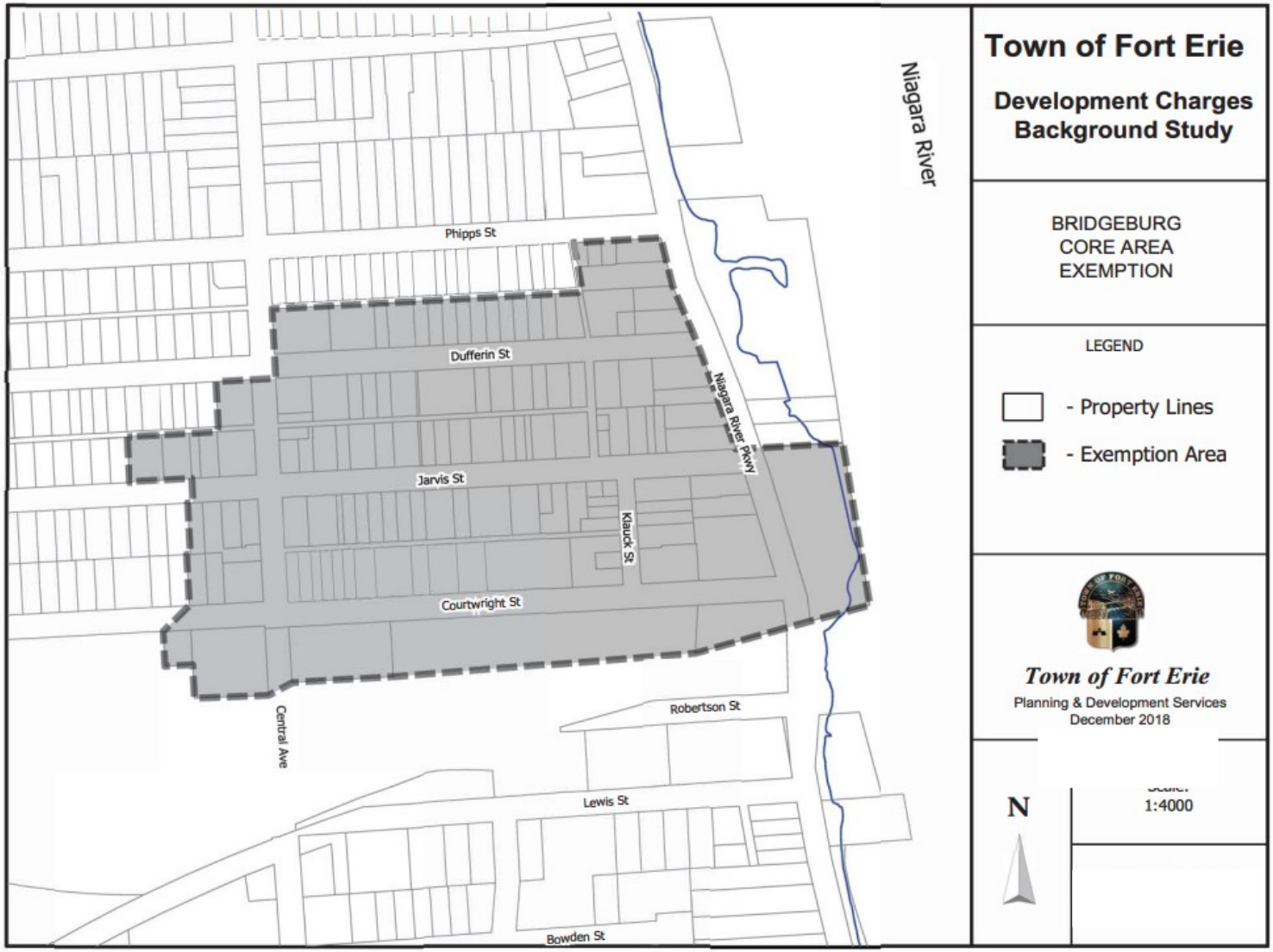
_____
Mayor

_____
Clerk

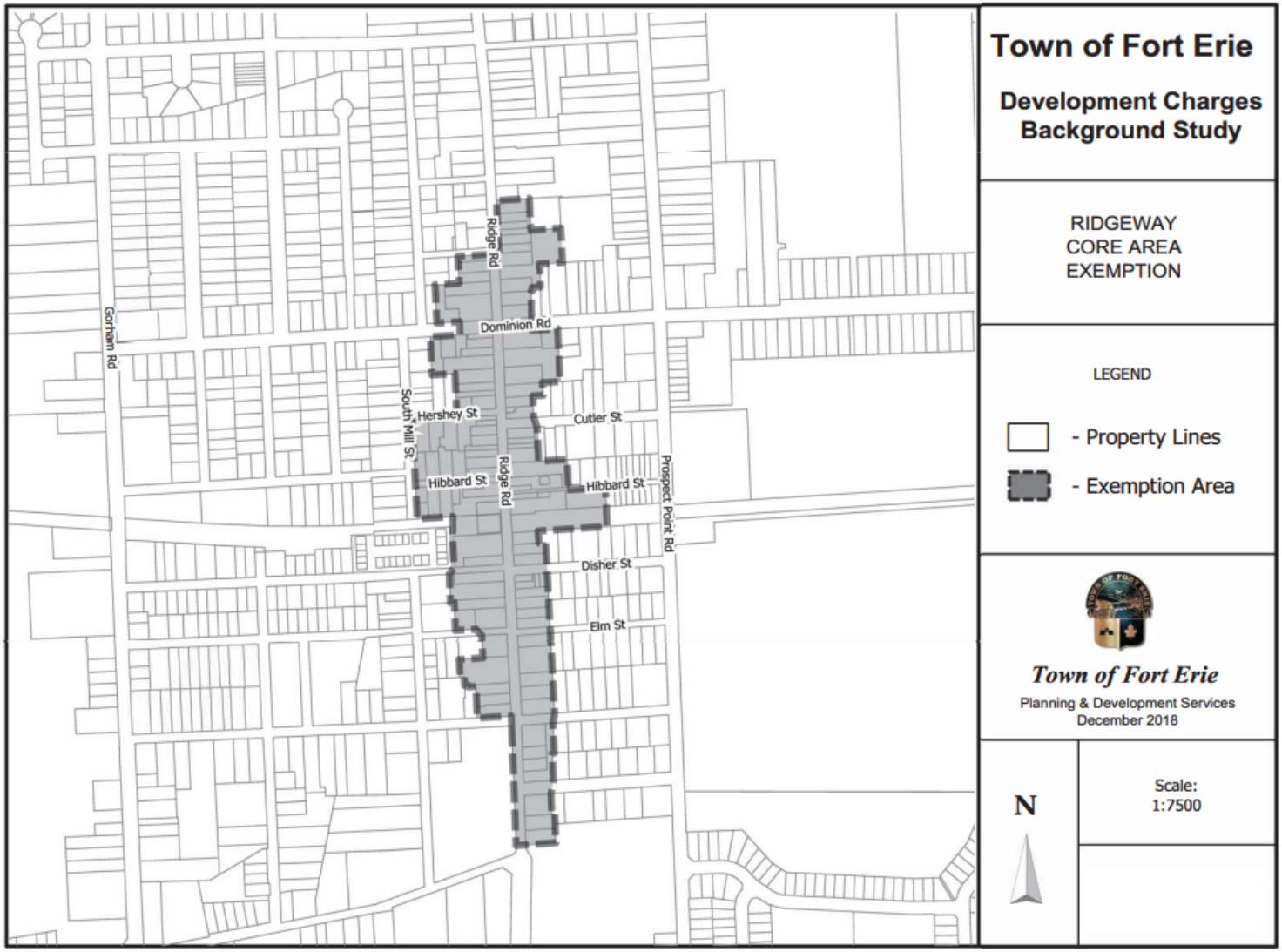
Schedule "A"
TO BY-LAW 22-2024
FULLY CALCULATED RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT CHARGES

Service	Residential Charge By Unit Type				Non-Residential Charge per Square Metre
	Single-Detached & Semi-Detached Dwellings	Multiple Dwelling	Apartments 2+ Bedrooms	Apartments Bachelor or 1 Bedroom	
Storm Water Drainage And Control Services	$8,796	$6,383	$5,866	$3,795	$42.99
Wastewater Services	$10,228	$7,422	$6,821	$4,415	$50.02
Water Supply Services	$2,256	$1,637	$1,504	$973	$11.03
Total Charge	**$21,280**	**$15,442**	**$14,191**	**$9,183**	**$104.03**

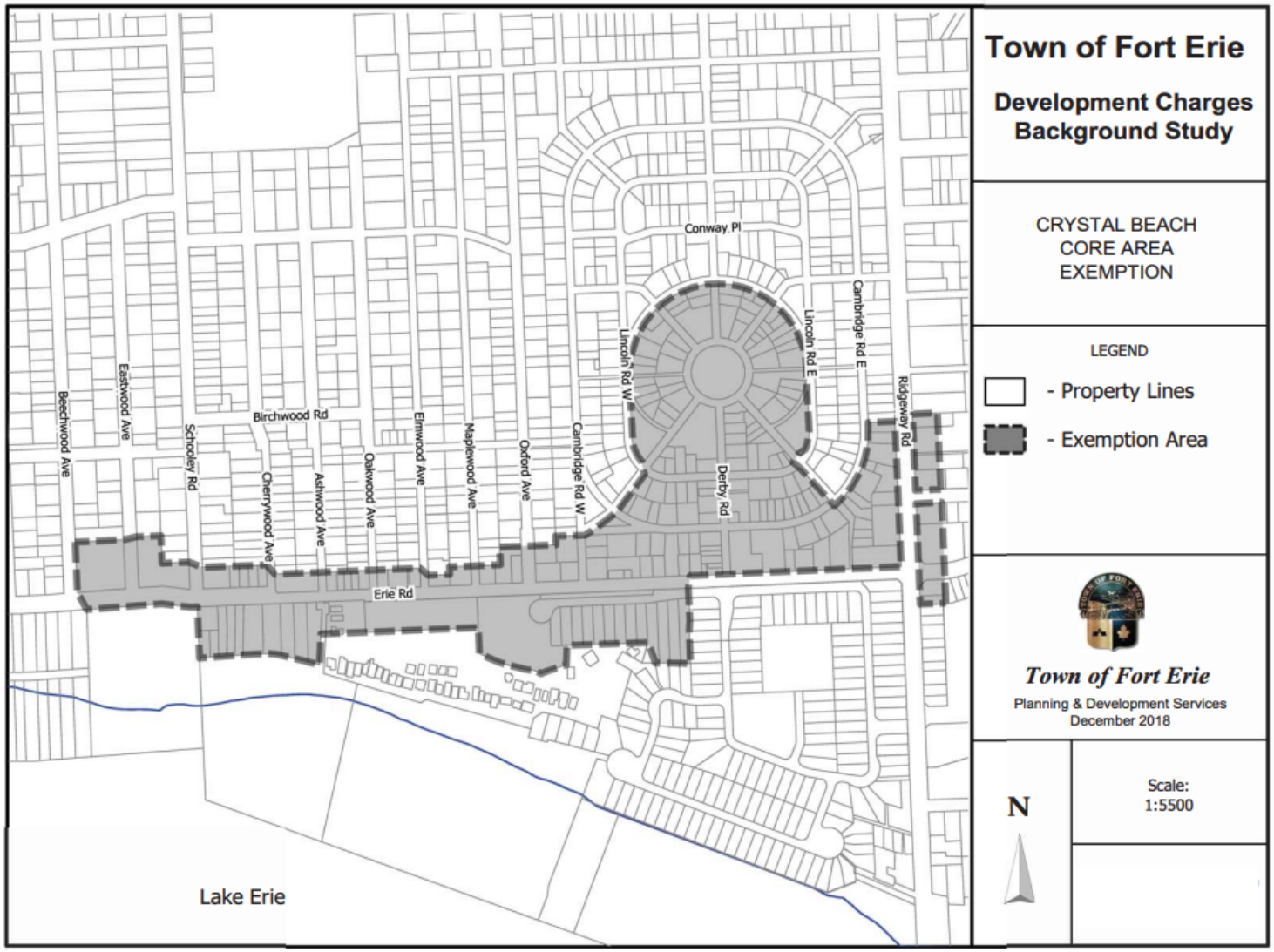
Schedule "B"
TO BY-LAW 22-2024
BRIDGEBURG CORE AREA EXEMPTION



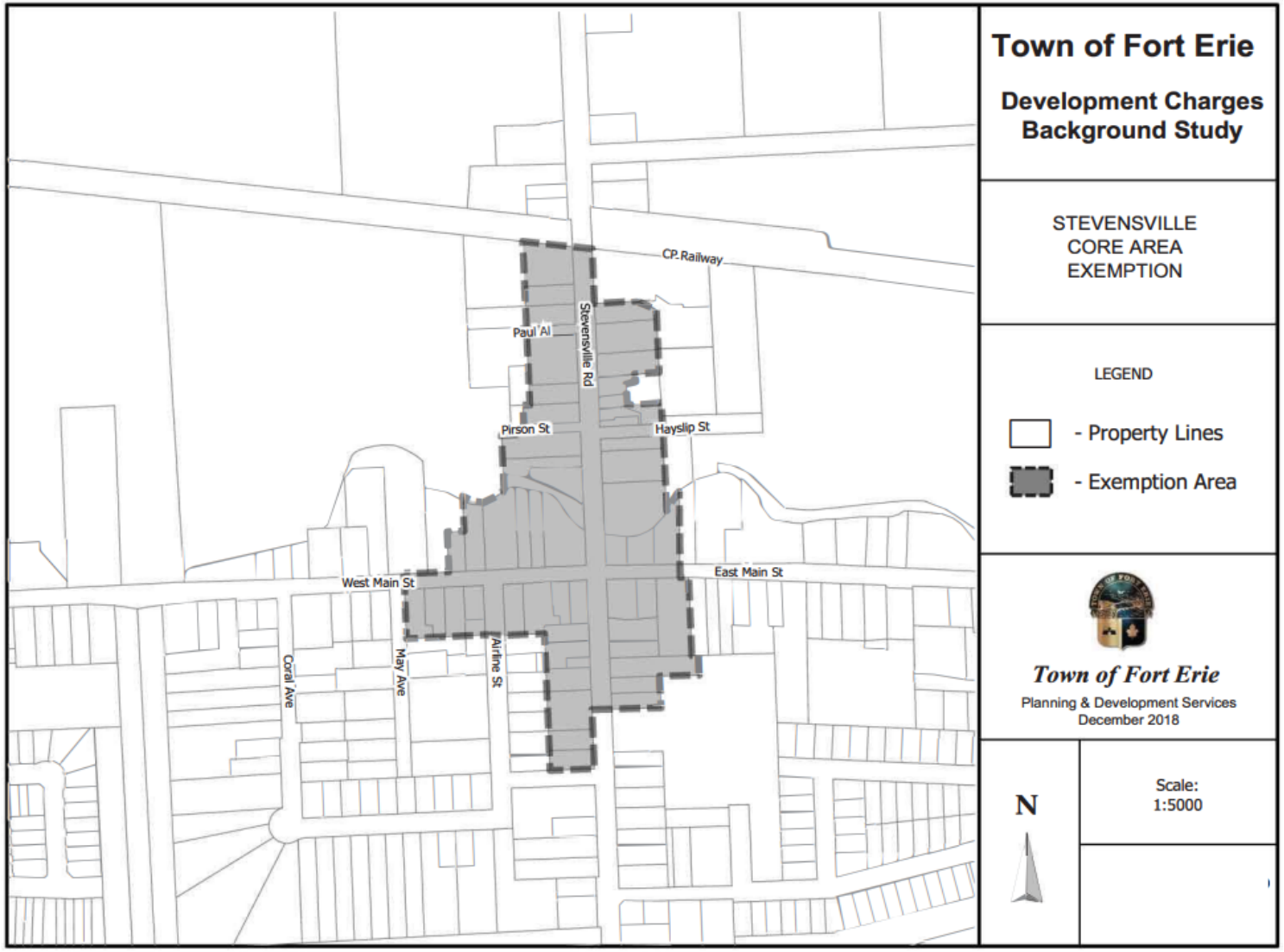
Schedule "C"
TO BY-LAW 22-2024
RIDGEWAY CORE AREA EXEMPTION



Schedule "D"
TO BY-LAW 22-2024
CRYSTAL BEACH CORE AREA EXEMPTION



Schedule "E"
TO BY-LAW 22-2024
STEVENSVILLE CORE AREA EXEMPTION



Schedule "F"
TO BY-LAW 22-2024
SOUTH END CORE AREA EXEMPTION