

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 053-2024

Being a by-law to establish development charges for the Corporation of the Township of Puslinch

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

AND WHEREAS notice of a public meeting was given pursuant to subsection 12(1) of the **Act**, and in accordance with the **regulations** under the **Act**, on or before June 18, 2024, and copies of the Study and this proposed **development charge** by-law were made available to the public on June 24, 2024, in accordance with subsection 12(1) of the **Act**;

AND WHEREAS a public meeting was held on July 10, 2024, in accordance with the **Act** to hear comments and representations from all persons who applied to be heard (the "Public Meeting");

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

AND WHEREAS the Council, in adopting the **Township of Puslinch Development Charges** Background Study on September 3, 2024, directed that **development charges** be imposed on land under development or redevelopment within the geographical limits of the municipality as hereinafter provided.

NOW THEREFORE the Council enacts as follows:

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 where used to describe a use naturally and normally incidental to, subordinate to or exclusively devoted to a principal use and located on the same lot;

"**affordable residential unit**" means a **residential dwelling unit** that meets the criteria set out in subsection 4.1 of the **Act**;

"**agricultural use**" means the use of land and **buildings** for the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including: horses (including the accessory training and/or riding of boarded horses); poultry and fish; aquaculture; apiaries;

agro-forestry; maple syrup production; and associated on-farm **buildings** and structures and **accessory uses, buildings**, and structures, including an accessory outdoor storage area;

“**ancillary residential use**” means a **residential dwelling unit** 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 three or more **dwelling units** where access to each residential unit is obtained through a common entrance or entrances from the street level and the residential units are connected by an interior corridor;

“**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 larger than seven square metres, including a den, study or other similar area, but does not include a bathroom, living room, dining room or kitchen;

“**benefiting Area**” means all lands within the **Township**;

“**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**” 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;

“**canopy**” means a canopy as defined O.Reg. 332/12 under the **Building Code Act**, 1992, S.O. c. 23, and includes a roof-like structure over a gas bar or service station;

“**capital cost**” means costs incurred or proposed to be incurred by the **Township** or a **local board** thereof directly or by others on behalf of and as authorized by the **Township** 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 **Township**, including interest on borrowing for those expenditures under clauses (a) to (e) above that are growth-related;

"**commercial**" means a **building**, structure, lot, use or activity pertaining to the buying or selling of commodities or the supplying of services for remuneration, 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 **Township**;

"**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;

"**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 housekeeping unit, used, or capable of being used by one or more persons, and containing cooking, living, sleeping and sanitary facilities;

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

"**existing industrial building**" means a **building** or **buildings** with a valid building permit **existing** on a site on the day this by-law is passed, or the first **building** or **buildings** constructed on a vacant site pursuant to site plan approval, under Section 41 of the *Planning Act*, subsequent to the passage of this by-law for which full **development charges** were paid, that is used for or in conjunction with:

- (a) the production, compounding, processing, packaging, crating, bottling, packing or assembly of raw or semi-processed goods or materials in not less than seventy five percent of the total **gross floor area** of the **building** or **buildings** on a site ("manufacturing") or warehousing related to the manufacturing use carried on in the **building** or **buildings**;
- (b) research or development activities in connection with manufacturing in not less than seventy five percent of the total **gross floor area** of the **building** or **buildings** on the site;
- (c) retail sales by a manufacturer, if retail sales are at the site where manufacturing is carried out; such retail sales are restricted to goods manufactured at the site, and the **building** or part of a **building** where such retail sales are carried out does not constitute greater than twenty five percent of the total **gross floor area** of the **building** or **buildings** on the site; or
- (d) office or administration purposes if they are:
 - (i) carried out as an **accessory use** to the manufacturing or warehousing, and
 - (ii) in or attached to the **building** or structure used for such manufacturing or warehousing.

"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 growing, harvesting, or storage 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 secondary modular dwelling 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 **commercial** and **industrial**, and an **on-farm diversified use**.

"gross floor area" means: the sum total of the total areas of the floors in a **building** or structure, whether at, above, or below grade, measured between the exterior faces of the exterior walls of the **building** or structure or from the centre line of a common wall separating two uses, or from the outside edge of a floor where the outside edge of the floor does not meet an exterior or common wall, and:

- (a) includes the floor area of a mezzanine and air -supported structure and the space occupied by interior walls partitions; and
- (b) in the case of **non-residential uses**, excludes any parts of the **building** or structure used for mechanical equipment related to the operation or maintenance of the **building** or structure, stairwells, elevators, washrooms, and the parking and loading of vehicles, and;

- (c) where a **building** does not have any walls, the **gross floor area** shall be the sum total of the area of land directly beneath the roof of the **building** and the total areas of the floors in the **building** or structure.

“**home business**” means an occupation conducted within a **dwelling unit** by the resident or residents of the **dwelling unit** and which is an **accessory use** to the **dwelling unit**.

“**home industries**” means a small-scale use providing a **service** that is accessory to a **dwelling unit** or agricultural operation. A home industry may be conducted in whole or in part in an accessory **building** and may include a carpentry shop, a metal working shop, a welding shop, or minor equipment repair shop, etc., but does not include any activity relating to the operation or maintenance of a vehicle or any activity requiring the use of toxic chemicals.

“**industrial**” means lands, **buildings** or structures used or designed or intended for use for the processing of goods and materials; the assembly of manufactured goods; the manufacturing of goods; the repair and servicing of goods and similar uses; including any permanent storage facilities or accessory equipment that is in conjunction with the use 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 a motor vehicle service establishment, motor vehicle body shop, or the sale of commodities to the general public through a warehouse club;

“**institutional development**” 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 Act, 2021, S.O. 2021, c. 39, Sched.1;
- (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.

“**non-profit institutional use**” means land, **buildings**, structures or any part thereof used by any organization, group or association for promotion of religious, charitable, educational, welfare purposes, and includes churches, places of worship, private schools, nursery schools, daycares, or benevolent objectives and any of the listed **institutional uses** must be not for profit or gain;

"**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 local board as defined in section 1 of the Municipal Affairs Act other than a board as defined in subsection 1 (1) of the Education Act.

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

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

- (i) 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;
- (ii) 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
- (iii) 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 by the County of Wellington for the **Township**, as amended and approved, or any future **Official Plan** adopted by the **Township** or County of Wellington for the **Township**;

"**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, and may include a Home Industry, but excludes a **home business**;

"**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'

"**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 unit**" 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** including modular homes 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**;

"**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 or class of service designed in Schedule "A" to this by-law;

"**services**" shall have a corresponding meaning;

"**single detached dwelling unit**" means a residential **building** consisting of one **dwelling unit** and not attached to another structure;

"**Township**" means the corporation of the Township of Puslinch and/or the land within the geographic limits of the Township of Puslinch; and

"**zoning by-law**" means the Zoning By-Law of the **Township** of Puslinch or any successor thereof passed pursuant to Section 34 of the Planning Act, S.O. 1998.

2. DESIGNATION OF SERVICES AND CLASS OF SERVICES

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

- (a) Services Related to a Highway;
- (b) Fire Protection Services;
- (c) Parks and Recreation Services; and
- (d) Provincial Offences Act, including By-law Enforcement.

2.2 The category of class of **services** for which **development charges** are imposed under this by-law is as follows:

- (a) Growth-Related Studies.

2.3 The components of the **services** and class of **services**, designated in sections 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 **Township** whether or not the land or use thereof is exempt from taxation under s. 3 of 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 **Township** or a **local board** thereof;
 - (b) a **board of education**; or
 - (c) the County of Wellington or any **local board** thereof;

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 one or more of the following:
- (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 building permit under the **Building Code Act** in relation to a **building** or structure.
- (b) No more than one **development charge** for each **service** and class of **services** designated in subsection 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:

- (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 Notwithstanding section 3.5, **development charges** shall be imposed if the total **gross floor area** of the additional one or two units exceeds the **gross floor area** of the **existing dwelling unit**.

3.7 Notwithstanding section 3.5, **development charges** shall be imposed if the additional unit has a **gross floor area** greater than

- (i) in the case of a **semi-detached dwelling** or **row dwelling**, the **gross floor area** of the **existing dwelling unit**; and
- (ii) in the case of any other residential **building**, the **gross floor area** of the smallest **dwelling unit** contained in the residential **building**.

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:

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

3.9 For the purpose of section 3.8 herein, "**existing industrial building**" is used as defined in the **regulation** made pursuant to the **Act**.

3.10 Other Exemptions:

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

- (a) Temporary use permitted under a **zoning by-law** under Section 39 of the Planning Act;
- (b) **Accessory use**;
- (c) A **home business**;
- (d) A non-residential **farm building** used for an **agricultural use**;
- (e) **Non-profit institutional use**;
- (f) 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;
- (g) **Non-profit housing development**;
- (h) Affordable inclusionary residential units;

- (i) **Affordable residential units;** and
- (j) **Attainable residential units.**

Amount of Charges

Residential

3.11 The **development charges** described in Schedule B 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, and the residential portion of a **live-work unit**, according to the type of residential unit, and calculated with respect to each of the **services** and class of **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 the non-residential portion for a **live-work unit** and calculated with respect to each of the **services** and class of **services** according to the total floor area of the **non-residential use**.

Reduction of **Development Charges** for Redevelopment Including Conversions

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.

- 3.14 Notwithstanding section 3.13, no credit shall be allowed where the demolished or converted **building** or part thereof would have been exempt pursuant to this or a previous **development charges** by-law.

Time of Payment of **Development Charges**

- 3.15 **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.
- 3.16 Notwithstanding section 3.15, where a development is proceeding through subdivision or consent, the Services Related to a Highway component of the **development charges**, are calculated and payable immediately upon the developing landowner entering into the subdivision agreement or consent agreement.
- 3.17 Notwithstanding sections 3.15 and 3.16, **development charges** for **rental housing** and **institutional developments** are due and payable in six installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest at the prescribe rate as per the **Act**, payable on the anniversary date each year thereafter.
- 3.18 Notwithstanding subsections 3.15 through 3.17, 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 Section 2 shall be calculated based on the rates set out in Schedule "B" on the date of the planning application was made, including interest at the prescribed rate. Where both planning applications apply, **development charges** 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.
- 3.19 Notwithstanding subsections 3.15 through 3.17, 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 Section 2 shall be calculated based on the rates set out in Schedule "B" on the date of the planning application, including interest at the prescribed rate. Where both planning applications apply, **development charges** shall be calculated on the rates set out in Schedule "B", on the date of the latter planning application, including interest at the prescribed rate.
- 3.20 Where **development charges** apply to land in relation to which a **building** permit is required, the building permit shall not be issued until the **development charge** has been paid in full, subject to sections 3.17, 3.18, and 3.19.
- 3.21 Despite sections 3.15, 3.16, 3.17, 3.18, and 3.19, **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**.

- 3.22 Interest for the purposes of sections 3.17, 3.18, and 3.19 shall be determined as the base rate plus 1 %, where:
- (a) The base rate shall be equal to the average prime rate on:
 - (i) October 15 of the previous year if the adjustment date is January 1;
 - (ii) January 15 of the same year if the adjustment date is April 1;
 - (iii) April 15 of the same year if the adjustment date is July 1; and
 - (iv) July 15 of the same year if the adjustment date is October 1.
 - (b) The average prime rate, on a particular date means, the mean, rounded to the nearest hundredth of a percentage point, of the annual rates of interest announced by each of the Royal Bank of Canada, The Bank of Nova Scotia, the Canadian Imperial Bank of Commerce, the Bank of Montreal and The Toronto-Dominion Bank to be its prime or reference rate of interest in effect on that date for determining interest rates on Canadian dollar commercial loans by that bank in Canada.
- 3.23 For the purposes of section 3.18 and 3.19, interest calculated under section 3.22 shall not apply where the calculated charges calculated under section 3.18 and 3.19 are the same as the charges that would be calculated under sections 3.15 or 3.16.

Discounts for **Rental Housing**:

- 3.24 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.

4. PAYMENT BY SERVICES

- 4.1 Despite the payment required under sections 3.11 and 3.12, **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 of each year, 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 – Designated Municipal **Services** and Class of **Services** under this By-law

Schedule B - Schedule of **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 effect on September 3, 2024.

10. DATE BY-LAW EXPIRES

10.1 This by-law will expire on September 3, 2034, unless repealed by **Council** at an earlier date.

11. EXISTING BY-LAW REPEALED

11.1 By-law 044/19 is hereby repealed as of the date and time of this by-law coming into effect.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 3rd DAY OF SEPTEMBER, 2024.

James Seeley, Mayor

Justine Brotherston, Clerk

SCHEDULE "A"

DESIGNATED MUNICIPAL SERVICES AND CLASS OF SERVICES UNDER THIS BY-LAW

Township-Wide Services

- Services Related to a Highway;
- Fire Protection Services;
- Parks and Recreation Services; and
- Provincial Offences Act, including By-law Enforcement.

Township-Wide Class of Services

- Growth-Related Studies

SCHEDULE "B"

SCHEDULE OF DEVELOPMENT CHARGES

Township-Wide Services/Class of Services	RESIDENTIAL				NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	(per sq.ft. of Gross Floor Area)
Services Related to a Highway	2,768	2,178	1,674	1,223	0.85
Fire Protection Services	1,657	1,304	1,002	732	0.52
Parks and Recreation Services	2,961	2,330	1,792	1,308	0.09
Provincial Offences Act including By-Law Enforcement	6	5	4	3	0.00
Growth-Related Studies	847	667	512	374	0.16
Total Township-Wide Services & Class of Services	\$8,238	\$6,484	\$4,984	\$3,640	\$1.62