The Corporation of the Town of New Tecumseth

By-law 2013-106
(Consolidated – as amended)

DEVELOPMENT CHARGE BY-LAW

A by-law with respect to development charges

Consolidation		
Order of the OMB	File DC 130023	November 24, 2014

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E&OE

**THE CORPORATION OF THE TOWN OF
NEW TECUMSETH**

BY-LAW

***Number* 2013-106**

"DEVELOPMENT CHARGE BY-LAW"

A by-law with respect to development charges

WHEREAS section 2(1) of the *Development Charges Act*, 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 within the municipality for increased capital costs required because of the need for municipal services arising from development in the area to which the By-law applies;

AND WHEREAS the Council of The Corporation of the Town of New Tecumseth, at its meeting of August 26, 2013, approved a Study dated May 29, 2013, amended August, 2013, entitled Development Charges Background Study, Town of New Tecumseth, prepared by Hemson Consulting Limited in accordance with the directive of Council (including the Capital Program);

AND WHEREAS the Council has given Notice in accordance with Section 12 of the Act of its development charges proposal and held a public meeting on June 19, 2013;

AND WHEREAS the Council has heard all persons who applied to be heard in objection to, or in support of, the development charges proposal at such public meeting and provided a subsequent period for written communications to be made;

AND WHEREAS the Council has given said communications due consideration, has made any necessary revisions to the Town of New Tecumseth Development Charges Background Study as a result of those communications, and has determined that no further public meetings are required in respect of the Background Study and the Development Charge By-Law;

AND WHEREAS the Council in approving the said report 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 of The Corporation of the Town of New Tecumseth enacts as follows:

1. In this by-law,

<u>DEFINITIONS</u>

(1) "Act" means the *Development Charges Act*, S.O. 1997, c.27, and definitions contained within this By-law are for the purpose of assisting with the interpretation of this Act and by-law only.

(2) "accessory use" means a use of land, buildings or structures which is incidental and subordinate to the principal use of the lands and buildings.

(3) "agricultural use" means lands, buildings or structures, excluding any portion thereof used as a dwelling unit, used or designed or intended for use for the purpose of a bona fide farming operation including, but not limited to, animal husbandry, dairying, livestock, fallow, field crops, removal of sod, forestry, fruit farming, horticulture, market gardening, pasturage, poultry keeping, equestrian facilities and any other activities customarily carried on in the field of agriculture.

(4) “apartment unit” means any residential dwelling unit within a building containing four or more dwelling units where the residential units are connected by an interior corridor; or any dwelling unit in a building containing non-residential uses, other than a home occupation.

(5) “bedroom” means a habitable room large enough to accommodate a sleeping arrangement including a den, study or other similar area, but does not include a living room, dining room or kitchen.

(6) “benefiting area” means an area defined by a map, plan or legal description in a front-ending agreement as an area that will receive a benefit from the construction of a service.

(7) “board of education” means a board defined in subsection(1) of the *Education Act*.

(8) “Building Code Act” means the *Building Code Act*, R.S.O. 1990, c.B.-13, as amended.

(9) “capital cost” means costs incurred or proposed to be incurred by the municipality or a local board thereof directly or under an agreement,

(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, lease, construct or improve facilities including,
(i) rolling stock with an estimated future life of seven years or more;
(ii) furniture and equipment, other than computer equipment, and materials acquired for circulation, reference or information purposes by
(iii) a library board as defined in the *Public Libraries Act*, R.S.O. 1990, c.P.44; and

(e) to undertake studies in connection with any matter under the Act and any of the matters in clauses (a) to (d);
(f) to complete the development charge background study under s.10;
(g) interest on money borrowed to pay for costs in (a) to (d);

required for the provision of services designated in this by-law within or outside the municipality.

(10) “council” means the Council of the municipality.

(11) “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.

(12) “development charge” means a charge imposed against land in the municipality under this by-law.

(13) “dwelling” or “dwelling unit” means any part of a building or structure with one or more habitable rooms designed or intended to be used as a domestic establishment in which one or more persons may sleep and in which sanitary facilities are provided for their exclusive use and a separate kitchen may or may not be provided. “Housing unit” shall have the same meaning as “dwelling unit” and where used in this by-law or the Schedules to this by-law, “housing” and “dwelling” shall be interchangeable.

(14) “dwelling, single detached” means a separate building containing only one dwelling unit.

(15) “dwelling, semi-detached’ means a separate building that is divided vertically and contains only two dwelling units each having two separate private ground level entrances.

(16) “dwelling, row (house)” means one of a group of three or more attached single dwelling units, each having an independent entrance either directly from outside or through a common vestibule to which each unit’s access is provided by corridors, stairs or elevators.

(17) “dwelling, other multiples” means all dwellings other than single detached dwellings, semi-detached dwellings and apartment units.

(18) “farm” means an agricultural operation located on lands zoned for agriculture.

(19) “front-end payment” means a payment made by an owner pursuant to a front-ending agreement to cover the net capital costs of the services designated in the agreement that are required to enable the land to be developed.

(20) “front-ending agreement” means an agreement made under Section 44 of the Act between the municipality and any or all owners within a benefiting area providing for front-end payments by an owner or owners or for the installation of services by an owner or owners or any combination thereof.

(21) “gross floor area” means the sum total of the total areas of all floors in a building or structure, whether at, above, or below grade, measured between the exterior faces of the exterior walls of a 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, atrium or air-supported structure, and the space occupied by interior wall partitions; and

(b) where a building or structure does not have any walls, the gross floor area of the building or structure shall be the total of the area of all floors, including the ground floor, that are directly beneath the roof of the building or structure.

(22) “industrial” means a building used for or in connection with:

(a) manufacturing, producing, processing, or distributing something; and

(b) research or development in connection with manufacturing, producing or processing something.

(23) “local board” means a school board, public utility commission of the Town (excluding any hydro-electric utility), public library board, local board of health, or any other board, commission, committee or body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of the municipality or any part or parts thereof.

(24) “local services” means those services, facilities or things which are under the jurisdiction of the municipality and are within the boundaries of , abut or are necessary to connect lands to services and an application has been made in respect of the lands under Sections 41, 51 or 53 of the *Planning Act*, R.S.O. 1990, c.P.-13.

(25) “municipality” or “Town” means The Corporation of the Town of New Tecumseth.

(26) “non-residential other than industrial use” (also referred to as “non-residential use”) means a building or structure used for other than a residential use or an industrial use.

(27) “official plan” means the Official Plan now in force in the Town of New Tecumseth and any amendments thereto together with any subsequent Plan or Plans enacted for the Town planning area.

(28) "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.

(29) "Planning Act" means the *Planning Act*, R.S.O. 1990, c.P.-13, as amended.

(30) "regulation" means any regulation made pursuant to the Act.

(31) "residential use" means the use of a building or structure or part or parts thereof as a dwelling.

(32) "rural areas" means those areas within the municipality which do not require municipal water and sanitary sewer services and are generally the areas outside of the community boundaries of Alliston, Beeton and Tottenham as shown in the Official Plan as amended.

(33) "services (or "service") means those services designated in Schedule "A" to this by-law or specified in an agreement made under Section 44 of the Act.

(34) "services in lieu" means those services specified in an agreement made under Section 9 of this by-law.

(35) "servicing agreement" means an agreement between a landowner and the municipality relative to the provision of municipal services to specified lands within the municipality.

(36) "urban areas" means those areas within the municipality which do require municipal water and sanitary sewer services and are generally the areas within the community boundaries of Alliston, Beeton and Tottenham as shown in the Official Plan as amended.

SCHEDULE OF DEVELOPMENT CHARGES

2. (1) Subject to the provisions of this By-law, development charges against land shall be calculated and collected in accordance with the base rates set out in Schedules "B" and "C", which relate to the services set out in Schedule "A".

(2) The development charge with respect to the use of any land, buildings or structures shall be calculated as follows:

(a) In the case of residential development, or the residential portion of a mixed-use development, based upon the number and type of dwelling units.

(b) In the case of non-residential development, or the non-residential portion of a mixed-use development, based upon the gross floor area of such development.

(c) In the case of industrial development, or the industrial portion of a mixed-use development, based upon the gross floor area of such development.

(3) Council hereby determines that the development of land, buildings or structures for residential, non-residential and industrial uses have required or will require the provision, enlargement, expansion or improvement of the services referenced in Schedule "A".

PHASE-IN OF DEVELOPMENT CHARGES

3. The residential and non-residential use development charges are imposed pursuant to this by-law and are not being phased-in and are payable in full, subject to the exemptions herein, from the effective date of this by-law.

APPLICABLE LANDS

4. (1) Subject to subsection (3), this by-law applies to all lands in the municipality, whether or not the land or use is exempt from taxation under Section 3 of the *Assessment Act*, R.S.O. 1990, c.A.31.

(2) For the purpose of complying with section 6 of the Act;

(a) the area to which this by-Law applies shall be the area described in subsection 1 above.

(b) the rules developed under paragraph 9 of subsection 5(1) of the Act for determining if a development charge is payable in a particular case and for determining the amount of the charge shall be as set forth in sections 5 through 11 of this by-law.

(c) the rules for exemptions shall be as set forth in subsections (3) and (4) of Section 4 of this By-law.

(d) the rules respecting redevelopment of land shall be as set forth in section 8 of this by-law.

(3) This by-law shall not apply to land that is owned by and used for the purposes of:

(a) a board of education;

(b) any municipality or local board thereof;

(c) public hospitals, under the *Public Hospitals Act;*

(d) those portions of places of worship exempt from taxation under Section 3 of the *Assessment Act;*

(e) agricultural uses;

(f) a consent (boundary line adjustment) under Section 53 of the *Planning Act* where no new building lot is created;

(g) the relocation of a heritage building within the municipal boundaries;

(h) buildings and structures for publicly-funded post-secondary school educational institutions established pursuant to the *Ministry of College and Universities Act,* R.S.O. 1990, c.M19, as amended;

(i) buildings and structures of the New Tecumseth Improvement Society;

(j) buildings and structures with respect to any development that is for the sole purpose of data processing, posting and related services as defined by the North American Industry Classification (2002) System, consisting of classifications 5182, 51821, 52232, and 54151.

(4) This by-law shall apply to land owned and used for the following purposes at the rates hereinafter prescribed:

(a) all permitted uses within the areas designated as *“Urban Commercial Core (UCC)”* in the Town’s comprehensive Zoning By-Law 96-103, or its successor, shall be exempt as to 75 % of the development charge otherwise payable for such permitted use under the said by-law.

(b) All permitted uses within the areas defined as “industrial” in Section 1(22) of this by-law shall pay a per square metre of gross floor area rate that is discounted by 40% of the calculated non-industrial rate set out in Schedule “C”, but subject to any subsequent indexing.

<u>RULES WITH RESPECT TO EXEMPTIONS FOR INTENSIFICATION OF EXISTING HOUSING</u>

5. (1) This by-law shall not apply to that category of exempt development described in subsection 2(3) of the *Development Charges Act, 1997*, and Section 2 of O.Reg. 82/98, namely:

(a) the enlargement of an existing dwelling unit;

(b) the creation of one or two additional dwelling units in an existing single detached house where the total residential gross floor area of the dwelling units created does not exceed the residential gross floor area of the existing dwelling unit prior to the enlargement; or

(c) the creation of one additional dwelling unit in any other existing residential building provided the residential gross floor area of the additional dwelling unit does not exceed the residential gross floor area of the smallest existing dwelling unit in the case of a semi-detached house, or does not exceed the residential gross floor area of the smallest dwelling unit contained in any other residential building.

(2) Notwithstanding subsection (1)(b), development charges shall be calculated and collected in accordance with Schedules “B” where the total residential gross floor area of the additional one or two dwelling units is greater than the gross floor area of the existing dwelling unit.

(3) Notwithstanding subsection (1)(c), development charges shall be calculated and collected in accordance with Schedules “B” where the additional dwelling unit has a residential gross floor area greater than,

(a) in the case of a semi-detached house or row house, the gross floor area of the smallest existing dwelling unit, and

(b) in the case of any other residential building, the residential gross floor area of the smallest existing dwelling unit contained in the residential unit.

RULES WITH RESPECT TO AN "INDUSTRIAL" EXPANSION EXEMPTION

6. (1) For the purposes of calculating development charges pursuant to section 2, if a development includes the enlargement of the gross floor area of an existing industrial building, the amount of the development charge that is payable is the following:

(a) if the gross floor area is enlarged by 50 per cent or less, the amount of the development charge in respect of the enlargement is zero; or

(b) if the gross floor area is enlarged by more than 50 per cent, development charges are payable on the amount by which the enlargement exceeds 50 per cent of the gross floor area before the enlargement.

(2) For the purpose of this section, the terms "gross floor area" and "existing industrial building" shall have the same meaning as those terms have in O.Reg. 82/98 made under the Act.

(3) In this section, for greater certainty in applying the exemption herein:

(a) the gross floor area of an existing industrial building is enlarged where there is a bona fide physical and functional increase in the size of the existing industrial building.

(b) for the purpose of determining any enlargement, the existing industrial building will be its gross floor area as of the date of passage of this by-law ("original gross floor area").

(c) the maximum exemption permitted during the term of this by-law will be 50% of the original gross floor area irrespective of the number of enlargements or expansion of the gross floor area that take place over the course of the term of this by-law so that any enlargement beyond 50% of the original gross floor area during the term of this by-law will be subject to the development charge herein.

(d) An expansion must be attached to and a bona fide extension of the existing building and attached shall not mean or include a tunnel, bridge, passageway, shared below grade connection (whether by footing, foundation, passageway or otherwise), shared roof connection or shared parking facility.

RULES WITH RESPECT TO A SMALL/MEDIUM BUSINESS EXPANSION EXEMPTION

7. (1) For the purposes of calculating development charges pursuant to Section 2, if a development includes the enlargement of the gross floor area of an existing building used for a small to medium sized business which building is 25,000 square feet or less in any of the zones set out in subsection (2), the amount of the development charge payable will be calculated as follows:

(a) if the gross floor area of the existing building is enlarged by 25% or less, the amount of the development charge in respect of the enlargement will be reduced by 75% of the development charge otherwise payable (the "exemption"); or

(b) if the gross floor area of the existing building is enlarged by more than 25%, the exemption will apply to the first 25% of the enlargement of the existing building and the full development charge will be payable on the amount by which the enlargement exceeds 25% of the gross floor area of the existing building.

(2) The exemption will apply to all existing buildings of 25,000 square feet or less used for a small to medium sized business located in the Convenience (CC), Urban Highway (UHC), Rural Highway (RHC), Shopping Centre (SCC), Agricultural (A1), Agricultural (A2), Urban Industrial (UM), Urban Light Industrial (ULM) and Rural Industrial (RM) Zones as provided for in the Zoning By-law for The Corporation of the Town of New Tecumseth.

(3) For the purpose of this section, the term “gross floor area” shall have the meaning that the term has in O. Reg. 82/98 made under the Act.

(4) In this section, for greater certainty in applying the exemption herein, the following rules apply:

(a) “existing building” shall be defined as all of the buildings used in conjunction with the business and whether such building or buildings are located on one or more sites;

(b) for the purpose of determining any enlargement, the phrase “existing building” as defined in clause (a) above will be the total gross floor area of the building or buildings used in connection with the business at the date of the application for the building permit to allow the expansion;

(c) the expansion need not be attached to an existing building and may be a separate structure and may be on any site that is used in conjunction with the existing business;

(d) the exemption will apply to any number of expansions but in no event shall the exemption apply to any expansion once the gross floor area exceeds 25,000 square feet for the total of all buildings used in conjunction with the business; and

(e) for greater certainty, the maximum exemption available would be for an existing building(s) of 25,000 square feet which would be eligible for an exemption for one expansion of up to 6,250 square feet; PROVIDED that while the expansion could be greater than 6,250 square feet, the eligible exemption would apply only to the 6,250 square feet being 25% of a building of the maximum eligible size of 25,000 square feet.

RULES WITH RESPECT TO THE REDEVELOPMENT OF LAND

8. Where, as a result of the redevelopment of land, a building or structure, occupied or able to be occupied at the time of issuance of the demolition permit, 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 the residential portion of a mixed-use building or structure, an amount calculated by multiplying the applicable development charges under section 2 of this by-law by the number, according to type of dwelling units that have been demolished or converted to another principal use;

(b) in the case of a non-residential building or the non-residential portion of a mixed-use building or structure, an amount calculated by multiplying the applicable development charges under section 2 of this by-law by the non-residential gross floor area that has been demolished or converted to another principal use; and

(c) in the case of an industrial building, or the industrial portion of a mixed-use building or structure, an amount calculated by multiplying the applicable development charges under Section (2) of this by-law by the industrial gross floor area that has been demolished or converted to another principle use;

provided that a building permit has been issued for the land within two (2) years from the date of issuance of the demolition permit and provided that such amounts shall not exceed in total the amount of the development charges otherwise payable with respect to the redevelopment. In the event a building permit has not been issued within two (2) years as hereinbefore set out, the owner may make an application to Council for an extension of up to a maximum of three (3) additional years, which Council may grant if it is satisfied that such extension will further the redevelopment of the land in a timely fashion. The exemption contained in this Section does not apply to the lands in the Alliston and Tottenham Secondary Plan areas as defined in the Official Plan as amended.

APPROVAL FOR DEVELOPMENT

9. (1) Subject to subsection (2), development charges shall apply to, and shall be calculated and collected in accordance with the provisions of this by-law on land to be developed where, the development requires any one or more of the following:

(a) the passing of a zoning by-law or an amendment thereto under Section 34 of the *Planning Act*;

(b) the approval of a minor variance under Section 45 of the *Planning Act*;

(c) a conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act* applies;

(d) the approval of a plan of subdivision under Section 51 of the *Planning Act*;

(e) a consent under Section 53 of the *Planning Act*;

(f) the approval of a description under Section 50 of the *Condominium Act*, R.S.O. 1990 c.C-26; or

(g) the issuing of a permit under the *Building Code Act* in relation to a building or structure.

(2) Subsection (1) shall not apply in respect of:

(a) local services installed or paid for by the owner within a plan of subdivision as a condition of approval under Section 51 of the *Planning Act*;

(b) local services installed or paid for by the owner within the area to which the development relates; or

(c) local services installed at the expense of the owner as a condition of approval under Section 53 of the *Planning Act*.

LOCAL SERVICE INSTALLATION

10. Nothing in this by-law prevents Council from requiring as a condition of any approval or agreement for development under the Planning Act, including sections 41, 51 or 53 of the *Planning Act*, that the owner, at his or her own expense, shall install such local services within the area to which the development relates, or that the owner pay for local connections to water mains, sanitary sewers and/or storm drainage facilities, as Council may require.

MULTIPLE CHARGES

11. (1) Where two or more of the actions described in subsection 9(1) of this By-Law are required before land to which a development charge applies can be developed only one development charge shall be calculated and collected in accordance with the provisions of this by-law.

(2) Notwithstanding subsection (1), if two or more of the actions described in subsection 9(1) occur at different times, and if the subsequent action has the effect of increasing the need for municipal services as designated in Schedule "A", an additional development charge on the additional residential units and/or the additional gross floor area for non-residential or industrial shall be calculated and collected in accordance with the provisions of this by-law.

SERVICES IN LIEU

12. (1) Council may authorize an owner to substitute the whole or such part of the development charge applicable to the owner's development as may be specified in an agreement, by the provision at the sole expense of the owner, of services in lieu. Such agreement shall further specify that where the owner provides services in lieu in accordance with the agreement, Council shall give to the owner a credit against the development charge otherwise applicable to the development, equal to the reasonable cost to the owner of providing the services in lieu, provided such credit shall not exceed the total development charge payable by an owner to the municipality.

(2) In any agreement under Subsection (1), Council may also give a further credit to the owner equal to the reasonable cost of providing services in addition to, or of a greater size or capacity, than would be required under this by-law.

(3) The credit provided for in Subsection (2) shall not be given for the cost of works which relates to an increase in the service standards used in the calculation of the charges in Schedules "B" and "C", and no credit shall be charged to any development charges reserve fund prescribed in this by-law.

FRONT-ENDING AGREEMENTS

13. Council may enter into front-ending agreements in accordance with the provisions of the Act and the regulations from time to time in force.

TIMING OF CALCULATION AND PAYMENT

14. (1) Development charges shall be calculated and payable in full in money or by provision of services as may be agreed upon, or by credit granted by the Act, on the date that the first building permit is issued in relation to a building or structure on land to which a development charge applies, or in a manner or at a time otherwise lawfully agreed upon.

(2) Where development charges apply to land in relation to which a building permit is required, the building permit shall not be issued until the development charge has been paid in full.

(3) Notwithstanding subsection (1), the portion of the development charge with respect to water supply services (including distribution and treatment services), waste water services (including sewers and treatment services), and services related to a highway may be payable with respect to an approval of a plan of subdivision under Section 51, of the *Planning Act* immediately upon entering into an agreement and with respect to a consent under Section 53 of the *Planning Act*, immediately upon entering into a consent agreement and prior to final approval of the consent, in the event the owner and the Municipality mutually agree to do so.

(4) Notwithstanding subsections (1), (2) and (3), an owner may enter into an agreement with the municipality to provide for the payment in full or in part of a development charge before building permit issuance or later than the issuing of a building permit, as agreed, and for the charging of interest by the Municipality on that part of the development charge paid after it would otherwise have been payable.

BY-LAW REGISTRATION

15. A certified copy of this by-law may be registered on title to any land to which this by-law applies.

RESERVE FUND(S)

16. (1) Monies received from payment of development charges shall be maintained in separate reserve funds as follows: General Government, Library Board, Fire Services, Joint Police Services, Recreation, Public Works, Roads and Related, Water Service, and Wastewater Service. Funds shall be used only in accordance with the provisions of Section 35 of the Act.

(2) Where any development charge, or part thereof, remains unpaid after the due date, the amount unpaid shall be added to the tax roll and shall be collected as taxes.

(3) Where any unpaid development charges are collected as taxes under subsection (2), the monies so collected shall be credited to the development charge reserve fund or funds referred to in subsection (1).

(4) The Treasurer of the Municipality shall, in each year commencing in 2014 for the 2013 year, furnish to council a statement in respect of the reserve fund established hereunder for the prior year, containing the information set out in Sections 12 and 13 of O.Reg. 82/98.

(5) Borrowing from the reserve fund, or from one designated municipal service fund to another, for municipal financial purposes will be permitted as authorized from time to time by resolution or by-law of Council provided interest is paid in accordance with the Act and the regulations thereto, and in particular section 36.

BY-LAW AMENDMENT OR REPEAL

17. (1) Where this by-law or any development charge prescribed thereunder is amended or repealed either by order of the Ontario Municipal Board or by the Municipal Council, the Municipal Treasurer shall calculate forthwith the amount of any overpayment to be refunded as a result of said amendment or repeal.

(2) Refunds that are required to be paid under subsection (1) shall be paid to the registered owner of the land on the date on which the refund is paid.

(3) Refunds that are required to be paid under subsection (1) shall be paid with interest to be calculated as follows:

(a) Interest shall be calculated from the date on which the overpayment was collected to the date on which the refund is paid;

(b) The refund shall include the interest owed under this section;

(c) Interest shall be paid at the Bank of Canada rate in effect on the date of enactment of this by-law.

DEVELOPMENT CHARGE SCHEDULE INDEXING

18. The development charges referred to in Schedule "B" and "C may be adjusted annually, without amendment to this by-law, commencing in September, 2014, and annually thereafter in each September while this by-law is in force, in accordance with the most recent twelve month change in the Statistics Canada Quarterly, "Construction Price Statistics."

BY-LAW ADMINISTRATION

19. This by-law shall be administered by the Municipal Treasurer.

SCHEDULES TO THE BY-LAW

20. The following schedules to this by-law form an integral part of this by-law:

Schedule A - Schedule of Municipal Services

Schedule B - Schedule of Municipal Residential Development Charges

Schedule C - Schedule of Municipal Non-Residential Development Charges

EXISTING DEVELOPMENT CHARGE BY-LAW REPEAL

21. By-Laws 99-130, 99-164, 2000-21, 2000-22, 2001-66, 2003-14, 2003-15, 2004-120, 2008-134 and 2009-144, together with any other amendments thereto, are repealed effective upon the coming into force of this by-law on September 7th, 2013.

SEVERABILITY

22. If, for any reason, any provision, section, subsection or paragraph of this by-law is held to be invalid, it is hereby declared to be the intention of Council that all of the remainder of this by-law shall continue in full force and effect until repealed, re-enacted or amended, in whole or in part or dealt with in any other way.

DATE BY-LAW EFFECTIVE AND EXPIRES

23. (1) This by-law shall come into force and effect on the 7th day of September, 2013.

(2) This by-law shall continue in force and effect for a term not to exceed five years from the date of coming into force, unless it is extended by statute, regulation or by-law, or repealed at an earlier date.

(3) Nothing herein shall restrict the ability of Council to amend this by-law as it deems appropriate from time to time.

HEADINGS FOR REFERENCE ONLY

24. 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.

SHORT TITLE

25. This by-law shall be cited as the “Development Charges By-Law 2013”.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 26th DAY OF AUGUST, 2013.

____
DEPUTY MAYOR

____
CLERK

**THE CORPORATION OF THE
TOWN OF NEW TECUMSETH**

SCHEDULE "A"

**DESIGNATED MUNICIPAL SERVICE
UNDER THIS DEVELOPMENT CHARGE BY-LAW**

1. General Government
2. Library Board
3. Fire Services
4. Joint Police Services
5. Recreation
6. Public Works
7. Roads and Related
8. Water Service
9. Wastewater Service

**THE CORPORATION OF THE
TOWN OF NEW TECUMSETH**

SCHEDULE “B” – AS AMENDED*

***As amended by the Ontario Municipal Board Order dated November 24, 2014
Case No. DC130023**

**SCHEDULE OF MUNICIPAL RESIDENTIAL DEVELOPMENT CHARGES
UNDER THIS DEVELOPMENT CHARGE BY-LAW**

Service	Residential Charge By Unit Type			
	Singles & Semis	Rows & Other Multiples	Apartments 2+ Bedrooms	Apartments Bachelor or 1 Bedroom
Library Board	$361	$335	$254	$165
Fire Rescue	$957	$888	$672	$437
Joint Police Services	$27	$25	$19	$12
Parks And Recreation	$5,519	$5,124	$3,876	$2,519
Public Works	$724	$672	$508	$330
General Government	$163	$151	$114	$74
Subtotal General Services	**$7,751**	**$7,195**	**$5,443**	**$3,537**
Roads And Related	$ 8,954	$ 8,312	$6,288	$4,087
Water Service	$ 6,022	$5,591	$4,229	$2,749
Wastewater Service	$11,847	$10,998	$8,319	$5,407
Subtotal Engineered Services	**$26,823**	**$24,901**	**$18,836**	**$12,243**
TOTAL CHARGE PER UNIT	**$34,574**	**$32,096**	**$24,279**	**$15,780**

THE CORPORATION OF THE
TOWN OF NEW TECUMSETH

SCHEDULE "C" - AS AMENDED

***As amended by the Ontario Municipal Board Order dated November 24, 2014**
Case No. DC130023

SCHEDULE OF MUNICIPAL NON-RESIDENTIAL USE
AND INDUSTRIAL DEVELOPMENT CHARGES
UNDER THIS DEVELOPMENT CHARGE BY-LAW

Service	**Non-Residential Other Than Industrial Charge Per Square Metre of GFA**	**Non-Residential Industrial Charge Per Square Metre of GFA**
Library Board	$0.00	$0.00
Fire Rescue	$4.73	$2.84
Joint Police Services	$0.14	$0.08
Parks And Recreation	$0.00	$0.00
Public Works	$3.58	$2.15
General Government	$0.81	$0.49
Subtotal General Services	**$ 9.26**	**$5.56**
Roads And Related	$43.02	$25.81
Water Service	$51.36	$30.82
Wastewater Service	$102.43	$61.46
Subtotal Engineered Services	**$196.81**	**$118.09**
TOTAL CHARGE PER SQUARE METRE	**$206.07**	**$123.65**