

DEVELOPMENT CHARGES BY-LAW NO. xx-xx

TOWNSHIP OF SCUGOG

BEING A BY-LAW TO ESTABLISH DEVELOPMENT CHARGES FOR THE CORPORATION OF THE TOWNSHIP OF SCUGOG.

WHEREAS subsection 2(1) of the *Development Charges Act* (the “Act”) provides that the council of a municipality may by by-law impose development charges against land to pay for increased capital costs required because of increased needs for services arising from the development of the area to which the by-law applies;

AND WHEREAS Council has before it a report entitled “Development Charges Background Study”, the Township of Scugog, dated February 22, 2024 (the “Study”) prepared by Hemson Consulting Ltd., wherein it is indicated that the development of any land within the Township of Scugog will increase the need for services as defined herein;

AND WHEREAS the study was made available to the public and Council gave notice to the public and held a public meeting pursuant to section 12 of the Act on March 25, 2024, prior to which the Study and the proposed development charge by-law were made available to the public and Council, heard comments and representations from all persons who applied to be heard (the “Public Meeting”);

AND WHEREAS following the Public Meeting, Council afforded the public an additional period of time for the submission of further written representations;

AND WHEREAS by Resolution No. XX-XX adopted by Council on the XXth day of XXXXX, 2024, Council has indicated that it intends to ensure that the increase in the need for services attributable to the anticipated development will be met;

AND WHEREAS by Resolution No. XX-XX adopted by Council on the xxth day of xxx, 2024, Council determined that no further public meetings were required under section 12 of the Act;

AND WHEREAS by resolution adopted by Council of The Corporation of the Township of Scugog on XXth day of XXXXX, 2024, Council determined that the future excess capacity identified in the Development Charges Background Study dated February 22, 2024 shall be paid for by the development charges contemplated in the said Development Charges Background Study, or other similar charges;

AND WHEREAS the Council of the Township of Scugog 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 DCs, and has determined that for the services, and associated infrastructure proposed to be funded by DCs under this by-law, that it is fair and reasonable that the charges be calculated on a municipal-wide uniform basis;

AND WHEREAS the Development Charges Background Study dated February 22, 2024 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 Township of Scugog will give consideration to incorporate the asset management plan outlined in the Development Charges Background Study within the Township of Scugog's ongoing practices and corporate asset management strategy.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SCUGOG ENACTS AS FOLLOWS:

Definitions

1. In this By-law,

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

“Agricultural Use” means lands, buildings, or structures, excluding any portion thereof used as a dwelling unit or for a commercial use, 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, greenhouses, horticulture, market gardening, pasturage, poultry keeping, and equestrian facilities, but excluding cannabis production facilities;

“Air-supported Structure” means an air supported structure as defined in the *Building Code Act*, 1992, as amended, or any successor thereto;

“Apartment Building” means a building containing more than four Dwelling Units where the Dwelling Units have a common entrance and are connected by a common corridor and where none of the Dwelling Units is a Single Detached Dwelling, a Semi-Detached Dwelling or a Multiple Dwelling;

“Apartment” means a dwelling unit in an apartment building or a single storey dwelling unit located within or above a residential garage or a commercial use;

“Board of Education” means a board as defined in subsection 1(1) of the *Education Act*, 1990, as amended, or any successor thereto;

“Building or Structure” means a structure occupying an area greater than 10 square metres consisting of a wall, roof, and floor or any of them or a structural system serving the function thereof, but does not include a farm building, but does include an air-supported structure and an exterior storage tank;

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

“Cannabis Production Facilities” means a building used, designed or intended for growing, cultivation, producing, testing, destroying, storing or distribution, excluding retail sales, of marijuana or cannabis and for the purposes of the by-law is defined as a non-residential use;

“Commercial use” means land, buildings or structures used, or designed or intended for use for either or both of office and retail uses as defined in this by-law;

“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 Gross Floor Area, and includes redevelopment;

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

“Dwelling Unit” means any part of a building or structure designed or intended for use by one family only, in which sanitary conveniences and facilities for cooking or for the installation of cooking equipment are provided and in which or for which a heating system is provided, and which has a private entrance from outside the building or from a common hallway or stairway inside;

“Farm Building” means a building or structure used, in connection with a bona agricultural use and includes barns, silos and similar structures, and includes a dwelling located on the same lot as the agricultural use or on a lot directly abutting the agricultural use, which is used exclusively for the housing of temporary or seasonal persons employed exclusively for the farming of that agricultural use, but otherwise excludes a building or structure used, or designed or intended for use for residential or commercial uses;

“Floor” includes a paved, concrete, wooden, gravel, or dirt floor;

“Garden Suite” means a one-unit detached, temporary residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable;

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

“Gross Floor Area” means (except for the purpose of section 20), in the case of a non-residential building or structure or the non-residential portion of a mixed-use building or structure, the aggregate of the areas of each floor, whether above or below grade, measured between the exterior faces of the exterior walls of the building or structure or pliable membrane in the case of an air supported structure, or from the centre line of a common wall separating a non-residential and a residential use, and for the purposes of this definition, the non-residential portion of a mixed-use building is deemed to include one half of any area common to the residential and non-residential portions of such mixed-use building or structure;

“Hospice” means a building or structure used to provide not for profit palliative care to the terminally ill;

“Housing Service Use” / “Housing Services” means social housing which is rental housing provided by Durham Region Local Housing Corporation (DRLHC) or by a non-profit housing provider that receives ongoing subsidy from the Region of Durham and Affordable Housing which are rental units provided by private or non-profit housing providers that receive capital funding through a federal and / or provincial government affordable housing program;

“Industrial” shall mean manufacturing, assembling, processing, fabricating, refining, research and development, storage of materials and products, truck terminals, warehousing, and buildings and structures or portions thereof which are designed, used or intended to be used for a purpose, other than retail service or sales areas, storage or warehousing in connection with retail sales or service areas and office areas, which are accessory to any of the foregoing uses, but the term “industrial” does not include any other non-residential use and “industrial use”, “industrial building” and “industrial development” shall have similar meanings;

“Institutional use” means lands, buildings or structures used or designed or intended for use by a non-profit organized body, society or religious group for promoting a public and non-profit purpose, and would include a hospice and includes office uses where such uses are accessory to an institutional use;

“Local Board” means a public utility commission, transportation commission, public library board, board of park management, local board of health, police services board, planning board, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act

with respect to any of the affairs or purposes of the Township or the Region;

“Mezzanine” means a mezzanine as defined in the *Building Code Act*, 1992, as amended, or any successor thereto

“Mixed-use” means land, buildings, or structures, or designed or intended for use, for a combination of at least two of commercial, industrial, institutional or residential uses;

“Mobile Home” means any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent or temporary residence for one or more persons, but does not include a travel trailer or tent trailer or trailer otherwise designed;

“Multiple Dwellings” means all dwellings other than Single Detached Dwellings, Semi-Detached Dwellings and Apartment Buildings;

“Non-Profit Housing Development” means the development of a building or structure intended for use as a residential premises 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 Uses” means land, buildings or structures or portions thereof used, or designed or intended to be used for a use other than for a residential use and includes commercial, industrial, and institutional uses;

“Office use” means lands, buildings or structures used or designed or intended for use for the practice of a profession, the carrying on of a business or occupation and, for greater certainty, but without in any way limiting the generality of the foregoing, shall include but not be limited to the office of a physician, lawyer, dentist, architect, engineer, accountant, real estate or insurance agency, insurance company, veterinarian, surveyor, appraiser, financial institution, consumer loan company, employment agency, advertising agency, consulting firm, business service, investment company, security broker,

“Owner” means the owner of land or a person who has made application for an approval for the development of land upon which a development charge is imposed;

“Place of Worship” means that part of a building or structure that is exempt from taxation as a place of worship under the *Assessment Act*, R.S.O. 1980, c. A.31 as amended;

“Planning Act” means The *Planning Act*, R.S.O. 1990, c.P.13, as amended, and all regulations enacted pursuant thereto;

“Protracted” means in relation to a temporary building or structure the persistence of its construction, erection, placement on land, alteration or addition to it for a continuous period exceeding eight months;

"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;

“Redevelopment” means the construction, erection or placing of one or more buildings or structures on land where all or part of a building or structure has previously been demolished on such land, or changing the use of a building or structure from residential to non-residential or from non-residential to residential;

“Region” means the Regional Municipality of Durham;

“Residential Uses” means land, buildings or structures or portions thereof used, designed, or intended to be used as living accommodation for one or more individuals;

“Retail use” means lands, buildings or structures used or designed or intended for use for the sale or rental or offer for sale or rental of goods or services for consumption or use and, for greater certainty, but without in any way limiting the generality of the foregoing, shall include, but not be limited to, food stores, pharmacies, clothing stores, furniture stores, department stores, sporting goods stores, appliance stores, garden centres, automotive dealers, automotive repair shops, gasoline service stations, government owned retail facilities, private daycare, private schools, private lodging and retirement homes, private recreational facilities, sports clubs, golf courses, skiing facilities, race tracks, gambling operations, medical clinics, funeral homes, motels, hotels, rooming houses, restaurants, theatres, facilities for motion picture, audio and video production and distribution, sound recording services, self-storage facilities, secure document storage and parking garages;

“Row Townhouse Dwelling” means a building, other than a stacked townhouse or apartment building, containing at least 3 dwelling units,

each dwelling unit separated vertically from the other by a party wall and each dwelling unit having a separate entrance to grade;

“Semi-Detached Dwelling” means one of a pair of two attached single family dwellings with a common wall dividing the pair of single family dwellings vertically or horizontally, each of which has an independent entrance either directly or from the outside or through a common vestibule;

“Services” means services designated in this By-law including Schedule A to this By-law or in agreement under section 44 of the Act, or both;

“Single Detached Dwelling” means a residential building consisting of one Dwelling Unit and not attached to another structure;

“Temporary Building or Structure” means a building or structure constructed or erected or placed on land for a continuous period not exceeding eight months, or an addition or alteration to a building or structure that has the effect of increasing the Gross Floor Area thereof for a continuous period not exceeding eight months;

“Stacked Townhouse” means a building, other than row townhouse or apartment building, containing at least 3 dwelling units; each dwelling unit separated from the other vertically and/or horizontally and each dwelling unit having a separate entrance to grade;

“Township” means The Corporation of the Township of Scugog;

Rules

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 section 3 of this By-law;
 - (b) the rules developed under paragraph 9 of subsection 5(1) of the Act for determining if a development charge is payable in any particular case and for determining the amount of the charge shall be as set forth in sections 4 through 18, inclusive of this By-law;
 - (c) the exemptions provided for by such rules shall be the exemptions set forth in sections 19 through 24, inclusive of this By-law, the indexing of charges may be in accordance with section 16 of this By-law and phasing will be subject to Section 25 of this By-law; and
 - (d) the redevelopment of land shall be in accordance with the rules set forth in section 24 of this By-law.

Lands Affected

3. This By-law applies to all lands in the geographic area of the Township of Scugog.

Designation of Services

4. It is hereby declared by Council that all development land within the area to which this By-law applies will increase the need for services.
5. The development charge applicable to a development as determined under this By-law shall apply without regard to the services required or used by an individual development.
6. Development charges shall be imposed and reserve funds established for the following categories of services, as set out in Schedule "A", to pay for the increased capital costs required because of increased needs for services arising from development:
 - (a) Library Services;
 - (b) Fire Services;
 - (c) Parks and Recreation;
 - (d) Bylaw Enforcement & Court Services;
 - (e) Services Related to a Highway: Public Works: Buildings & Fleet;
 - (f) Development-Related Studies;
 - (g) Township Engineering (including Services Related to a Highway and Storm Water Drainage and Control Services).

Approvals for Development

7. Development charges shall be imposed against all lands, buildings or structures within the area to which this By-law applies if the development of such lands, buildings or structures requires any of the following approvals:
 - (a) the passing of a zoning by-law or of 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*, or;
 - (g) the issuing of a permit under the *Building Code Act*, in relation to a building or structure.
8. No more than one development charge for each service designated in section 6 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 section 7 are required before the lands, buildings or structure can be developed.
 9. Notwithstanding section 13 if two or more of the actions described in section 7 occur at different times, additional development charges shall be imposed in respect of any increased or additional development permitted by those actions.
 10. Where a development requires an approval described in section 7 after the issuance of a building permit and no development charge has been paid, then the development charge shall be paid prior to the granting of the approval required under section 7.
 11. If a development does not require a building permit but does require one or more of the approvals described in section 7, then the development charge shall nonetheless be payable in respect of any increased or additional development permitted by such approval required for the increased or additional development being granted.
 12. Nothing in this By-law prevents Council from requiring, as a condition of an agreement under sections 51 or 53 of the *Planning Act*, that the owner, at his or her own expense, install such local services related to a plan of subdivision or within the area to which the plan relates, as council may require, or that the owner pay for local connections to storm drainage facilities installed at the owner's expense, or administrative, processing, or inspection fees.

Calculation of Development Charges

13. 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; or
 - (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.

Amount of Charge – Residential

14. (1) 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 component of the mixed use building or structure, according to the type of residential use.
- (2) Development charges will not be imposed on Garden Suites.
- (3) The development charges imposed upon a mobile home under this section shall be payable at the rate applicable to an apartment.

Amount of Charge – Non-Residential

15. The development charges described in Schedule C of 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 components of 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.

Indexing of Development Charges

16. The development charges set out in Schedules B and C hereto shall be adjusted without amendment to this By-law annually on July 1st in each year, commencing July 1st, 2024, in accordance with the Statistics Canada Quarterly, Construction Price Statistics based on the 12 month period ending March 31st.

Timing of Calculation and Payment

17. (1) 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.
- (2) Notwithstanding section 17(1) 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;
- (3) Notwithstanding section 17(1) and 17(2) 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) Subject to section 24 (with respect to redevelopment) and subsection (3), the development charge shall be calculated as of, and shall be payable, on the date the first building permit is issued in relation to a building or structure on land to which the development charge applies.
 - (5) Notwithstanding subsection (2) the Township may require an owner to enter into an agreement, including the provision of security for the owner's obligations under agreement, pursuant to section 27 of the Act providing for all or part of a development charge to be paid before or after it otherwise would be payable. The terms of such agreement shall then prevail over the provision of this By-law.
 - (6) The Chief Building Official of the Township shall withhold the issuance of a building permit in relation to a building or structure on land to which the Development Charge applies unless the Development Charge has been paid.
 - (7) Notwithstanding any of the foregoing, for lands, buildings and structures developed for a housing services use, the Township may defer the timing of the payment of development charges from building permit issuance to a period of time not to exceed eighteen months from the date of first building permit issuance, to be at the discretion of the Treasurer, if the owner enters into an agreement with the Region and the Township under section 27 of the Act respecting the timing and calculation of payment of development charges, notice of which the owner shall register on the title to the lands at its sole cost and expense, with the intention that the provisions shall bind and run with title to the lands.

Payment by Money or the Provision of Services

18. (1) Payment of development charges shall be by cash or by certified cheque.
- (2) In the alternative to payment by the means provided in subsection (1), the Township may, by an agreement entered into with the owner, accept the provision of services in full or partial satisfaction of the development charge otherwise payable provided that:

- (a) if the Township and the owner cannot agree as to the reasonable cost of doing the work under sub-section (2), the dispute shall be referred to Council whose decision shall be final and binding.
- (b) if the credit exceeds the amount of the charge for the service to which the work relates,
 - (i) the excess amount shall not be credited against the charge for any other service, unless the Township has so agreed in an agreement under section 39 of the Act; and
 - (ii) in no event shall the Township be required to make a cash payment to the credit holder.
- (3) Nothing in this By-law prevents Council from requiring, as a condition of any approval given under the *Planning Act* that the owner, at the owner's expense, install such local services as Council may require in accordance with the Township's local services policies in effect at the time.

Rules with Respect to Exemptions for Intensification of Existing Housing

19. 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:

- (a) the enlargement of an existing residential dwelling unit;
- (b) 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;
- (c) 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.
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- 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

(d) 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.

Rules with Respect to Non-Residential Exemptions

20. (1) If a development includes the enlargement of the Gross Floor Area of an existing non-residential building, the amount of the development charge that is payable is the following:
- (a) if the Gross Floor Area is enlarged by 232 m² or less, the amount of the development charge in respect of the enlargement is zero.

- (b) subject to subsection 20(2)(c) below, if the Gross Floor Area is enlarged by more than 232 m² development charges are payable on the amount by which the enlargement exceeds 232 m² of Gross Floor Area before the enlargement, and
- (2) In this section, for greater certainty in applying the exemption herein:
- (a) the Gross Floor Area of an existing non-residential building shall be determined as of the date this By-law comes into force:
 - (b) the Gross Floor Area of an existing non-residential building is enlarged where there is a bona fide increase in the size of the existing building and the enlarged area is attached to an existing non-residential building and is used for or in connection with a non-residential purpose. Without limiting the generality of the foregoing, the exemption in this section shall not apply where the enlarged area is attached to the existing non-residential building by means only of a tunnel, bridge, canopy, corridor or other passageway, or through a shared below grade connection such as a service tunnel, foundation, footing or a parking facility.
 - (c) the exemption provided for in this section shall only be applied once for each lot even if the enlargement is less than 232 m² in the first instance.

Rules with Respect to Industrial Exemption

20. (3) 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 in respect of the enlargement is determined in accordance with this section.
- (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.
 - (b) If the gross floor area is enlarged by more than 50 per cent 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 per cent of the gross floor area before the enlargement.

- (ii) Divide the amount determined under paragraph (i) by the amount of the enlargement.
- (4) For the purposes of subsection 20(3) the following provisions apply:
 - (i) the gross floor area of an existing industrial building shall be calculated as it existed as of the date this By-law comes into force;
 - (ii) subject to 4(iii) below, the enlargement 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 as the existing industrial building;
 - (iii) in the event that the enlargement is in the form of a standalone building or structure located on the same parcel of land as per 4(ii) above, prior to the issuance of a building permit for the standalone building or structure, the owner shall be required to enter into an agreement with the Township under section 27 of the Act respecting the timing and calculation of payment of development charges, notice of which the owner shall register on the title to the lands at its sole cost and expense with the intention that the provisions shall bind and run with title to the lands. Such agreement will require that an event that the lands upon which any standalone building or structure is located are the subject of an application for consent under section 53 of the Planning Act; or for which a by-law is passed under subsection 50(7) of the Planning Act, within 10 years of building permit issuance for such standalone building or structure, that the development charges that would have been otherwise payable for such standalone building or structure, shall become due and payable.

Categories of Exempt Institutions

- 21. (1) The following categories of institutions are hereby designated as being exempt from the payment of development charges:
 - (a) buildings or structures used as hospital governed by the *Public Hospitals Act*, R.S.O 1990, c. P.40;

- (b) buildings or structures owned by and used for the purposes of the Township, the Region, or their local boards;
 - (c) buildings or structures owned by a board of education and used for school purposes;
 - (d) buildings or structures owned by and used for the purposes of a college of applied arts and technology established pursuant to the *Ministry of Colleges and Universities Act* R.S.O 1990, c. M.19;
 - (e) buildings or structures owned by and used for the purposes of a university established by and Act of the Legislative Assembly of Ontario;
 - (f) Development in relation to lands to be used as a place of worship and land used in connection therewith, a churchyard, cemetery or burying ground exempt under the *Assessment Act*, R.S.O. 1990, c.A.31, as amended, for taxation purposes;
 - (g) Development of Farm Buildings; and
 - (h) Non-Profit Housing Development.
- (2) The exemption referred to in this paragraph 21 (1) (b) does not apply to the development for residential uses of lands owned by:
- (a) the Region or any local board thereof; or
 - (b) any corporation owned, controlled, or operated by the Region.

Agricultural Uses

22. (1) Agricultural uses as well as farm buildings and other ancillary development to an agricultural use excluding any residential or commercial uses or cannabis production facilities shall be exempt from the provisions of this By-law.

Temporary Buildings or Structures

23. (1) Temporary buildings or structures shall be exempt from the provisions of this By-law.
- (2) In the event that a temporary building or structure becomes protracted, it shall be deemed not to be nor ever to have been a temporary building or structure, and the development charges required to be paid under this By-law shall become payable on the date the temporary building or structure becomes protracted.

- (3) Prior to the Township issuing a building permit for a temporary building or structure, the Township may require an owner to enter into an agreement, including the provision of security for the owner's obligation under the agreement, pursuant to section 27 of the Act providing for all or part of the development charge required by subsection 23(2) to be paid after it would otherwise be payable. The terms of such agreement shall then prevail over the provisions of this By-law, as it relates to the timing of the payment.

Rules with Respect to the Redevelopment of Land

24. (1) Where there is a redevelopment of land on which there is a conversion of space proposed, or on which there was formerly erected a building or structure that has been demolished, a credit shall be allowed against the development charge otherwise payable by the owner pursuant to this By-law for the portion of the previous building or structure still in existence that is being converted or for the portion of the building or structure that has been demolished, as the case may be, calculated by multiplying the number and type of dwelling units being converted or demolished or the non-residential Gross Floor Area being converted or demolished by the relevant development charge in effect on the date when the development charge is payable in accordance with this By-law.
- (2) A credit in respect of any demolition under this section shall not be given unless a building permit has been issued or a subdivision agreement has been entered into with the Township for the development within five years from the date the demolition permit was issued.
- (3) The amount of any credit hereunder shall not exceed, in total, the amount of the development charges otherwise payable with respect to the development.

Phase-in of Development Charges and Transition Provisions

25. Development charges shall be phased in accordance with the requirements of the Act, as amended.

Front Ending Agreements

26. The Township may enter into agreements under Part III of the Act.

Schedules

27. The following Schedules to this By-law form an integral part of this By-law.

Schedule 'A' Designated Services

Schedule 'B' Residential Development Charges

Schedule 'C' Non-Residential Development Charges

By-law Registration

28. A certified copy of this By-law may be registered in the by-law register in the Land Registry Office against all land in the Township and may be registered against title to any land to which this By-law applies.

Date By-law Effective

29. This By-law comes into force on date of passage.

Date By-law Expires

30. Unless repealed earlier, or unless the term of the By-law is altered by legislation, this By-law expires ten (10) years from the day it comes into force.

Repeal

31. By-law No. 53-19, as amended is hereby repealed effective on the date this By-law comes into force.

Headings for Reference Only

32. 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.

Severability

33. If, for any reason, any provision, section, subsection or paragraph of this By-law is held 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 or amended, in whole or in part or dealt with in any other way.

READ a FIRST, SECOND, AND THIRD TIME, and PASSED this xxx day of xxx 2024.

Signed

TOWNSHIP OF SCUGOG BY-LAW XX-XX

SCHEDULE A – SERVICES

- Library Services
- Fire Services
- Parks & Recreation
- Services Related to a Highway: Public Works: Buildings & Fleet
- Bylaw Enforcement & Court Services
- Development Related Studies*
- Township Engineering (includes: Services related to a Highway and Storm Water Drainage and Control Services)

*To be in effect immediate upon amendment to the Act.

TOWNSHIP OF SCUGOG BY-LAW XX-XX

SCHEDULE B - RESIDENTIAL DEVELOPMENT CHARGES

Service	Single & Semi-Detached	Rows & Other Multiples	Apartments
Library Services	\$969	\$785	\$540
Fire Services	\$1,513	\$1,227	\$843
Parks & Recreation	\$10,812	\$8,767	\$6,027
Services Related to a Highway: Public Works: Buildings & Fleet	\$1,499	\$1,215	\$835
Bylaw Enforcement & Court Services	\$86	\$70	\$48
Development Related Studies*	\$486	\$394	\$271
Township Engineering	\$16,077	\$13,036	\$8,962
TOTAL DEVELOPMENT CHARGE PER UNIT	\$31,442	\$25,494	\$17,526

TOWNSHIP OF SCUGOG BY-LAW XX-XX

SCHEDULE C – NON-RESIDENTIAL DEVELOPMENT CHARGES

Service	Industrial (\$/m²)	Commercial (\$/m²)	Institutional (\$/m²)
Library Services	\$0.00	\$0.00	\$0.00
Fire Services	\$9.21	\$9.21	\$9.21
Parks & Recreation	\$0.00	\$0.00	\$0.00
Services Related to a Highway: Public Works: Buildings & Fleet	\$9.13	\$9.13	\$9.13
Bylaw Enforcement & Court Services	\$0.00	\$0.00	\$0.00
Development Related Studies*	\$2.96	\$2.96	\$2.96
Township Engineering	\$71.93	\$200.72	\$135.03
TOTAL DEVELOPMENT CHARGE	\$93.23	\$222.02	\$156.33