

# The Corporation of the Township of Whitewater Region

## By-law Number 21-05-1382

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### **A by-law to establish development charges for the Township of Whitewater Region**

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

**Whereas**, the Council of The Township of Whitewater Region has given Notice on March 11, 2021 according to section 12 of the *Development Charges Act, 1997*, of its intention to pass a by-law under Section 2 of the said Act; and

**Whereas**, the Council of the Township of Whitewater Region has heard all persons who applied to be heard no matter whether in objection to, or in support of, the development charge proposal at a public meeting held on April 7, 2021; and

**Whereas**, the Council of the Township of Whitewater Region had before it a report entitled Development Charge Background Study dated June 17, 2020 and amended on March 23, 2021, prepared by Watson & Associates Economists Ltd., wherein it is indicated that the development of any land within the Township of Whitewater Region will increase the need for services as defined herein; and

**Whereas**, the Council of the Township of Whitewater Region on June 17, 2020 approved the applicable Development Charge Background Study, inclusive of the capital forecast therein, in which certain recommendations were made relating to the establishment of a development charge policy for the Township of Whitewater Region pursuant to the *Development Charges Act, 1997*; and

**Whereas**, the Council of the Township of Whitewater Region on April 7, 2021 determined that no additional public meeting was required to be held as part of the approval process.

**Now therefore the Council of the Township of Whitewater Region enacts as follows:**

#### **1. Definitions**

In this by-law,

1. "**Act**" means the *Development Charges Act, 1997, c. 27*;

2. **"Administration service"** means any and all development-related studies carried out by the Township which are with respect to eligible services for which a development charge by-law may be imposed under the *Development Charges Act, 1997*;
3. **"Accessory use"** means where used to describe a use, building, or structure that the use, building or structure is naturally and normally incidental, subordinate in purpose of floor area or both, and exclusively devoted to a principal use, building or structure;
4. **"Accessory dwelling"** means a self-contained residential unit that is subordinate in purpose to another residential dwelling unit upon the same lot and includes a garden suite and a mobile home;
5. **"Accommodation for on-farm labour"** means a dwelling unit not attached to any other building, and used for seasonal, interim or occasional residential uses by farm labourers;
6. **"Agricultural use"** means a bona fide farm operation, but does not include:
  - (a) residential uses, including accommodation for on-farm labour;
  - (b) on-farm diversified uses; and
  - (c) cannabis production facilities.
7. **"Ancillary residential building"** means a residential building that would be ancillary to a detached dwelling, semi-detached dwelling, or row dwelling and includes an accessory dwelling
8. **"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 and shall include dwelling units contained above or as part of commercial buildings;
9. **"Bedroom"** means a habitable room larger than seven square metres, including a den, study, or other similar area, but does not include a living room, dining room or kitchen;
10. **"Benefiting area"** means an area defined by map, plan or legal description in a front-ending agreement as an area that will receive a benefit from the construction of a service;
11. **"Board of education"** means a board defined in s.s. 1(1) of the *Education Act*;
12. **"Bona fide farm uses"** means the proposed development that will qualify as a farm business operating with a valid Farm Business Registration Number issued by the Ontario Ministry of Agriculture, Food and Rural Affairs and be assessed in the Farmland Realty Tax Class by the Municipal Ontario Property Assessment Corporation;

13. **"Building Code Act"** means the *Building Code Act, 1992, S.O. 1992, c.23* as amended;
14. **"Cannabis"** means:
- (a) a cannabis plant;
  - (b) any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant regardless of whether that part has been processed or not;
  - (c) any substance or mixture of substances that contains or has on it any part of such a plant; and
  - (d) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.
15. **"Cannabis plant"** means a plant that belongs to the genus cannabis;
16. **"Cannabis production facilities"** means a building, or part thereof, designed, used, or intended to be used for one or more of the following: cultivation, propagation, production, processing, harvesting, testing, alteration, destruction, storage, packaging, shipment or distribution of cannabis where a licence, permit or authorization has been issued under applicable federal law but does not include a building or part thereof solely designed, used, or intended to be used for retail sales of cannabis.
17. **"Capital cost"** means costs incurred or proposed to be incurred by the municipality or a local board thereof directly or by others on behalf of, and as authorized by, the municipality or local board,
- (a) to acquire land or an interest in land, including a leasehold interest;
  - (b) to improve land;
  - (c) to acquire, lease, construct or improve buildings and structures;
  - (d) to acquire, lease, construct or improve facilities including;
    - i. rolling stock with an estimated useful life of seven years or more;
    - ii. furniture and equipment, other than computer equipment, and
    - iii. materials acquired for circulation, reference or information purposes by a library board as defined in the *Public Libraries Act, R.O. 1990, c. 57*, and
    - iv. to undertake studies in connection with any of the matters referred to in clauses a. to d.;
  - (e) to complete the development charge background study under Section 10 of the Act;
  - (f) interest on money borrowed to pay for costs in a. to d. required for provision of services designated in this by-law within or outside the Township;

18. **"Class"** means a grouping of services combined to create a single service for the purposes of this by-law and as provided in section 7 of the Development Charges Act;
19. **"Commercial"** means any use of land, structures or buildings for the purposes of buying or selling commodities and services, but does not include industrial or agricultural uses, but does include commercial greenhouses, hotels, motels, motor inns and boarding, lodging and rooming houses;
20. **"Commercial greenhouse"** means a building, that is made primarily of translucent building material, used, designed or intended to be used for the sale and display of plant products grown or stored therein, gardening supplies and equipment, or landscaping supplies and equipment.
21. **"Council"** means the Council of the Township of Whitewater Region;
22. **"Development"** means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that the effect of increasing the size of usability thereof, and includes redevelopment;
23. **"Development charge"** means a charge imposed pursuant to this by-law;
24. **"Dwelling unit"** means one or more habitable rooms designed or intended to be used together as a single and separate house-keeping unit by one person or jointly by two or more persons containing its own kitchen and sanitary facilities;
25. **"Existing"** means the number, use and size that existed as of the date this by-law was passed;
26. **"Existing industrial building"** means a building or buildings existing on a site in the Township of Whitewater Region as of the date of the previous by-law or the buildings or structures constructed and occupied on a vacant site pursuant to site plan approval under section 41 of the *Planning Act*, R.S.O. 1990, c. P.13 (the "Planning Act") subsequent to the date of the previous by-law for which development charges were exempted or paid for.
27. **"Farm building"** means a building or structure located on a bona fide farm which is necessary and ancillary to a bona fide farm operation including barns, tool sheds, silos, other farm related structures for such purposes as sheltering of livestock or poultry, storage of farm produce, feed and farm related machinery and equipment and other ancillary development to a planning designated agricultural use, but excluding a residential use;
28. **"Garden suite"** means a building containing one (1) dwelling unit where the garden suite is detached from and ancillary to an existing

single detached dwelling or semi-detached dwelling on the lands and such building is designed to be portable;

29. "**Grade**" means the average level of finished ground adjoining a building or structure at all exterior walls;

30. "**Gross floor area**" means

- (a) in the case of a residential building or structure, the total area of all floors above grade of a dwelling unit measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing the dwelling unit from any other dwelling unit or other portion of a building; and
- (b) in the case of a non-residential building or structure, including an air supported structure, or in the case of a mixed-use building or structure in respect of the non-residential portion thereof, the total area of all building floors above or below grade measured between the outside surfaces of the exterior walls, or between the outside surfaces of exterior walls and the centre line of party walls dividing a non-residential use and a residential use, except for;
  - i. a room or enclosed area within the building or structure above or below that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical or telecommunications equipment that service the building;
  - ii. loading facilities above or below grade;
  - iii. a part of the building or structure below grade that is used for the parking of motor vehicles or for storage or other accessory use; and
  - iv. a mezzanine as defined by the building code;

31. "**Industrial**" means lands, buildings or structures used or designed or intended for use for manufacturing, processing, fabricating or assembly of raw goods, warehousing or bulk storage of goods, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use, but does not include the sale of commodities to the general public through a warehouse club;

32. "**Institutional**" means the development of a building or structure intended for use,

- (a) as a long-term care home within the meaning of subsection 2 (1) of the *Long-Term Care Homes Act, 2007*;
- (b) as a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*;
- (c) by any of the following post-secondary institutions for the objects of the institution:
  - i. a university in Ontario that receives direct, regular and ongoing operating 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 Institutes 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.
33. **"Linked dwelling unit"** means a dwelling unit of a group of two or more residential dwelling units linked only below grade by a common foundation;
34. **"Local board"** means a school board, public utility, commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of the municipality or any part or parts thereof;
35. **"Local services"** means those services, facilities or things which are under the jurisdiction of the Township of Whitewater Region and are related to a plan of subdivision or within the area to which the plan relates in respect of the lands under Sections 41, 51 or 53 of the Planning Act, R.S.O. 1990, Chap. P.13, as amended, or any successor thereof;
36. **"Mobile home"** means any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer;
37. **"Multiple dwelling unit"** means all dwellings other than single-detached, semi-detached and apartment unit dwellings and may include a row dwelling unit or a linked dwelling unit;
38. **"Municipality"** means the Corporation of the Township of Whitewater Region;
39. **"Non-profit housing"** means development of a building or structure intended for use as residential premises by,
- (a) a corporation without share capital to which the *Corporations Act* 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*.

40. **"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;
41. **"Official Plan"** means the Official Plan of the County of Renfrew, as amended and approved;
42. **"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 may include, but are not limited to, uses that produce value added agricultural products or provide a service that is supportive of regional agri-business;
43. **"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;
44. **"Place of worship"** means that part of a building or structure that is exempt from taxation as a place of worship under the *Assessment Act*, R.S.O. 1990, Chap. A.31, as amended, or any successor thereof;
45. **"Planning Act"** means the *Planning Act*, 1990, R.S.O. 1990, c.P.13, as amended;
46. **"Regulation"** means any regulation made pursuant to the Act;
47. **"Rental housing"** means the development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises;
48. **"Reserve fund borrowing rate"** means the interest rate established weekly by the Bank of Canada based on Treasury Bills having a term of 91 days;
49. **"Residential dwelling"** means a building, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, containing one or more dwelling units but not including motels, hotels, tents, truck campers, tourist trailers, mobile camper trailers or boarding, lodging or rooming houses;
50. **"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;
51. **"Row dwelling unit"** 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 and may include a linked dwelling unit;
52. **"Semi-detached dwelling unit"** 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 and may include a linked dwelling unit;

53. **"Service"** means a service designated in Schedule "A" to this By-law, and "services" shall have a corresponding meaning;
54. **"Servicing agreement"** means an agreement between a landowner and the Township relative to the provision of municipal services to specified land within the Township;
55. **"Single detached dwelling unit"** means a completely detached building containing only one dwelling unit;
56. **"Special care facilities"** means lands, buildings or structures used or designed or intended for uses for the purpose of providing supervision, nursing care or medical treatment, that are licensed, approved or supervised under any special or general statute, and excludes the special care/special dwelling portions of the building;
57. **"Special care/special dwelling"** means special care facilities containing rooms or suites of rooms designed or intended to be used for sleeping and living accommodation that have a common entrance from street level:
- (a) Where the occupants have the right to use in common, halls, stairs, yards, common rooms and accessory buildings;
  - (b) Which may or may not have exclusive sanitary and/or culinary facilities;
  - (c) That is designed to accommodate persons with specific needs, including, but not limited to, independent permanent living arrangements; and
  - (d) Where support services such as meal preparation, grocery shopping, laundry, housekeeping, nursing, respite care and attendant services may be provided at various levels.
58. **"Zoning by-law"** means the Zoning By-Law of the Municipality or any successor thereof passed pursuant to Section 34 of the *Planning Act*, S.O. 1998.

## **2. Designation of Services/Classes of Services**

2.1 The categories of services/classes 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 & Recreation Services
- (d). Library Services
- (f) Growth Studies
- (g) Waste Diversion
- (h) Wastewater Services
- (i) Water Services



2.2 The components of the services/classes of services designated in section 2.1 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 land requires any of the approvals set out in subsection 3.4(a).

#### **Area to Which By-law Applies**

3.2 Subject to section 3.3, this By-law applies to all lands in the Township of Whitewater Region whether or not the land or use thereof is exempt from taxation under s. 13 or 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 of Whitewater Region or a local board thereof;
- (b) buildings or structures owned by and used for the purposes of a board as defined in Subsection 1(1) of the *Education Act*, R.S.O. 1990, c.E.2, as amended, and exempt from taxation under Section 3 of the *Assessment Act*, R.S.O. 1990, c.A.31, as amended;
- (c) The Corporation of the County of Renfrew or a 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:

- (i) the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*;
- (ii) the approval of a minor variance under section 45 of the *Planning Act*;
- (iii) a conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act* applies;
- (iv) the approval of a plan of subdivision under section 51 of the *Planning Act*;
- (v) a consent under section 53 of the *Planning Act*;
- (vi) the approval of a description under section 50 of the *Condominium Act*, R.S.O. 1990, Chap. C.26, as amended, or any successor thereof; or

- (vii) the issuing of a permit under the *Building Code Act* in relation to a building or structure.
- (b) No more than one development charge for each service designated in subsection 2.1 shall be imposed upon any lands, buildings or structures to which this By-law applies even though two or more of the actions described in subsection 3.4(a) are required before the lands, buildings or structures can be developed.
- (c) Despite subsection 3.4(b), if two or more of the actions described in subsection 3.4(a) occur at different times, additional development charges shall be imposed if the subsequent action has the effect of increasing the need for services.

### **Exemptions**

#### **3.5 Rules with Respect to Exemptions for Intensification of Existing Housing or New Housing**

Notwithstanding the provisions of this By-law, development charges shall not be imposed with respect to developments or portions of developments as follows:

- (a) the enlargement to an existing residential dwelling unit;
- (b) one or two additional dwelling units in an existing single detached dwelling or prescribed ancillary structure to the existing residential building;
- (c) 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;
- (d) the creation of one additional dwelling unit in any other existing residential building already containing at least one dwelling unit or prescribed ancillary structure to the existing residential building; or
- (e) the creation of a second dwelling unit in prescribed classes of proposed new residential buildings, including structures ancillary to dwellings, subject to the following restrictions:

Item	Name of Class of Proposed New Residential Buildings	Description of Class of Proposed New Residential Buildings	Restrictions
1	Proposed new detached dwellings	Proposed new residential buildings that would not be attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	The proposed new detached dwelling must only contain two dwelling units.  The proposed new detached dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.
2	Proposed new semi-detached dwellings or row dwellings	Proposed new residential buildings that would have one or two vertical walls, but no other parts, attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	The proposed new semi-detached dwelling or row dwelling must only contain two dwelling units.  The proposed new semi-detached dwelling or row dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.
3	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling and that are permitted to contain a single dwelling unit.	The proposed new detached dwelling, semi-detached dwelling or row dwelling, to which the proposed new residential building would be ancillary, must only contain one dwelling unit.  The gross floor area of the dwelling unit in the proposed new residential building must be equal to or less than the gross floor area of the detached dwelling, semi-detached dwelling or row dwelling to which the proposed new residential building is ancillary.

3.5.1 Notwithstanding subsection 3.5 (b), 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.

3.5.2 Notwithstanding subsection 3.5 (d), development charges shall be imposed if the additional unit has a gross floor area greater than:

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

3.6 Notwithstanding section 3.5(a)(i), 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.

3.6.1 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 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.

3.7 Exemption for University Facilities

Land vested in or leased to a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education is exempt from development charges imposed under the Development Charges Act, 1997 if the development

in respect of which development charges would otherwise be payable is intended to be occupied and used by the university.

### 3.8 Exemption for Industrial Building Expansions:

Notwithstanding any other provision of this by-law, there shall be an exemption from the payment of development charges for one or more enlargements of an existing industrial building, up to a maximum of fifty percent of the gross floor area before the first enlargement for which an exemption from the payment of development charges was granted pursuant to the Development Charges Act or this section. Development charges shall be imposed in accordance with this by-law with respect to the amount of floor area of an enlargement that results in the gross floor area of the industrial building being increased by greater than fifty per cent of the gross floor area of the existing industrial building.

3.9 If the gross floor area of an existing industrial building is enlarged by greater than fifty percent, the amount of the development charge payable in respect of the enlargement is the amount of the development charge that would otherwise be payable multiplied by the fraction determined as follows:

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

### 3.10 Other Exemptions:

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

- (a) Every place of worship and land used in connection therewith, and every churchyard, cemetery or burying ground are wholly exempted from the development charges imposed pursuant to this by-law.
- (b) bona fide farm uses and buildings, as defined by this By-law, are wholly exempted from the development charges imposed pursuant to this by-law.

## **Amount of Charges**

### **Residential**

3.10 The development charges set out in Schedule B shall be imposed on residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use and, in the case of a mixed use building or structure, on the residential uses in the mixed use building or structure, according to the type of residential use in which the

development occurs, and calculated with respect to each of the services according to the type of residential use.

Percentage of Schedule "B" Residential Charges to be Imposed					
Service/Class of Service	July 1, 2021 to December 31, 2021	January 1, 2022 to December 31, 2022	January 1, 2023 to December 31, 2023	January 1, 2024 to December 31, 2024	January 1, 2025 to December 31, 2025
<b>Township-wide Services/Classes of Services:</b>					
Services Related to a Highway	24.51%	24.51%	24.51%	24.51%	24.51%
Fire Protection Services	24.51%	24.51%	24.51%	24.51%	24.51%
Parks & Recreation Services	24.51%	24.51%	24.51%	24.51%	24.51%
Library Services	24.51%	24.51%	24.51%	24.51%	24.51%
Growth Studies	24.51%	24.51%	24.51%	24.51%	24.51%
Waste Diversion	24.51%	24.51%	24.51%	24.51%	24.51%
<b>Urban Services</b>					
Wastewater Services	20.86%	20.86%	20.86%	20.86%	20.86%
Water Services	84.60%	84.60%	84.60%	84.60%	84.60%

3.11 Notwithstanding subsection 3.10 of this By-law, the following percentages of each service for residential development, as provided below, shall be imposed for the period of July 1, 2021 to December 31, 2025.

**Non-Residential**

3.12 The development charges described in Schedule B to this by-law shall be imposed on non-residential uses of lands, buildings or structures, and, in the case of a mixed-use building or structure, on the non-residential uses in the mixed use building or structure, and calculated with respect to each of the services according to the total floor area of the non-residential use in which the development occurs.

3.13 Notwithstanding subsection 3.12 of this By-law, the following percentages of each service for non-residential development, as provided below, shall be imposed for the period of July 1, 2021 to December 31, 2025.

Percentage of Schedule "B" Non-Residential Charges to be Imposed					
Service/Class of Service	July 1, 2021 to December 31, 2021	January 1, 2022 to December 31, 2022	January 1, 2023 to December 31, 2023	January 1, 2024 to December 31, 2024	January 1, 2025 to December 31, 2025
<b>Township-wide Services/Classes of Services:</b>					
Services Related to a Highway	27.17%	27.17%	27.17%	27.17%	27.17%
Fire Protection Services	27.17%	27.17%	27.17%	27.17%	27.17%
Parks & Recreation Services	27.17%	27.17%	27.17%	27.17%	27.17%
Library Services	27.17%	27.17%	27.17%	27.17%	27.17%
Growth Studies	27.17%	27.17%	27.17%	27.17%	27.17%
Waste Diversion	27.17%	27.17%	27.17%	27.17%	27.17%
<b>Urban Services</b>					
Wastewater Services	28.01%	28.01%	28.01%	28.01%	28.01%
Water Services	84.75%	84.75%	84.75%	84.75%	84.75%

**Reduction of Development Charges for Redevelopment**

3.14 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 3.10 and 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 greater of the applicable development charges under subsection 3.12 and 3.13 by the gross floor area that has been or will be demolished or converted to another principal use;

provided that such amounts shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment.

### **Time of Payment of Development Charges**

- 3.15 Development charges imposed under this section are payable upon issuance of a building permit with respect to each dwelling unit, building or structure.
- 3.16 Notwithstanding Subsection 3.10 to 3.13, Development Charges for rental housing and institutional developments are due and payable in 6 installments commencing with the first instalment payable on the date of occupancy, and each subsequent installment, including interest (as per the Township's D.C. Interest Rate Policy), payable on the anniversary date each year thereafter.
- 3.17 Notwithstanding Subsections 3.10 to 3.13, Development Charges for non-profit housing developments are due and payable in 21 instalments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest (as per the Township's D.C. Interest Rate Policy), payable on the anniversary date each year thereafter.
- 3.18 Where the development of land results from the approval of a Site Plan or Zoning Bylaw Amendment received on or after January 1, 2020, and the approval of the application occurred within 2 years of building permit issuance, the Development Charges under Subsections 3.10, 3.11, 3.12, and 3.13 shall be calculated on the rates set out in Schedule "B" on the date of the planning application, including interest

(as per the Township's D.C. Interest Rate Policy). Where both planning applications apply Development Charges under Subsections 3.10, 3.11, 3.12, and 3.13 shall be calculated on the rates, including interest (as per the Township's D.C. Interest Rate Policy), set out in Schedules "B" on the date of the later planning application, including interest.

- 3.19 Council may enter into an agreement for payment of the development charges before or after the date of building permit issuance subject to Section 27 of the Act.

#### **4. Phase-in of Development Charges**

- 4.1 The development charges imposed - pursuant to this by-law are being phased-in as per subsections 3.10 to 3.13 and are payable in full, subject to the exemptions herein, from the effective date of this by-law.

#### **5. Payment by Services**

- 5.1 Despite the payment required under subsections 3.10, 3.11, 3.12, and 3.13, 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.

#### **6. Indexing**

- 6.1 Development charges imposed pursuant to this By-law shall be adjusted annually commencing on January 1, 2022, without amendment to this By-law in accordance with the prescribed index in the Act.

#### **7. Schedules**

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

Schedule A            Components of Services/Classes of Services  
Designated in section 2.1.

Schedule B            Residential and Non-Residential Township-Wide  
Development Charges.

#### **8. Conflicts**

- 8.1 Where the Township of Whitewater Region 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.

- 8.2 Notwithstanding section 8.1, where a development which is the subject of an agreement to which section 8.1 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.

**9. Severability**

9.1 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.

**10. Date By-law in Force**

10.1 This By-law shall come into effect at 12:01 AM on July 1, 2021.

**11. Date By-law Expires**

11.1 This By-law will expire at 11:59 PM on June 30, 2026 unless it is repealed by Council at an earlier date.

**Read a first, second and third time and finally passed this 5th day of May, 2021.**

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**Michael Moore, Mayor**

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**Carmen Miller, Clerk**



## **Schedule "A" to By-law 21-05-1382**

### **D.C -Eligible Services**

#### Services Related to Highway

- Roads
- PW Facilities, Vehicles and Equipment

#### Water Services

- Treatment, storage and distribution systems

#### Wastewater Services

- Treatment plants & sewers

#### Fire Protection Services

- Fire facilities, vehicles & equipment

#### Parks & Recreation Services

- Parkland development, amenities & trails
- Parks vehicles and equipment
- Recreation facilities

#### Library Services

- Library facilities and materials

#### Water Diversion

- Waste diversion facilities, vehicles, equipment and other

#### Growth Studies

- Water Services
- Wastewater Services
- Service related to a highway
- Fire Protection Services
- Parks & Recreation Services
- Library Services
- Waste Diversion

**Schedule B**  
**By-law Number 21-05-1382**  
**Schedule of Development Charges**

Service/Class of Service	RESIDENTIAL					NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)
<b>Township Wide Services/Classes of Services:</b>						
Services Related to a Highway	992	718	573	391	391	0.27
Fire Protection Services	447	324	258	176	176	0.12
Parks & Recreation Services	1,305	945	754	515	515	0.07
Library Services	132	95	76	52	52	0.01
Growth Studies	101	73	58	40	40	0.03
Waste Diversion	24	17	13	9	9	0.00
<b>Total Township Wide Services/Classes of Services</b>	<b>3,000</b>	<b>2,173</b>	<b>1,733</b>	<b>1,183</b>	<b>1,183</b>	<b>0.50</b>
<b>Urban Services</b>						
Wastewater Services	1,500	1,087	867	591	591	1.00
Water Services	1,000	724	578	394	394	0.50
<b>Total Urban Services</b>	<b>2,500</b>	<b>1,811</b>	<b>1,444</b>	<b>986</b>	<b>986</b>	<b>1.50</b>
<b>GRAND TOTAL RURAL AREA</b>	<b>3,000</b>	<b>2,173</b>	<b>1,733</b>	<b>1,183</b>	<b>1,183</b>	<b>0.50</b>
<b>GRAND TOTAL URBAN AREA - PARTIAL SERVICES (WATER ONLY)</b>	<b>4,000</b>	<b>2,897</b>	<b>2,311</b>	<b>1,577</b>	<b>1,577</b>	<b>1.00</b>
<b>GRAND TOTAL URBAN AREA - FULL SERVICES (WATER AND WASTEWATER)</b>	<b>5,500</b>	<b>3,984</b>	<b>3,178</b>	<b>2,169</b>	<b>2,169</b>	<b>2.00</b>