

# ORIGINAL

## The Corporation of the Town of Innisfil

### By-Law No. 098-23

#### **A By-Law of The Corporation of the Town of Innisfil to impose development charges for the recovery of growth-related capital costs for Water Distribution and Wastewater Collection Services.**

Whereas pursuant to subsection 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 Innisfil, at its meeting of November 8, 2023, approved the Town of Innisfil Development Charges Background Study dated July 28, 2023 (the "Study"), as required by section 10 of the Act indicating that it intends that the increase in need for services attributable to development be met; and

Whereas a public meeting has been held, on August 16, 2023, before passage of this by-law with notice given and sufficient information made available to the public pursuant to section 12 of the Act; 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 on November 8, 2023, the Council determined that no further public meetings were required under section 12 of the Act; and

Whereas on November 8, 2023, the Council expressed its intention that any excess capacity identified in the Study shall be paid for by development charges contemplated in the said Study, or other similar changes; and

Whereas the Council in approving the Study 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 Innisfil enacts as follows:

#### **Definitions**

1. In this By-law:

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

**Agricultural Use** means a bona fide farming operation, including sod farms, the breeding and boarding of horses, and greenhouses;

**Air-Supported Structure** means an air supported structure as defined in the *Building Code Act*;

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**Apartment Dwelling** means any residential dwelling unit within a building containing four or more dwelling units where the residential units are connected by an interior corridor and including units defined as a Stacked Townhouse or Special Care Dwelling Units; or any dwelling unit in a Multiple Use building or structure, other than a home occupation.

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

**Board of Education** means a board of education, public school board, secondary school board, Catholic school board or Protestant school board;

**Building or Structure** means a structure as defined in the *Building Code Act*, and includes an air-supported structure and an exterior storage tank;

**Building Code Act** means the *Building Code Act*, S.O. 1992, chapter 23, as amended, or any successor thereto and all Regulations thereto, as amended;

**Building Permit** means a Permit issued in accordance with the *Building Code Act*;

**County** means The County of Simcoe;

**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 Total Floor Area, and includes Redevelopment;

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

**Dwelling Unit** means one or more habitable rooms designed or intended to be used together as a single and separate unit by one person or jointly by two or more persons, containing its own kitchen and sanitary facilities, with a private entrance from outside the unit itself;

**Farm Building** means a building or structure used as part of or in connection with a bona fide farming operation and includes barns, silos and other buildings or structures ancillary to a bona fide farming operation, but excluding a residential use and/or buildings and structures for retail uses and cannabis use;

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

**Industrial Use** means a building used for or in connection with:

- (a) manufacturing, producing, processing, or distributing something;
- (b) research or development in connection with manufacturing, producing or processing something;
- (c) retail sales by a manufacturer, producer or processor of something they manufactured, produced or processed, if the retail sales are at the site where the

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manufacturing, production or processing takes place;

- (d) office or administrative purposes, if they are carried out with respect to manufacturing, producing, processing, storage or distributing of something, and in or attached to the building or structure used for manufacturing, producing, processing, storage or distribution.

**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 Town or the County;

**Long Term Care Home or Nursing Home** means premises in which lodging is provided with or without meals and in addition, nursing or medical care and treatment is provided in accordance with the *Long-Term Care Homes Act, 2007*, as amended, and/or other applicable legislation and regulations, and shall include a hospice in accordance with any applicable regulations but does not include a Retirement Home as defined herein. For the purpose of this by-law, a Long-Term Care Home or Nursing Home structure is considered a Non-Industrial Use.

**Manufactured Housing** means a prefabricated dwelling that is manufactured and assembled in a factory and then transported to a site for use. Manufactured Housing are built as dwelling units of at least 30 square metres with a permanent chassis to assure the initial and continued transportability of the home. The combined gross floor area of a Manufactured House shall not exceed 100 square metres. Manufactured Housing does not include modular homes that are constructed and then transported to a site for assembly. For the purposes of this definition, Park Model Trailers are considered Manufactured Housing. Park Model Trailers shall not exceed 50 square meters and are transportable and primarily designed for long-term or permanent placement. For the purpose of this by-law, this type of dwelling unit is considered to be equivalent to a large apartment unit.

**Mezzanine** means a mezzanine as defined in the *Building Code Act*;

**Multiple Dwellings** means all dwellings other than single-family detached dwellings, semi-detached dwellings, and apartment dwellings;

**Multiple Use** means any Building or Structure that contains portions of the Building or Structure that vary between the definition of Residential or Non-Residential within the same Building or Structure.

**Non-Industrial Use** means a building or structure used for other than a residential use or an industrial use.

**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,

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(b) a corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing, or

(c) a non-profit housing co-operative that is in good standing under the Co-operative Corporations Act, 2022, c. 21, Sched. 3, s. 4.

**Non-Residential Use** means land, buildings or structures or portions thereof used, or designed or intended to be used for a use other than for a residential use;

**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;

**Places of Worship** means that part of a building or structure that is exempt from taxation under Section 3 of the *Assessment Act*, R.S.O. 1990 C.A. 31, as amended, as a place of worship under the *Assessment Act*, 1990, as amended or any successor thereto;

**Planning Act** means the *Planning Act*, R.S.O. 1990 C.P. 13, as amended and all Regulations enacted thereunder;

**Private School** means an institution at which instruction is provided on any school day for five or more pupils who are of or over compulsory school age in subjects of the elementary or secondary school courses of study as defined by the *Education Act* and is not a school of a Board of Education. Notwithstanding the Zoning By-law designation for the lands on which the Private School is to be located, for the purpose of this by-law a Private School is to be considered a Non-Industrial Use;

**Protracted** means in relation to a Temporary Building or Structure the persistence of its construction, erection, placement on land, alteration or of an addition to it for a period exceeding eight months;

**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;

**Rental Housing** means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises;

**Residential Uses** means land, buildings or structures or portions thereof used, designed, or intended to be used principally (or primarily) as living accommodation for one or more individuals and shall include a Single Detached Dwelling, a Semi-Detached Dwelling, a Row and Other Multiple Dwelling, an Apartment Dwelling, a Special Care Dwelling Unit, a Stacked Townhouse, an Accessory Dwelling, and the residential portion of a Multiple Use building;

**Retail Motor Vehicle Establishment** means a building or structure used or designed or intended to be used for the sale, rental or servicing of motor vehicles, or any other function associated with the sale, rental or servicing of motor vehicles including but not

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limited to detailing, leasing and brokerage of motor vehicles, and short or long-term storage of customer motor vehicles. Notwithstanding the Total Floor Area definition included in this by-law, for a retail motor vehicle establishment, Total Floor Area includes the sum of the areas of each floor used, or designed or intended for use for the parking or storage of motor vehicles. For the purpose of this by-law a Retail Motor Vehicle Establishment is to be considered a Non-Industrial Use;

**Retirement Home** means premises that provides accommodation primarily to retired persons or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and where common lounges, recreation rooms and medical care facilities may also be provided, but which shall not include a Long Term Care Home or Nursing Home. For the purpose of this by-law, a Retirement Home structure will be considered Multiple Use.

**Row and Other Multiple Dwelling Unit** means all dwellings units other than a Single Detached Dwelling, Semi-Detached Dwelling, an Apartment Dwelling, a Special Care Dwelling Unit, a Stacked Townhouse Dwelling and an Accessory Unit and includes but is not limited to Townhouses and Back-to-Back Townhouses.

**Semi-Detached Dwelling** means a building divided vertically, into two separate dwelling units, with at least 50 per cent of the above-grade area of a main wall on one side of each dwelling unit attached to or the same as a main wall on one side of the other dwelling unit;

**Services** means services designated in Section 6 to this By-law or in agreement under Section 44 of the Act, or both;

**Single-Detached Dwelling** means a completely detached residential building containing only one dwelling unit;

**Special Care Dwelling Unit** means a unit in a residential building not otherwise defined in this bylaw containing self-contained dwelling units which may include culinary facilities, which are designed to accommodate persons with specific needs and where meals are provided within the development on a regular basis, including, but not limited to, Independent Living Units and Assisted Living Units. For the purpose of this by-law, a Special Care Dwelling Unit is considered to be equivalent to a small apartment unit;

**Stacked Townhouse Dwelling** means a building containing two or more dwelling units where each dwelling unit is separated horizontally and/or vertically from another dwelling unit by a common wall or floor. For the purpose of this by-law, a Stacked Townhouse Dwelling is considered to be an Apartment Dwelling.

**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 Total Floor Area thereof for a continuous period not exceeding eight months;

**Total Floor Area** means the sum total of all the areas of the floors in a building or structure, whether at, above, or below-grade, measured between the exterior faces of the exterior walls of the building or structure or from the center line of a common wall

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separating two uses, or from the outside edge of a floor where the outside edge of the floor does not meet an exterior or common wall, and:

- (a) includes the floor area of a mezzanine and air-supported structure and the space occupied by interior wall partitions; and
- (b) excludes any parts of the building or structure used for mechanical equipment related to the operation or maintenance of the building or structure, stairwells, elevators, washrooms, and the parking and loading of vehicles, and;
- (c) where a building does not have any walls, the total floor area shall be the sum total of the area of land directly beneath the roof of the building and the total areas of the floors in the building or structure.

**Town** means The Corporation of the Town of Innisfil;

**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 19, inclusive and Section 28 of this By-law;
  - (c) the exemptions provided for by such rules shall be the exemptions set forth in Sections 20 through 27, inclusive of this By-law, the indexing of charges shall be in accordance with Section 18 of this By-law; and
  - (d) the Redevelopment of land shall be in accordance with the rules set forth in Section 28 of this By-law.

**Lands Affected**

- 3. This By-law applies to all lands in the geographic area of the Town, subject to the following:
  - (a) municipal wastewater services Development Charges, as identified on Schedules A, B, C, D, E and F will only be levied against development of land that will receive wastewater services from the Town of Innisfil, or a local board thereof, at the time of Development; and
  - (b) municipal water services Development Charges, as identified on Schedule as identified on Schedules A, B, C, D, E and F will only be levied against development of land that will receive water services from the Town of Innisfil, or a local board thereof, at the time of Development.

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**Designation of Services**

4. It is declared by Council that all development of 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, except as set out in subsections 3(a) and 3(b) of this By-law.
6. Development Charges shall be imposed for the following categories of services to pay for the increased capital costs required because of increased needs for services arising from development:
  - (a) Wastewater Collection; and
  - (b) Water Distribution.

**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, 1998*; 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 12, 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 that action.
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.

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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 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, Timing and Payment**

13. The Development Charge with respect to the use of any land, Buildings or Structures shall be calculated as follows:
  - (1) in the case of Residential Development, or the residential portion of a Multiple Use Development, based upon the number and type of Dwelling Units; or
  - (2) in the case of Non-Residential Development, or the non-residential portion of a Multiple Use Development, based upon the Total Floor Area of such development.
  - (3) Development Charges shall be payable in full in money or by provision of services as may be agreed upon 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;
  - (4) 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;
  - (5) If construction has not begun after 24 months from the date of issuance of a building permit (conditional or full), a top-up to the rate in effect at that time will apply;
  - (6) Notwithstanding subsection (3), 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.
  - (7) Where the development of land results from the approval of a site plan or zoning by-law amendment application received on or after January 1, 2020, and the



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approval of the application occurred within two years of building permit issuance, the development charges under shall be calculated on the rates set out in Schedules A, B, C, D, E and F on the date of the site plan or zoning by-law amendment application, including interest. Where both site plan or zoning by-law amendment applications apply, Development Charges under Section 13 shall be calculated on the rates in effect on the day of the later planning application, including interest.

14. (1) Subject to Section 28 (with respect to Redevelopment) and subsection (2) the Development Charge shall be calculated as of, and shall be payable prior to issuance, on the date the first Building Permit is issued in relation to a building or structure on land to which the Development Charge applies.
- (2) Notwithstanding subsection (1), the Town may require and where so required an Owner shall enter into an agreement, including the provision of security for the Owner's obligations under agreement, pursuant to Section 27 of the Act and, without limiting the generality of the foregoing, such an agreement may require the early payment of the development charges hereunder. The terms of such agreement shall then prevail over the provisions of this By-law.

**Amount of Charge – Residential**

15. For greater certainty, the Development Charges described in Schedules A, B, C, D, E and F 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 Multiple Use Building or Structure, on the Residential component of the Multiple Use Building or Structure, according to the type of Residential Use.

**Amount of Charge – Non-Residential**

16. For greater certainty, the Development Charges described in Schedules A, B, C, D, E and F to this By-law shall be imposed on Non-Residential Uses of lands, Buildings or Structures and, in the case of a Multiple Use Building or Structure, on the Non-Residential components of the Multiple Use Building or Structure, and calculated with respect to each of the services according to the Total Floor Area of the Non-Residential Use.

**Phase-in of Development Charges**

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

**Indexing of Development Charges**

18. The Development Charges set out in Schedules A, B, C, D, E and F hereto shall be adjusted without amendment to this By-law annually on April 1st in each year, commencing April 1st, 2024, in accordance with the most recent twelve month change in the Statistics Canada Quarterly, Building Construction Price Index.

**Payment by Money or the Provision of Services**

19. (1) Payment of Development Charges shall be by cash or by cheque payable to the

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Treasurer of the Town of Innisfil.

- (2) In the alternative to payment by the means provided in subsection (1), the Town 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 Town 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 Town has so agreed in an agreement under Section 38 of the Act; and
    - (ii) in no event shall the Town 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 Town's local services' policies in effect at the time.

**Exemptions for Intensification of Existing Housing**

20. (1) This By-law does not apply with respect to approvals related to the residential Development of land, Buildings or Structures that would have the affect only:
  - (a) of permitting the enlargement of an existing Dwelling Unit;
  - (b) of creating one or two additional Dwelling Units in an existing Single-Detached Dwelling;
  - (c) of creating one additional Dwelling Unit in an existing Semi-Detached Dwelling; or
  - (d) of creating 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 to the existing residential building;
  - (e) of creating one additional Dwelling Unit for any other existing Residential Use.
- (2) Notwithstanding clauses (1)(b) to (e), a Development Charge shall be imposed with respect to the creation of one or two additional Dwelling Units in a Building, if the Total Floor Area of the additional one or two Dwelling Units exceeds the Total Floor Area of the existing Dwelling Unit for the purposes of clause (1)(b) and (1)(d), and the smallest existing Dwelling Unit for the purposes of clause (1)(e).

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**Industrial Expansion Exemption**

21. (1) If a Development includes the enlargement of the Total Floor Area of an existing Building, the amount of the Development Charge that is payable is the following:
- (a) if the Total Floor Area is enlarged by 50 per cent or less, the amount of the Development Charge in respect of the enlargement is zero; and
  - (b) if the Total 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 Total Floor Area before the enlargement.
- (2) In this section, for greater certainty in applying the exemption herein:
- (a) the Total Floor Area of an existing Industrial Building shall be determined as of the date this By-law comes in to force; and
  - (b) the Total Floor Area of an existing Industrial Building is enlarged where there is a bona fide increase in the size of the existing Building and the enlarged area is attached to existing Industrial Building and is used for or in connection with an industrial purpose as set out in subsection 1(1) of O. Reg. 82/98. Without limiting the generality of the foregoing, the exemption in this section shall not apply where the enlarged area is attached to the existing Industrial 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.

**Other Statutory Exemptions and Discounts**

22. Notwithstanding the provisions of this By-law, development charges shall not be imposed with respect to developments or portions of developments, as per the Act, as follows:
- (a) Non-profit housing
  - (b) Inclusionary zoning residential units in respect of residential units that are affordable housing units required to be included in a development or redevelopment pursuant to a by-law passed under section 34 of the *Planning Act* to give effect to the policies described in subsection 16 (4) of that Act. 2022, c. 21, Sched. 3, s. 4.
23. The following designated categories of uses are subject to discounted development charges, as per the Act, as noted below:
- (a) notwithstanding the table of development charges set out in Schedules A, B, C, D, E and F in the case of rental housing development, the development charge for a residential unit intended for use as a rental residential premises with three or more bedrooms shall be reduced by 25%;
  - (b) notwithstanding the table of development charges set out in Schedules A, B,

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C, D, E and F, in the case of rental housing development, the development charge for a residential unit intended for use as a rental residential premises with two bedrooms shall be reduced by 20%;

- (c) notwithstanding the table of development charges set out in Schedules A, B, C, D, E and F, in the case of rental housing development, the development charge for a residential unit intended for use as a rental residential premises not referred to in section (a) or (b) above shall be reduced by 15%.

24. Provisions, exemptions, discounts and definitions included in Sections 20, 21, 22 and 23 of this by-law are subject to the requirements of the Act including any amendments thereof.

**Institutions**

25. (1) The following categories of Institutions are hereby designated as being exempt from the payment of Development Charges:
- (a) Buildings or Structures used as Hospitals 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 Town, the County, 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 Training 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 an Act of the Legislative Assembly of Ontario; and
  - (f) Places of Worship.
- (2) The exemption referred to in paragraph 25(1)(b) does not apply to the development for Residential Uses of lands owned by:
- (a) the County or any local board thereof; or
  - (b) any corporation owned, controlled, or operated by the County.

**Agricultural Uses**

26. Agricultural Uses as well as Farm Buildings shall be exempt from the provisions of this By-law.

**Temporary Buildings or Structures**

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27. (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 Town issuing a Building Permit for a Temporary Building or Structure, the Town 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 27(2) of this By-law to be paid after it would otherwise be payable. The terms of such agreement shall then prevail over the provisions of this By-law.

**Rules with Respect to the Redevelopment of Land**

28. (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 since 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 Total 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 Town 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.
- (4) No credit shall be provided for a Development that was exempt from payment of Development Charges at the time of its original construction or for which no Development Charge was paid.

**Interest on Refunds**

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

**Front Ending Agreements**

30. The Town may enter into agreements under Section 44 of the Act.

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**Schedules**

31. The following Schedules are attached to this by-law:
- a) Schedule A – Innisfil North Service Area – Water Distribution and Wastewater Collection Charges
  - b) Schedule B – Friday Harbour Resort Service Area – Water Distribution and Wastewater Collection Charges
  - c) Schedule C – Innisfil South Service Area – Water Distribution and Wastewater Collection Charges
  - d) Schedule D – Innisfil Central Service Area – Water Distribution and Wastewater Collection Charges
  - e) Schedule E – Cookstown Service Area – Water Distribution and Wastewater Collection Charges
  - f) Schedule F – Geographic area to which the Development Charges rates for Schedules A to E are applied

**By-law Registration**

32. 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 Town and may be registered against title to any land to which this By-law applies.

**Date By-law Effective**

33. This By-law comes into force on January 1, 2024.

**Date By-law Expires**

34. This By-law expires ten years from its effective date, unless repealed earlier.

**Repeal**

35. By-laws 104-18 and 099-21 are repealed effective on the date this By-law comes into force.

**Headings for Reference Only**

36. 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**

37. 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.

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**Short Title**

38. This By-law may be referred to as the Town's Development Charges By-law.

**Passed this 8<sup>th</sup> day of November 2023**



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**Lynn Dollin, Mayor**



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**Patty Thoma, Clerk**

By-Law No. 098-23

Schedule 'A'

Innisfil North Service Area – Water Distribution and Wastewater Collection Charges

Service	Residential Charge By Unit Type				Non-Residential per Sq.M.	
	Singles & Semis	Rows & Other Multiples	Apartments 2+ Bedrooms	Apartments Bachelor or 1 Bedroom	Industrial	Non-Industrial
<b>Innisfil North</b>						
Water Distribution	\$3,625	\$2,909	\$2,158	\$1,619	\$38.46	\$73.80
Wastewater Collection	\$7,065	\$5,669	\$4,206	\$3,155	\$31.18	\$59.83

Note:

- 1) These charges are applicable to development receiving municipal sewer and/or water servicing within the prescribed service area.
- 2) The Service Area is shown on Schedule F.



By-Law No. 098-23

Schedule 'B'

**Friday Harbour Resort Service Area –  
Water Distribution and Wastewater Collection Charges**

Service	Residential Charge By Unit Type				Non-Residential per Sq.M.	
	Singles & Semis	Rows & Other Multiples	Apartments 2+ Bedrooms	Apartments Bachelor or 1 Bedroom	Industrial	Non-Industrial
<b>Friday Harbour</b>						
Water Distribution	\$0	\$0	\$0	\$0	\$38.46	\$73.80
Wastewater Collection	\$4,797	\$3,849	\$2,856	\$2,142	\$31.18	\$59.83

**Note:**

- 1) These charges are applicable to development receiving municipal sewer and/or water servicing within the prescribed service area.
- 2) The Service Area is shown on Schedule F.

By-Law No. 098-23

Schedule 'C'

Innisfil South Service Area – Water Distribution and Wastewater Collection Charges

Service	Residential Charge By Unit Type				Non-Residential per Sq.M.	
	Singles & Semis	Rows & Other Multiples	Apartments 2+ Bedrooms	Apartments Bachelor or 1 Bedroom	Industrial	Non-Industrial
<b>Innisfil South</b>						
Water Distribution	\$10,398	\$8,343	\$6,190	\$4,643	\$38.46	\$73.80
Wastewater Collection	\$185	\$148	\$110	\$83	\$31.18	\$59.83

Note:

- 1) These charges are applicable to development receiving municipal sewer and/or water servicing within the prescribed service area.
- 2) The Service Area is shown on Schedule F.

By-Law No. 098-23

Schedule 'D'

Innisfil Central Service Area – Water Distribution and Wastewater Collection Charges

Service	Residential Charge By Unit Type				Non-Residential per Sq.M.	
	Singles & Semis	Rows & Other Multiples	Apartments 2+ Bedrooms	Apartments Bachelor or 1 Bedroom	Industrial	Non-Industrial
<b>Innisfil Central</b>						
Water Distribution	\$9,030	\$7,246	\$5,376	\$4,032	\$38.46	\$73.80
Wastewater Collection	\$17,936	\$14,392	\$10,678	\$8,009	\$31.18	\$59.83

Note:

- 1) These charges are applicable to development receiving municipal sewer and/or water servicing within the prescribed service area.
- 2) The Service Area is shown on Schedule F.

By-Law No. 098-23

Schedule 'E'

Cookstown Service Area – Water Distribution and Wastewater Collection Charges

Service	Residential Charge By Unit Type				Non-Residential per Sq.M.	
	Singles & Semis	Rows & Other Multiples	Apartments 2+ Bedrooms	Apartments Bachelor or 1 Bedroom	Industrial	Non-Industrial
<b>Cookstown</b>						
Water Distribution	\$2,251	\$1,806	\$1,340	\$1,005	\$38.46	\$73.80
Wastewater Collection	\$25,438	\$20,411	\$15,144	\$11,358	\$31.18	\$59.83

Note:

- 1) These charges are applicable to development receiving municipal sewer and/or water servicing within the prescribed service area.
- 2) The Service Area is shown on Schedule F.

Schedule 'F'

Geographic area to which the Development Charges rates for Schedules A to E are applied.

