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Addendum to 2024 Development Charges Background Study

Town of Petawawa

For Public Circulation and Comment

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1. Background

Commensurate with the provisions of the *Development Charges Act, 1997* (D.C.A.), the Town of Petawawa (Town) has undertaken a Development Charges Background Study (D.C.B.S.) and has distributed the study and draft by-laws to the public. The following provides a summary of the key dates in the Development Charges (D.C.s) by-law process:

- May 8, 2024 – Release D.C.B.S. and draft by-laws;
- June 17, 2024 – Public Meeting of Council; and
- July 8, 2024 – Anticipated passage of the D.C. By-law; and
- July 9, 2024 – Anticipated date of by-law commencement.

On June 6, 2024, the *Cutting Red Tape to Build More Homes Act, 2024* (Bill 185) received Royal Assent and introduced the following changes to the D.C.A.:

- Removed the Mandatory Phase-in for D.C. by-laws passed after Bill 185 came into effect;
- Reduced the D.C. rate freeze applicability timeline for developments proceeding through site plan and zoning by-law amendment applications. Prior to Bill 185, for developments that were subject to a site plan or zoning by-law amendment application, D.C.s were ‘frozen’ at the rates that were in effect on the date the application was submitted, provided the building permit was issued within two (2) years of application approval. The rate freeze applicability timeline has been reduced to 18 months through Bill 185. Note that the two-year timeline will still apply to applications approved between January 1, 2020, and prior to Bill 185 receiving Royal Assent (i.e., June 6, 2024);
- Reinstated growth-related studies, including the D.C. background study, as D.C.-eligible costs;
- Introduced a provision permitting the repeal of the expiry date for existing D.C. by-laws (subject to the 10-year limitation provided in the D.C.A.); and
- Established a streamlined process for by-law amendments related to the imposition of development charges for studies, removal of the mandatory phase-in, and extension of by-law expiry dates. Under the streamlined process, a by-law amendment does not require the preparation of a D.C. background study, does not require the mandatory public meeting, and is not subject to Ontario Land



Tribunal appeals. For the removal of the phase-in provisions and the introduction of growth studies, the amendment must occur within six months of Bill 185 coming into effect and only applies to by-laws passed between November 28, 2022 and Bill 185 taking effect (i.e., June 6, 2024).

The purpose of the addendum to the May 8, 2024, D.C.B.S. is to reflect the changes to the D.C.A. as per Bill 185, and as detailed in section 7.3.9 of the D.C.B.S.

The refinements are detailed in the subsequent sections of this report and will form part of the D.C.B.S. for Council's consideration and approval prior to adoption of the D.C. by-law. A revised draft proposed by-law is included herein, which embraces the legislative changes and updates to the calculated charges.

2. Discussion

This section of the addendum report provides an explanation for the above-noted refinements.

2.1 Amendments in Response to Bill 185

The changes to the D.C.B.S. in response to Bill 185, and as detailed in section 7.3.9 of the D.C.B.S, include:

- Consolidate proposed D.C. by-laws into a single D.C. by-law covering all eligible services, for ease of administration;
- Add to the by-law a charge for growth-related studies;
- Remove from the by-law reference to the mandatory phase-in of D.C.s; and
- Amend the timeline for calculating D.C.s payable for developments that had an accompanying Site Plan or Zoning By-law Amendment planning approval from within 2 years of the application being approved to within 18 months of the application being approved (for applications approved after Bill 185 comes into force).



2.2 Amendments Relating to Exemption of Affordable Units

This addendum updates section 1.3.8 of the D.C.B.S. that details the exemptions for affordable and attainable units introduced to the D.C.A. through the *More Homes Built Faster Act, 2022* and modified by the *Affordable Homes and Good Jobs Act, 2023*.

On June 1, 2024 the “Affordable Residential Units for the Purposes of the Development Charges Act, 1997 Bulletin” came into effect which details the purchase price and rental price thresholds for affordable units. Textual changes to the draft D.C. by-law reflect that these exemptions are now in force.

2.3 Impacts on the Calculated D.C.

Based on the changes identified above, the D.C.B.S. and D.C. calculations have been revised. The amended schedule of D.C.s is presented in Table 1.

Table 2 and Table 3 below provide a comparison of the Town’s current development charges, charges presented in the May 8, 2024 D.C.B.S., and the updated charges resulting from the changes outlined in this addendum report for residential and non-residential development, respectively.

As a result of the changes described in this addendum, the total calculated D.C. for a single detached dwelling has increased by \$374. For non-residential development, the total calculated D.C. has increased by \$0.19 per square foot of gross floor area. These increases are the result of including growth-related studies in the calculation of the development charge.



Table 1
Amended Schedule of D.C.s

Service/Class of Service	RESIDENTIAL				NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Other Multiples and Mobile Homes	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	(per sq.ft. of Gross Floor Area)
Municipal-wide Services/Class of Service:					
Services Related to a Highway	\$ 2,305	\$ 1,637	\$ 1,239	\$ 910	\$ 1.67
Fire Protection Services	\$ 652	\$ 463	\$ 350	\$ 257	\$ 0.47
Parks and Recreation Services	\$ 753	\$ 535	\$ 405	\$ 297	\$ 0.05
Library Services	\$ 1,152	\$ 818	\$ 619	\$ 455	\$ 0.08
Growth-related Studies	\$ 374	\$ 266	\$ 201	\$ 148	\$ 0.19
Total Municipal Wide Services/Class of Services	\$ 5,236	\$ 3,719	\$ 2,814	\$ 2,067	\$ 2.46
Urban Services					
Wastewater Services	\$ 3,727	\$ 2,647	\$ 2,003	\$ 1,471	\$ 2.18
Water Services	\$ 1,895	\$ 1,346	\$ 1,018	\$ 748	\$ 1.27
Total Urban Services	\$ 5,622	\$ 3,993	\$ 3,021	\$ 2,219	\$ 3.45
GRAND TOTAL RURAL AREA	\$ 5,236	\$ 3,719	\$ 2,814	\$ 2,067	\$ 2.46
GRAND TOTAL URBAN AREA - WATER ONLY	\$ 7,131	\$ 5,065	\$ 3,832	\$ 2,815	\$ 3.73
GRAND TOTAL URBAN AREA	\$ 10,858	\$ 7,712	\$ 5,835	\$ 4,286	\$ 5.91



Table 2
Comparison of Current and Calculated Residential (Single Detached) D.C.s

Service/Class of Service	Residential (Single Detached)		
	Current ¹	Calculated as per D.C. Background Study (May 8, 2024)	Calculated as per Addendum Report
Municipal-wide Services/Class of Service:			
Services Related to a Highway	\$ 1,797	\$ 2,305	\$ 2,305
Fire Protection Services	\$ 208	\$ 652	\$ 652
Parks and Recreation Services	\$ 1,934	\$ 753	\$ 753
Library Services	\$ 306	\$ 1,152	\$ 1,152
Growth-related Studies	\$ 223	\$ -	\$ 374
Total Municipal Wide Services/Class of Services	\$ 4,468	\$ 4,862	\$ 5,236
Urban Services			
Wastewater Services	\$ 3,258	\$ 3,727	\$ 3,727
Water Services	\$ 914	\$ 1,895	\$ 1,895
Total Urban Services	\$ 4,172	\$ 5,622	\$ 5,622
GRAND TOTAL RURAL AREA	\$ 4,468	\$ 4,862	\$ 5,236
GRAND TOTAL URBAN AREA - WATER ONLY	\$ 5,382	\$ 6,757	\$ 7,131
GRAND TOTAL URBAN AREA	\$ 8,640	\$ 10,484	\$ 10,858

¹ Current charges at 90% Phase-in



Table 3
Comparison of Current and Calculated Non-Residential D.C.s (per sq.ft. of G.F.A.)

Service/Class of Service	Non-Residential (per sq.ft. of GFA)		
	Current ¹	Calculated as per D.C. Background Study (May 8, 2024)	Calculated as per Addendum Report
Municipal-wide Services/Class of Service:			
Services Related to a Highway	\$ 1.55	\$ 1.67	\$ 1.67
Fire Protection Services	\$ 0.16	\$ 0.47	\$ 0.47
Parks and Recreation Services	\$ 0.16	\$ 0.05	\$ 0.05
Library Services	\$ 0.03	\$ 0.08	\$ 0.08
Growth-related Studies	\$ 0.20	\$ -	\$ 0.19
Total Municipal Wide Services/Class of Services	\$ 2.10	\$ 2.27	\$ 2.46
Urban Services			
Wastewater Services	\$ 2.26	\$ 2.18	\$ 2.18
Water Services	\$ 0.61	\$ 1.27	\$ 1.27
Total Urban Services	\$ 2.87	\$ 3.45	\$ 3.45
GRAND TOTAL RURAL AREA	\$ 2.10	\$ 2.27	\$ 2.46
GRAND TOTAL URBAN AREA - WATER ONLY	\$ 2.71	\$ 3.54	\$ 3.73
GRAND TOTAL URBAN AREA	\$ 4.97	\$ 5.72	\$ 5.91

¹ Current charges at 90% Phase-in



3. Changes to the D.C.B.S.

Based on the foregoing, the following revisions are made to the May 8, 2024 D.C.B.S. Accordingly, the amended pages are appended to this report.

Page Reference	Description of Revisions
Table of Contents	Updated to reflect the changes summarized below.
1-1 to 1-4 and 1-7	Updated text and Figure 1-1 related to the D.C. process, including the release date of this addendum, and legislative changes.
1-11 to 1-14	Updated text to reflect legislative changes.
4-5 to 4-6	Updated text and table to reflect the eligible funding of study costs.
4-7	Updated text to identify growth-related studies as a class of service.
4-11 to 4-12	Removed section pertaining to mandatory phase-in of D.C.s.
5-4 to 5-5 and 5-10	Added section and tables pertaining to the calculation of D.C.s for growth-related studies.
6-2 and 6-4 to 6-7	Updated text and tables to reflect the inclusion of growth-related studies as a class of service in the calculation of the D.C.s.
7-2	Updated text to identify the class of services for growth-related studies.
7-4 to 7-7	Updated text to reflect legislative changes, the inclusion of growth-related studies as a class of service, this addendum, and the removal of a section pertaining to mandatory phase-in of D.C.s.
Appendix G	Updated proposed by-law to reflect the inclusion of growth-related study costs as a class of services and include other legislative changes, due to the enactment of Bill 185. Further, as noted all services and classes of service will now be contained in one by-law.
Appendices H to K	Appendices H through K, containing the draft by-laws for individual services, are removed, as all services and classes of service will now be contained in one by-law (as set out in revised Appendix G).



4. Process for Adoption of the D.C. By-law

The revisions provided herein form the basis for the D.C. by-law and will be incorporated into the D.C.B.S. to be provided to Council prior to Council's consideration and adoption of the proposed D.C. by-law.

If Council is satisfied with the above noted changes to the D.C.B.S. and proposed D.C. by-law, then the following steps must be taken to enact the new D.C. by-law:

- Approve the D.C.B.S., as amended;
- Determine that no further public meetings are required on the matter; and
- Adopt the new D.C. by-law.



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1. Introduction

1.1 Purpose of this Document

This background study has been prepared pursuant to the requirements of the *Development Charges Act, 1997*, as amended, (D.C.A.) and, accordingly, recommends development charges (D.C.s) and policies for the Town of Petawawa (Town).

The Town retained Watson & Associates Economists Ltd. (Watson) to undertake the D.C. study process in 2024. Watson worked with the Town's staff in preparing the D.C. analysis and policy recommendations.

This D.C. background study, containing the proposed D.C. by-law, will be distributed to members of the public in order to provide interested parties with sufficient background information on the legislation, the study's recommendations, and an outline of the basis for these recommendations.

This report has been prepared, in the first instance, to meet the statutory requirements applicable to the Town's D.C. background study, as summarized in Chapter 4. The forecast amount, type, and location of development is summarized in Chapter 3, with technical details provided in Appendix A. Chapters 5 and 6 identify the increase in need by service, calculate the D.C. recoverable capital costs and schedule of charges by type of development. The requirement for "rules" governing the imposition of the D.C. is provided in Chapter 7. The proposed D.C. by-law, to be made available to the public as part of the approval process, is included in Appendix F.

The background study is designed to set out sufficient background on the legislation, the Town's current D.C. policies (Chapter 2), and the policies underlying the proposed by-law, to make the exercise understandable to those who are involved. The D.C. background study addresses post-adoption implementation requirements (Chapter 8) which are critical to the successful application of the new policy. The chapters in the report are supported by appendices containing the data required to explain and substantiate the calculation of the charge.



1.2 Summary of the Process

The public meeting required under Section 12 of the D.C.A. is scheduled for June 17, 2024. Its purpose is to present the background study and draft D.C. by-law to the public and to solicit public input on the matter. The public meeting is also being held to answer any questions regarding the study's purpose, methodology, and the proposed policies contained within the draft D.C. by-law. In accordance with the legislation requiring that the D.C. background study and draft by-law be made available the public at least two weeks prior to the public meeting, the D.C. Background Study and proposed D.C. By-law will be available for public review on May 8, 2024. This timing of release also complies with the legislative requirement for the background study to be available for public review at least 60 days prior to by-law passage. The Town anticipates Council consideration of the D.C. By-law for adoption on July 8, 2024.

The process to be followed in finalizing the report and recommendations includes:

- Town's consideration of responses received prior to, at, or immediately following the public meeting;
- Finalization of the D.C. Background Study and By-Law to address any required changes; and
- Council consideration of the D.C. By-law, anticipated to occur on July 8, 2024.

Table 1-1 outlines the study process to date and the proposed schedule to be followed with respect to the D.C. by-law adoption process.



Table 1-1
Schedule of Key D.C. Process Dates

Process Steps	Dates
1. Data collection, staff review, D.C. calculations and policy work	February 2024 to May 2024
2. Council information meeting	April 22, 2024
3. Public release of final D.C. Background Study and proposed by-law	May 8, 2024
4. Public meeting advertisement placed in newspaper(s)	By May 27, 2024
5. Public meeting of Council	June 17, 2024
6. Public release of addendum to D.C. Background Study	June 21, 2024
7. Council considers adoption of background study and passage of by-law	July 8, 2024
8. Newspaper notice given of by-law(s) passage	By 20 days after passage
9. Last day for by-law(s) appeal	40 days after passage
10. Town makes pamphlet available (where by-law(s) not appealed)	By 60 days after in force date

1.3 Changes to the Development Charges Act, 1997

Over the past several years, a number of changes to the Development Charges Act, 1997 have been introduced through various legislation including the following:

- *More Homes, More Choice Act, 2019;*
- *Plan to Build Ontario Together Act, 2019;*
- *COVID-19 Economic Recovery Act, 2020;*
- *Better for People, Smarter for Business Act, 2020;*



- *More Homes for Everyone Act, 2022*;
- *More Homes Built Faster Act, 2022*;
- *Helping Homebuyers, Protecting Tenants Act, 2023*;
- *Affordable Homes and Good Jobs Act, 2023*; and
- *Cutting Red Tape to Build More Homes Act, 2024*.

The following provides an overview of the amendments to the D.C.A. that each of these pieces of legislation provided.

1.3.1 *More Homes, More Choice Act, 2019*

The Province introduced the *More Homes, More Choice Act* (Bill 108) which proposed changes to the D.C.A. as part of the province's "*More Homes, More Choice: Ontario's Housing Supply Action Plan*." The *More Homes, More Choice Act* received Royal Assent on June 6, 2019. At that time many of the amendments to the D.C.A. did not come into effect, awaiting proclamation by the Lieutenant Governor. On January 1, 2020, the following provisions were proclaimed:

- A D.C. for rental housing and institutional developments will be payable in six equal annual installments, with the first payment commencing on the date of occupancy. Non-profit housing developments will pay D.C.s in 21 equal annual payments (note, that further changes related to non-profit housing have been made under the *More Homes Built Faster Act*, as summarized below). Any unpaid D.C. amounts may be added to the tax roll and collected in the same manner as taxes.
- For all developments triggering a D.C. within two years of a Site Plan or Zoning By-law Amendment planning approval, the D.C. shall be determined based on the charges that were in effect on the date the planning application was submitted to the municipality. These provisions only apply to Site Plan and Zoning By-law Amendment planning applications received on or after January 1, 2020. These amendments do not affect developments approved under other planning application types (e.g., plan of subdivision, minor variance, etc.).
- The removal of the 10% statutory deduction for soft services, i.e., services limited to a 10-year forecast period.



residential units have been made under the *More Homes Built Faster Act*, as summarized in subsection 1.3.6 below.

1.3.4 Better for People, Smarter for Business Act, 2020

On December 8, 2020, the *Better for People, Smarter for Business Act, 2020* (Bill 213) received Royal Assent. One of the changes of this Act amended the *Ministry of Training, Colleges and Universities Act* by exempting the development of land intended for use by a university that receives operating funds from the Government from the payment of D.C.s. As a result, this mandatory exemption is included in the Town's draft D.C. by-law.

1.3.5 More Homes for Everyone Act, 2022

On April 14, 2022, the *More Homes for Everyone Act, 2022* (Bill 109) received Royal Assent. One of the D.C.A. amendments, and O. Reg. 438/22, prescribed additional information to be included in the annual Treasurer's Statement on D.C. reserve funds and its publication. The following additional information must be provided for each service for which a D.C. is collected for during the year:

- a) whether, as of the end of the year, the municipality expects to incur the amount of capital costs that were estimated, in the relevant development charge background study, to be incurred during the term of the applicable development charge by-law;
- b) if the answer to a) is no, the amount the municipality now expects to incur and a statement as to why this amount is expected; and
- c) if no money was spent from the reserve fund during the year, a statement as to why there was no spending during the year.

These requirements have been further amended to require that the annual Treasurer's Statement be made available to the public on the municipality's website, or in the municipal office.

1.3.6 More Homes Built Faster Act, 2022

The *More Homes Built Faster Act, 2022* (Bill 23) received Royal Assent on November 28, 2022. This Act amends several pieces of legislation including the *Planning Act* and the D.C.A. The following provides a summary of the amendments to the D.C.A.:



1.3.7 Helping Homebuyers, Protecting Tenants Act, 2023

The *Helping Homebuyers, Protecting Tenants Act* (Bill 97) received Royal Assent on June 8, 2023. This bill extends the mandatory exemption from payment of D.C.s for additional residential units in new residential buildings or in existing houses to all lands versus just urban lands.

1.3.8 Affordable Homes and Good Jobs Act, 2023

The exemption for affordable residential units was included in the *More Homes Built Faster Act* enacted by the Province on November 28, 2022. Under this legislation, affordable residential units were defined within subsection 4.1 of the D.C.A. and exemptions for D.C.s were provided in respect of this definition. While the legislation was enacted in November 2022, the ability for municipalities to implement the exemptions required the Minister of Municipal Affairs and Housing to publish an “Affordable Residential Units for the Purposes of the Development Charges Act, 1997 Bulletin.” This bulletin would inform the average market rent and purchase price to be used in determining which developments qualify as affordable residential units. As of the time of writing, the Province has released the bulletin with an effective date of June 1, 2024.

The *Affordable Homes and Good Jobs Act, 2023* (Bill 134) received Royal Assent on December 4, 2023 and provides for a modification to the affordable residential unit definition by:

- Introducing an income-based test for affordable rent and purchase price; and
- Increasing the threshold for the market test of affordable rent and purchase price.

This change provides the exemption based on the lesser of the two measures.

Moreover, the rules in subsection 4.1 of the D.C.A. are unchanged with respect to:

- The tenant and purchaser transacting the affordable unit being at arm’s length;
- The intent of maintaining the affordable residential unit definition for a 25-year period, requiring an agreement with the municipality (which may be registered on title); and
- Exemptions for attainable residential units and associated rules (requiring further regulations).



The following table provides a comparison of the definitions provided through Bill 23 and those provided through Bill 134 (underlining added for emphasis).

Item	Bill 134 Definition (Current D.C.A. Definition)
Affordable residential unit rent (subsection 4.1 (2), para. 1)	The rent is no greater than <u>the lesser of</u> , i. the <u>income-based affordable rent</u> for the residential unit set out in the Affordable Residential Units bulletin, as identified by the Minister of Municipal Affairs and Housing in accordance with subsection (5), and ii. the <u>average market rent</u> identified for the residential unit set out in the Affordable Residential Units bulletin.
Average market rent/rent based on income (subsection 4.1 (5)) for the purposes of subsection 4.1 (2), para. 1	The Minister of Municipal Affairs and Housing shall, (a) determine the <u>income of a household</u> that, in the Minister's opinion, is <u>at the 60th percentile of gross annual incomes for renter households in the applicable local municipality</u> ; and (b) identify the <u>rent</u> that, in the Minister's opinion, is <u>equal to 30 per cent of the income of the household</u> referred to in clause (a).
Affordable residential unit ownership (subsection 4.1 (3), para. 1)	The price of the residential unit is no greater than <u>the lesser of</u> , i. the <u>income-based affordable purchase price</u> for the residential unit set out in the Affordable Residential Units bulletin, as identified by the Minister of Municipal Affairs and Housing in accordance with subsection (6), and ii. <u>90 per cent of the average purchase price</u> identified for the residential unit set out in the Affordable Residential Units bulletin.
Average market purchase price/purchase price based on income (subsection 4.1 (6)) for the purposes of subsection 4.1 (3), para. 1	The Minister of Municipal Affairs and Housing shall, (a) determine the <u>income of a household</u> that, in the Minister's opinion, is <u>at the 60th percentile of gross annual incomes for households in the applicable local municipality</u> ; and (b) identify the <u>purchase price</u> that, in the Minister's opinion, <u>would result in annual accommodation costs equal to 30 per cent of the income of the household</u> referred to in clause (a)

As noted above, the bulletin came into effect on June 1, 2024, which provides the information for the Town to measure against for determining the applicability of the exemption from the D.C. (as well as C.B.C. and Parkland requirements). The bulletin



provides the following information for the Town (it is noted that the bulletin will be updated annually):

- For Affordable Ownership Units: the 90% of the average market purchase price provides the relevant threshold for the affordable residential units exemption for all units types other than a detached house, as it is lower than the income-based affordable purchase price. For a detached house, the income-based affordable purchase price sets the threshold. The income-based affordable purchase prices and 90% of average market purchase prices for the Town, as established through the most recent bulletin, are summarized by unit type in the table below:

Unit Type	Income-based Affordable Purchase Price	90% of Average Market Purchase Price
Detached House	\$416,800	\$423,000
Semi-Detached House	\$416,800	\$324,000
Row/townhouse	\$416,800	\$333,000
Condominium Apartment	\$416,800	\$252,000

- For Affordable Rental Units: the average market rent provides the relevant threshold for the affordable residential units exemption, as it is lower than the income-based affordable rent for all unit types. The income-based affordable rents and average market rents for the Town, as established through the most recent bulletin, are summarized in the table below:

Unit Type	Income-based Affordable Rent	Average Market Rent
Bachelor unit	\$2,690	\$812
1-Bedroom unit	\$2,690	\$925
2-Bedroom unit	\$2,690	\$1,171
3 or more Bedrooms	\$2,690	\$1,118



1.3.9 Cutting Red Tape to Build More Homes Act, 2024

The *Cutting Red Tape to Build More Homes Act, 2024* (Bill 185) came into effect on June 6, 2024 and amends the D.C.A. as follows:

- Reintroduces studies as an eligible cost for services, including a D.C. background study;
- Removes the mandatory phase-in of a D.C. by-law;
- Reduces the D.C. rate freeze timelines for developments proceeding through site plan and zoning by-law amendment applications, whereby the time allowed between building permit issuance and planning application approval in order for the DC freeze to apply is reduced from two years to 18 months (note, the two-year time period still applies to applications approved between January 1, 2020 and June 6, 2024);
- Permits the repeal of expiry clauses in D.C. by-laws (allowing for the 10-year by-law term provided in the D.C.A.); and
- Allows minor D.C. by-law amendments related to the inclusion of studies, removal of the mandatory phase-in of a D.C. by-law and removal of expiry date for by-laws passed between November 28, 2022 and June 6, 2024.

As Bill 185 has been enacted, this D.C. Background Study includes the cost of studies and reflects the other amendments made to the D.C.A. as noted above. Section 7.3.8 of this D.C. Background Study details how the D.C. calculations and draft by-law was amended once Bill 185 came into force before Council approves the draft D.C. by-law.



Categories of Municipal Services	Inclusion in the D.C. Calculation	Service Components
17. Services Related to Emergency Preparedness	No No	17.1 Emergency Preparedness Space 17.2 Equipment
18. Services Related to Airports	n/a Ineligible	18.1 Airports (in the Regional Municipality of Waterloo) 18.2 Other Airports
19. Other	No Yes	19.1 Interest on money borrowed to pay for growth-related capital 19.2 Growth Studies, including the D.C. background study cost

Table 4-2
Categories of Municipal Services to be Addressed as Part of the Calculation – Eligibility Legend

Eligibility for Inclusion in the D.C. Calculation	Description
Yes	Town provides the service – service has been included in the D.C. calculation.
No	Town provides the service – service has not been included in the D.C. calculation.
n/a	Town does not provide the service.
Ineligible	Service is ineligible for inclusion in the D.C. calculation.

4.4 Local Service Policy

Some of the need for services generated by additional development consists of local services related to a plan of subdivision. As such, they will be required as a condition of subdivision agreements or consent conditions. The Town’s Local Service Policy is included in Appendix D.

4.5 Capital Forecast

Paragraph 7 of subsection 5 (1) of the D.C.A. requires that “the capital costs necessary to provide the increased services must be estimated.” The Act goes on to require two



potential cost reductions and the regulation sets out the way in which such costs are to be presented. These requirements are outlined below.

These estimates involve capital costing of the increased services discussed above. This entails costing actual projects or the provision of service units, depending on how each service has been addressed.

The capital costs include:

- a) costs to acquire land or an interest therein (including a leasehold interest);
- b) costs to improve land;
- c) costs to acquire, lease, construct or improve buildings and structures;
- d) costs to acquire, lease or improve facilities, including rolling stock (with a useful life of 7 or more years), furniture and equipment (other than computer equipment), materials acquired for library circulation, reference, or information purposes.
- e) interest on money borrowed to pay for the above-referenced costs; and
- f) costs to undertake studies in connection with the above-referenced matters (including costs of the D.C. background study).

In order for an increase in need for service to be included in the D.C. calculation, municipal Council must indicate “that it intends to ensure that such an increase in need will be met” (subsection 5 (1) 3). This can be done if the increase in service forms part of a Council-approved Official Plan, capital forecast, or similar expression of the intention of Council (O. Reg. 82/98 section 3). The capital program contained herein reflects the Town’s approved and proposed capital budgets and master servicing/needs studies.

4.6 Treatment of Credits

Section 8, paragraph 5, of O. Reg. 82/98 indicates that a D.C. background study must set out “the estimated value of credits that are being carried forward relating to the service.” Subsection 17, paragraph 4, of the same regulation indicates that, “...the value of the credit cannot be recovered from future D.C.s,” if the credit pertains to an ineligible service. This implies that a credit for eligible services can be recovered from future D.C.s. As a result, this provision should be made in the calculation, in order to avoid a funding shortfall with respect to future service needs.



The Town currently has no outstanding credit obligations.

4.7 Classes of Services

Section 7 of the D.C.A. states that a D.C. by-law may provide for any D.C. eligible service or the capital costs with respect to those services. Further, a class may be composed of any number or combination of services and may include parts or portions of each D.C. eligible services. With respect to growth-related studies, Section 7(3) of the D.C.A. states that:

“For greater certainty, a development charge by-law may provide for a class consisting of studies in respect of any service listed in subsection 2 (4) whose capital costs are described in paragraphs 5 and 6 of subsection 5 (3)”.

These provisions allow for services to be grouped together to create a class for the purposes of the D.C. by-law and D.C. reserve funds. The D.C. calculations and draft by-law provided herein include Growth-related Studies as a class of service.

4.8 Eligible Debt and Committed Excess Capacity

Section 66 of the D.C.A. states that for the purposes of developing a D.C. by-law, a debt incurred with respect to an eligible service may be included as a capital cost, subject to any limitations or reductions in the Act.

In order for such costs to be eligible, two conditions must apply. First, they must have funded excess capacity which is able to meet service needs attributable to the anticipated development. Second, the excess capacity must be “committed,” that is, either before or at the time it was created, Council must have expressed a clear intention that it would be paid for by D.C.s or other similar charges. For example, this may have been done as part of previous D.C. processes.

4.9 Existing Reserve Funds

Section 35 of the D.C.A. states that:

“The money in a reserve fund established for a service may be spent only for capital costs determined under paragraphs 2 to 8 of subsection 5(1).”



in only a limited benefit to existing development. Further, where an increase in demand is not met for a number of years, a negative service impact to existing development is involved for a portion of the planning period.

4.10.4 Reduction for Anticipated Grants, Subsidies and Other Contributions

This step involves reducing the capital costs necessary to provide the increased services by capital grants, subsidies, and other contributions (including direct developer contributions required due to the local service policy) made or anticipated by Council and in accordance with various rules such as the attribution between the share related to new vs. existing development. That is, some grants and contributions may not specifically be applicable to growth or where Council targets fundraising as a measure to offset impacts on taxes (O. Reg. 82/98, section 6).

4.11 Municipal-wide vs. Area Rating

This step involves determining whether all of the subject costs are to be recovered on a uniform municipal-wide basis or whether some or all are to be recovered on an area-specific basis. Under the amended D.C.A., it is now mandatory to “consider” area-rating of services (providing charges for specific areas and services); however, it is not mandatory to implement area rating. Further discussion is provided in section 7.3.7.

4.12 Allocation of Development

This step involves relating the costs involved to anticipated development for each period under consideration and using allocations between residential and non-residential development and between one type of development and another, to arrive at a schedule of charges.

4.13 Mandatory Discount for Rental Housing Development

For all rental housing developments that are subject to D.C.s, where a by-law is passed after November 28, 2022, the charge is discounted for the rental housing development relative to the maximum charge that could be imposed under the by-law. The amount of the discount is dependent on the number of bedrooms in each unit, as follows:



- 1) Residential units intended for use as a rented residential premises with three (3) or more bedrooms – 25% discount.
- 2) Residential units intended for use as a rented residential premises with two (2) bedrooms – 20% discount.
- 3) Residential units intended for use as a rented residential premises not referred to 1) or 2) above – 15% discount.

Note that these discounts are not part of the methodology required for calculating the charge, but a rule that has to be included in the by-law which informs implementation.



As with Parks and Recreation Services, the predominant users of Library Services are residents of the Town, and therefore, the forecast growth-related costs have been allocated 95% to residential and 5% to non-residential.

5.2.5 Growth-related Studies

Section 7 of the D.C.A. states that a D.C. by-law may provide for any D.C. eligible service or the capital costs with respect to those services. Further, a class may be composed of any number or combination of services and may include parts or portions of each D.C. eligible services. With respect to growth-related studies, subsection 7 (3) of the D.C.A. states that:

“For greater certainty, a development charge by-law may provide for a class consisting of studies in respect of any service listed in subsection 2 (4) whose capital costs are described in paragraphs 5 and 6 of subsection 5 (3)”.

These provisions allow for services to be grouped together to create a class for the purposes of the D.C. by-law and D.C. reserve funds. The D.C. calculations and draft by-law provided herein include a class for growth-related studies, which are allocated as based on each service to which the study relates.

For planning studies, a deduction of 4% has been applied to recognize the extent to which the studies relate to non-D.C.-eligible services. This deduction was estimated based on the share of replacement value of assets related to services included in the D.C. Background Study relative to the total replacement value of all of the Town’s assets, as identified in the Town’s 2020 Asset Management Plan. All planning studies and D.C. background studies have been allocated across the different services based on the proportion of the total net growth-related capital costs. The following provides a breakdown of these allocations:

- Fire Protection Services – 7%
- Library Services – 9%
- Parks and Recreation Services – 6%
- Services Related to a Highway – 25%
- Wastewater Services – 34%
- Water Services – 19%



The remainder of growth-related studies have been allocated to their respective service areas.

The total gross cost of these studies is approximately \$1.1 million. Deductions of \$612,600 in recognition of existing benefit and \$12,200 recognizing the portion of studies related to D.C.-ineligible services have been made. Furthermore, approximately \$69,600 has been deducted to reflect the existing D.C. reserve fund balance. As a result, approximately \$437,600 in growth-related studies have been included in the D.C. calculation.

Costs relating to studies that benefit multiple services have been allocated 64% residential and 36% non-residential based on the incremental growth in population to employment for the 10-year forecast period. Costs of studies that benefit specific services have been allocated in the same manner as other capital costs identified for the respective service.



**Table 5-5
Infrastructure Costs covered in the D.C Calculation – Growth-related Studies**

Proj. No.	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2024\$)	Post Period Benefit	Other Deductions (to recognize benefit to non-D.C. services)	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share
	2024 to 2034										
1	D.C. Background Study (2)	2024/34	92,000	-		92,000	-		92,000	58,880	33,120
2	Official Plan Update (2)	2028/2033	150,000	-	6,000	144,000	75,000		69,000	44,160	24,840
3	Zoning By-law Update (2)	2024/2034	110,000	-	4,400	105,600	55,000		50,600	32,384	18,216
4	Commerical/ Industrial Land Strategy	2024	45,000	-	1,800	43,200	22,500		20,700	13,248	7,452
5	Infrastructure Study (2 - Roads)	2024/2034	92,000	-		92,000	55,200		36,800	23,552	13,248
6	Infrastructure Study (2 - Wastewater)	2024/2034	92,000	-		92,000	55,200		36,800	25,024	11,776
7	Infrastructure Study (2 - Water)	2024/2034	92,000	-		92,000	55,200		36,800	23,920	12,880
8	Fire Master Plan (2)	2024/2034	150,000	-		150,000	90,000		60,000	38,400	21,600
9	Parks & Recreation Master Plan (2)	2024/2034	184,000	-		184,000	110,400		73,600	69,920	3,680
10	Library Strategic Plan (3)	2027/2030/ 2034	75,000	-		75,000	69,100		5,900	5,605	295
11	Library Master Plan (2)	2025/2034	50,000	-		50,000	25,000		25,000	23,750	1,250
	Reserve Fund Balance								(69,634)	(44,566)	(25,068)
	Total		1,132,000	-	12,200	1,119,800	612,600	-	437,566	314,277	123,289



In total, the calculated charge for a single detached dwelling unit would increase by 17% (+ \$768) in the rural area, would increase by 32% (+ \$1,749) in the water only urban area, and would increase by 26% (+ \$2,218) in the fully-serviced urban area.

For non-residential development, the calculated D.C. in the rural area would increase by 17% (+ \$0.36 per sq.ft. of G.F.A.) relative to the current charge. In the water only urban area, the calculated D.C. would increase by 38% (+ \$1.02 per sq.ft. of G.F.A.) relative to the current charge. In the fully-serviced urban area, the calculated D.C. would increase by 19% (+ \$0.94 per sq.ft. of G.F.A.) relative to the current charge.



Table 6-3
Town-wide Services D.C Calculation
2024-2034

SERVICE/CLASS	2024\$ D.C.-Eligible Cost		2024\$ D.C.-Eligible Cost	
	Residential	Non-Residential	S.D.U.	per sq.ft.
	\$	\$	\$	\$
3. Services Related to a Highway	1,935,597	1,088,773	2,305	1.67
4. Fire Protection Services	547,655	308,056	652	0.47
5. Parks and Recreation Services	632,801	33,305	753	0.05
6. Library Services	967,581	50,925	1,152	0.08
7. Growth-related Studies			374	0.19
7.1 Wastewater Services	60,982	32,002		
7.2 Water Services	43,573	23,935		
7.3 Services Related to a Highway	49,909	28,074		
7.4 Fire Protection Services	45,857	25,795		
7.5 Parks and Recreation Services	75,725	6,945		
7.6 Library Services	38,231	6,538		
TOTAL	\$4,397,911	\$1,604,348	\$5,236	2.46
D.C.-Eligible Capital Cost	\$4,397,911	\$1,604,348		
10-Year Gross Population/GFA Growth (sq.ft.)	2,498	650,900		
Cost Per Capita/Non-Residential GFA (sq.ft.)	\$1,760.57	\$2.46		
By Residential Unit Type	P.P.U.			
Single and Semi-Detached Dwelling	2.974	\$5,236		
Other Multiples and Mobile Homes	2.112	\$3,718		
Apartments - 2 Bedrooms +	1.598	\$2,813		
Apartments - Bachelor and 1 Bedroom	1.174	\$2,067		



Table 6-4
Calculated Schedule of D.C. Charges

Service/Class of Service	RESIDENTIAL				NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Other Multiples and Mobile Homes	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	(per sq.ft. of Gross Floor Area)
Municipal-wide Services/Class of Service:					
Services Related to a Highway	\$ 2,305	\$ 1,637	\$ 1,239	\$ 910	\$ 1.67
Fire Protection Services	\$ 652	\$ 463	\$ 350	\$ 257	\$ 0.47
Parks and Recreation Services	\$ 753	\$ 535	\$ 405	\$ 297	\$ 0.05
Library Services	\$ 1,152	\$ 818	\$ 619	\$ 455	\$ 0.08
Growth-related Studies	\$ 374	\$ 266	\$ 201	\$ 148	\$ 0.19
Total Municipal Wide Services/Class of Services	\$ 5,236	\$ 3,719	\$ 2,814	\$ 2,067	\$ 2.46
Urban Services					
Wastewater Services	\$ 3,727	\$ 2,647	\$ 2,003	\$ 1,471	\$ 2.18
Water Services	\$ 1,895	\$ 1,346	\$ 1,018	\$ 748	\$ 1.27
Total Urban Services	\$ 5,622	\$ 3,993	\$ 3,021	\$ 2,219	\$ 3.45
GRAND TOTAL RURAL AREA	\$ 5,236	\$ 3,719	\$ 2,814	\$ 2,067	\$ 2.46
GRAND TOTAL URBAN AREA - WATER ONLY	\$ 7,131	\$ 5,065	\$ 3,832	\$ 2,815	\$ 3.73
GRAND TOTAL URBAN AREA	\$ 10,858	\$ 7,712	\$ 5,835	\$ 4,286	\$ 5.91



Table 6-5
Comparison of Current and Calculated Residential (Single Detached) D.C.s

Service/Class of Service	Residential (Single Detached)	
	Current ¹	Calculated
Municipal-wide Services/Class of Service:		
Services Related to a Highway	\$ 1,797	\$ 2,305
Fire Protection Services	\$ 208	\$ 652
Parks and Recreation Services	\$ 1,934	\$ 753
Library Services	\$ 306	\$ 1,152
Growth-related Studies	\$ 223	\$ 374
Total Municipal Wide Services/Class of Services	\$ 4,468	\$ 5,236
Urban Services		
Wastewater Services	\$ 3,258	\$ 3,727
Water Services	\$ 914	\$ 1,895
Total Urban Services	\$ 4,172	\$ 5,622
GRAND TOTAL RURAL AREA	\$ 4,468	\$ 5,236
GRAND TOTAL URBAN AREA - WATER ONLY	\$ 5,382	\$ 7,131
GRAND TOTAL URBAN AREA	\$ 8,640	\$ 10,858

¹ Current charges at 90% Phase-in



Table 6-6
Comparison of Current and Calculated Non-Residential D.C. (per sq.ft. of G.F.A.)

Service/Class of Service	Non-Residential (per sq.ft. of GFA)	
	Current ¹	Calculated
Municipal-wide Services/Class of Service:		
Services Related to a Highway	\$ 1.55	\$ 1.67
Fire Protection Services	\$ 0.16	\$ 0.47
Parks and Recreation Services	\$ 0.16	\$ 0.05
Library Services	\$ 0.03	\$ 0.08
Growth-related Studies	\$ 0.20	\$ 0.19
Total Municipal Wide Services/Class of Services	\$ 2.10	\$ 2.46
Urban Services		
Wastewater Services	\$ 2.26	\$ 2.18
Water Services	\$ 0.61	\$ 1.27
Total Urban Services	\$ 2.87	\$ 3.45
GRAND TOTAL RURAL AREA	\$ 2.10	\$ 2.46
GRAND TOTAL URBAN AREA - WATER ONLY	\$ 2.71	\$ 3.73
GRAND TOTAL URBAN AREA	\$ 4.97	\$ 5.91

¹ Current charges at 90% Phase-in



7.2 D.C. By-law Structure

It is recommended that:

- the Town impose a Town-wide D.C. calculation for all municipal services, except for wastewater and water services;
- the Town impose D.C.s for wastewater and water services in the water and wastewater serviced areas only; and
- the Town use one D.C. by-law for all services and classes of service to be recovered through D.C.s.

7.3 D.C. By-law Rules

The following sets out the recommended rules governing the calculation, payment, and collection of D.C.s in accordance with subsection 6 of the D.C.A.

It is recommended that the following provides the basis for the D.C.s:

7.3.1 Payment in any Particular Case

In accordance with the D.C.A., s.2(2), a D.C. be calculated, payable and collected where the development requires one or more of the following:

- (a) the passing of a zoning by-law or of an amendment to a zoning by-law 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 9 of the *Condominium Act*, 1998;
- or
- (g) the issuing of a permit under the *Building Code Act*, 1992 in relation to a building or structure.

7.3.2 Determination of the Amount of the Charge

The following conventions be adopted:



industrial building additions that exceed 50% of the existing G.F.A., only the portion of the addition in excess of 50% is subject to D.C.s (subsection 4 (3) of the D.C.A.);

- Full exemption for buildings or structures owned by and used for the purposes of any municipality, local board, or Board of Education;
 - Full exemption for additional residential development within or ancillary to existing buildings: development that results only in the enlargement of an existing dwelling unit, or that results only in the creation of up to two additional dwelling units (based on limits set out in subsection 2 (3.2) of the Act);
 - Full exemption for additional residential development within or ancillary to new dwellings: development that includes the creation of up to two additional dwelling units (based on limits set out in subsection 2 (3.3) of the Act);
 - Full exemption for the creation of the greater of one residential unit or 1% of the existing residential units in an existing rental residential building;
 - Full exemption for a university in Ontario that receives direct, regular, and ongoing operating funding from the Government of Ontario;
 -
 - Full exemption for affordable units and attainable units;
 - Full exemption for affordable inclusionary zoning units;
 - Full exemption for non-profit housing developments; and
 - Partial exemption through a discount for rental housing units based on bedroom size as prescribed (i.e., three or more bedrooms - 25% discount, two bedrooms - 20% discount, and all others - 15% discount).
- b) Non-statutory exemptions included for consideration in the draft by-law includes:
- Garrison Petawawa;
 - Lands, buildings or structures used or to be used for a place of worship or for the purposes of a churchyard or cemetery exempt from taxation under the Assessment Act; and
 - Development of non-residential farm buildings constructed for bona-fide farm uses.

7.3.5 Timing of Collection

The D.C.s for all services and classes are payable upon issuance of a building permit for each dwelling unit, building, or structure, subject to early or late payment agreements entered into by the Town and an owner under s. 27 of the D.C.A.



Rental housing and institutional developments will pay D.C.s in six equal annual payments commencing at occupancy. Moreover, the D.C. amount for all developments occurring within two (2) years of a Site Plan or Zoning By-law Amendment planning approval (for applications submitted after January 1, 2020 and approved before June 7, 2024), shall be determined based on the D.C. in effect on the day of the applicable Site Plan or Zoning By-law Amendment application was deemed complete. The D.C. amount for all developments occurring within eighteen (18) months of a Site Plan or Zoning By-law Amendment planning approval (for applications submitted after January 1, 2020 and approved after June 6, 2024), shall be determined based on the D.C. in effect on the day of the applicable Site Plan or Zoning By-law Amendment application.

Installment payments and payments determined at the time of Site Plan or Zoning By-law Amendment application are subject to annual interest charges. The interest rate the Town can impose is governed by the Town's Council approved Development Charges Interest Policy.

7.3.6 Indexing

Indexing of the D.C.s shall be implemented on a mandatory basis annually on January 1st of each year, in accordance with the Statistics Canada Quarterly, Non-Residential Building Construction Price Index for Ottawa (currently Table 18-10-0276-02) for the most recent year-over-year period.

7.3.7 D.C Spatial Applicability

The D.C.A. historically has provided the opportunity for a municipality to impose municipal-wide charges or area specific charges. Sections 2(7) and 2(8) of the D.C.A. provide that a D.C. by-law may apply to the entire municipality or only part of it and more than one D.C. by-law may apply to the same area. The D.C.A. now requires municipalities to consider the application of municipal-wide and area-specific D.C.s. s.10(2)(c.1) requires Council to consider the use of more than one D.C. by-law to reflect different needs from services in different areas. Most municipalities in Ontario have established uniform, municipal-wide D.C.s. When area-specific charges are used, it is generally to underpin master servicing and front-end financing arrangements for more localized capital costs.

Based on the foregoing and historical practice in the Town, it is proposed that uniform Town-wide D.C.s for all services excluding wastewater and water services be imposed.



Wastewater and water services D.C.s will continue to be imposed on an area-specific basis for development in the wastewater and water serviced areas.

7.3.8 Proposed Amendments Upon Enactment of Bill 185

Should Bill 185 come into force before Council approves the proposed D.C. by-laws, the following amendments to the calculation of the D.C. and the draft D.C. by-laws are recommended:

- Consolidate proposed D.C. by-laws into a single D.C. by-law covering all eligible service, for ease of administration;
- Add to the by-law a charge for growth-related studies;
- Remove from the by-law reference to the mandatory phase-in of D.C.s; and
- Amend the timeline for calculating D.C.s payable for developments that had an accompanying Site Plan or Zoning By-law Amendment planning approval from within 2 years of the application being approved to within 18 months of the application being approved (for applications approved after Bill 185 comes into force).

7.4 Other D.C. By-law Provisions

It is recommended that:

7.4.1 Categories of Services for Reserve Fund and Credit Purposes

It is recommended that the Town's D.C. collections be contributed into seven (7) separate reserve funds, including:

- Services Related to a Highway;
- Fire Protection Services;
- Parks and Recreation Services;
- Library Services;
- Growth-related Studies;
- Wastewater Services; and
- Water Services.



7.4.2 By-law In-force Date

It is proposed that the new D.C. by-law will come into force on July 9, 2024 (i.e., ahead of the expiry date of the Town's current D.C. by-law).

7.4.3 Minimum Interest Rate Paid on Refunds and Charged for Inter-Reserve Fund Borrowing

The minimum interest rate is the Bank of Canada rate on the day on which the by-law come into force (as per s.11 of O. Reg. 82/98).

7.5 Other Recommendations

It is recommended that Council:

“Whenever appropriate, request that grants, subsidies and other contributions be clearly designated by the donor as being to the benefit of existing development or new development, as applicable;”

“Adopt the assumptions contained herein as an ‘anticipation’ with respect to capital grants, subsidies, and other contributions;”

“Adopt the D.C. approach to calculate the charges on a uniform -wide basis for all services, except for water and wastewater services which will be imposed in the urban serviced areas;”

“Approve the capital project listing set out in Chapter 5 of the D.C. Background Study dated May 8, 2024, as amended, subject to further annual review during the capital budget process;”

“Approve the D.C. Background Study dated May 8, 2024, as amended;”

“Determine that no further public meeting is required;” and

“Approve the D.C. By-law as set out in Appendix F.”



CORPORATION OF THE TOWN OF PETAWAWA

BY-LAW NUMBER ___/24

BEING A BY-LAW FOR THE IMPOSITION OF DEVELOPMENT CHARGES

WHEREAS the Town of Petawawa will experience growth through development and re-development;

AND WHEREAS development and re-development requires the provision of physical and social services by the Town of Petawawa;

AND WHEREAS Council desires to ensure that the capital cost of meeting growth-related demands for or burden on municipal services does not place an excessive financial burden on the Town of Petawawa or its existing taxpayers while at the same time ensuring new taxpayers contribute no more than the net capital cost attributable to providing the current level of municipal services;

AND WHEREAS the *Development Charges Act, 1997* (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;

AND WHEREAS a development charge background study has been completed in accordance with the Act;

AND WHEREAS the Council of The Corporation of the Town of Petawawa has given notice of and held a public meeting on the 17th day of June, 2024 in accordance with the Act and the regulations thereto;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF PETAWAWA ENACTS AS FOLLOWS:

DEFINITIONS

1. In this by-law,

“Act” means the Development Charges Act, as amended, or any successor thereof;



“Additional dwelling unit” means a dwelling unit, whether contained within a proposed single detached dwelling, semi-detached dwelling or row dwelling, or ancillary to a single detached dwelling, a semi-detached dwelling, or a row dwelling including but not limited to a coach house, laneway suite or structure constructed above an existing garage or other structure separate from the primary dwelling unit, and which is not capable of being legally conveyed as a separate parcel of land from the primary dwelling unit;

“Affordable Residential Unit” means a Residential Unit that meets the criteria set out in subsection 4.1 of the Act;

“Agricultural use” means a farming business as defined by the Farmland Property Tax Program of the *Farm Registration and Farm Organizations Funding Act, 1993*;

“Apartment dwelling” means any dwelling unit within a building containing more than four dwelling units where the units are connected by an interior corridor;

“Attainable Residential Unit” means a residential unit that meets the criteria set out in subsection 4.1 of the Act;

“Bedroom” means a habitable room which can be used as sleeping quarters, but does not include a bathroom, living room, dining room or kitchen;

“Board of Education” has the same meaning as set out in the *Education Act, R.S.O. 1990, Chap. E.2, as amended, or any successor thereof*;

“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 Ontario Property Assessment Corporation;

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

“Capital cost” means capital costs as defined in subsection 5 (3) of the Act;



“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 hotels, motels, motor inns and boarding, lodging and rooming houses;

“Council” means the Council of the Town of Petawawa;

“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;

“Development charge” means a charge imposed with respect to this by-law;

“Dwelling unit” means any part of a building or structure used, designed or intended to be used as a domestic establishment in which one or more persons may sleep and are provided with culinary and sanitary facilities for their exclusive use;

“Existing” means the number, use and size that existed as of the date this by-law was passed;

“Farm building” means that part of a bona fide farming operation encompassing barns, silos and other ancillary development to an agricultural use, but excluding a residential use;

“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, 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; and
- (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;

“Inclusionary zoning residential unit” means 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.

“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;

“Institutional”, means development of a building or structure intended for use:

- (a) as a long-term care home within the meaning of subsection 2 (1) of the *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 institution of the following post-secondary institutions for the objects of the institution:



- (i) a university in Ontario that receives direct, regular and ongoing operation funding from the Government of Ontario;
 - (ii) a college or university federated or affiliated with a university described in subclause (i); or
 - (iii) an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institute Act, 2017*;
- (d) as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion; or
- (e) as a hospice to provide end of life care;

“Local Board” means a school board, municipal service board, transportation commission, public library board, 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, including school purposes, of a municipality or of two or more municipalities or parts thereof;

“Local services” means those services, facilities or things which are under the jurisdiction of the Town of Petawawa 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;

“Mobile Home dwelling” means any dwelling unit 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;

“Multiple dwelling” means all dwellings other than single-detached, semi-detached, and apartment dwellings;

“Municipality” means the Corporation of the Town of Petawawa;

“Non-profit housing”, means a 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 objective is to provide housing;
- (b) a corporation without share capital to which the *Canada Not-for-profit Corporation Act* applies, that is in good standing under that Act and whose primary objective is to provide housing; or
- (c) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*;

“Non-residential use” means a building or structure of any kind whatsoever used, designed or intended to be used for other than a residential use;

“Official Plan” means the Official Plan adopted for the Town, as amended and approved;

“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. 1990, Chap. A.31, as amended, or any successor thereof;

“Regulation” means any regulation made pursuant to the Act;

“Residential unit” means the same as dwelling unit as defined in this by-law;

“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;

“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;

“Row dwelling” means a building containing three or more attached dwelling units in a single row, each of which dwelling units has an independent entrance from



the outside and is vertically separated from any abutting dwelling unit. For the purposes of this definition, a row dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a row dwelling;

“Semi-detached dwelling” means a dwelling unit in a residential building consisting of two dwelling units having one vertical wall, but not other parts, attached to another dwelling unit where the dwelling units are not connected by an interior corridor. For the purposes of this definition, a semi-detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a semi-detached dwelling;

“Service” means a service set out in section 2.1 to this by-law, and “services” shall have a corresponding meaning;

“Single detached dwelling” means a residential building consisting of one dwelling unit and not attached to another structure. For the purposes of this definition, a single detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a single detached dwelling;

“Town” means the area within the geographic limits of the Town of Petawawa; and

“Zoning By-Law” means the Zoning By-Law of the Town of Petawawa or any successor thereof passed pursuant to section 34 of the *Planning Act*, S.O. 1998.

2. DESIGNATION OF SERVICES

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

- (a) Services Related to a Highway;
- (b) Fire Protection Services;
- (c) Parks and Recreation Services;
- (d) Library Services;
- (e) Growth-related Studies;
- (f) Wastewater Services (within the wastewater serviced area only); and
- (g) Water Services (within the water serviced area only).



3. APPLICATION OF BY-LAW RULES

- 3.1 Development charges shall be payable in the amounts set out in this by-law where:
- (a) the lands are located in the area described in section 3.2; and
 - (b) the development of the lands requires any of the approvals set out in subsection 3.4(a).

Area to Which By-law Applies

- 3.2 Subject to section 3.3, this by-law applies to all lands in the Town of Petawawa whether or not the land or use thereof is exempt from taxation under s.13 of the *Assessment Act*.
- 3.3. Notwithstanding section 3.2 above, this by-law shall not apply to lands that are owned by and used for the purposes of:
- (a) the municipality or a local board thereof; or
 - (b) the County of Renfrew or any local board thereof;
 - (c) a board of education;
 - (d) Garrison Petawawa; or
 - (e) a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education.

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 section 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 This by-law shall not apply to that category of exempt development described in subsections 2(3), 2(3.1), and 2(3.2) of the Act, namely:
- (a) An enlargement to an existing dwelling unit;
 - (b) A second residential unit in an existing detached house, semi-detached house, or rowhouse on a parcel of land on which residential use, other



than ancillary residential use, is permitted, if all buildings and structures ancillary to the existing detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;

- (c) A third residential unit in an existing detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units;
- (d) One residential unit in a building or structure ancillary to an existing detached house, semi-detached house or rowhouse on a parcel of residential 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; or
- (e) In an existing rental residential building, which contains four or more residential units, the creation of the greater of one residential unit or one per cent of the existing residential units.

3.6 This by-law shall not apply to that category of exempt development described in subsection 2(3.3) of the Act, namely:

- (a) A second residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the new detached house, semi-detached house or rowhouse cumulatively will contain no more than one residential unit;
- (b) A third residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units; or



- (c) One residential unit in a building or structure ancillary to a new detached house, semi-detached house or rowhouse on a parcel of residential land, if the new detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units.

3.7 This by-law does not apply to that category of exempt development described in section 4 of the Act, namely:

- (a) the enlargement of the gross floor area of an existing industrial building, if the gross floor area is enlarged by 50 percent or less;
- (b) for the purpose of paragraph (a) the terms “gross floor area” and “existing industrial building” shall have the same meaning as those terms have in O.Reg. 82/98 made under the Act.
- (c) Notwithstanding paragraph (a), if the gross floor area of an existing industrial building is enlarged by more than 50 percent, development charges shall be calculated and collected in accordance with Schedule “A” on the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement.
- (d) For the purpose of the application of section 4 of the Act to the operation of this by-law:
 - (i) the gross floor area of an existing industrial building shall be calculated as it existed prior to the first enlargement in respect of that building for which an exemption under section 4 of the Act is sought; and
 - (ii) the enlargement of the gross floor area of the existing building must:
 - (1) be attached to the existing industrial building;
 - (2) not be attached to the existing industrial building by means only of a tunnel, bridge, canopy, corridor or other



passageway, shared below-grade connection, foundation, footing, parking facility, service tunnel or service pipe;

- (3) be for use or in connection with an industrial purpose as set out in this by-law; and
- (4) constitute a bona fide increase in the size of the existing building.

3.8 This by-law shall not apply to that category of exempt development described in section 4.2 of the Act, namely that development charges shall not be imposed with respect to non-profit housing development.

3.9 This by-law shall not apply to that category of exempt development described in section 4.3 of the Act, namely that development charges shall not be imposed with respect to inclusionary zoning residential unit development.

3.10 This by-law shall not apply to that category of exempt development described in section 4.1 of the Act, namely that development charges shall not be imposed with respect to affordable residential units and attainable residential units.

3.11 Other Exemptions:

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

- (a) Lands, buildings or structures used or to be used for a place of worship or for the purposes of a churchyard or cemetery exempt from taxation under the *Assessment Act*; and
- (b) The development of non-residential farm buildings constructed for bona-fide farm uses.



Amount of Charges

Residential

3.12 The development charges set out in Schedule “A” 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 unit, and calculated with respect to each of the services according to the type of residential use.

Non-Residential

3.13 The development charges described in Schedule “A” 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.

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 24 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 section 3.12 by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and



- (b) in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charges under section 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 shall be calculated and payable in money or by provision of service as may be agreed upon, or by credit granted under the Act, on the date that the building permit is issued in relation to a building or structure on land to which the development charge applies.
- 3.16 Where development charges apply to land in relation to which a building permit is required, the building permit shall not be issued until the development charge has been paid in full.
- 3.17 Notwithstanding sections 3.15 and 3.16, Development Charges for rental housing and institutional developments are due and payable in 6 installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest as provided in the Town's Council approved Development Charge Interest 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 By-law Amendment made on or after January 1, 2020, and the approval of the application occurred within the prescribed amount of time from the building permit issuance, the Development Charges under sections 3.15 and 3.17 shall be calculated based on the rates set out in Schedule "A" on the date the planning application was made, including interest as provided in the Town's Council approved Development Charge Interest Policy. Where both planning applications apply, Development Charges under sections 3.15 and 3.17 shall be calculated based on the rates, including interest as provided in the Town's



Council approved Development Charge Interest Policy, set out in Schedule "A" on the date of the later planning application.

- 3.19 Despite sections 3.15, 3.17, and 3.18, Council from time to time, and at any time, may enter into agreements providing for all or any part of a development charge to be paid before or after it would otherwise be payable, in accordance with section 27 of the Act.

Development Charge Reductions

- 3.20 Notwithstanding the provisions of this by-law, development charges for rental housing developments will be reduced based on the number of bedrooms in each unit as follows:

- (a) Three or more bedrooms – 25% reduction;
- (b) Two bedrooms – 20% reduction; and
- (c) All other bedroom quantities – 15% reduction.

4. PAYMENT BY SERVICES

- 4.1 Despite the payment required under sections 3.12 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.

5. INDEXING

- 5.1 Development charges imposed pursuant to this by-law shall be adjusted annually on January 1st, without amendment to this by-law, in accordance with the most recent available twelve month change in the Ottawa series of the prescribed index in the Act (currently Statistics Canada Table 18-10-0276-02).

6. SCHEDULES

- 6.1 The following schedules shall form part of this by-law:

Schedule A – Schedule of Development Charges



7. CONFLICTS

- 7.1 Where the Town and an owner or former owner have entered into an agreement with respect to land within the area to which this by-law applies, and a conflict exists between the provisions of this by-law and such agreement, the provisions of the agreement shall prevail to the extent that there is a conflict.
- 7.2 Notwithstanding section 7.1, where a development which is the subject of an agreement to which section 7.1 applies, is subsequently the subject of one or more of the actions described in subsection 3.4(a), an additional development charge in respect of the development permitted by the action shall be calculated, payable and collected in accordance with the provisions of this by-law if the development has the effect of increasing the need for services, unless such agreement provides otherwise.

8. SEVERABILITY

- 8.1 If, for any reason, any provision of this by-law is held to be invalid, it is hereby declared to be the intention of Council that all the remainder of this by-law shall continue in full force and effect until repealed, re-enacted, amended or modified.

9. BY-LAW AMENDMENT OR APPEAL

- 9.1 Where this by-law or any development charge prescribed thereunder is amended or repealed either by order of the Ontario Land Tribunal or by resolution of Council, the Treasurer of the Town shall calculate forthwith the amount of any overpayment to be refunded as a result of said amendment or repeal.
- 9.2 Refunds that are required to be paid under section 9.1 shall be paid with interest to be calculated as follows:
- (a) Interest shall be calculated from the date on which the overpayment was collected to the date on which the refund is paid;
 - (b) The Bank of Canada interest rate in effect on the date of enactment of this by-law shall be used.



9.3 Refunds that are required to be paid under section 9.1 shall include the interest owed under this section.

10. HEADINGS FOR REFERENCE ONLY

10.1 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.

11. EXISTING BY-LAW REPEAL

11.1 The Town of Petawawa By-laws 1280/19 and 1473/22 are hereby repealed.

12. DATE BY-LAW IN FORCE

12.1 This by-law shall come into effect at 12:01 AM on July 9, 2024.

13. DATE BY-LAW EXPIRES

13.1 This by-law will expire at 12:01 AM on July 9, 2034 unless it is repealed by Council at an earlier date.

READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED on this 8th day of July, 2024.

Mayor

Clerk



SCHEDULE "A" TO BY-LAW ___/24

SCHEDULE OF DEVELOPMENT CHARGES

Service/Class of Service	RESIDENTIAL				NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Other Multiples and Mobile Homes	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	(per sq.ft. of Gross Floor Area)
Municipal-wide Services/Class of Service:					
Services Related to a Highway	\$ 2,305	\$ 1,637	\$ 1,239	\$ 910	\$ 1.67
Fire Protection Services	\$ 652	\$ 463	\$ 350	\$ 257	\$ 0.47
Parks and Recreation Services	\$ 753	\$ 535	\$ 405	\$ 297	\$ 0.05
Library Services	\$ 1,152	\$ 818	\$ 619	\$ 455	\$ 0.08
Growth-related Studies	\$ 374	\$ 266	\$ 201	\$ 148	\$ 0.19
Total Municipal Wide Services/Class of Services	\$ 5,236	\$ 3,719	\$ 2,814	\$ 2,067	\$ 2.46
Urban Services					
Wastewater Services	\$ 3,727	\$ 2,647	\$ 2,003	\$ 1,471	\$ 2.18
Water Services	\$ 1,895	\$ 1,346	\$ 1,018	\$ 748	\$ 1.27
Total Urban Services	\$ 5,622	\$ 3,993	\$ 3,021	\$ 2,219	\$ 3.45
GRAND TOTAL RURAL AREA	\$ 5,236	\$ 3,719	\$ 2,814	\$ 2,067	\$ 2.46
GRAND TOTAL URBAN AREA - WATER ONLY	\$ 7,131	\$ 5,065	\$ 3,832	\$ 2,815	\$ 3.73
GRAND TOTAL URBAN AREA	\$ 10,858	\$ 7,712	\$ 5,835	\$ 4,286	\$ 5.91