

BY-LAW NUMBER 2024-038

OF

THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE

BEING A BY-LAW RESPECTING DEVELOPMENT CHARGES

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

AND WHEREAS the Council of The Corporation of the Township of Uxbridge ("Township of Uxbridge") has given Notice in accordance with Section 12 of the Development Charges Act, 1997, of its intention to pass a by-law under Section 2 of the said Act;

AND WHEREAS the Council of the Township of Uxbridge has heard all persons who applied to be heard no matter whether in objection to, or in support of, the development charge proposal at a public meeting held on March 25th, 2024;

AND WHEREAS the Council of the Township of Uxbridge had before it a report entitled Development Charges Background Study dated March 7, 2024 (the "Study") prepared by Hemson Consulting Ltd., wherein it is indicated that the development of any land within the Township of Uxbridge will increase the need for services as defined herein;

AND WHEREAS copies of the background study were made available on March 7, 2024 and copies of the proposed development charges by-law were made available on March 7, 2024 to the public in accordance with Section 12 of the Act;

AND WHEREAS the Council of the Township of Uxbridge on May 6, 2024 approved the applicable Development Charges Background Study, date March 7, 2024 in which certain recommendations were made relating to the establishment of a development charge policy for Township of Uxbridge pursuant to the Development Charges Act, 1997;

AND WHEREAS by resolution adopted by Council of The Corporation of the Township of Uxbridge on May 6 2024, Council determined that the increase in the need for services attributable to the anticipated development as contemplated in the Development Charges Background Study dated March 7 2024 including any capital costs, will be met by updating the capital budget and forecast for the Township of Uxbridge, where appropriate.

AND WHEREAS by Resolution adopted by Council on May 6 2024, Council approved the Study and determined that no further public meetings were required under Section 12 of the Act;

AND WHEREAS by resolution adopted by Council of The Corporation of Township of Uxbridge on May 6 2024, Council determined that the future excess capacity identified in the Development Charges Background Study dated March 7 2024, shall be paid for by the development charges contemplated in the said Development Charges Background Study, or other similar charges;

AND WHEREAS the Council of the Township of Uxbridge has given consideration of the use of more than one development charge by-law to reflect different needs for services in different areas, also known as area rating or area specific DCs, and has

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

AND WHEREAS the Development Charges Background Study dated March 7 2024 includes an Asset Management Plan that deals with all assets whose capital costs are intended to be funded under the development charge by-law and that such assets are considered to be financially sustainable over their full life-cycle.

AND WHEREAS the Council of the Township of Uxbridge will give consideration to incorporate the asset management plan outlined in the Development Charges Background Study within Township of Uxbridge's ongoing practices and corporate asset management strategy.

NOW THEREFORE THE COUNCIL OF THE TOWNSHIP OF UXBRIDGE ENACTS AS FOLLOWS:

1. Definitions

In this By-law,

"Act" means the Development Charges Act, 1997, S.O. 1997, c.27, as amended, and all regulations enacted pursuant thereto;

"Agricultural Use" means a bona fide farming operation, including sod farms, the breeding and boarding of horses, and greenhouses but excluding cannabis production facilities;

"Air-supported Structure" means a structure consisting of a pliable membrane that achieves and maintains its shape and is supported by internal air pressure;

"Apartment Building" means a residential building containing more than three Dwelling Units where the Dwelling Units have a common entrance and are connected by a common corridor and where none of the Dwelling Units is a Single Detached Dwelling, a Semi-Detached Dwelling or a Row Dwelling;

"Apartment" means a dwelling unit in an apartment building or a dwelling unit located within or above a commercial building;

"Board of Education" means a board defined in s.s.1(1) of the Education Act, R.S.O. 1990, c.E. 2, as amended;

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

"Building Code Act" means the Building Code Act, S.O. 1992, c. 23, as amended and all Regulations thereto including the Ontario Building Code, as amended;

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

"Development" means any activity or proposed activity in respect of the land that requires one or more of the approvals referred to in section 7 of this By-law, and includes 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 any part of a building or structure designed or intended for use by one or more persons, in which sanitary conveniences and facilities for cooking or for the installation of cooking equipment are provided and in which or for which a heating system is provided, and which has a private entrance from outside the building or from a common hallway or stairway inside and includes a special care/special need dwelling unit;

"Farm Building" means a building or structure actually 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 excludes a Residential Use or a Commercial Use;

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

"Garden Suite" means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing Single Detached Dwelling, Semi-Detached Dwelling, or Row Dwelling and that is designed to be portable.

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

"Gross Floor Area" means the sum total of 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 centre line of a common wall separating two uses, or from the outside edge of a floor where the outside edge of the floor does not meet an exterior or common wall, and:

- (a) includes the floor area of a mezzanine and air-supported structure and the space occupied by interior walls partitions; and
- (b) 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.

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

"Institutional Development" means development of a building or structure intended for institutional development use as defined by O. Reg. 82/98,

"Local Board" means a local board as defined in the Municipal Affairs Act, other than a board defined in subsection 1(1) of the Education Act,

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

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

"Multiple Dwellings" means all dwellings other than Single Detached Dwellings, Semi-Detached Dwellings and Apartment House Dwellings;

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

"Non-Profit Housing Development" means the development of a building or structure intended for use as a residential premises and developed by;

- (a) a corporation to which the Not-for-Profit Corporations Act, 2010 applies, that is in good standing under that Act and whose primary object is to provide housing,
- (b) a corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing, or
- (c) a non-profit housing co-operative that is in good standing under the Co-operative Corporations Act, 2022, c. 21, Sched. 3, s. 4.

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

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

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

"Planning Act" means the Planning Act, R.S.O. 1990 c. P. 13, as amended, and all regulations enacted pursuant thereto;

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

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

"Region" means the Regional Municipality of Durham;

"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 as living accommodation for one or more individuals with independent kitchen and bathroom facilities and includes a special care/special need dwelling;

"Retail Use" means lands, buildings or structures used or designed or intended for use for the sale or rental or offer for sale or rental of goods or services for consumption or use and, for greater certainty, but without limiting the generality of the foregoing, shall

include, but not be limited to, food stores, pharmacies, clothing stores, furniture stores, department stores, sporting goods stores, appliance stores, garden centres, automotive dealers, automotive repair shops, gasoline service stations, government owned retail facilities, private daycare, private schools, private lodging, private recreational facilities, sports clubs, golf courses, skiing facilities, race tracks, gambling operations, medical clinics, funeral homes, motels, hotels, rooming houses, restaurants, theatres, facilities for motion picture, audio and video production and distribution, sound recording services, self-storage facilities and secure document storage;

"Row Dwelling" means a residential building consisting of three or more attached single dwelling units with common walls, each of which has an independent entrance;

"Semi-Detached Dwelling" means one of a pair of two attached single dwellings with a common vertical wall dividing the pair of single dwellings vertically, each of which has an independent entrance directly from the outside;

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

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

"Special Care/Special Need Dwelling" means a building containing two or more rental dwelling units; which units have a common entrance from street level; where the occupants have the right to use in common, halls, stairs, yards, common rooms and accessory buildings; that is designed to accommodate seniors, including independent permanent living arrangements, and where support services such as meal preparation, grocery shopping, laundry, housekeeping, nursing, respite care and attendant services are provided at various levels.

"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;

"Township" means The Corporation of the Township of Uxbridge;

2. For the purpose of complying with section 6 of the Act:

- (a) the area to which this By-law applies shall be the area described in section 3 of this By-law;
- (b) the rules developed under paragraph 9 of subsection 5(1) of the Act for determining if a development charge is payable in any particular case and for determining the amount of the charge shall be as set forth in sections 4 through 18, inclusive and section 25 of this By-law;
- (c) the rules developed under paragraph 10 of subsection 5(1) of the Act for phasing in of development charges shall be as set forth in subsection 26(1) and 26(2) of this by-law: and
- (d) the exemptions provided for by such rules shall be the exemptions set forth in sections 19 through 23, inclusive of this By-law, the indexing of charges shall be in accordance with section 16 of this By-law; and
- (e) the redevelopment of land shall be in accordance with the rules set forth in section 24 of this By-law.

Lands Affected

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

Designation of Services

4. It is hereby declared by Council that all development land within the area to which this By-law applies will increase the need for services.
5. The development charge applicable to a development as determined under this By-law shall apply without regard to the services required or used by an individual development.
6. Development charges shall be imposed and reserve funds established for the categories of services, set out in Schedule A, to pay for the increased capital costs required because of increased needs for services arising from development.

Approvals for Development

7. Development charges shall be imposed against all lands, buildings or structures within the area to which this By-law applies if the development of such lands, buildings or structures requires any of the following approvals:
 - (a) the passing of a zoning by-law or of an amendment thereto under section 34 of the Planning Act,
 - (b) the approval of a minor variance under section 45 of the Planning Act;
 - (c) a conveyance of land to which a by-law passed under subsection 50(7) of the Planning Act applies;
 - (d) the approval of a plan of subdivision under section 51 of the Planning Act,
 - (e) a consent under section 53 of the Planning Act;
 - (f) the approval of a description under section 50 of the Condominium Act, or;
 - (g) the issuing of a permit under the Building Code Act, 1992 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 8 if two or more of the actions described in section 7 occur at different times, additional development charges shall be imposed in respect of any increased or additional development permitted by those actions.
10. Where a development requires an approval described in section 7 after the issuance of a building permit and no development charge has been paid, then the development charge shall be paid prior to the granting of the approval required under section 7.
11. If a development does not require a building permit but does require one or more of the approvals described in section 7, then the development charge shall nonetheless be payable in respect of any increased or additional development permitted by such approval required for the increased or additional development being granted.
12. Nothing in this By-law prevents Council from requiring, as a condition of an agreement under sections 51 or 53 of the Planning Act, that the owner, at his or her own expense, install such local services related to a plan of subdivision or within the area to which the plan relates, as Council may require, or that the owner pay for local connections to storm drainage facilities installed at the owner's expense, or administrative, processing, or inspection fees.

Calculation of Development Charges

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

- (a) in the case of residential development, or the residential portion of a mixed-use development, based upon the number and type of dwelling units; or
- (b) in the case of non-residential development, or the non-residential portion of a mixed-use development, based upon the Gross Floor Area of such development.

Amount of Charge - Residential

14. The development charges described in Schedule B to this By-law shall be imposed on residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use and, in the case of a mixed use building or structure, on the residential component of the mixed use building or structure, according to the type of residential use.

Amount of Charge - Non-Residential

15. The development charges described in Schedule C 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, components of the mixed use building or structure, and calculated with respect to each of the services according to the Gross Floor Area of the non-residential use.

Indexing of Development Charges

16.

- (1) The development charges set out in Schedule "B" hereto shall be adjusted without amendment to this By-law annually on July 1st in each year, commencing July 1st, 2025, and the development charges as set out in Schedule "C" hereto shall be adjusted without amendment to this By-law annually on July 1st in each year, commencing July 1st, 2025 in accordance with the Statistics Canada Quarterly, Construction Price Statistics (catalogue number 62-007) based on the 12 month period ending March 31.
- (2) Notwithstanding subsection (1) the first adjustment will commence on July 1st, 2024 and shall be based upon the change in the index for the six (6) month period preceding the most recent issue of the index.

Phasing and Timing of Calculation and Payment

17.

- (1) Development charges shall be calculated, payable and collected as of the date a building permit is issued in respect of each dwelling unit, building or structure.
- (2) Notwithstanding section 17(1) of this by-law, the amount of development charge will be determined in accordance with Section 26, 26.1 and 26.2 of the Act, prior to issuance of the building permit or revision to building permit;
- (3) Notwithstanding section 17(1) and 17(2) of this by-law, development charges for Rental Housing and Institutional Developments in accordance with Section

26.1 of the Act, are due inclusive of interest established from the date the development charge would have been payable in accordance with section 26 of the Act, in 6 equal annual payments beginning on the date that is the earlier of:

- i. the date of the issuance of a permit under the Building Code Act, 1992 authorizing occupation of the building; and
 - ii. the date the building is first occupied and continuing on the following five anniversaries of that date.
- (4) Subject to section 24 (with respect to redevelopment) and subsection (5), the development charge shall be calculated as of, and shall be payable, on the date the first building permit is issued in relation to a building or structure on land to which the development charge applies.
- (5) Notwithstanding subsection (2) the Township may require an owner to enter into an agreement, including the provision of security for the owner's obligations under agreement, pursuant to section 27 of the Act providing for all or part of a development charge to be paid before or after it otherwise would be payable. The terms of such agreement as they relate to the timing of the payments shall then prevail over the provision of this By-law.

Payment by Money or the Provision of Services

18.

- (1) Payment of development charges shall be by cash or by certified cheque.
- (2) In the alternative to payment by the means provided in subsection (1), the Township may, by an agreement entered into with the owner, accept the provision of services in full or partial satisfaction of the development charge otherwise payable provided that:
 - (a) if the Township and the owner cannot agree as to the reasonable cost of doing the work under sub-section (2), the dispute shall be referred to Council whose decision shall be final and binding.
 - (b) if the credit for the provision of the service exceeds the amount of the development charge for the service to which the work relates,
 - i. the excess amount shall not be credited against the development charge for any other service, unless the Township has so agreed in an agreement under Section 39 of the Act; and
 - ii. in no event shall the Township be required to make a cash payment to the credit holder.
- (3) Nothing in this By-law prevents Council from requiring, as a condition of any approval given under the Planning Act that the owner, at the owner's expense, install such local services as Council may require in accordance with the Township's local services' policies in effect at the time.

Rules with Respect to Exemptions for Intensification of Existing Housing and Discounts for Rental Housing Development

19.

(1) Notwithstanding the provisions of this By-law, and in accordance with sections 2(3), 2(3.1), 2(3.2) and 2(3.3) of the Act and any amendments thereof, development charges shall not be imposed with respect to,

- (a) the enlargement of an existing residential dwelling unit;
- (b) the creation of additional dwelling units equal to the greater of one or 1% of the existing dwelling units in an existing residential rental building containing four or more dwelling units or prescribed ancillary structure to the existing residential building;
- (c) the creation of the following as it relates to the creation of additional residential dwelling units in existing residential buildings;

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

- One residential unit in a building or structure ancillary to an existing single-detached house, semi-detached house or rowhouse on a parcel of land, if the existing detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units
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(d) the creation of the following as it relates to the creation of additional residential dwelling units in new residential buildings,

- A second residential unit in a new single-detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the new single-detached house, semi-detached house or rowhouse cumulatively will contain no more than one residential unit.
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- A third residential unit in a new single-detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the new single-detached house, semi-detached house or rowhouse contains any residential units.
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- One residential unit in a building or structure ancillary to a new single-detached house, semi-detached house or rowhouse on a parcel of land, if the new detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the new single-detached house, semi-detached house or rowhouse contains any residential units.
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- (2) In accordance with Section 26.2(1.1) of the Act, the amount of a development charge determined for rental housing development shall be reduced in accordance with the rules outlined in the Act, as amended.

Rules with Respect to Industrial Exemptions

20. If a development includes the development of an Industrial building or structure or in the case of a mixed use building or structure, on the industrial component of the mixed use building or structure, the amount of the development charge that is payable is the following:

(a) If a development includes the enlargement of the gross floor area of an existing industrial building, the amount of the development charge that is payable in respect of the enlargement is determined in accordance with this section:

- i. if the gross floor area is enlarged by 50 percent or less, the amount of the development charge in respect of the enlargement is zero; or
- ii. if the gross floor area is enlarged by more than 50 percent, the amount of the development charge in respect of the enlargement is the amount of the development charge that would otherwise be payable multiplied by the fraction determined as follows:

1. Determine the amount by which the enlargement exceeds 50 per cent of the gross floor area before the enlargement.
2. Divide the amount determined under paragraph 1 by the amount of the enlargement.

(b) For the purposes of subsection 20(a) the following provisions apply:

- i. the gross floor area of an existing industrial building shall be calculated as it existed as of the date this By-law comes into force;
- ii. subject to b(iii) below, the enlargement need not be an attached addition or expansion of an existing industrial building, but rather may be a new standalone structure, provided it is located on the same parcel of land as the existing industrial building
- iii. in the event that the enlargement is in the form of a standalone building or structure located on the same parcel of land as per b(ii) above, prior to the issuance of a building permit for the standalone building or structure, the owner shall be required to enter into an agreement with the Township under section 27 of the Act respecting the timing and calculation of payment of development charges, notice of which the owner shall register on the title to the lands at its sole cost and expense with the intention that the provisions shall bind and run with title to the lands. Such agreement will require that an event that the lands upon which any standalone building or structure is located are the subject of an application for consent under section 53 of the Planning Act; or for which a by-law is passed under subsection 50(7) of the Planning Act, within 10 years of building permit issuance for such standalone building or structure, that the development charges that would have been otherwise payable for such standalone building or structure, shall become due and payable.

- (c) In this section “gross floor area” means the total floor area, measured between the outside of exterior walls or between the outside of exterior walls and the centre line of party walls dividing the building from another building, of all floors above the average level of finished ground adjoining the building at its exterior walls.

21. 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 Township, the Region, or their local boards;
- (c) buildings or structures owned by a board of education and used for school purposes;
- (d) buildings or structures owned by and used for the purposes of a university established by an Act of the Legislative Assembly of Ontario.
- (e) Development in relation to lands to be used as a place of worship and land used in connection therewith, a churchyard, cemetery or burying ground exempt under the Assessment Act, R.S.O. 1980, c. 31, as amended, for taxation purposes;
- (f) Development of Farm Buildings;
- (g) any part of a building or structure used for the parking of motor vehicles, excluding parking spaces for display of motor vehicles for sale or lease or parking spaces associated with the servicing of motor vehicles;
- (h) Affordable housing as defined by subsection 4.1 of the Act; and
- (i) Non-Profit Housing Development.

Agricultural Uses

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

Temporary Buildings or Structures

23.

- (1) Temporary buildings or structures shall be exempt from the provisions of this by-law.
- (2) In the event that a temporary building or structure becomes protracted, it shall be deemed not to be nor ever to have been a temporary building or structure, and the development charges required to be paid under this By-law shall become payable on the date the temporary building or structure becomes protracted.
- (3) Prior to the Township issuing a building permit for a temporary building or structure, the Township may require an owner to enter into an agreement, including the provision of security for the owner's obligation under the agreement, pursuant to section 27 of the Act providing for all or part of the development charge required by subsection (2) to be paid after it would otherwise be payable. The terms of such agreement shall then prevail over the provisions of this By-law, as it relates to the timing of payment.

Rules with Respect to the Redevelopment of Land

24.

- (1) Where there is a redevelopment of land on which there is a conversion of space proposed, or on which there was formerly erected a building or structure that has been demolished, a credit shall be allowed against the development charge otherwise payable by the owner pursuant to this By-law for the portion of the previous building or structure still in existence that is being converted or for the portion of the building or structure that has been demolished, as the case may be, calculated by multiplying the number and type of dwelling units being converted or demolished or the non-residential Gross Floor Area being converted or demolished by the relevant development charge in effect on the date when the development charge is payable in accordance with this By-law.
- (2) A credit in respect of any residential demolition under this section shall not be given unless a building permit has been issued or a subdivision agreement has been entered into with the Township for the development within 5 years from the date the demolition permit was issued.
- (3) A credit in respect of any non-residential demolition under this section shall not be given unless a building permit has been issued or a subdivision agreement has been entered into with the Township for the development within 10 years from the date the demolition permit was issued
- (4) The amount of any credit hereunder shall not exceed, in total, the amount of the development charges otherwise payable with respect to the development.

Previous Capital Contributions

25. Where an owner or former owner of land to which this By-law applies has paid to the Township a prior capital contribution for residential development as required by an agreement between the Township and the owner or former owner, the Township will recognize as a credit towards a development charge imposed under this By-law, an amount equal to the capital contributions previously paid for residential development (as indexed in accordance with the then capital contributions policy of the Township to the date the development charge imposed under this By-law is paid) expressed as a dollar amount per unit for the land to which the development charge imposed under this By-law applies.

Phase-in of Development Charges and Transition Provisions

26.

- (1) Development charges shall be phased in accordance with the requirements of the Act, as amended.
- (2) Notwithstanding Section 17 where the Township has received a completed building permit application and all required plans and documentation prior to by-law passage, the development charge payable for the issuance of that permit shall be the development charge in effect under By-law 2019-076 as amended, if said permit is actually issued prior to 30 days following the date of passage of this by-law. Permits issued after this date shall pay the development charges under this by-law.

Interest

27. The Township shall pay interest on a refund under subsection 18(3) and 25(2) of the Development Charges Act, 1997 at a rate equal to the Bank of Canada rate on the date this By-law comes into force.

Front Ending Agreements

28. The Township may enter into front ending agreements under Part III of the Act.

Schedules

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

Schedule 'A' Designated Services

Schedule 'B' Schedule of Residential Development Charges

Schedule 'C' Schedule of Non-Residential Development Charges

By-law Registration

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

Date By-law Effective

31. This By-law comes into force on the date of passage hereof.

Repeal

32. By-law No. 2019-076 as amended is hereby repealed effective on the date this By-law comes into force.

Headings for Reference Only

33. 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.

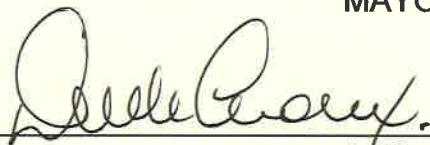
Severability

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

**READ a FIRST, SECOND and THIRD TIME and finally passed this 6 day of
May, 2024.**



DAVE BARTON
MAYOR



DEBBIE LEROUX
CLERK

TOWNSHIP OF UXBRIDGE
BY-LAW 2024-038

SCHEDULE "A"

DESIGNATED SERVICES

- 1) Services Related to a Highway:
 - Public Works and Fleet
 - Roads and Related

- 2) Storm Water Drainage and Control Services

TOWNSHIP OF UXBRIDGE
BY-LAW 2024-038

SCHEDULE "B"

SCHEDULE OF RESIDENTIAL DEVELOPMENT CHARGES

SERVICE	Charge By Unit Type			
	Single & Semi-Detached	Rows & Other Multiples	Apartments	Special Care Needs
Services Related to a Highway: Public Works and Fleet	\$2,026	\$1,644	\$1,073	\$738
Services Related to a Highway: Roads and Related	\$9,880	\$8,015	\$5,235	\$3,599
Storm Water Drainage and Control Services	\$3,228	\$2,619	\$1,710	\$1,176
Total Charge	\$15,134	\$12,278	\$8,018	\$5,513

TOWNSHIP OF UXBRIDGE
BY-LAW 2024-038

SCHEDULE "C"

SCHEDULE OF NON-RESIDENTIAL DEVELOPMENT CHARGES

SERVICE	Non-Residential Charge (\$/sq.m)
Services Related to a Highway: Public Works and Fleet	\$18.72
Services Related to a Highway: Roads and Related	\$91.31
Storm Water Drainage and Control Services	\$29.83
Total Charge Per Sq.M	\$139.86