

CORPORATION OF THE TOWN OF PETROLIA
BY-LAW NUMBER XX-2024

A By-Law for the Imposition of Development Charges

WHEREAS the Municipal Council of the Corporation of the Town of Petrolia will experience growth through development and redevelopment.

AND WHEREAS development will increase the need for municipal services as designated in the by-law;

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

NOW THEREFORE, the Council of the Corporation of the Town of Petrolia enacts as follows:

1. DEFINITIONS

- 1.1. "accessory use" means where used to describe a use, building, or structure that the use building or structure is naturally and normally incidental, subordinate in purpose of floor area or both, and exclusively devoted to a principal use, building or structure.
- 1.2. "Act" means the *Development Charges Act, 1997, c. 27, as amended*.
- 1.3. "affordable residential unit" means a residential unit that meets the criteria set out in subsection 4.1(2) or 4.1(3) of the Act;
- 1.4. "agreement" shall mean a contract between the Town and an owner of land and any amendment thereto.
- 1.5. "agricultural use" means the cultivation of land, the production of crops and the selling of such products on the premises, and the breeding and care of livestock and the selling of such livestock or the product of such livestock raised on the premises, and without limiting the generality of the foregoing includes aviaries, apiaries, fish farming, animal husbandry, and the raising and harvesting of field, bush, or tree crops, market gardening, nurseries and greenhouses. However, "agricultural use" does not include facilities for the permanent or temporary housing of persons employed on the lot;
- 1.6. "ancillary residential building" means a residential building or structure that would be ancillary to a detached dwelling, semi-detached dwelling, or row dwelling and includes an accessory dwelling;
- 1.7. "apartment unit" means any residential unit within a building containing four or more dwelling units where access to each residential unit is obtained through a common entrance or entrances from the street level and the residential units are connected by an interior corridor and is not a special care/special dwelling unit;
- 1.8. "bedroom" means a habitable room which can be used as sleeping quarters, but does not include a bathroom, living room, dining room or kitchen;
- 1.9. "benefiting area" means an area defined by map, plan, or legal description in a front-ending agreement as an area that will receive a benefit from the construction of a service;
- 1.10. "Board of Education" means a board defined in s.s. 1 (1) of the *Education Act*;
- 1.11. "bona fide farm uses" means the proposed development 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;

- 1.12. "Building Code Act" means the *Building Code Act, 19921 S.O. 1992, c.23, as amended*;
- 1.13. "capital cost" means costs incurred or proposed to be incurred by the municipality or a local board thereof directly or by others on behalf of, and as authorized by, the municipality or local board,
- a. to acquire land or an interest in land, including a leasehold interest;
 - b. to improve land;
 - c. to acquire, lease, construct or improve buildings and structures;
 - d. to acquire, lease, construct or improve facilities including,
 - i. rolling stock with an estimated useful life of seven years or more,
 - ii. furniture and equipment, other than computer equipment, and
 - iii. materials acquired for circulation, reference or information purposes by a library board as defined by the *Public Libraries Act R. O 1990, c. 57 and*;
 - e. interest on money borrowed to pay for costs in (a) to (d) required for the provision of services designated in this bylaw within or outside of the Town.
- 1.14. "class" means a grouping of services combined to create a single service for the purposes of this by-law and as provided in Section 7 of the Act.
- 1.15. "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;
- 1.16. "Condominium Act" means the *Condominium Act, 1998, S.O. 1998, Chap. c. 19*;
- 1.17. "Corporation" means the Corporation of the Town of Petrolia;
- 1.18. "Council" means the Council of the Corporation of the Town of Petrolia;
- 1.19. "developer" means a person who undertakes development or redevelopment;
- 1.20. "development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes redevelopment;
- 1.21. "development charges" means a charge imposed with respect to this by-law;
- 1.22. "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;
- 1.23. "exemption" means that no development charge is payable;
- 1.24. "existing" means the number, use and size that existed as of the date this by-law was passed;
- 1.25. "farm building" means that part of a bona fide farming operation that is located upon land which is assessed and used for farm purposes encompassing barns, silos and other ancillary development to an agricultural use, but excluding a residential use
- 1.26. "floor" does not include a storey;
- 1.27. "floor above ground level" means any floor, the entire area of which is located below the lowest level at which the land upon which the building or structure stands abuts any land

- 1.28. "floor below ground level" means any floor the entire area of which is located below the lowest level at which the land upon which the building or structure stands abuts any land;
- 1.29. "grade" means the average level of finished ground adjoining a building or structure at all exterior walls;
- 1.30. "gross floor area" means
- a. in the case of a residential building or structure, the total area of all floors above grade of a dwelling unit measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing the dwelling unit from any other dwelling unit or other portion of a building; and
 - b. in the case of a non-residential building or structure, 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;
- 1.31. "industrial" means lands, buildings or structures used or designed or intended for use for manufacturing, processing, fabricating or assembly of raw goods, warehousing or bulk storage of goods, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use, but does not include the sale of commodities to the general public through a warehouse club;
- 1.32. "institutional development" means development of a building or structure, or portions thereof, intended for use;
- a. as a long-term care home within the meaning of subsection 2 (1) of the *Long-Term Care Homes Act, 2007*;
 - b. as a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*;
 - c. by any of the following post-secondary institutions for the objects of the institution:
 - i. a university in Ontario that receives direct, regular, and ongoing operating funding from the Government of Ontario,
 - ii. a college or university federated or affiliated with a university described in subclause (i) or
 - iii. an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*.
 - d. as a memorial home, clubhouse, or athletic grounds by an Ontario branch of the Royal Canadian Legion; or
 - e. as a hospice to provide end of life care.
- 1.33. "lawfully existing" means a building:
- a. that is not prohibited by a by-law passed under Section 34 of the *Planning Act*, or a predecessor of that section; or

- b. that is a legal non-conforming use; or
 - c. that is allowed by a minor variance authorized under Section 45 of the *Planning Act*, or a predecessor of that section;
- 1.34. "Local Board" means a school board, public utility, commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of the Town of Petrolia or any part or parts thereof;
- 1.35. "local services" means those services, facilities or things which are under the jurisdiction of the Town of Petrolia 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;
- 1.36. "mixed-use" means all dwellings other than single-detached, semi-detached, apartments, and special care/special dwelling units;
- 1.37. "mobile home" means a dwelling unit that is designed to be mobile, and constructed or manufactured to provide a permanent or seasonal residence for one or more persons but does not include a trailer or tent trailer. A mobile home shall be distinguished from other forms of prefabricated transportable housing by reason of a design which permits and features ready transfer from place to place.
- 1.38. "net capital costs" means the capital cost, less capital grants, subsidies and other contributions made to the Town or that the Council anticipates will be made, including conveyances or payments under Sections 42, 52, and 53 of the *Planning Act*, in respect of the capital costs;
- 1.39. "non-profit housing development" means development of a building or structure intended for use as residential premises by:
- a. a corporation without share capital to which the *Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing;
 - b. a corporation without share capital to which the *Canada Not-for-Profit Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing; or
 - c. a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*, or any successor legislation;
- 1.40. "non-residential use" means a building or structure of any kind whatsoever used designed, or intended to be used for other than a residential use;
- 1.41. "other multis" means all residential units other than a single detached dwelling, semi-detached dwelling, apartment dwelling or special care/special dwelling unit, but not limited to row dwellings, multiplex, back to back townhouse dwelling and the residential component of live/work units.
- 1.42. "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;
- 1.43. "park model trailer" shall mean a manufactured building used or intended to be used for residential occupancies designed and constructed in conformity with CAN/CSA-Z241 Series M – "Park Model Trailers"
- 1.44. "place of worship" means that part of a building or structure that is exempt from taxation as a place of worship under the *Assessment Act, R.S.O. 1990 Chap. A.31*, as amended, or any successor thereof;

- 1.45. "Planning Act" means the *Planning Act, 1990 R.S.O. 1990, c.P.13, as amended*;
- 1.46. "prescribed index" means the price index as prescribed in the Regulation.
- 1.47. "rate" means the interest rate established weekly by the Bank of Canada based on Treasury Bills having a term of 91 days;
- 1.48. "redevelopment" means the construction, erection or placing of one or more buildings on land where all or part of a building on such land has been previously demolished or changing the use of all or part of a building from a residential purpose to a non-residential purpose or from a non-residential purpose to a residential purpose, or changing all or part of a building from one form of residential development to another form of residential development or from one form of non-residential development to another form of non-residential development.
- 1.49. "regulation" means any regulation made pursuant to the Act;
- 1.50. "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;
- 1.51. "residential dwelling" means a building, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, containing one or more dwelling units but not including motels, hotels, tents, truck campers, tourist trailers, mobile camper trailers, or boarding, lodging or rooming houses;
- 1.52. "residential development" means land, buildings or portions thereof used, designed, or intended to be used as living accommodations for one or more individuals, and shall include a single detached dwelling, a semi-detached dwelling, a multiple dwelling, an apartment unit dwelling, a mobile home, a park model trailer, a special care/special need dwelling, an ancillary residential building, and the residential portion of a mixed-use building and "residential use" and "residential purpose" has the same meaning;
- 1.53. "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;
- 1.54. "retirement home or lodge" means a residential building or the portion of a mixed use building which provides accommodation primarily for retired persons or couples where each private bedroom or living accommodation has a separate private bathroom and separate entrance from a common hall, but do not include private culinary facilities and instead where common facilities for the preparation and consumption of food are provided, and common lounges, recreation rooms and medical care facilities may also be provided;
- 1.55. "rows and other multiples" 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;
- 1.56. "semi-detached dwelling" means a dwelling unit in a residential building consisting of two dwelling units having one vertical wall or one horizontal wall, but not other parts, attached or another dwelling unit where the residential units are not connected by an interior corridor.
- 1.57. "service" means a service designed in Schedule "A" to this By-law and "services" shall have a corresponding meaning
- 1.58. "servicing agreement" means an agreement between a landowners and the Town relative to the provision of municipal services to specified land within the Town.
- 1.59. "single detached dwellings" means a completely detached building containing only one dwelling unit and not attached to another structure.
- 1.60. "special care/special dwelling unit/room" means a residence in an assisted living facility:

- a. Containing two or more dwelling rooms, which rooms have a common entrance from street level; and
- b. Where the occupants have the right to use in common with other occupants, halls, stairs, yards, common room, and accessory buildings; and
- c. That is designed to accommodate persons with specific needs, including but not limited to, independent permanent living arrangements; and where support services, such as meal preparation, grocery shopping, laundry, housing, nursing, respite care and attending services are provided at various levels but
- d. Excludes group homes.

1.61. "Zoning By-law" means the Zoning By-law of the Town of Petrolia, or any successor thereof passed pursuant to Section 34 of the *Planning Act, S.O. 1998*.

2. Designation of Services and Classes of Services

- 2.1. The categories of services and classes of services for which development charges are imposed under this by-law are as follows:
 - a. Fire Services
 - b. Parks and Recreation
 - c. Services Related to a Highway
 - d. Water Services
 - e. Wastewater Services
- 2.2. The components of the services and classes designated in subsection 2.1 are described in Schedule A.

3. Application of By-law Rules

- 3.1. Development charges shall be payable in the amounts set out in this by-law where:
 - a. the lands are located in the area described in subsection 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 subsection 3.3, this by-law applies to all lands within the Town of Petrolia. Charges for water services and wastewater apply in Development Areas 1, 2 and 3, as shown in Schedule B, whether or not the land or use thereof is exempt from taxation under s. 13 of the *Assessment Act*.
- 3.3. Notwithstanding clause 3.2 above, this by-law shall not apply to lands that are owned by and used for the purposes of:
 - a. the municipality or a local board thereof;
 - b. a board of education;
 - c. the Corporation of the County of Lambton or a local board thereof;
 - d. land vested in or leased to a university or college that receives regular and ongoing operating funds from the government for the purposes of post-secondary education is exempt from development charges imposed under the Act if the development in respect of which development charges would otherwise be payable is intended to be occupied and used by the university or college;

- e. Non-profit housing development;
- f. Affordable housing units required pursuant to section 34 and 16(4) of the Planning Act (Inclusionary Zoning)

Approvals for Development

3.4. Approvals for Development

- a. Development charges shall be imposed on all lands, buildings or structures that are developed for residential or non-residential uses if the development requires:
 - i. the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*;
 - ii. the approval of a minor variance under section 45 of the *Planning Act*,
 - iii. a conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act* applies;
 - iv. the approval of a plan of subdivision under section 51 of the *Planning Act*,
 - v. a consent under section 53 of the *Planning Act*;
 - vi. the approval of a description under section 50 of the *Condominium Act, R.S.O. 1990, Chap. C.26*; as amended, or any successor thereof; or
 - vii. the issuing of a permit under the *Building Code Act* in relation to a building or structure.
- b. No more than one development charge for each service designated in subsection 2.1 shall be imposed upon any lands, buildings or structures to which this by-law applies even though two or more of the actions described in subsection 3.4(a) are required before the lands, buildings or structures can be developed.
- c. Despite subsection 3.4(b), if two or more of the actions described in subsection 3.4(a) occur at different times, additional development charges shall be imposed if the subsequent action has the effect of increasing the need for services.

Rules with Respect to Exemptions for Intensification of Existing Housing

- 3.5. Notwithstanding the provisions of this By-law, development charges shall not be imposed with respect to developments or portions of developments as follows:
 - a. the enlargement to an existing residential dwelling unit;
 - b. one or two additional dwelling units in an existing single detached dwelling or prescribed ancillary structure to the existing residential building;
 - c. the creation of additional dwelling units equal to the greater of one or 1 % of the existing dwelling units in an existing residential rental building containing four or more dwelling units or prescribed ancillary structure to the existing residential building;
 - d. the creation of one additional dwelling unit in any other existing residential building already containing at least one dwelling unit or prescribed ancillary structure to the existing residential building; or
 - e. the creation of a second dwelling unit in prescribed classes of proposed new residential buildings, including structures ancillary to dwellings, subject to the following restrictions:

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

- 3.6. The exemption to development charges in section 3.5 shall only apply to the first instance of intensification in an existing or new dwelling.
- 3.7. Notwithstanding subsection 3.5(b), development charges shall be imposed if the total gross floor area of the additional one or two units exceeds the gross floor area of the existing dwelling unit;
- 3.8. Notwithstanding subsection 3.5(d), development charges shall be imposed if the additional unit has a gross floor area greater than:
- a. in the case of a semi-detached or row dwelling, the gross floor area of the existing dwelling unit; and
 - b. in the case of any other residential building, the gross floor area of the smallest dwelling unit already contained in the residential building.

Rules with Respect to an Industrial Expansion Exemption

- 3.9. If a development includes the enlargement of the gross floor area of an existing industrial building, the amount of the development charges that is payable in respect of the enlargement is determined in accordance with the following:
- a. Subject to subsection 3.9 (c); if the gross floor area is enlarged by 50 percent or less of the lesser of:
 - i. the gross floor area of the existing industrial building, or
 - ii. the gross floor area of the existing industrial building before the first enlargement for which:

- a. an exemption from the payment of development charges was granted, or
 - b. a lesser development charge than would otherwise be payable under this by-law, or predecessor thereof, was paid,
- pursuant to Section 4 of the Act and this subsection, the amount of the development charge in respect of the enlargement is zero;
- b. Subject to subsection 3.9 (c), if the gross floor area is enlarged by more than 50 per cent of the lesser of:
 - i. the gross floor area of the existing industrial building, or
 - ii. the gross floor area of the existing industrial building before the first enlargement for which:
 - a. an exemption from the payment of development charges was granted, or
 - b. a lesser development charge than would otherwise be payable under this by-law, or predecessor thereof, was paid,

pursuant to Section 4 of the Act and this subsection, 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:

 - c. determine the amount by which the enlargement exceeds 50 per cent of the gross floor area before the first enlargement, and
 - d. divide the amount determined under subsection (A) by the amount of the enlargement;
 - c. For the purposes of calculating the extent to which the gross floor area of an existing industrial building is enlarged in subsection 3.9 (b), the cumulative gross floor area of any previous enlargements for which:
 - i. An exemption from the payment of development charges was granted, or
 - ii. A lesser development charge than would otherwise be payable under this by-law, or predecessor thereof, was paid,

pursuant to Section 4 of the Act and this subsection, shall be added to the calculation of the gross floor area of the proposed enlargement.
 - d. For the purposes of this subsection, the enlargement must not be attached to the existing industrial building by means only of a tunnel, bridge, passageway, canopy, shared below grade connection, such as a service tunnel, foundation, footing or parking facility.
- 3.10. For the purpose of section 3.9, "existing industrial building" is used as defined in the Regulation made pursuant to the Act.

Other Exemptions

- 3.11. Notwithstanding the provisions 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 cemetery or burial ground exempt from taxation under the Assessment Act; and
 - b. The development of non-residential farm buildings constructed for bona fide farm uses, being that which operates with a valid Farm Business Registration Number and is assessed in the Farmland Realty Tax Class.

Amount of Charges

Residential

- 3.12. The development charges set out in Schedule B shall be imposed on residential uses of lands, buildings, or structures, including a dwelling unit accessory to a non-residential use and, in the case of a mixed-use building or structure, on the residential uses in the mixed-use building or structure, according to the type of residential 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 B to this by-law shall be imposed on non-residential uses of lands, buildings, or structures, and, in the case of a mixed-use building or structure, on the non-residential uses in the mixed-use building or structure, and calculated with respect to each of the services according to the gross 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 5 years prior to the date of payment of development charges in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

- a. in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge under subsection 3.12 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 a mixed-use building or structure, the non-residential uses in the mixed-use building or structure, an amount calculated by multiplying the greater of the applicable development charges under subsection 3.13 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 Calculation and Payment of Development Charges

- 3.15. Development charges imposed under this By-law are calculated, payable, and collected on the date a building permit is issued in respect of the building or structure for which the owner has made a building permit application, unless the development charge is to be paid at a different time under Section 26 or Section 26.1 of the Act, or is to be paid or has been paid at a different time under an agreement pursuant to Section 27 of the Act.
- 3.16. Notwithstanding subsection 3.15 development charges for rental housing and institutional developments are due and payable in 6 equal annual payments commencing with the first instalment payable on the earlier of the date the first occupancy permit is granted or the date of first occupancy, and each subsequent instalment, including interest calculated in accordance with the Development Charge Act.
- 3.17. Where the development of land results from the approval of a site plan or zoning by-law amendment received on or after January 1, 2020, and the approval of the application occurred within two years of building permit issuance, the development charges under subsections 3.12 and 3.13 shall be calculated on the rates set out in Schedule C on the date of the planning application, including interest as per the Development Charge Act. Where both planning applications apply, development charges under subsections 3.12 and 3.13 shall be calculated on

the rates, including interest as provided in the Development Charge Act, payable on the anniversary date each year thereafter, set out in Schedule C on the date of the later planning application, including interest.

- 3.18. Despite sections 3.15 to 3.17, Council from time to time, and at any time, may enter into an agreement with an owner to provide for the payment in full of development charges before building permit issuance or later than the issuing of a building permit, in accordance with section 27 of the Act.
- 3.19. The amounts of the development charges described in Schedule B to this by-law shall be reduced in accordance with section 5(8) of the Act.
 - a. The following percentages of the charges provided in Schedule B will be imposed for residential and non-residential uses (subject to annual indexing per section 6 of this by-law):
 - i. Year 1 – 80 per cent
 - ii. Year 2 – 85 per cent
 - iii. Year 3 – 90 per cent
 - iv. Year 4 – 95 percent
 - v. Year 5 onwards – 100 per cent

4. Payment by Services

- 4.1. Despite sections 3.15 to 3.17 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. Local Service Installation

- 5.1. Nothing in this by-law prevents Council from requiring, as a condition of an agreement under Section 51 or 53 of the Planning Act that the owners, at his or her own expense, shall install or pay for such local services, within the Plan of Subdivision or within the area to which the plan relates, as Council may require.

6. Indexing

- 6.1. Development charges imposed pursuant to this by-law shall be adjusted annually, without amendment to this by-law, commencing on January 1, 2025 and annually thereafter, in accordance with the prescribed index in the Act.

7. Schedules

- 7.1. The following schedules shall form part of this by-law:
 - a. Schedule A: Components of Services and Classes of Services Designated in Subsection 2.1
 - b. Schedule B: Residential and Non-Residential Development Charges
 - c. Schedule C: Map of Development Charge Service Areas

8. Conflicts

- 8.1. 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.

9. By-law Registration

9.1. A certified copy of this by-law may be registered on title to any land to which this by-law applies.

10. By-law In Force

10.1. This by-law shall come into effect on the date of passage hereof

11. Date By-law Expires

11.1. This by-law will expire at 12:01 AM on **DATE**, 2034 unless it is repealed by Council at an earlier date.

By-Law read a First and Second time this **Xth day of Month 2024**.

By-Law read a Third Time and Finally Passed this **Xth day of Month 2024**.

R. Brad Loosley
Mayor

Mandi Pearson
Clerk/Operations Clerk

DRAFT

THE CORPORATION OF THE TOWN OF PETROLIA

BY-LAW NUMBER X-2024

**SCHEDULE A
DESIGNATED MUNICIPAL SERVICES UNDER THIS BY-LAW**

1. Fire Services
2. Parks and Recreation
3. Services Related to a Highway
 - Vehicles
 - Facilities
4. Water
5. Wastewater

DRAFT

BY-LAW NUMBER X-2024

**SCHEDULE B
SCHEDULE OF RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT CHARGES**

Development Charge Service Area	Service Category	Per Capita Charge (\$)	Singles & Semis (charge per unit)	Rows and Other Multi-Units (charge per unit)	Apartment - 2 and 2+ bedrooms (charge per unit)	Apartment - 1 bedroom, bachelor (charge per unit)	Non-Residential (charge per sqft)
Municipal-Wide	Fire	659	1,667	1,087	916	824	0.34
Municipal-Wide	Parks and Recreation	1,999	5,057	3,298	2,779	2,499	-
Municipal-Wide	Public Works	436	1,103	719	606	545	0.23
Municipal-Wide	Total	3,094	7,827	5,104	4,301	3,868	0.57
Development Area 1	Water	1,023	2,588	1,688	1,422	1,279	-
Development Area 2	Water	815	2,062	1,345	1,133	1,019	-
Development Area 3	Water	-	-	-	-	-	1.28
Development Area 3	Sewage	-	-	-	-	-	11.89
Development Area 1 Total	Total (Municipal + Water)	4,117	10,415	6,792	5,723	5,147	0.57
Development Area 2 Total	Total (Municipal + Water)	3,909	9,890	6,450	5,434	4,886	0.57
Development Area 3 Total	Total (Municipal + Water + Sewage)	3,094	7,827	5,104	4,301	3,868	13.74

**SCHEDULE C
MAP OF DEVELOPMENT CHARGE SERVICE AREAS**

