

CORPORATION OF THE NATION MUNICIPALITY

BY-LAW No. [REDACTED]

BEING a By-law for the imposition of Development Charges.

WHEREAS the Nation Municipality has and will continue to experience growth through development;

AND WHEREAS Council desires to ensure that the capital cost of meeting growth related demands for, or burden on, Municipal Services do not place an undue financial burden on the Municipality or its taxpayers;

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 Charges background study has been completed in accordance with the Act;

AND WHEREAS Council has before it a report entitled Development Charges Background Study, Draft Report prepared by ZanderPlan Inc dated June 9, 2022;

AND WHEREAS the Council of the Corporation of The Nation Municipality has given notice and held a public meeting and open house on October 3rd, 2022 in accordance with the Act and regulations thereto;

NOW THEREFORE the Council of the Corporation of The Nation Municipality enacts as follows:

- 1) That, where lawfully permitted by the Act, the Development Charges established by this By-law are hereby imposed on all classes of residential and non-residential property as hereinafter set forth on Schedule “A” attached to and forming part of this By-law.
- 2) That this By-law applies to all lands in The Nation Municipality whether or not the land or use thereof is exempt from taxation under Section 13 of the Assessment Act. Notwithstanding the preceding, this By-law shall not apply to lands that are owned by and used for the purposes of:
 - The Municipality or a local board thereof;
 - A Board of Education;
 - The Corporation of the United Counties of Prescott-Russell or a local board thereof.
- 3) That the Development Charges are established as per Schedule “A” per single detached dwelling unit, semi-detached or duplex dwelling unit, row house or townhouse dwelling unit, apartment or other multiple dwelling unit.
- 4) Notwithstanding Section 3 of this By-law and in accordance with the statutory exemptions set out in the Act, Development Charges shall not be imposed with respect to:
 - An enlargement to an existing dwelling unit;
 - One or two additional dwelling units in an existing single detached dwelling unit;
 - One additional dwelling unit in any existing residential building;
 - Agricultural use buildings or structures.

5) For the purposes of demolitions or loss of property, this By-law shall not apply to development where, by comparison with the land at any time within 24 months previous to the imposition of the charge:

- No additional dwelling units are being created;
- No additional non-residential gross floor area is being added.

The exemption from the charge is applicable only to the registered owner(s) on title of the subject property at the time of the event (non-transferable).

6) That notwithstanding Section 4), bullet two, of this By-law, Development Charges shall be imposed if the total gross floor area of the additional unit(s) exceeds the gross floor area of the existing dwelling unit.

7) That notwithstanding Section 4, bullet three, of this By-law, Development Charges shall be imposed if the additional unit has a gross floor area greater than:

- In the case of a semi-detached, duplex, row house or townhouse dwelling unit, the gross floor area of the existing dwelling unit;
- In the case of an apartment or multiple attached dwelling, the gross floor area of the smallest unit contained in the residential building.

8) That the Development Charge is established at \$1.51 per square foot for non-residential development, subject to the footnote exemption shown on Schedule “A” of this By-law.

9) That notwithstanding Section 8 of this By-law and in accordance with the statutory exemptions set out in the Act, no Development Charge is payable for an enlargement of the gross floor area of an existing industrial building where the gross floor area is enlarged by 50 percent or less.

10) That, if the gross floor area of an existing industrial building is enlarged by greater than 50 percent, the amount of the Development Charge payable in respect of the enlargement is the amount per square foot as set out in Section 8), for each square foot in excess of 50 percent of the existing industrial building.

11) That for the purpose of Sections 9) and 10) herein, “existing industrial building” is used as defined in the Regulation made pursuant to the Act.

12) That the categories for services for which Development Charges are imposed under this By-law are as follows:

- Administration
- Library
- Recreation
- Public Works (Roads)
- Fire Protection Services

13) That notwithstanding the provisions of Section 1) of this By-law, every place of worship and land used in connection therewith, and every churchyard, cemetery or burying ground are wholly exempted from the Development Charges imposed pursuant to this By-law.

- 14) That the Development Charges imposed by this By-law shall be calculated and be payable in money or by provision of services as may be agreed upon, or by credit granted by the Act, on the date that a building permit is issued in relation to a building or structure on land to which the Development Charge applies, or in a manner or at a time otherwise lawfully agreed upon.
- 15) That the terms “single detached dwelling”, “semi-detached dwelling”, “duplex dwelling”, “row house dwelling”, “townhouse dwelling” “apartment dwelling” and “multiple attached dwelling” have the meanings assigned to them in the Comprehensive Zoning By-law of the Corporation of The Nation Municipality.
- 16) That Council may adjust the Development Charges in this By-law one or two times annually in accordance with the “Construction Price Statistics” (Ontario Series) as published by Statistics Canada quarterly (Catalogue No. 62-007) pursuant to paragraph 10 of subsection 5(1) of the Development Charges Act, and Section 7 of Ontario Regulation 82/98. Such adjustment to a Development Charge shall not require an amendment to this By-law.
- 17) This By-law repeals By-law No. 93-2015 and By-law No. 8-2016, and all amendments thereto.
- 18) This By-law shall come into force and take effect on the [redacted] day of **October, 2022**.

READ A FIRST, SECOND AND THIRD TIME AND PASSED IN OPEN COUNCIL THIS [redacted] DAY OF **OCTOBER, 2022.**

François St. Amour, Mayor

Josée Brizard, CAO-Clerk

SCHEDULE “A” TO BY-LAW No. [REDACTED]

DEVELOPMENT CHARGES

**RESIDENTIAL AND NON-RESIDENTIAL USES
(Proposed 5-year phase-in)**

Land Use Category	Persons per Unit	Development Charges per Residential Unit and per Square Foot of Non-Residential Floor Space
January 2022 – to present		
Single Detached	3.4	\$4,120.66
Semi-detached or Duplex	3.0	\$3,635.88
Row House or Townhouse	2.6	\$3,151.10
Apartment or Multiple Attached	1.8	\$2,181.53
Non-Residential	N/A	\$-/sq ft ²
2022¹ – after adoption of by-law		
Single Detached	3.4	\$5,042.27
Semi-detached or Duplex	3.0	\$4,449.06
Row House or Townhouse	2.6	\$3,855.85
Apartment or Multiple Attached	1.8	\$2,669.44
Non-Residential	N/A	\$2.00/sq ft ²
2023¹		
Single Detached	3.4	\$5,143.11
Semi-detached or Duplex	3.0	\$4,538.04
Row House or Townhouse	2.6	\$3,932.97
Apartment or Multiple Attached	1.8	\$2,722.82
Non-Residential	N/A	\$2.00/sq ft ²
2024¹		
Single Detached	3.4	\$5,245.96
Semi-detached or Duplex	3.0	\$4,628.79
Row House or Townhouse	2.6	\$4,011.62
Apartment or Multiple Attached	1.8	\$2,777.27
Non-Residential	N/A	\$2.00 ²
2025¹		
Single Detached	3.4	\$5,350.89
Semi-detached or Duplex	3.0	\$4,721.37
Row House or Townhouse	2.6	\$4,091.85
Apartment or Multiple Attached	1.8	\$2,832.82
Non-Residential	N/A	\$2.00/sq ft ²
2026¹		
Single Detached	3.4	\$5,457.92
Semi-detached or Duplex	3.0	\$4,815.81
Row House or Townhouse	2.6	\$4,173.70
Apartment or Multiple Attached	1.8	\$2,889.49
Non-Residential	N/A	\$2.00/sq ft ²
¹ The Development Charges shall increase on January 1 st of each year in accordance with the amounts shown in this Table, PLUS an additional amount equal to the “Construction Price Statistics” (Ontario Series) as published by Statistics Canada quarterly (Catalogue No. 62-007) which amount is to be added annually on an incremental basis over the 5-year period of this By-law.		
² No Development Charges on the first building permit issued for a property, up to a maximum of 3,500 square feet, after which the full Development Charges shall apply.		