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The Corporation of the Municipality of Clarington

By-law 2025-070

Being a by-law to impose development charges against land in the Municipality of
Clarington pursuant to the Development Charges Act, 1997, as amended

Whereas subsection 2(1) of the Development Charges Act, 1997, S.O. 1997, c.27 (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 arising from the development of the area to which the by-law applies; and

Whereas a Development Charges Background Study (the “Study”) dated March 24, 2025, as amended, has been prepared in support of the imposition of development charges; and

Whereas Council of the Municipality of Clarington has given notice and held a public meeting on April 7, 2025, in accordance with section 12(1) of the Act; and

Whereas the Municipality of Clarington heard all persons who applied to be heard whether in objection to, or support of, the proposed development charges at a public meeting on April 7, 2025, and on the December 15, 2025 council meeting determined that no additional public meeting was required; and

Whereas Council of the Municipality of Clarington on December 15, 2025 determined that the increase in the need for services attributable to the anticipated development as contemplated in the Study, including any capital costs, will be met by updating the capital budget and forecast for the Municipality of Clarington, where appropriate; and

Whereas Council of the Municipality of Clarington on December 15, 2025 determined that the future excess capacity identified in the Study, shall be paid for by the development charges contemplated in the said Study, or other similar charges; and

Whereas by resolution passed by Council of the Municipality of Clarington on December 15, 2025, Council 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 development charges”, and has determined that for the services, and associated infrastructure proposed to be funded from development charges under this bylaw, that it is fair and reasonable that the charges be calculated on a municipal-wide basis; and

Whereas the Study dated March 24, 2025, as amended, 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 Municipality of Clarington will give consideration to incorporating the Asset Management Plan outlined in the Study within the Municipality of Clarington ongoing practices and Corporate Asset Management Plan.

Now Therefore Be It Resolved That the Council of the Corporation of the Municipality of Clarington enacts as follows:

Part 1 — Interpretation

Definitions

1. In this by-law,

"accessory" where used to describe a building or structure, means that the building or structure or part thereof that is incidental, subordinate in purpose or floor area or both, and exclusively devoted to a principal use, building or structure;

"Act" means the *Development Charges Act*, 1997, S.O. 1997, c.27;

"air-supported structure" has the same meaning as in the *Building Code Act*;

"apartment" means a dwelling unit in a residential building, or the residential portion of a mixed-used building, consisting of more than 3 dwelling units, which dwelling units have a common entrance to grade. Despite the foregoing,

an “apartment” includes stacked townhouses and means a dwelling unit in a single storey dwelling unit located within or above a residential garage or a commercial use;

“**back to back townhouse**” means a building with four or more dwelling units divided vertically including a common rear wall each with an independent entrance and has a yard abutting at least one exterior wall of each dwelling unit;

“**bedroom**” means a habitable room, of at least 7 square metres where a built-in closet is not provided, or at least 6 square metres where a built-in closet is provided, including a den, study, loft or other similar area, but does not include a living room, a dining room, a bathroom or a kitchen;

“**building**” means a building or structure that occupies an area greater than 10 square metres consisting of a wall, roof and floor or a structural system serving the function thereof, and includes an air-supported structure;

“**Building Code**” means the *Building Code Act*, 1992, S.O. 1992, c.23 and all Regulations thereunder including the Ontario Building Code, 2012;

“**Council**” means Council of the Municipality of Clarington;

“**development**” means any activity or proposed activity in respect of land that requires one or more of the actions or decisions referred to in section 12 and includes redevelopment or a conversion from one use to another;

“**development charge**” means a development charge imposed by this by-law;

“**duplex**” means a residential building containing two (2) dwelling units divided horizontally from each other;

“**dwelling unit**” means one or more habitable rooms designed or intended to be used together as a single and separate housekeeping unit by one or more persons, containing its own full kitchen and sanitary facilities, with a private entrance from outside the unit itself;

“**floor**” includes a paved, concrete, wooden, gravel or dirt floor;

“**grade**” means the average level of the proposed finished surface of the ground

immediately abutting each building or mixed-use building at all exterior walls;

"gross floor area" means the total area of all floors, whether above or below grade, measured between the outside surfaces of exterior walls, or between the outside surfaces of exterior walls and the centre line of a party wall or a demising wall as the case may be, including mezzanines, air-supported structures, interior corridors, lobbies, basements, cellars, half-stories, common areas, and the space occupied by interior walls or partitions, but excluding any areas used for,

- (a) loading bays, parking of motor vehicles, retail gas pump canopies; and
- (b) enclosed garbage storage in an accessory building;

"heritage building" means a building designated under section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c. 0.18 and, for purpose of subsection 36(7), includes any building identified as "primary resource" in the registry maintained by the Municipality pursuant to section 28 of such Act;

"industrial", in reference to use, means any land, building or structure or portions thereof used, designed or intended for or in connection with manufacturing, producing, processing, fabricating, assembling, refining, research and development, storage of materials and products, truck terminals, warehousing, but does not include,

- (a) retail service sales or rental areas, storage or warehousing areas used, designed or intended to be used in connection with retail sales, service or rental areas, warehouse clubs or similar uses, self-storage mini warehouses, and secure document storage; and
- (b) office areas that are not accessory to any of the foregoing areas or uses or accessory office uses that are greater than 25% of the gross floor area of the building;

"institutional" means institutional development as defined in the *Development Charges Act* and Ontario Regulation 82/98, as amended.

"linked building" means a residential building that is divided vertically so as to contain only two separate dwelling units, connected underground by footing and

foundation, each of which has an independent entrance directly from the outside of the building and is located on a separate lot;

"lot" means a parcel of land within a registered plan of subdivision or any land that may be legally conveyed under the exemptions provided in clause 50(3)(b) or 50(5)(a) of the *Planning Act*;

"mezzanine" has the same meaning as in the *Building Code Act*;

"mixed-use building" means a building used, designed or intended to be used either for a combination of non-residential and residential areas and uses, or for a combination of different classes or types of non-residential areas and uses;

"mobile home" means a dwelling unit that is designed to be made mobile, and constructed or manufactured to provide a permanent or temporary residence for one or more persons, but does not include a travel trailer or tent trailer;

"multiple dwelling" means a dwelling unit in a residential building or the portion of a mixed-use building that contains multiple dwelling units (other than dwelling units contained in an apartment building, linked building, semi-detached building or single detached dwelling) and includes, back-to-back townhouses, plexes and townhouses;

"Municipality" means The Corporation of the Municipality of Clarington or the geographic area of the Municipality of Clarington, as the context requires;

"non-industrial" in reference to use, means lands, buildings or structures used or designed or intended for use for a purpose which is not residential or industrial;

"non-profit housing development" means the development of a non-profit housing building or structure as defined in the Act;

"non-residential", in reference to use, means a building or portions of a mixed-use building containing floors or portions of floors which are used, designed or intended to be used for a purpose which is not residential, and includes a hotel, motel and a retirement residence;

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

"party wall" means a wall jointly owned and jointly used by 2 parties under an easement agreement or by right in law and erected on a line separating 2 parcels of land each of which is, or is capable of being, a separate lot;

"Planning Act" means the *Planning Act*, R.S.O. 1990, c. P.13;

"plex" means a duplex, triplex, fourplex or sixplex;

"residential", in reference to use, means a building or a portion of a mixed-use building and floors or portions of floors contained therein that are used, designed or intended to be used as living accommodation for one or more individuals provided in dwelling units and any building accessory to such dwelling units;

"retirement residence" means a unit within a residential building or the residential portion of a mixed-use building that provides living accommodation, where common facilities for the preparation and consumption of food are provided for the residents of the building, and where each unit or living accommodation has separate sanitary facilities, less than full kitchen facilities and a separate entrance from a common corridor;

"rooming house" means a detached building or structure which comprises rooms that are rented for lodging and where the rooms do not have both culinary and sanitary facilities for the exclusive use of individual occupants;

"semi-detached building" means a residential building that is divided vertically so as to contain only two separate dwelling units, each of which has an independent entrance directly from outside of the building;

"service" means a service designated by section 10;

"single-detached dwelling" means a residential building containing only one dwelling unit which is not attached to any other building or structure except its own garage or shed and has no dwelling units either above it or below it, and includes a mobile home and a linked building;

"sixplex" means a pair of triplexes divided vertically one from the other by a common wall;

"stacked townhouse" means a building, other than a plex, a detached

dwelling or townhouse, containing at least 3 dwelling units; each dwelling unit separated from the other vertically and/or horizontally and each dwelling unit having a separate entrance to grade.

“townhouse” means a residential building containing three or more dwelling units separated by vertical division, each of which units has a separate entrance to grade;

"triplex" means a residential building containing 3 dwelling units; and

"Zoning By-laws" means the Municipality's current zoning by-law.

References

2. In this by-law, reference to any Act, Regulation, Plan or By-Law is reference to the Act, Regulation, Plan or By-Law as it is amended or re-enacted from time to time.
3. Unless otherwise specified, references in this by-law to Schedules, Parts, sections, subsections, clauses and paragraphs are to Schedules, Parts, sections, subsections, clauses and paragraphs in this by-law.

Word Usage

4. This by-law shall be read with all changes in gender or number as the context may require.
5. In this by-law, a grammatical variation of a defined word or expression has a corresponding meaning.

The Clerk of the Municipality is authorized to effect any minor modifications, corrections or omissions solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Schedules

6. The following Schedules are attached to and form part of this by-law:

Schedule 1 —Municipal-Wide Development Charges
Schedule 2A — Revitalization Area — Newcastle Village
Schedule 2B — Revitalization Area — Orono
Schedule 2C — Revitalization Area — Bowmanville
Schedule 2D — Revitalization Area — Courtice

Severability

7. If, for any reason, any section or subsection 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.

PART 2 — **DEVELOPMENT CHARGES**

Designated Services and Classes

8. It is hereby declared by Council that all development in the Municipality will increase the need for services.
9. Development charges shall apply without regard to the services which in fact are required or are used by any individual development.
10. Development charges shall be imposed for the following categories of service and class to pay for increased capital costs required because of increased needs for services arising from development:
- (a) Library Services;
 - (b) Emergency & Fire Protection Services;
 - (c) Parks and Indoor Recreation;
 - (d) Services Related to a Highway: Roads & Related and Operations; and
 - (e) General Government

Rules

11. For the purpose of complying with section 6 of the Act, the following rules

have been developed:

- (a) The rules for determining if a development charge is payable in any particular case and for determining the amount of the charge shall be in accordance with sections 12 through 22.
- (b) The rules for determining the indexing of development charges shall be in accordance with section 23.
- (c) The rules for determining exemptions shall be in accordance with Part 3 (sections 24 through 31).
- (d) The rules respecting redevelopment of land shall be in accordance with Part 4 (sections 32 through 36).
- (e) This by-law does not provide for any phasing in of development charges.
- (f) This by-law applies to all lands in the Municipality.

Imposition of Development Charges

- 12. Development charges shall be imposed on all land, buildings or structures that are developed if the development requires,
 - (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 9 of the *Condominium Act*, 1998, S.O. 1998, c.19; or
 - (g) the issuing of a permit under the *Building Code Act*, 1992 in relation to a building or structure.

13. Not more than one development charge for each service shall be imposed upon any land, building or structure whether or not two or more of the actions or decisions referred to in section 13 are required before the land, building or structure can be developed.
14. Notwithstanding section 14, if two or more of the actions or decisions referred to in section 13 occur at different times, additional development charges shall be imposed in respect of any increase in or additional development permitted by the subsequent action or decision.

Basis of Calculation

15. (1) Development charges for all services shall be calculated,
 - (a) in the case of residential buildings and the residential portions of mixed-use buildings, on the basis of the number and type of dwelling units contained in them; and
 - (b) in the case of non-residential buildings and the non-residential portion of mixed-use buildings, on the basis of the gross floor area contained in the non-residential building or in the non-residential portion of the mixed-use building.

Amount

16. (1) The amount of the development charges payable in respect of residential development shall be determined in accordance with clause 16(1)(a) and Schedule 1.
- (2) The amount of the development charges payable in respect of non-residential development shall be determined in accordance with clause 16(1)(b) and Schedule 1.

Timing of Calculation

17. (1) The total amount of a development charge is the amount of the development charge that would be determined under the by-law on,
 - (a) the day an application for an approval of development in a site plan control area under subsection 41(4) of the *Planning Act* was

made in respect of the development that is subject of the development charge;

- (b) if clause (a) does not apply, the day an application for an amendment to a by-law passed under section 34 of the *Planning Act* was made in respect of the development that is the subject of the development charge; or
- (c) if neither clause (a) or clause (b) applies, the day the first building permit is issued for the development that is the subject of the development charge.

- (2) Subsection (1) applies even if this by-law is no longer in effect.
- (3) Where clause (1)(a) or (b) applies, interest shall be payable on the development charge, in accordance with section 26, 26.1 and 26.2 of the Act, as amended.
- (4) If a development was the subject of more than one application referred to in clause (1)(a) or (b), the later one is deemed to be the applicable application for the purposes of this section.
- (5) Clauses (1)(a) and (b) do not apply if, on the date the first building permit is issued for the development, more than 18 months has elapsed since the application referred to in clause (1)(a) or (b) was approved as required under section 26.2 of the Act.
- (6) Clauses (1)(a) and (b) do not apply in the case of an application made before January 1, 2020.

Timing of Payment

- 18. (1) Subject to subsections 19(2), 19(3), and 19(4), development charges shall be payable in full on the date the first building permit is issued for the development of the land against which the development charges apply.
- (2) Notwithstanding Subsection 19(1), in accordance with section 26.1 of the Act, and any amendments thereof, development charges for rental housing and institutional developments are payable in 6 installments

commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest, payable on the anniversary date each year thereafter.

- (3) Notwithstanding Subsection 19(1) and 19(2), in accordance with section 26.1(3.1) of the Act, and any amendments thereof, development charges for residential development, excluding rental homes, shall be payable in full on the earlier of the day a permit is issued under the Building Code Act, authorizing occupation of the building and the day the building is first occupied.
- (4) If the development of land is such that it does not require that a building permit be issued before the development is commenced, but the development requires one or more of the other actions or decisions referred to in section 12 be taken or made before the development is commenced, development charges shall be payable in respect of any increase in or additional development permitted by such action or decision prior to the action or decision required for the increased or additional development being taken or made.
- (5) In accordance with section 27 of the Act, the Municipality may enter into an agreement with a person who is required to pay a development charge providing for all or any part of a development charge to be paid earlier or after it would otherwise be payable.
- (6) For the purpose of subsections 19(2), 19(3), and 19(4) herein, “interest” means the interest rate outlined in the Municipality’s Interest Rate Policy or the maximum interest rate as defined in the Act.

Method of Payment

- 19. Payment of development charges shall be in a form acceptable to the Municipality.

Unpaid Charges

- 20. Where a development charge or any part of it remains unpaid at any time after it is payable, the amount shall be added to the tax roll and collected in the same manner as taxes.

Undetermined Non-Residential Use

21. (1) If at the time a building permit is ready to be issued the use of a non-residential building or structure has not been determined as between industrial or non-industrial, the Treasurer may, in their discretion, and at the request of the owner, permit the owner to pay the industrial development charges where the owner agrees to:

- (a) enter into a deferral agreement with the Municipality to defer an amount of development charges equivalent to the difference between the industrial and non-industrial charge applicable to the development, on terms satisfactory to the Treasurer;
- (b) submit, maintain, and, if required, supplement a non-revocable letter of credit or other form of security in an amount and upon terms satisfactory to the Treasurer to be realized upon by the Municipality in the event that the building or structure is later determined by the Municipality to be a nonindustrial use and the rate in Schedule 1 of this By-law is deemed to be payable.

(2) The amount of security provided to the Municipality specified in the deferral agreement may be indexed for the term of the agreement and/or may require annual increases upon demand by the Municipality, and/or may be otherwise calculated in accordance with its terms, all to ensure that the security is adequate to satisfy the owner's potential future liability for development charges.

(3) A building or structure is subject to the industrial development charge rate when it is determined by the Treasurer, or their designate, that at least 51 per cent of the total floor area of the building or structure is used for industrial purposes, as defined in section 1 of this By-law.

- (a) Where the Treasurer determines that the building or structure is an industrial use, the security provided to the Municipality shall be refunded or returned to the owner, without interest
- (b) Where the Treasurer determines that the building or structure is a non-industrial use, the Municipality shall apply the security posted as if the building were deemed to be a non-industrial building or structure in accordance with the provisions of this By-law

Indexing

22. The development charges set out in Schedule 1 shall be adjusted without amendment to this by-law annually on July 1 in each year, commencing on July

1, 2026, at the rate identified by the Statistics Canada Non-Residential Construction Price Index for Toronto based on the 12-month period most recently available.

Part 3 - Exemptions

Specific Users

23. Development charges shall not be imposed with respect to land, buildings or structures that are owned by,
- (a) a hospital as defined in section 1 of the *Public Hospitals Act*, R.S.O. 1990, c. P.40 and used, designed or intended for the purposes set out in such Act;
 - (b) the Municipality, the Corporation of the Regional Municipality of Durham, or their local boards as defined in section 1 of the Act and used, designed or intended for municipal purposes;
 - (c) a board of education as defined in subsection 1(1) of the *Education Act*, 1990, S.O. 1990, c.27 and used, designed or intended for school purposes including the administration or the servicing of schools; and
 - (d) a college or a university as defined in section 171.1 of the *Education Act*, R.S.O. 1990, c. E.2 and used, designed or intended for purposes set out in such Act.

Statutory Exemptions and Discounts Required Under the Act

24. Notwithstanding the provisions of this By-law, exemptions and discounts for particular types of development as required by the Act, as amended, shall be provided in accordance with the requirements of the Act;

Agricultural Development

25. (1) In this section,
- "agricultural"**, in reference to use, means land, buildings or structures used, designed or intended to be used solely for an "agricultural operation" as defined in section 1 of the *Farming and Food Production Protection Act*, 1998, S.O. 1998, c.1 but does not include any facilities

located within urban areas as defined in the Municipality's Official Plan;

"agri-tourism" has the same meaning as in Zoning By-law (as amended); and

"farm bunkhouse" means a building or buildings that are constructed on land zoned agricultural ("A") in a Zoning By-law and is used, designed or intended to be used exclusively to provide seasonal, interim or occasional living accommodation to farm labourers.

- (2) Land, buildings or structures used, designed or intended for agricultural purposes or for agri-tourism are exempt from development charges.
- (3) Farm bunkhouses are exempt from development charges provided there is an existing dwelling unit on the same lot.

Places of Worship

26. (1) In this section,

"place of worship" means a building or structure or part thereof that is used primarily for worship and is exempt from taxation as a place of worship under the *Assessment Act*, R.S.O. 1990, c. A.31.

- (2) Places of worship are exempt from development charges.

Temporary Buildings

27. (1) In this section,

"temporary building" means a building or structure constructed, erected or placed on land for a continuous period not exceeding twelve months and includes an addition or alteration to a building or structure that has the effect of increasing the gross floor area thereof for a continuous period not exceeding 12 months; and

"sales office" means a building or structure constructed, erected or placed on land to be used exclusively by a realtor, builder, developer or contractor on a temporary basis for the sale, display and marketing of residential lots and dwellings within a draft approved subdivision or

condominium plan.

- (2) Temporary buildings and sales offices are exempt from development charges.
- (3) If a temporary building remains for a continuous period exceeding 12 months, it shall be deemed not to be, or ever to have been, a temporary building, and the development charges thereby become payable.

Existing Industrial Development

- 28. (1) In this section, **"existing industrial building"** has the same meaning as in subsection 1(1) of O.Reg. 82/98.
- (2) 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.
- (3) If the gross floor area is enlarged by 50 per cent or less, the amount of the development charge in respect of the enlargement is zero.
- (4) If the gross floor area is enlarged by more than 50 per cent, 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.
- (5) The exemption provided in this section shall apply equally to a separate (non-contiguous) industrial building constructed on the same lot as an existing industrial building.
- (6) 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;

Small Business Expansion

29. (1) This section only applies to specific areas in Newcastle Village (Schedule 2A), Orono (Schedule 2B), Bowmanville (Schedule 2C) and Courtice (Schedule 2D) as Revitalization Areas.

(2) In this section,

"existing commercial building" means an existing non-residential building that,

- (a) is not used, designed or intended for any industrial use;
- (b) has a gross floor area of less than 250 square metres; and is located on land that is zoned commercial ("C") in a Zoning By-law.
- (c) Building expansions must conform to the Land Use and Urban Design Policies and Guidelines of the Clarington Official Plan and Zoning By-law and this conformity will be established by the Director of Planning and Development

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

(4) If the gross floor area is enlarged by 50 per cent or less, the amount of the development charge in respect of the enlargement is zero.

(5) If the gross floor area is enlarged by more than 50 per cent, 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.

Other Non-Statutory Exemptions

30. The Municipality may offer additional non-statutory exemptions through a Community Improvement Plan By-law.

Part 4 - Redevelopment

Demolition and Conversion Credits

31. (1) In this section,

"conversion" means the change in use of all or a portion of a building as permitted under the provisions of a Zoning By-law.

- (2) Where an existing building or structure is to be converted to another use, in whole or in part, or converted from one principal use to another principal use on the same land, the amount of the development charge payable shall be determined in accordance with this section.
- (3) Where a building or structure is destroyed in whole or in part by fire, explosion or Act of God or is demolished and the property redeveloped, the amount of the development charge payable in respect of the redevelopment shall be determined in accordance with this section.
- (4) The development charges otherwise payable in respect of redevelopment described in subsections (2) and (3) shall be reduced by the following amounts:
 - (a) in the case of a residential building or the residential portion of a mixed-use building or structure, an amount calculated by multiplying the applicable development charges under Schedule 1 by the number, according to type of dwelling units that have been demolished or converted to another principal use or demolished and reconstructed as the case may be; and
 - (b) in the case of a non-residential building or the non-residential portion of a mixed-use building or structure, an amount calculated by

multiplying the applicable development charges under Schedule 1 by the non-residential gross floor area that has been demolished or converted to another principal use or demolished and reconstructed as the case may be.

- (5) Unless a building permit for the redevelopment has been issued, and not revoked prior to the fifth anniversary of the date on which a demolition permit was issued for the demolished building or structure or the date on which the building or structure was destroyed in whole or in part by fire, explosion or Act of God, whichever is applicable, the credit provided under subsection (3) shall expire.
- (6) The amount of any credit under subsection (4) shall not exceed the total development charges otherwise payable.
- (7) No development charge is payable for the conversion of a heritage building located in any Revitalization Areas described in section 32.
- (8) Notwithstanding subsection (4), no credit shall be provided if,
 - (a) the demolished building or structure or part thereof would have been exempt under this by-law;
 - (b) the building or structure or part thereof would have been exempt under this by-law prior to the conversion, redevelopment or reconstruction as the case may be; or
 - (c) the development is exempt in whole or in part or eligible for any other relief under this by-law.

Brownfield Credit

- 32. (1) The amount of development charges otherwise payable for the redevelopment of contaminated property shall be reduced by an amount equal to the actual costs directly attributable to the environmental assessment and rehabilitation of the property, as approved by the Municipality, and provided a Record of Site Condition has been filed for the intended future use.
- (2) The amount of any credit under subsection (2) shall not exceed the

total development charge otherwise payable.

Credit for Relocation of Building

33. No development charge shall be payable for any building or structure that is relocated or reconstructed at a different location on the same lot.

Relocation of Heritage Buildings

34. (1) Where a heritage building is relocated to a different lot, an amount equal to the development charge shall be refunded to the owner upon the building being redesignated as a heritage building on the new lot.
- (2) Notwithstanding subsection 33, no credit shall be provided in relation to the property on which the heritage building was originally located.

Occupancy During Construction

35. A full development charge refund shall be given if an existing dwelling unit on the same lot is demolished within 6 months or such longer period as may be permitted by Council following the date of issuance of the building permit for a new dwelling unit that is intended to replace the existing dwelling unit.

Part 5 - General

Cancelled Permits

36. A full development charge refund shall be given if a building permit is cancelled prior to the commencement of construction.

Onus

37. The onus is on the owner to produce evidence to the satisfaction of the Municipality which establishes that the owner is entitled to any exemption, credit or refund claimed under this by-law.

Interest

38. The Municipality shall pay interest on a refund under sections 18 and 25 of the Act at a rate equal to the Bank of Canada rate on the date this By-law comes

into force updated on the first business day of every January, April, July and October until the date of the repeal or the expiry of this by-law.

39. Except as required under section 37, there shall be no interest paid on any refunds given under this by-law, unless required by the Act.

Front-Ending Agreements & Credits

40. The Municipality may enter into front-ending agreements under section 44 of the Act.
41. The Municipality may enter into agreements related to credits for work undertaken in accordance with section 38 of the Act.

Effective Date

42. This by-law comes into force and is effective on December 15, 2025.

Expiry

43. This by-law expires ten years after the day on which it comes into force.

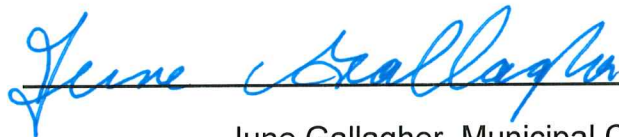
Repeal

44. By-law No. 2021-010 is repealed effective December 15, 2025.

Passed in Open Council this 15th day of December 2025.



Adrian Foster, Mayor



June Gallagher, Municipal Clerk

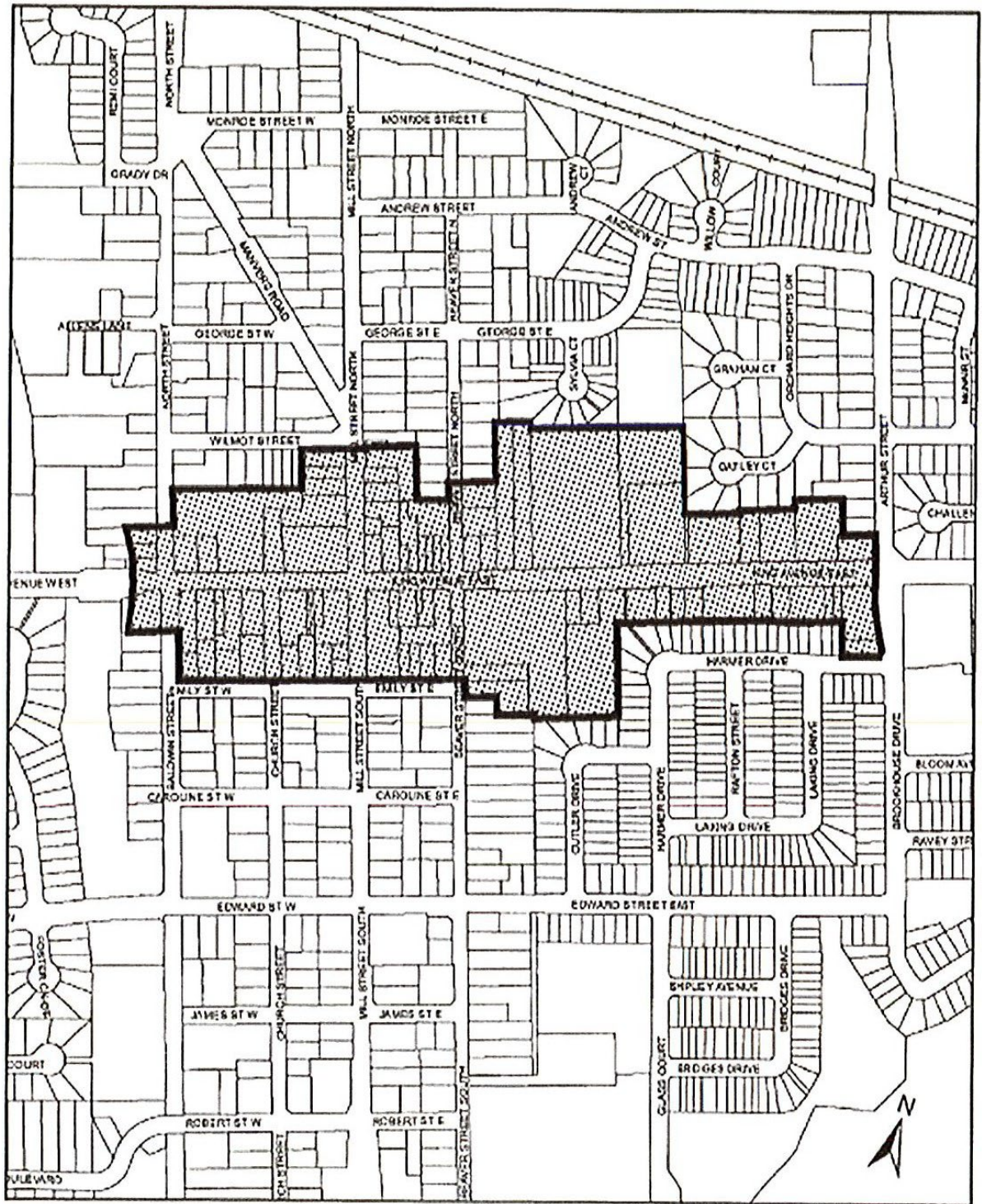
By signing this by-law on December 15, 2025, Mayor Adrian Foster will not exercise the power to veto this by-law and this by-law is deemed passed as of this date.

SCHEDULE 1

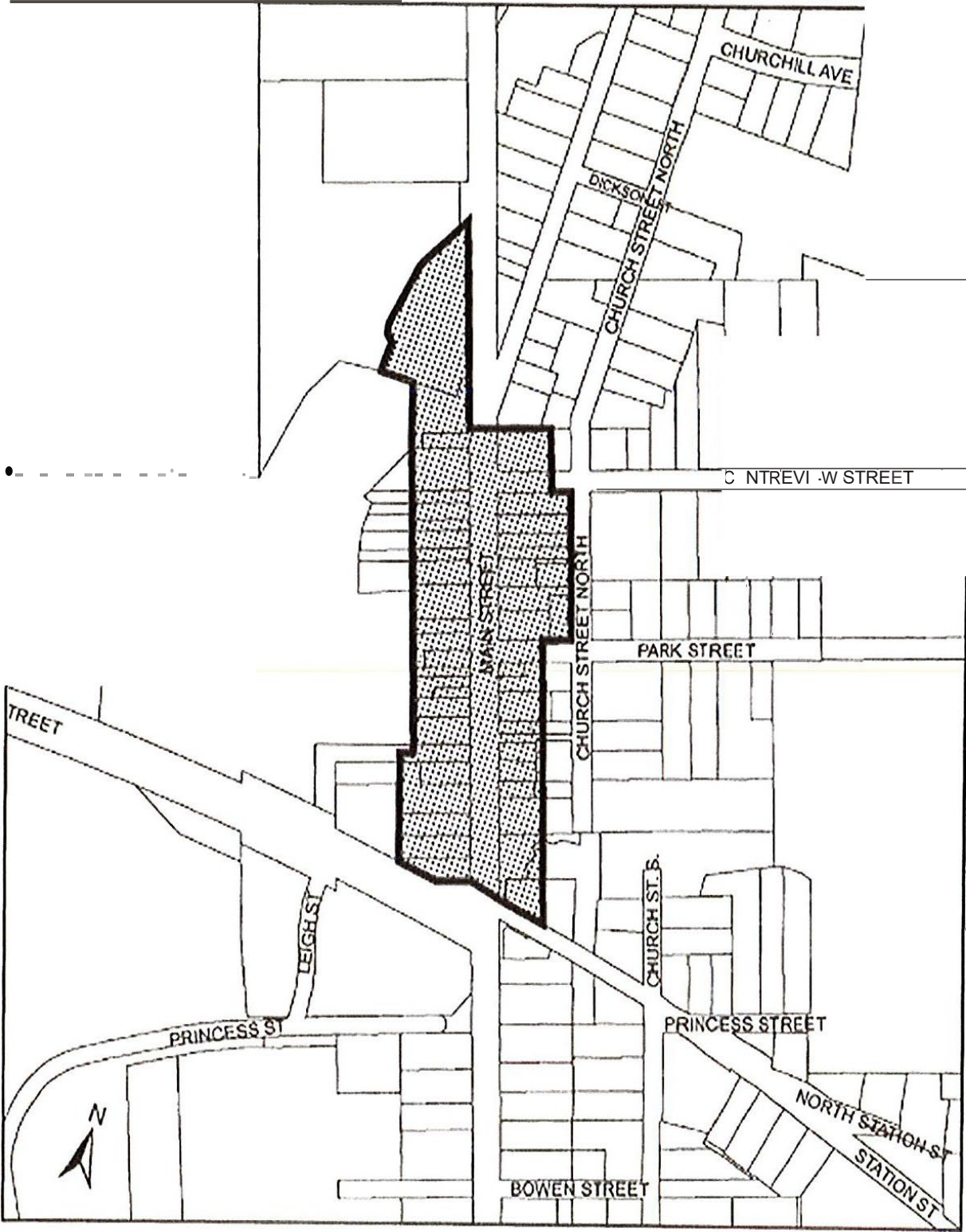
SCHEDULE OF MUNICIPAL-WIDE DEVELOPMENT CHARGES

Service	Residential Charge By Unit Type				Non-Industrial	Industrial
	Single & Semi-Detached	Multiple Dwellings	Two-Bedroom and Larger Apartments	One-Bedroom and Smaller Apartments	Adjusted Charge per Square Metre	Adjusted Charge per Square Metre
Library Service	\$1,478	\$1,214	\$713	\$496	\$0.00	\$0.00
Emergency & Fire Services	\$805	\$660	\$388	\$270	\$4.37	\$4.37
Parks & Indoor Recreation	\$14,578	\$11,968	\$7,032	\$4,892	\$0.00	\$0.00
General Government	\$486	\$399	\$234	\$163	\$2.79	\$2.79
Subtotal General Services	\$17,347	\$14,241	\$8,367	\$5,821	\$7.16	\$7.16
Land Acquisition	\$54	\$44	\$26	\$18	\$0.43	\$0.19
Services Related to a Highway	\$24,868	\$20,415	\$11,995	\$8,345	\$201.35	\$88.05
TOTAL CHARGE PER UNIT	\$42,269	\$34,700	\$20,388	\$14,184	\$208.94	\$95.40

Schedule 2A - Revitalization Area - Newcastle Village



Schedule 2B - Revitalization Area - Orono



This is a detailed street map of the City of Portland, Oregon. The map shows the city's boundaries, which are outlined in a thick black line. The city is divided into numerous blocks, each labeled with a street name. The map includes a north arrow in the bottom left corner. The surrounding areas, including the University of Oregon and the city of Gresham, are also shown. The map is a black and white line drawing, typical of a street map.

Schedule 2D - Revitalization Area - Courtice

