BY-LAW NUMBER 19-2013

OF

THE REGIONAL MUNICIPALITY OF DURHAM

A By-law to establish Area-Specific Development Charges for the Seaton Community – Water Supply and Sanitary Sewerage Services

WHEREAS section 2(1) of the *Development Charges Act, 1997*, provides that 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 development of the area to which the by-law applies if the development requires one or more of the approvals identified in section 2(2) of the *Development Charges Act, 1997*;

AND WHEREAS a development charge background study has been completed in support of the imposition of development charges;

AND WHEREAS the Council of The Regional Municipality of Durham has given notice and held a public meeting on April 3, 2013, in accordance with section 12(1) of the *Development Charges Act, 1997*;

AND WHEREAS the Council of The Regional Municipality of Durham has permitted any person who attended the public meeting to make representations in respect of the proposed development charges;

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF DURHAM HEREBY ENACTS AS FOLLOWS:

PART I

INTERPRETATION

Definitions

1. In this By-law,

   (a) "Act" means the *Development Charges Act, 1997*, or a successor statute;

   (b) "agricultural use" means lands, buildings or structures, excluding any portion thereof used as a dwelling unit or for a commercial use, used or designed or intended for use for the purpose of a *bona fide* farming operation including, but not limited to, animal husbandry, dairying, livestock, fallow, field crops, removal of sod, forestry, fruit farming, greenhouses, horticulture, market gardening, pasturage, poultry keeping, and equestrian facilities;

   (c) "apartment building" means a residential building, or the residential portion of a mixed-use building, other than a triplex, semi-detached duplex, semi-detached triplex, townhouse or stacked townhouse, consisting of more than 3 dwelling units, which dwelling units have a common entrance to grade;

   (d) "apartment" means a dwelling unit in an apartment building;

   (e) "area municipality" means a lower-tier municipality that forms part of the Region;

   (f) "bedroom" means any room used, or designed or intended for use, as sleeping quarters;

   (g) "Central Pickering Development Plan" means the development plan approved under the *Ontario Planning and Development Act* in regard to the Seaton Community;

(h) “commercial use” means land, buildings or structures used, or designed or intended for use for either or both of office and retail uses as defined in this by-law;

(i) “Council” means the Council of the Regional Municipality of Durham;

(j) “development” includes redevelopment;

(k) “development charges” means charges imposed pursuant to this By-law in accordance with the Act;

(l) “duplex” means a building comprising, by horizontal division, two dwelling units;

(m) “dwelling unit” means a room or suite of rooms used, or designed or intended for use by one person or persons living together, in which culinary and sanitary facilities are provided for the exclusive use of such person or persons;

(n) “existing industrial building” means a building used for or in connection with,

(i) manufacturing, producing, processing, storing or distributing something,

(ii) research or development in connection with manufacturing, producing or processing something,

(iii) retail sales by a manufacturer, producer or processor of something they manufactured, produced or processed, if the retail sales are at the site where the manufacturing, production or processing takes place,

(iv) office or administrative purposes, if they are,

(1) carried out with respect to manufacturing, producing, processing, storage or distributing of something, and

(2) in or attached to the building or structure used for that manufacturing, producing, processing, storage or distribution;

(o) “Front-Ending Agreement” means the Agreement between the Region and the Seaton Landowners in regard to the development of the Seaton Community;

(p) “garden suite” means a one-unit detached, temporary residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable;

(q) “gross floor area” means (except for the purposes of sections 9 and 16), in the case of a non-residential building or structure or the non-residential portion of a mixed-use building or structure, the aggregate of the areas of each floor, whether 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 a non-residential and a residential use, and, for the purposes of this definition, the non-residential portion of a mixed-use building is deemed to include one-half of any area common to the residential and non-residential portions of such mixed-use building or structure;

(r) “industrial use” means lands, buildings or structures used or designed or intended for use for manufacturing, producing, processing, fabricating or assembly of raw goods, research or development in connection therewith, and includes office uses, warehousing or bulk storage of goods 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 or similar use;

(s) “institutional use” means lands, buildings or structures used or designed or intended for use by an organized body, society or religious group for promoting a public or non-profit purpose, and includes office uses where such uses are accessory to an institutional use, and places of worship;

(t) “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*;

(u) “medium density multiples” includes plexes, townhouses, stacked townhouses and all other residential uses that are not included in the definition of “apartment building”, “apartment”, “garden suites”, “mobile homes”, “retirement residence units”, “single detached”, “single detached dwelling” or “semi-detached dwelling”;

(v) “mixed-use” means land, buildings or structures used, or designed or intended for use, for a combination of at least two of commercial, industrial, institutional or residential uses;

(w) “Mixed-Use Area” means the lands within the Seaton Community that are not designated Prestige Employment Lands on the land use plan of the Central Pickering Development Plan;

(x) “mobile home” means any dwelling 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 or trailer otherwise designed;

(y) “net hectare” means the area in hectares of a parcel of land exclusive of the following:

(i) lands conveyed or to be conveyed to the City of Pickering or a local board thereof or the Region or a local board thereof;

(ii) lands conveyed or to be conveyed to the Ministry of Transportation for the construction of provincial highways;

(iii) hazard lands conveyed or to be conveyed to a conservation authority as a condition of development;

(iv) lands identified as “Natural Heritage System” pursuant to the Central Pickering Development Plan; and

(v) storm water management facility areas;

(z) “non-institutional use” means lands, buildings or structures used, or designed or intended for non-residential uses other than institutional uses;

(aa) “non-residential use” means lands, buildings or structures or portions thereof used, or designed or intended for use for other than residential use, and includes agricultural, commercial, industrial and institutional uses;

(bb) “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;

(cc) “place of worship” means a building or structure or part thereof that is used primarily for worship;

(dd) “plex” means a duplex, a semi-detached duplex, a triplex or a semi-detached triplex;

(ee) “Prestige Employment Land Area” means the lands within the Seaton Community shown on Schedule “G”, which are designated Prestige Employment Lands on the land use plan of the Central Pickering Development Plan;

(ff) “Region” means the Regional Municipality of Durham;

(gg) “Regional Attribution Sanitary Sewerage Development Charges” means charges in regard to infrastructure for sanitary sewerage services that have been, or will be, constructed and financed by the Region under the Front-Ending Agreement;

(hh) “Regional Attribution Water Supply Development Charges” means charges in regard to infrastructure for water supply services that have been, or will be, constructed and financed by the Region under the Front-Ending Agreement;

(ii) “Regional Seaton-Specific Sanitary Sewerage Development Charges” means charges in regard to infrastructure for sanitary sewerage services to be constructed by the Region and financed by the Seaton Landowners under the Front-Ending Agreement;

(jj) “Regional Seaton-Specific Water Supply Development Charges” means charges in regard to infrastructure for water supply services to be constructed by the Region and financed by the Seaton Landowners under the Front-Ending Agreement;

(kk) “residential use” means lands, buildings or structures used, or designed or intended for use as a home or residence of one or more individuals, and shall include, but is not limited to, a single detached dwelling, a semi-detached dwelling, a townhouse, a plex, a stacked townhouse, an apartment building, a mobile home, a retirement residence and a residential dwelling unit accessory to a non-residential use;

(ll) “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 in any way 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 mini warehouses, parking facilities and secure document storage;

(mm) “retirement residence” means a residential building or the residential portion of a mixed-use building which provides accommodation for persons of retirement age, 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 culinary facilities and a separate entrance from a common hall;

(nn) “retirement residence unit” means a unit within a retirement residence;

(oo) “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;

(pp) “Seaton Community” means the lands shown on Schedule “F”, which may generally be described as being bounded: to the south by the Canadian Pacific Railway right-of-way; to the west by West Duffins Creek; to the north by Provincial Highway No. 7; and to the east by Sideline 16 and the boundary between the City of Pickering and the Town of Ajax, and excludes the lands comprising the Hamlet communities of Whitevale, Green River and Brougham;

(qq) “Seaton Landowners” means 1133373 Ontario Incorporated, Lebovic Enterprises Limited, Affiliated Realty Corporation Limited, Chestermere Investments Limited, Hunley Homes Limited, 1350557 Ontario Limited, Zavala Developments Inc., Mattamy (Seaton) Limited, White Sun Developments Limited, and Her Majesty the Queen In Right of Ontario as represented by the Minister of Infrastructure, or their respective successors and assigns;

(rr) “Seaton Landowners Constructed Sanitary Sewerage Development Charges” means charges in regard to infrastructure for sanitary sewerage services to be constructed and financed by the Seaton Landowners under the Front-Ending Agreement;

(ss) “Seaton Landowners Constructed Water Supply Development Charges” means charges in regard to infrastructure for water supply services to be constructed and financed by the Seaton Landowners under the Front-Ending Agreement;

(tt) “semi-detached duplex” means one of a pair of attached duplexes, each duplex divided vertically from the other by a party wall;

(uu) “semi-detached dwelling” means a building divided vertically (above or below ground) into and comprising 2 dwelling units;

(vv) “semi-detached triplex” means one of a pair of triplexes divided vertically one from the other by a party wall;

(ww) “services” means the services designated in section 7 of this by-law;

(xx) “single detached dwelling” and “single detached” means a building comprising 1 dwelling unit;

(yy) “stacked townhouse” means a building, other than a plex, townhouse or apartment building, 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;

(zz) “storm water management facility area” means the area bounded by the limit of grading for such facility including necessary sloping, maintenance access and associated infrastructure, but does not include any maintenance access road which serves any additional purpose on the property or any portion of the facility located within the Natural Heritage System lands;

(aaa) “townhouse” means a building, other than a plex, stacked townhouse or apartment building, containing at least 3 dwelling units, each dwelling unit separated vertically from the other by a party wall and each dwelling unit having a separate entrance to grade;

(bbb) “triplex” means a building comprising 3 dwelling units.

2. In this by-law where reference is made to a statute or a section of a statute such reference is deemed to be a reference to any successor statute or section.

PART II

APPLICATION OF BY-LAW — RULES

Circumstances Where Development Charges are Payable

3. Development charges shall be payable in the amounts set out in sections 8, 12, 13 and 14 of this by-law where:

   (a) the lands are located in the area described in subsection 4(1); and

   (b) the development of the lands requires any of the approvals set out in subsection 5(1).

Area to Which By-law Applies

4. (1) Subject to subsection 4(2), this by-law applies to all lands in the Seaton Community.

   (2) This by-law shall not apply to lands that are owned by and used for the purposes of:

      (a) the Region or a local board thereof;

      (b) a board as defined in subsection 1(1) of the *Education Act*; and

      (c) an area municipality or a local board thereof in the Region.

Approvals for Development

5. (1) Development charges shall be imposed upon all lands, buildings or structures that are developed for residential or non-residential uses 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*; or

      (g) the issuing of a permit under the *Building Code Act, 1992* in relation to a building or structure.

   (2) Council has determined that the development of the land to which this by-law applies increases the need for the services designated in section 7.

6. (1) No more than one development charge for each service designated in section 7 shall be imposed on land to which this by-law applies even though two or more of the actions described in subsection 5(1) are required before the land can be developed.

(2) Notwithstanding subsection 6(1), if two or more of the actions described in subsection 5(1) occur at different times, additional development charges shall be imposed, if the subsequent action has the effect of increasing the need for services.

Designation of Services

7. (1) The categories of services for which development charges are imposed under this by-law are as follows:

(a) water supply; and

(b) sanitary sewerage.

(2) The components of the services designated in subsection 7(1) are described on Schedule “A”.

Amount of Charge

Residential

8. The development charges described in Schedule “B” to this by-law shall be imposed upon 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, upon the residential uses in the mixed use building or structure, according to the type of residential unit.

Exemptions

9. (1) In this section,

(a) “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;

(b) “other residential building” means a residential building not in another class of residential building described in this subsection;

(c) “semi-detached or row dwelling” means a residential building consisting of one dwelling unit having one or two vertical walls, but no other parts, attached to another structure;

(d) “single detached dwelling” means a residential building consisting of one dwelling unit and not attached to another structure.

(2) Subject to subsections 9(3) and 9(4), development charges shall not be imposed in respect to:

(a) the issuance of a building permit not resulting in the creation of an additional dwelling unit;

(b) the enlargement of an existing dwelling unit;

(c) the creation of one or two additional dwelling units in an existing single detached dwelling;

(d) the creation of one additional dwelling unit in a semi-detached dwelling, a row dwelling, or any other residential building.

(3) Notwithstanding subsection 9(2)(c), development charges shall be imposed in accordance with section 8 if the total gross floor area of the additional one or two dwelling units in the existing single detached dwelling exceeds the gross floor area of the existing dwelling unit.

(4) Notwithstanding subsection 9(2)(d), development charges shall be imposed in accordance with section 8 if the additional dwelling 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.

Garden Suite

10. (1) The development charges imposed upon a garden suite under section 8 shall be payable at the rate applicable to an apartment.

(2) The development charges paid in regard to a garden suite shall be refunded in full to the then current owner thereof, upon request, if the garden suite is demolished or removed within ten years of the issuance of the building permit relating thereto.

(3) The onus is on the applicant to produce evidence to the satisfaction of the Region, acting reasonably, which establishes that the applicant is entitled to the refund claimed under this section.

Mobile Home

11. (1) The development charges imposed upon a mobile home under section 8 shall be payable at the rate applicable to an apartment.

(2) The development charges paid in regard to a mobile home shall be refunded in full to the then current owner thereof, upon request, if the mobile home is removed within ten years of the issuance of the building permit relating thereto.

(3) The onus is on the applicant to produce evidence to the satisfaction of the Region, acting reasonably, which establishes that the applicant is entitled to the refund claimed under this section.

Retirement Residence Unit

11.1 The development charges imposed on a retirement residence unit under section 8 shall be payable at the rate applicable to an apartment.

Non-Residential

Institutional

12. (1) The development charges described in Schedule “C” to this by-law shall be imposed upon institutional uses of lands, buildings or structures, and, in the case of a mixed use building or structure, upon the institutional uses in the mixed use building or structure.

(2) The development charges described in subsection 12(1) of this by-law shall apply in the Mixed-Use Area.

Non-Institutional

13. (1) The development charges described in Schedule “D” to this by-law shall be imposed upon non-institutional uses of lands, buildings or structures, and, in the case of a mixed use building or structure, upon the non-institutional uses in the mixed use building or structure.

(2) The development charges described in subsection 13(1) of this by-law shall apply in the Mixed-Use Area.

Prestige Employment Land Area

14. (1) The development charges described in Schedule “E” to this by-law shall be imposed upon all uses of lands, buildings or structures within the Prestige Employment Land Area.

(2) The development charges described in subsection 14(1) shall be calculated based upon the number of net hectares of the entire parcel of land upon which the development will occur.

(3) Notwithstanding sections 12 and 13 of this by-law, the development charges described in Schedules “C” and “D” shall not be imposed upon any uses of lands, buildings or structures within the Prestige Employment Land Area.

Exemptions

15. Notwithstanding sections 12, 13 and 14 of this by-law, development charges shall not be imposed upon non-residential development if the development does not have the effect of creating gross floor area of non-residential development or of increasing existing gross floor area of non-residential development.

Exemption for Enlargement of Existing Industrial Building

16. (1) Despite any other provisions of this by-law, 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 shall be calculated as follows:

(a) if the gross floor area is enlarged by fifty percent or less, the amount of the development charge in respect of the enlargement is zero;

(b) if the gross floor area is enlarged by more than fifty 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:

(i) determine the amount by which the enlargement exceeds fifty percent of the gross floor area before the enlargement; and

(ii) divide the amount determined under paragraph (i) by the amount of the enlargement.

(2) For the purposes of subsection 16(1) the following provisions apply:

(a) the gross floor area of an existing industrial building shall be calculated as it existed prior to the first enlargement of such building for which an exemption under subsection 16(1) was sought;

(b) the enlargement of the gross floor area of the existing industrial building must be attached to such building;

(c) the enlargement must not be attached to the existing industrial building by means only of a tunnel, bridge, passageway, shared below grade connection, foundation, footing or parking facility, but must share a common wall with such building.

(3) 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.

(4) This section does not apply to the development of land within the Prestige Employment Land Area.

PART III

ADMINISTRATION

Timing of Payment of Development Charges

17. Development charges, adjusted in accordance with section 22 of this by-law to the date of payment, are payable in full on the date on which a building permit is issued with respect to each dwelling unit, building or structure.

18. (1) Notwithstanding section 17, development charges, adjusted in accordance with section 22 to the date of payment, shall be payable, with respect to an approval of a residential plan of subdivision under section 51 of the Planning Act, immediately upon the owner entering into the subdivision agreement with the Region, on the basis of the proposed number and type of dwelling units in the plan of subdivision.

(2) Notwithstanding section 18(1), development charges applicable to a high density or condominium block in a residential plan of subdivision are payable in accordance with section 17.

(3) Notwithstanding section 17, Council, from time to time, and at any time, may enter into agreements in accordance with section 27 of the Act which provide for all or any part of a development charge to be paid before or after it would otherwise be payable.

19. (1) If, at the time of issuance of a building permit or permits in regard to a lot on a plan of subdivision for which payments have been made pursuant to subsection 18(1), the type of dwelling unit for which building permits are being issued is different than that used for the calculation and payment under subsection 18(1), and there has been no change in the zoning affecting such lot, and the development charges for the type of dwelling unit for which building permits are being issued were greater at the time that payments were made pursuant to subsection 18(1) than for the type of dwelling unit used to calculate the payment under subsection 18(1), an additional payment to the Region is required, which payment, in regard to such different unit types, shall be the difference between the development charges in respect to the type of dwelling unit for which building permits are being issued, calculated as at the date of issuance of the building permit or permits, and the development charges previously collected in regard thereto, adjusted in accordance with section 22 of this by-law to the date of issuance of the building permit or permits.

(2) If, at the time of issuance of a building permit or permits in regard to a lot on a plan of subdivision for which payments have been made pursuant to subsection 18(1), the total number of dwelling units of a particular type for which building permits have been or are being issued is greater, on a cumulative basis, than that used for the calculation and payment under subsection 18(1), and there has been no change in the zoning affecting such lot, an additional payment to the Region is required, which payment shall be calculated on the basis of the number of additional dwelling units at the rate prevailing as at the date of issuance of the building permit or permits for such dwelling units.

(3) If, at the time of issuance of a building permit or permits in regard to a lot on a plan of subdivision for which payments have been made pursuant to subsection 18(1), the type of dwelling unit for which building permits are being issued is different than that used for the calculation and payment under subsection 18(1), and there has been no change in the zoning affecting such lot, and the development charges for the type of dwelling unit for which building permits are being issued were less at the time that

payments were made pursuant to subsection 18(1) than for the type of dwelling unit used to calculate the payment under subsection 18(1), a refund in regard to such different unit types shall be paid by the Region, which refund shall be the difference between the development charges previously collected, adjusted in accordance with section 22 of this by-law to the date of issuance of the building permit or permits, and the development charges in respect to the type of dwelling unit for which building permits are being issued, calculated as at the date of issuance of the building permit or permits.

(4) If, at the time of issuance of a building permit or permits in regard to a lot on a plan of subdivision for which payments have been made pursuant to subsection 18(1), the total number of dwelling units of a particular type for which building permits have been or are being issued is less, on a cumulative basis, than that used for the calculation and payment under subsection 18(1), and there has been no change in the zoning affecting such lot, a refund shall be paid by the Region, which refund shall be calculated on the basis of the number of fewer dwelling units at the rate prevailing as at the date of issuance of the building permit or permits.

(5) Notwithstanding subsections 19(3) and 19(4), a refund shall not exceed the amount of the development charges paid under section 18.

Payment by Services

20. Notwithstanding the payments required under sections 17 and 18, the Region may, by agreement pursuant to section 38 of the Act, permit an owner to provide services in lieu of the payment of all or any portion of a development charge. The Region shall give the owner who performed the work a credit towards the development charge in accordance with the agreement subject to the requirements of the Act.

Front-Ending Agreements

21. Council, from time to time, and at any time, may enter into front-ending agreements in accordance with the Act.

Indexing

22. Development charges imposed pursuant to this by-law shall be adjusted annually, without amendment to this by-law, as of the 1st day of July, 2014, and on each successive July 1st date in accordance with the Statistics Canada Quarterly, *Construction Price Statistics*, catalogue number 62-207, for the most recently available annual period ending March 31.

Credits

23. (1) A development charges credit arising from the construction or payment of infrastructure required for water supply services shall only be applied against a development charge imposed under this by-law for water supply services.

(2) A development charges credit arising from the construction or payment of infrastructure required for sanitary sewerage services shall only be applied against a development charge imposed under this by-law for sanitary sewerage services.

Schedules

24. The following schedules to this by-law form an integral part thereof:

Schedule “A” - Components of Services Designated in section 7

Schedule “B” - Residential Development Charges

Schedule “C”	-	Institutional Development Charges
Schedule “D”	-	Non-Institutional Non-Residential Development Charges
Schedule “E”		Prestige Employment Land Area Development Charges
Schedule “F”	-	Map of Seaton Community
Schedule “G”	-	Map of Prestige Employment Land Area

Date By-law in Force

25. This by-law shall come into force on the date that the Region executes the Front-Ending Agreement.

Date By-law Expires

26. This by-law will expire five years from the date it comes into force, unless it is repealed at an earlier date by a subsequent by-law.

Registration

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

Severability

28. In the event any provision, or part thereof, of this by-law is found by a court of competent jurisdiction to be *ultra vires*, such provision, or part thereof, shall be deemed to be severed, and the remaining portion of such provision and all other provisions of this by-law shall remain in full force and effect.

Short Title

29. This By-law may be cited as the Regional Municipality of Durham Area Specific Development Charges By-law for the Seaton Community – Water Supply and Sanitary Sewerage Services.

BY-LAW read and passed this 24th day of April, 2013.

Original Signed By:

R. Anderson, Regional Chair and CEO

D. Bowen, Regional Clerk

SCHEDULE “A”

DESIGNATED REGIONAL SERVICES AND SERVICE COMPONENTS THEREUNDER

CATEGORY OF REGIONAL SERVICES	SERVICE COMPONENTS
Water Supply	• Watermains • Pumping Stations • Reservoirs • Feedermains • Water Supply Plants and Municipal Wells • Capital Equipment • Studies • Environmental Assessment • Water Use Efficiency Strategy • Well Interference
Sanitary Sewerage	• Sewage Pumping Stations and Forcemains • Trunk and Sanitary Sewers • Water Pollution Control Plants • Sludge Storage and Disposal Facilities • Capital Equipment • Studies • Environmental Assessment • Water Use Efficiency

SCHEDULE "B"

RESIDENTIAL DEVELOPMENT CHARGES PER DWELLING UNIT
$ PER DWELLING UNIT

SERVICE CATEGORY	SINGLE DETACHED & SEMI-DETACHED	MEDIUM DENSITY MULTIPLES	APARTMENTS
Sanitary Sewerage			
(i) Seaton Landowners Constructed Sanitary Sewerage Development Charges	2,371	1,880	1,083
(ii) Regional Seaton-Specific Sanitary Sewerage Development Charges	1,284	1,018	587
(iii) Regional Attribution Sanitary Sewerage Development Charges	2,028	1,608	927
Subtotal – Sanitary Sewerage	**5,683**	**4,506**	**2,597**
Water Supply			
(i) Seaton Landowners Constructed Water Supply Development Charges	2,531	2,008	1,157
(ii) Regional Seaton-Specific Water Supply Development Charges	3,800	3,014	1,736
(iii) Regional Attribution Water Supply Development Charges	3,297	2,615	1,507
Subtotal – Water Supply	**9,628**	**7,637**	**4,400**
Total Development Charges	**$15,311**	**$12,143**	**$6,997**

NOTE: The development charges described above shall be adjusted annually on July 1 pursuant to Section 22 of this By-law.

SCHEDULE "C"

INSTITUTIONAL DEVELOPMENT CHARGES
$ PER SQUARE FOOT OF GROSS FLOOR AREA

SERVICE CATEGORY	INSTITUTIONAL DEVELOPMENT CHARGES
Sanitary Sewerage	
(i) Seaton Landowners Constructed Sanitary Sewerage Development Charges	0.26
(ii) Regional Seaton-Specific Sanitary Sewerage Development Charges	0.14
(iii) Regional Attribution Sanitary Sewerage Development Charges	0.53
Subtotal – Sanitary Sewerage	**0.93**
Water Supply	
(i) Seaton Landowners Constructed Water Supply Development Charges	0.09
(ii) Regional Seaton-Specific Water Supply Development Charges	0.14
(iii) Regional Attribution Water Supply Development Charges	0.37
Subtotal – Water Supply	**0.60**
Total Development Charges	**$1.53**

NOTE: The development charges described above shall be adjusted annually on July 1 pursuant to section 22 of this By-law.

SCHEDULE "D"

NON-INSTITUTIONAL NON-RESIDENTIAL DEVELOPMENT CHARGES
$ PER SQUARE FOOT OF GROSS FLOOR AREA

SERVICE CATEGORY	NON-INSTITUTIONAL DEVELOPMENT CHARGES
Sanitary Sewerage	
(i) Seaton Landowners Constructed Sanitary Sewerage Development Charges	0.74
(ii) Regional Seaton-Specific Sanitary Sewerage Development Charges	0.40
(iii) Regional Attribution Sanitary Sewerage Development Charges	1.50
Subtotal – Sanitary Sewerage	**2.64**
Water Supply	
(i) Seaton Landowners Constructed Water Supply Development Charges	0.27
(ii) Regional Seaton-Specific Water Supply Development Charges	0.40
(iii) Regional Attribution Water Supply Development Charges	1.03
Subtotal – Water Supply	**1.70**
Total Development Charges	**$4.34**

NOTE: The development charges described above shall be adjusted annually on July 1 pursuant to section 22 of this By-law.

SCHEDULE "E"

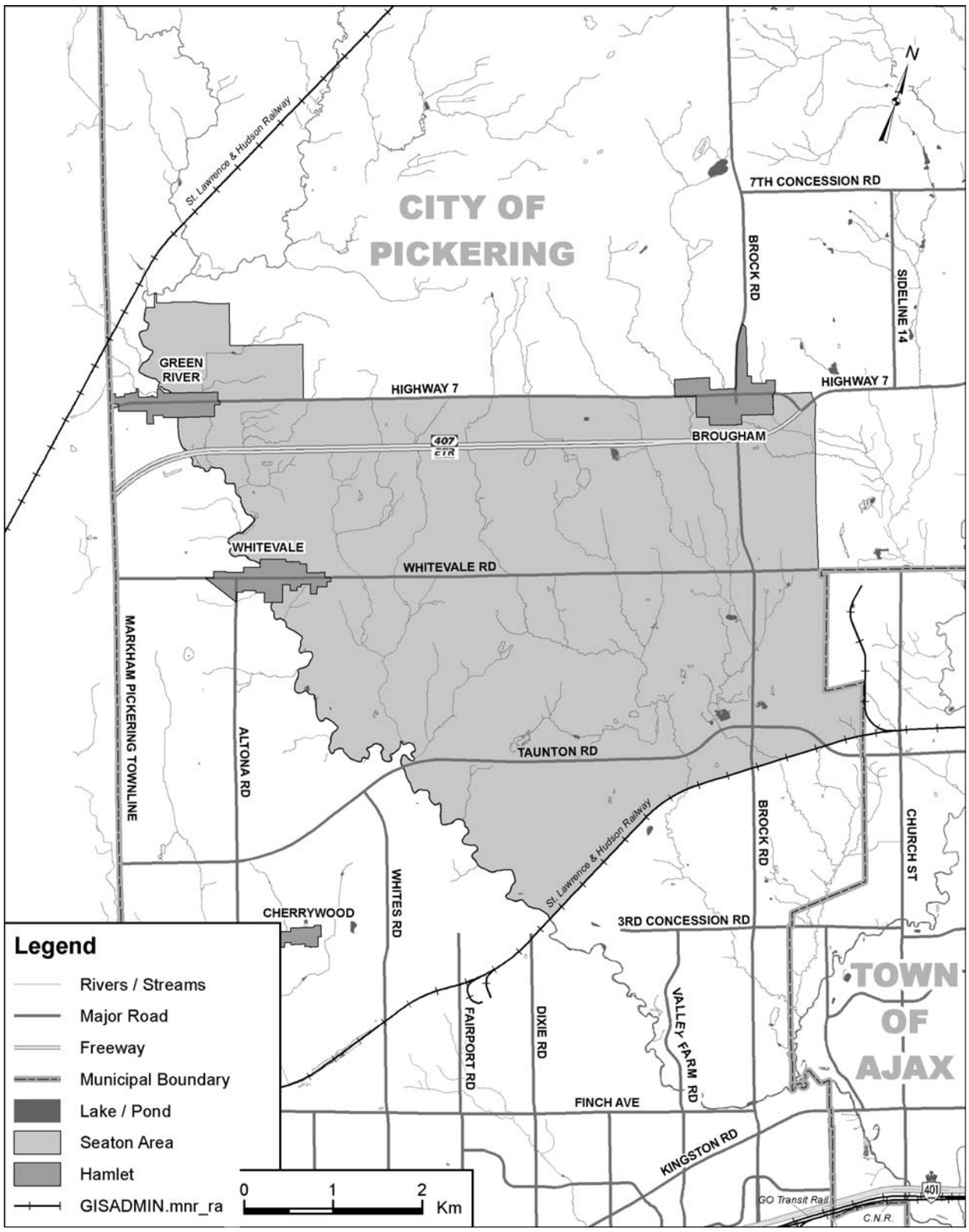
PRESTIGE EMPLOYMENT LAND AREA DEVELOPMENT CHARGES
$ PER NET HECTARE

SERVICE CATEGORY	Prestige Employment Land Area Development Charges
Sanitary Sewerage	
(i) Seaton Landowners Constructed Sanitary Sewerage Development Charges	36,157
(ii) Regional Seaton-Specific Sanitary Sewerage Development Charges	19,556
(iii) Regional Attribution Sanitary Sewerage Development Charges	73,294
Subtotal – Sanitary Sewerage	**129,007**
Water Supply	
(i) Seaton Landowners Constructed Water Supply Development Charges	12,901
(ii) Regional Seaton-Specific Water Supply Development Charges	19,313
(iii) Regional Attribution Water Supply Development Charges	50,443
Subtotal – Water Supply	**82,657**
Total Development Charges	**$211,664**

NOTE: The development charges described above shall be adjusted annually on July 1 pursuant to section 22 of this By-law.

SCHEDULE "F"

SEATON COMMUNITY



SCHEDULE "G"

MAP OF PRESTIGE EMPLOYMENT LAND AREA
(CENTRAL PICKERING DEVELOPMENT PLAN – LAND USE PLAN)