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The Regional Municipality of Durham Report

To: Finance and Administration Committee
From: Commissioner of Finance
Report: #2021-F-15
Date: June 8, 2021

Subject:

Final Recommendations Regarding Amendments to Regional Residential and Non-residential Development Charge By-law No. 28-2018

Recommendation:

That the Finance and Administration Committee recommends to Regional Council:

- A) That Pursuant to Section 10(1) of the Development Charges Act, 1997, the Regional Residential and Non-residential Development Charges Background Study dated April 23, 2021 be adopted;
- B) That effective July 1, 2021, Regional Residential and Non-residential Development Charge By-law No. 28-2018 be amended, as set out in the amending by-law (Attachment No. 1) to address the changes to Development Charges Act, 1997, resulting from Bill 108: *More Homes, More Choice Act, 2019*, Bill 138: *Plan to Build Ontario Together Act, 2019*, Bill 197, *COVID-19 Economic Recovery Act 2020* and O. Reg. 454/19 and to modify the development charge calculation for Long-term Care;
- C) That the Regional Residential Development Charges for each service and unit type as indicated in Table 1 below be effective July 1, 2021:

Table 1
Region of Durham
Recommended Residential Development Charges
Effective July 1, 2021 ⁽²⁾
\$ per dwelling Unit

SERVICE CATEGORY	Single / Semi Detached \$	Medium Density Multiples \$	Two Bedroom Apartment and Larger \$	One Bedroom Apartment and Smaller \$
Regional Roads	10,332	8,302	6,001	3,912
Regional Police Services	798	642	465	302
Long Term Care	266	214	154	100
Paramedic Services	210	168	122	79
Health and Social Services	137	110	80	52
Housing Services	479	387	279	181
Water Supply	10,522	8,454	6,113	3,983
Sanitary Sewerage	10,241	8,228	5,950	3,878
Total - By-law No. 28-2018	<u>32,985</u>	<u>26,505</u>	<u>19,164</u>	<u>12,487</u>
GO Transit ⁽¹⁾	790	699	496	295
Regional Transit ⁽¹⁾	1,275	1,026	741	480
Total (All Services)	<u>\$ 35,050</u>	<u>\$ 28,230</u>	<u>\$ 20,401</u>	<u>\$ 13,262</u>

Notes:

1. The development charges for GO Transit and Regional Transit are under By-laws No. 86-2001 and No. 81-2017 respectively. The amendments to By-law No. 86-2001 and 81-2017 have no impact on the GO Transit and Regional Transit development charge rates.
 2. Includes the impacts of the recommended amendments to Regional DC by-law No. 28-2018 and the impact of the 3.1 per cent indexing which takes effect on July 1, 2021.
- D) That any complete submission for the preparation of a subdivision agreement received by the Development Approvals Division of the Regional Works Department on or by June 30, 2021 be given the option of being processed under the policies and rates of the current Development Charges By-Law No. 28-2018 excluding the recommended amendments, where a complete submission requires all of the following to have been submitted to, and received by, the Development Approvals Division in a form satisfactory to the Region:
- i) Ministry of the Environment and Climate Change approval;
 - ii) Detailed cost estimate;
 - iii) Three (3) copies of the proposed Final Plan (M-Plan);
 - iv) Regional Planning approval of the Final Plan;
 - v) Three (3) copies of all proposed Reference Plans (R-Plans);
 - vi) Three (3) copies of approved General Plan of Services (signed by the Local

Municipality and the Region); and
vii) Regional Subdivision Agreement Information Checklist.

Subdivision agreements which have been processed according to By-Law No. 28-2018 excluding the impact from the recommended amendments must be executed within three months following the effective date of the amendments, which are recommended to take effect on July 1, 2021, otherwise they shall be deemed cancelled and will be replaced with a subdivision agreement processed according to By-law No. 28-2018 as amended, where execution requires all of the following to have been submitted to, and received by, the Regional Legal Department in a form satisfactory to the Region:

- i) signed Subdivision Agreement, including all schedules;
 - ii) payments of fees identified in the agreement;
 - iii) securities identified in the agreement;
 - iv) prepayment of Development Charges for Sanitary Sewerage, Water Supply and Regional Roads, and
 - v) Insurance Certificate.
- E) That the Regional Solicitor be instructed to prepare the requisite Development Charge By-law for presentation to Regional Council and passage;
- F) That the Regional Solicitor be instructed to revise future development agreements and any by-law(s) relating thereto to reflect any changes required to implement the foregoing recommendations and that any such revised by-law(s) be presented to Council for passage;
- G) That the Treasurer be instructed to prepare the requisite development charge pamphlet and related materials pursuant to the Development Charges Act, 1997; and
- H) That the Regional Clerk be instructed to follow the notification provisions pursuant to the Development Charges Act, 1997.
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Report:

1. Purpose

- 1.1 The purpose of this report is to provide the final recommendations regarding the amendments to Regional Residential and Non-residential Development Charge (DC) By-law No. 28-2018 as proposed in the DC Background Study released April 23, 2021.

2. Background

- 2.1 The recommended amendments to Regional Residential and Non-residential DC By-law No. 28-2018 are required to address the changes in the Development Charges Act, 1997 (DCA) resulting from Bill 108, More Homes, More Choice Act, 2019, Bill 138, Plan to Build Ontario Together Act, 2019, Bill 197, COVID-19

Economic Recovery Act, 2020 and O. Reg. 454/19 and to modify the development charge calculation for long-term care.

2.2 The changes to the DCA that impact Regional Residential and Non-residential DC By-law No. 28-2018 include the following:

- a. The timing and process for the collection of DCs;
- b. The determination of the DC rates (i.e. freezing of DC rates);
- c. The broadening of exemptions for additional (secondary) units;
- d. Modifications to the list of services that are eligible for DC funding; and
- e. Removal of the ten per cent statutory reduction for soft services.

2.3 In addition, in March 2021, the Ministry of Long-Term Care approved the Region's application for a new 200-bed Long-term Care Home to be located in North Pickering. Accordingly, the recommended amending by-law includes modifications to include the cost of the new long-term care home in the development charge calculation for long-term care.

2.4 The Regional Residential and Non-residential DC Background Study contained the proposed by-law amendments. The background study was made available to Regional Council and the public (free of charge) beginning on April 23, 2021 as indicated in the public notices placed in the Toronto Star on April 24 and 28, 2021 and in the local Metroland newspapers throughout the Region over the time period April 22 to May 6, 2021.

2.5 An overview of the key recommendations contained in the proposed DC by-law and background study was provided in Report #2021-F-11: Public Meetings Regarding Proposed Amendments to Regional Transit Development Charge By-law No. 81-2017, GO Transit Development Charge By-law NO. 86-2001 and Regional Residential and Non-residential Development Charge By-law No. 28-2018.

3. Previous Reports and Decisions

3.1 The following reports provided updates to Regional Council on the status of the changes to the DCA and the related amendments required to Regional Residential and Non-residential DC By-law No. 28-2018:

- a. Report #2021-INFO-30; and
- b. Report #2021-F-11.

4. Proposed Regional Residential and Non-residential Development Charge By-law Amendments

Overview of Public Input Regarding Regional Residential and Non-residential Development Charge By-law Amendments

- 4.1 No verbal submissions were made at the public meeting of Council held to consider the proposed Regional Residential and Non-residential Development Charge By-law amendment and Background Study on May 26, 2021.
- 4.2 The Region received two phone calls regarding the proposed amendments, inquiring:
 - a. About the proposed changes and confirming that the implementation date was July 1, 2021; and
 - b. If there were any proposed changes to GO Transit Service.

Final Recommendations

- 4.3 There are no recommended changes to the proposed amending by-law as presented in the Regional Residential and Non-residential DC By-law amendment and Background Study released on April 23, 2021. The following provides a summary of the recommended amendments to Regional Residential and Non-residential DC By-law No. 28-2018.

Collection and Freezing of DCs and Exemption of Additional (Secondary) Units

- 4.4 The recommended amendments to Regional Residential and Non-residential DC By-law No. 28-2018 include:
 - a. Broadening the exemption for additional (secondary) units to apply to the creation of additional units within, or ancillary to prescribed new residential units; and
 - b. Modifying the DC By-law with respect to the collection of DCs and determination of the DC rate:
 - DCs for rental housing development and institutional developments (as defined in O. Reg. 454/19) are to be paid in six equal installments over five years, commencing the earlier of the date of issuance of occupancy permit or the date of first occupancy. The subsequent annual installments are due on the annual anniversary date of the first installment;
 - DCs for non-profit housing developments (as defined in O. Reg. 454/19) are to be paid in twenty-one equal installments over twenty years, commencing the earlier of the date of issuance of occupancy permit or the date of first occupancy. The subsequent annual installments are due on the annual anniversary date of the first installment; and

- DC rates are locked in on the date of application for an approval of development in a site plan control area or, if this does not apply, the date an application for an amendment to a by-law passed under Section 34 of the Planning Act. The DC rates are frozen until two years from the date the site plan application or zoning application is approved and are only applicable for site plan and zoning by-law amendment applications received after December 31, 2019.

4.5 As the legislation allows municipalities to charge interest to recover the costs associated with the development charge deferral and / or the freezing of DCs, the recommended amending by-law provides a clause to allow for the application of interest charges. Regional staff are developing a Regional Development Charge Interest Rate Policy for future Committee and Council consideration.

Changes to Eligible DC Services

- 4.6 The DCA now lists the services that are eligible for DC funding, whereas previously the DCA listed the services that were ineligible.
- 4.7 Durham's current Regional DC By-law No. 28-2018 includes a Health and Social Services category, which includes capital costs for social services (i.e. facilities for Ontario Works delivery and Family Services). Social Services is no longer identified as an eligible service under the DCA. The Region can continue to collect development charges for the social services facilities under the current DC by-law until September 17, 2022. The recommended amending by-law (Attachment No. 1) includes a schedule that will take effect on September 18, 2022 which removes the development charges related to the social services facilities.
- 4.8 Development Related Studies is currently included in Regional DC By-law No. 28-2018. Under the changes of the DCA, Development Related Studies is not listed as an eligible DC service; however, the costs associated with this service are eligible for DC funding and can be allocated to the services that are DC eligible. The costs included in the Development Related Studies service from the 2018 DC Study are being allocated to the Roads, Water Supply and Sanitary Sewer services, based on their pro-rated share of capital costs in the 2018 DC Study.

Removal of Ten Per Cent Statutory Reduction

- 4.9 The changes to the DCA remove the statutory ten per cent reduction for soft services. For Durham, the ten per cent reduction impacts Paramedic Services, Health Services, Housing Services, Long-term Care and Development Related Studies.
- 4.10 Staff are not recommending the removal of the ten per cent statutory reduction for the Social Services facilities since these facilities are no longer an eligible service. However, as mentioned previously, the Region can continue to collect DCs for the social services growth-related capital costs until September 17, 2022.

Approval of a New Long-Term Care Home

4.11 The Region currently collects DCs for long-term care services under Regional Residential and Non-residential DC By-law No. 28-2018, related to the additional 65 long-term care beds constructed as part of the Hillsdale Estates from 2003. The Region applied to build a new 200-bed long-term care home to be located in North Pickering and received a letter from the Minister of Long-Term Care dated March 18, 2021 advising the approval of the application for 200 long-term care beds. The amending by-law includes the growth-related capital costs of this facility.

Recommended New Development Charge Rates

4.12 The following table provides the recommended residential DC rates for July 1, 2021 that incorporates the removal of the ten per cent statutory reduction, the additional costs for a new long-term care home and the reallocation of costs for development related studies to the roads, water supply and sanitary sewer services (adjusted for indexing on July 1, 2019 and July 1, 2020). These are the same proposed DC rates as provided in the Background Study released on April 23, 2021.

Table 2
Recommended Regional DC Rates in Effect for July 1, 2021
Prior to July 1, 2021 Indexing

SERVICE CATEGORY	Single / Semi Detached \$	Medium Density Multiples \$	Two Bedroom Apartment and Larger \$	One Bedroom Apartment and Smaller \$
Regional Roads	10,021	8,052	5,821	3,794
Regional Police Services	774	623	451	293
Long Term Care	258	208	149	97
Paramedic Services	204	163	118	77
Health and Social Services	133	107	78	50
Housing Services	465	375	271	176
Water Supply	10,206	8,200	5,929	3,863
Sanitary Sewerage	9,933	7,981	5,771	3,761
Total - By-law No. 28-2018	31,994	25,709	18,588	12,111
GO Transit ⁽¹⁾	767	679	482	286
Regional Transit ⁽¹⁾	1,237	995	719	466
Total (All Services)	\$ 33,998	\$ 27,383	\$ 19,789	\$ 12,863

Notes:

1. The development charges for GO Transit and Regional Transit are under By-laws No. 86-2001 and No. 81-2017 respectively. The recommended amendments to By-law No. 86-2001 and 81-2017 have no impact on the GO Transit and Regional Transit development charge rates.

- 4.13 The following table provides the the existing rates for a single detached / semi-detached unit and the recommended rates with all the adjustments, resulting in an increase of \$305.

Table 3
Comparison of Current and Recommended DCs for July 1, 2021
(Prior to July 1, 2021 Indexing)
Single Detached / Semi Detached Unit

SERVICE CATEGORY	Current Rate \$	Change (amendments) \$	Proposed Rate \$
Regional Roads	10,013	8	10,021
GO Transit	767	-	767
Regional Transit	1,237	-	1,237
Regional Police Services	774	-	774
Long Term Care	21	237	258
Paramedic Services	184	20	204
Health and Social Services	133	-	133
Housing Services	419	46	465
Development Related Studies	21	-21	-
Water Supply	10,197	9	10,206
Sanitary Sewerage	9,927	6	9,933
Total (All Services)	<u>\$ 33,693</u>	<u>\$ 305</u>	<u>\$ 33,998</u>

- 4.14 The recommended amendments to Regional Residential and Non-residential DC By-law No. 28-2018 do not impact the Regional Non-residential DC rates.
- 4.15 The Regional DC By-laws contain a provision that the prevailing Regional DCs be adjusted annually, without amendment to those by-laws, as of the 1st day of July in accordance with the Statistics Canada Quarterly, Construction Price Statistics, catalogue number 62-007, for the most recently available annual period ending March 31. The Statistics Canada Non-residential Building Construction Price Index for the period of March, 2020 to March, 2021, as released on May 6, 2021 indicates an inflationary increase of 3.1 per cent in the Toronto CMA.
- 4.16 Therefore, the recommended residential and existing non-residential DC rates will also be increased by 3.1 per cent (except for the GO Transit DC which is limited to a maximum 3 per cent increase).

5. Further Considerations by Regional Council Per DCA, 1997

Formal Consideration of Need for Further Public Meeting

- 5.1 If the proposed by-law is changed then Regional Council is required under the provisions of the DCA to consider whether a further public meeting is required. An additional public meeting would require public notices to be placed providing at least twenty days notice of such a public meeting.
- 5.2 Given that the final recommendations do not vary from the proposed amending DC by-law as provided in the Regional Residential and Non-residential Development Charge Background Study, a further public meeting will not be required, assuming the recommendations in this report are accepted and no change is made.

Direction to Regional Staff

- 5.3 Direction from Regional Council is required for the Regional Solicitor, Regional Clerk and Regional Treasurer to complete the various administrative tasks needed to implement the recommended Development Charge amendments. These tasks include the revision of development agreements, the production and distribution of a development charge pamphlet, and the necessary public notification provisions.

6. Relationship to Strategic Plan

- 6.1 This report aligns with/addresses the following strategic goals and priorities in the Durham Region Strategic Plan:
 - a. Enhanced funding for paramedic services, long-term care services and affordable housing, supporting Goal 4 (Social Investment); and
 - b. Ensuring the Region's DC By-law is in conformity with the DCA, supporting Goal 5 (Service Excellence).

7. Conclusion

- 7.1 It is recommended that the Regional Residential and Non-residential DC By-law amendment be approved as proposed in the Background Study.
- 7.2 This report has been reviewed by staff of the Planning & Economic Development, Works and Corporate Services - Legal departments who concur with the recommendations.

8. Attachments

Attachment No. 1: Recommended Development Charge By-law Amendment

Respectfully submitted,

Original Signed By

N. Taylor, BBA, CPA, CA
Commissioner of Finance

Recommended for Presentation to Committee

Original Signed By

Elaine C. Baxter-Trahair
Chief Administrative Officer

THE REGIONAL MUNICIPALITY OF DURHAM

BY-LAW NO. • XX-2021

a by-law to amend By-law No. 28-2018

WHEREAS section 19 of the *Development Charges Act, 1997*, S.O. 1997, c.27 (the “Act”) provides for amendments to development charge by-laws;

AND WHEREAS the Council of The Regional Municipality of Durham requires certain amendments to By-law 28-2018;

AND WHEREAS in accordance with the *Act*, a development charge background study has been completed in support of the proposed amendment to By-law 28-2018;

AND WHEREAS the Council of The Regional Municipality of Durham has given notice and held a public meeting on the 26th day of May 2021 in accordance with the *Act*;

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 amendments;

AND WHEREAS the Council of The Regional Municipality of Durham has determined that a further public meeting is not necessary pursuant to Section 12(3) of the *Act*;

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

1. Section 1 of By-law 28-2018 is hereby amended by adding the following definitions and renumbering the remaining definitions accordingly:

(x) “institutional development”, for the purposes of section 23(a) of the by-law, means development of a building or structure 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.

(cc) non-profit housing development, for the purpose of section 23(b) 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.

(kk) “rental housing” for the purpose of section 23(a) of the by-law, means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises.

2. Section 9(1)(i) of By-law 28-2018 is deleted and section 9(2) of By-law 28-2018 is hereby deleted and replaced with the following:

9(2) The components of the services designated in subsection 9(1) to September 17, 2022 are described on Schedule “A-1”. The components of the services designated in subsection 9(1) from September 18, 2022 are described on Schedule “A-2”.

3. Section 10 of By-law 28-2018 is hereby amended as follows:

Delete “Schedule” and insert “Schedules”; and insert “B-2” following ““B-1” and”

4. Section 11 of By-law 28-2018 is hereby deleted and replaced with the following:

Exemptions

11(1) For the purpose of section 11, “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.

11(2) 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 additional dwelling units in accordance with the following table:

Description of Class of Existing Residential Buildings	Maximum Number of Additional Dwelling Units	Restrictions
Existing single detached residential buildings, each of which contains a single dwelling unit, that are not attached to other buildings.	Two	The total gross floor area of the additional dwelling unit or units must be less than or equal to the gross floor area of the dwelling unit already in the building.
Existing semi-detached or row residential buildings, each of which contains a single dwelling unit, that have one or two vertical walls, but no other parts, attached to other buildings.	One	The gross floor area of the additional dwelling unit must be less than or equal to the gross floor area of the dwelling unit already in the building.

Existing rental residential buildings, each of which contains four or more dwelling units.	Greater of one and 1% of the existing units in the building	None
An existing residential building not in another class of residential building described in this table.	One	The gross floor area of the additional dwelling unit must be less than or equal to the gross floor area of the smallest dwelling unit already in the building.

(d) the creation of a second dwelling unit in accordance with the following table:

Description of Class of Proposed New Residential Buildings	Restrictions
Proposed new residential detached buildings that would not be attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	<p>The proposed new detached dwelling must only contain two dwelling units.</p> <p>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.</p>
Proposed new semi-detached or row 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 dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	<p>The proposed new semi-detached dwelling or row dwelling must only contain two dwelling units.</p> <p>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.</p>
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.	<p>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.</p> <p>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.</p>

5. Section 19 of By-law 28-2018 is hereby deleted and replaced with the following:

19. Development charges, determined in accordance with section 24 and adjusted in accordance with section 26 of this by-law, are payable in full on the date on which a building permit is issued with respect to each dwelling unit, building or structure.

6. Section 20(1) of By-law 28-2018 is hereby amended as follows:

Delete “adjusted” and insert “determined” after “charges”; delete “section 24 to the date” and replace with “sections 24 and 26”; and delete payment and insert “this by-law”.

7. Section 20(3)(a) of By-law 28-2018 is hereby amended as follows:

Delete “24” after “section” and replace with “26”.

8. Section 20(3)(b) of By-law 28-2018 is hereby amended as follows:

Delete “24” after “section” and replace with “26”; and delete “24” after section and replace with “26” before “to the date of payment”.

9. Section 21(1) of By-law 28-2018 is hereby amended as follows:

Delete “24” after “section” and replace with “26”.

10. By-law 28-2018 is hereby amended by inserting a new Section 23 as follows and renumbering the remaining sections:

23. Notwithstanding sections 19 and 20, where development charges become payable after January 1, 2020 for development of:

- (a) rental housing that is not non-profit housing development and institutional development, development charges shall be paid in equal annual instalments beginning on the earlier of the date of issuance of a permit under the *Building Code Act, 1992* authorizing occupation of the building and the date the building is first occupied, and continuing on the following five anniversaries of that date;
- (b) Non-profit housing development, development charges shall be paid in equal annual instalments beginning on the earlier of the date of issuance of a permit under the *Building Code Act, 1992* authorizing occupation of the building and the date the building is first occupied, and continuing on the following twenty anniversaries of that date;

11. By-law 28-2018 is hereby amended by inserting a new Section 24 as follows and renumbering the remaining sections:**Determining Amount Payable**

24. The development charges payable will be the development charge shown in the applicable Schedules to this by-law to be payable, with indexing under section 26, and, where applicable, with interest under section 27 of this by-law as follows:

- (2) for those developments to which section 23 applies,
 - (a) for applications filed after December 31, 2019, 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, provided the first building permit is issued within two years of the date that application was approved;
 - (b) if clause (a) does not apply, for applications filed after December 31, 2019, the day an application for an amendment to a by-law passed under section 34 of the *Planning Act* was made, provided the first building permit is issued within two years of the date that amendment comes into force and effect; or
 - (c) if neither clause (a) nor clause (b) applies, the day the development charge would be payable in accordance with sections 19 and 20 of this by-law; and
- (3) for those developments to which section 23 does not apply,
 - (a) for applications filed after December 31, 2019, 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, provided the date the development charge is payable is within two years of the date that application was approved;

- (b) if clause (a) does not apply, for applications filed after December 31, 2019, the day an application for an amendment to a by-law passed under section 34 of the *Planning Act* was made, provided the date the development charge is payable is within two years of the date that amendment is brought into force and effect; or
- (c) if neither clause (a) nor clause (b) applies, the day the development charge would be payable in accordance with sections 19 and 20 of this by-law.

12. By-law 28-2018 is hereby amended by inserting a new Section 27 as follows and renumbering the remaining sections:

Instalment Interest

27. Development charges payable by instalment pursuant to section 24 of this by-law shall bear interest in accordance with the Region of Durham Development Charge Interest Rate Policy, as amended from time to time.

13. Section 28 of By-law 28-2018 is hereby amended as follows:

28. Add “to September 17, 2022” after “Components of Services Designated in section” for Schedule “A-1”; amend “Schedule “B-1” to add “to September 17, 2022” after “Residential Development Charges”; and insert ““Schedule “B-2”- Residential Development Charges from September 18, 2022”.

14. The Schedules to By-law 28-2018 are hereby deleted and replaced with the Schedules to this by-law.

15. Section 29 of By-law 28-2018 is hereby deleted and replaced as follows:

29. This By-law shall come into force on July 1, 2021.

This By-law Read and Passed on the 23rd day of June, 2021.

John Henry, Regional Chair and CEO

R. Walton, Regional Clerk

Schedule "A-1"**Designated Regional Services and
Service Components Thereunder to September 17, 2022**

Category of Regional Services	Service Components
1. Regional Road	<ul style="list-style-type: none"> • Regional Road Construction/Improvements/Urbanization • Improvements to Highway Interchanges/Grade Separations • Intersection and Corridor Improvements • Traffic Signals and Systems • Property Acquisition • Maintenance Facilities • Capital Equipment • Landscaping • Studies • Environmental Assessment
2. Regional Police	<ul style="list-style-type: none"> • Costs to Acquire Land or an Interest in Land, Including a Leasehold Interest • Costs to Improve Land • Costs to Acquire, Lease, Construct or Improve Buildings and Structures • Costs to Acquire, Lease, Construct or Improve Facilities • Vehicles and Equipment
3. Long Term Care	<ul style="list-style-type: none"> • Costs to Acquire Land or an Interest in Land, Including a Leasehold Interest • Costs to Improve Land • Costs to Acquire, Lease, Construct or Improve Buildings and Structures • Costs to Acquire, Lease, Construct or Improve Facilities
4. Water Supply	<ul style="list-style-type: none"> • Pumping Stations • Reservoirs • Feeder mains • Water Supply Plants and Municipal Wells • Capital Equipment • Studies • Environmental Assessment • Water Use Efficiency Strategy • Well Interference
5. Sanitary Sewerage	<ul style="list-style-type: none"> • Sewage Pumping Stations and Forcemains • Trunk Sanitary Sewers • Water Pollution Control Plants • Sludge Storage and Disposal Facilities • Capital Equipment • Studies • Environmental Assessment • Water Use Efficiency
6. Paramedic Services	<ul style="list-style-type: none"> • Land Ambulances and Equipment Stations and Land
7. Health and Social Services	<ul style="list-style-type: none"> • Costs to Acquire Land and Buildings • Studies

8. Housing Services

- Costs to Acquire Land and Buildings or Units
- Costs to Improve Land
- Costs for Construction of new Buildings or Units
- Studies

Schedule "A-2"**Designated Regional Services and
Service Components Thereunder from September 18, 2022**

Category of Regional Services	Service Components
1. Regional Road	<ul style="list-style-type: none"> • Regional Road Construction/Improvements/Urbanization • Improvements to Highway Interchanges/Grade Separations • Intersection and Corridor Improvements • Traffic Signals and Systems • Property Acquisition • Maintenance Facilities • Capital Equipment • Landscaping • Studies • Environmental Assessment
2. Regional Police	<ul style="list-style-type: none"> • Costs to Acquire Land or an Interest in Land, Including a Leasehold Interest • Costs to Improve Land • Costs to Acquire, Lease, Construct or Improve Buildings and Structures • Costs to Acquire, Lease, Construct or Improve Facilities • Vehicles and Equipment
3. Long Term Care	<ul style="list-style-type: none"> • Costs to Acquire Land or an Interest in Land, Including a Leasehold Interest • Costs to Improve Land • Costs to Acquire, Lease, Construct or Improve Buildings and Structures • Costs to Acquire, Lease, Construct or Improve Facilities
4. Water Supply	<ul style="list-style-type: none"> • Pumping Stations • Reservoirs • Feeder mains • Water Supply Plants and Municipal Wells • Capital Equipment • Studies • Environmental Assessment • Water Use Efficiency Strategy • Well Interference
5. Sanitary Sewerage	<ul style="list-style-type: none"> • Sewage Pumping Stations and Forcemains • Trunk Sanitary Sewers • Water Pollution Control Plants • Sludge Storage and Disposal Facilities • Capital Equipment • Studies • Environmental Assessment • Water Use Efficiency
6. Paramedic Services	<ul style="list-style-type: none"> • Land Ambulances and Equipment Stations and Land
7. Health Services	<ul style="list-style-type: none"> • Costs to Acquire Land and Buildings • Studies

8. Housing Services

- Costs to Acquire Land and Buildings or Units
- Costs to Improve Land
- Costs for Construction of new Buildings or Units
- Studies

Schedule "B-1"

**Residential Development Charges per Dwelling Unit
Effective July 1, 2018 - to September 17, 2022 \$ per Dwelling Type**

Service Category	Single Detached & Semi-Detached \$	Medium Density Multiples \$	Two Bedroom Apartment & Larger \$	One Bedroom Apartment & Smaller \$
Region-Wide Charges				
Regional Roads	9,257	7,438	5,377	3,505
Regional Police	715	575	416	271
Long-Term Care	238	192	138	90
Paramedic Services	188	151	109	71
Health & Social Services	123	99	72	47
Housing Services	430	346	250	163
Subtotal	10,951	8,801	6,362	4,147
Regional Water Supply & Sanitary Sewer Charges				
Water Supply	9,428	7,575	5,477	3,569
Sanitary Sewerage	9,176	7,373	5,331	3,474
Subtotal	18,604	14,948	10,808	7,043
Total of All Charges	29,555	23,749	17,170	11,190

NOTE: The development charges described above shall be adjusted annually on July 1 pursuant to Section 26 of this By-law.

Schedule "B-2"

**Residential Development Charges per Dwelling Unit
Effective from September 18, 2022 \$ per Dwelling Type**

Service Category	Single Detached & Semi-Detached \$	Medium Density Multiples \$	Two Bedroom Apartment & Larger \$	One Bedroom Apartment & Smaller \$
Region-Wide Charges				
Regional Roads	9,257	7,438	5,377	3,505
Regional Police	715	575	416	271
Long-Term Care	238	192	138	90
Paramedic Services	188	151	109	71
Health Services	-	-	-	-
Housing Services	430	346	250	163
Subtotal	10,828	8,702	6,290	4,100
Regional Water Supply & Sanitary Sewer Charges				
Water Supply	9,428	7,575	5,477	3,569
Sanitary Sewerage	9,176	7,373	5,331	3,474
Subtotal	18,604	14,948	10,808	7,043
Total of All Charges	29,432	23,650	17,098	11,143

NOTE: The development charges described above shall be adjusted annually on July 1 pursuant to Section 26 of this By-law.

Schedule "C"**Commercial Development Charges Effective July 1, 2018
\$ per Square Foot of Gross Floor Area**

Service Category	Commercial Development Charges
Water Supply	3.51
Sanitary Sewerage	5.88
Regional Roads	8.54
Total of All Charges	17.93

NOTE: The development charges described above shall be adjusted annually on July 1 pursuant to section 26 of this By-law.

Schedule "D"**Institutional Development Charges Effective July 1, 2018
\$ per Square Foot of Gross Floor Area**

Service Category	Institutional Development Charges
Water Supply	0.86
Sanitary Sewerage	1.05
Regional Roads	7.18
Total of All Charges	9.09

NOTE: The development charges described above shall be adjusted annually on July 1 pursuant to section 26 of this By-law.

Schedule "E"**Industrial Development Charges Effective July 1, 2018
\$ per Square Foot of Gross Floor Area**

SERVICE CATEGORY	INDUSTRIAL DEVELOPMENT CHARGES
Water Supply	2.80
Sanitary Sewerage	3.38
Regional Roads	3.24
Total of All Charges	<u>9.42</u>

NOTE: The development charges described above shall be adjusted annually on July 1 pursuant to section 26 of this By-law.

Schedule "F" Seaton Community

