



By-law 2023-074

Barrie City-Wide and Area Specific Development Charges By-law

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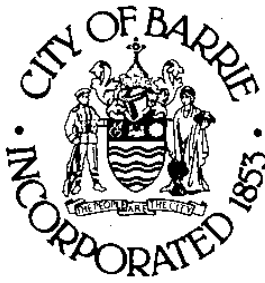
A By-law of The Corporation of the City of Barrie to establish municipal-wide development charges for the City of Barrie and to repeal By-laws 2019-055, 2021-059 and all amendments thereto.

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BY-LAW NUMBER 2023-074

A By-law of The Corporation of the City of Barrie to establish municipal-wide development charges for the City of Barrie and to repeal By-laws 2019-055, 2021-059 and all amendments thereto.

WHEREAS pursuant to subsection 2(1) of the *Development Charges Act, 1997*, c.27, as amended, a 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 if the development of the land requires certain consents, approvals, amendments, conveyances or issuance of a building permit;

AND WHEREAS, on June 21, 2023, the Council of The Corporation of the City of Barrie approved the City of Barrie Development Charge Background Study dated April 21, 2023, as required by s.10 of the *Development Charges Act, 1997*, which indicates that the development of land within the City of Barrie will increase the need for services;

AND WHEREAS a public meeting has been held, on May 10, 2023, before passage of this by-law with notice given and sufficient information made available to the public pursuant to s.12 of the *Development Charges Act, 1997*;

AND WHEREAS the Council adopted motion 23-G-155 on June 21, 2023, directed that development charges be imposed on land under development or redevelopment within the geographical limits of the municipality as provided in this By-law;

AND WHEREAS the Council of The Corporation of the City of Barrie deems it expedient to pass such a by-law;

AND WHEREAS, on June 21, 2023, the Council of The Corporation of the City of Barrie approved the City of Barrie Development Charge Background Study dated April 21, 2023 indicating that it intends that the increase in the need for services to service the anticipated development will be met;

AND WHEREAS, on June 21, 2023, the Council determined that no further public meetings were required under s.12 of the *Development Charges Act, 1997*.

NOW THEREFORE the Council of The Corporation of the City of Barrie enacts as follows:

Definitions

1. In this By-law;

“Act” means the *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended or superseded;

“accessory building” means a building or structure that is naturally and normally incidental to or subordinate in purpose or both, and exclusively devoted to a principal use, building or structure provided that it:

- a) does not contain any water or sewage services;
- b) is used only for accessory storage;
- c) contains an accessory use to an existing industrial use in the principal building on the same lot; and
- d) does not exceed 25% of the existing principal building or 500m² whichever is less.

“accessory dwelling” means a self-contained residential unit that is subordinate in purpose to another residential dwelling unit upon the same lot;

“ancillary dwelling”, means a residential building that would be ancillary to a detached dwelling, semi-detached dwelling, or row dwelling and includes an accessory dwelling.

“ancillary structure” has the same meaning as an ancillary dwelling.

“apartment dwelling unit” means any residential dwelling unit within a building containing more than four dwelling units where the residential units are connected by an interior corridor, but does not include special care/special need dwelling unit. Despite the foregoing, an apartment dwelling includes stacked townhouse dwellings;

“back-to-back townhouse dwelling” means a building containing four or more dwelling units separated vertically by a common wall, including a rear common wall, that do not have rear yards.

“bedroom” means a room which can be used as sleeping quarters but does not include a kitchen, bathroom, living room or dining room, but may include a den or study;

“City” means the Corporation of the City of Barrie;

“class” means a grouping of services combined to create a single service for the purposes of this By-law and as provided in Section 7 of the *Development Charges Act*.

“common area” means an area generally available for use by all occupants. Development charges for common areas in non-residential developments will be calculated at the rate in effect that corresponds with the predominant use of the development. Common areas in residential developments and mixed use developments are exempt from development charges.

“detached dwelling unit” has the same meaning as a “single detached dwelling unit” for the purposes of this by-law.

“dwelling unit” means a suite operated as a housekeeping unit used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities and shall include mobile homes;

“Development Charges Act” means the *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended or superseded;

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

- a) manufacturing, producing, processing, storing or distributing something,
- b) research or development in connection with manufacturing, producing or processing something,
- c) 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, producing or processing takes place,
- d) office or administrative purposes, if they are,
 - (i) carried out with respect to manufacturing, producing, processing, storage or distributing of something, and
 - (ii) in or attached to the building or structure used for that manufacturing, producing, processing, storage or distribution.

provided that such industrial building or buildings existed on a lot in the City of Barrie;

“gross floor area (gfa)” means the sum total of the total areas of the floors whether above or below grade, measured between the exterior faces of the exterior walls, including part walls, of the building or from the center line of a common wall separating two uses and;

- (i) includes the area of a mezzanine as defined in the Ontario Building Code;
- (ii) excludes those areas used exclusively for parking garages or structures; and
- (iii) includes those areas covered by roofs or roof-like structures, but does not include a canopy or seasonal patios associated with a restaurant;

“hospice” means a building or portion of a mixed-use building designed and intended to provide palliative care and emotional support to the terminally ill in a home or homelike setting so that quality of life is maintained, and family members may be active participants in care.

“industrial use” means a use in connection with,

- a) manufacturing, producing, processing, storing or distributing something,
- b) research or development in connection with manufacturing, producing or processing something,
- c) 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, producing or processing takes place,
- d) office or administrative purposes, if they are,
 - (i) carried out with respect to manufacturing, producing, processing, storage or distributing of something, and
 - (ii) in or attached to the building or structure used for that manufacturing, producing, processing, storage or distribution.

provided that such industrial building or buildings existed on a lot in the City of Barrie;

“institutional development” means development of a building or structure intended for use:

- (i) As a long-term care home within the meaning of Subsection 2 (1) of the *Long-Term Care Homes Act, 2007*;
- (ii) As a retirement home within the meaning of Subsection 2 (1) of the *Retirement Homes Act, 2010*;
- (iii) By any of the following post-secondary institutions for the objects of the institution:
 - 1. A university in Ontario that receives direct, regular, and ongoing operating funding from the Government of Ontario,
 - 2. A college or university federated or affiliated with a university described in subclause (1), or
 - 3. An Indigenous Institute prescribed for the purposes of Section 6 of the *Indigenous Institutes Act, 2017*;
- (iv) As a memorial home, clubhouse, or athletic grounds by an Ontario branch of the Royal Canadian Legion; or
- (v) As a hospice to provide end of life care.

“institutional use” means, notwithstanding any other provisions of this By-law, 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;

“interest rate” means a rate equal to the average prime rate on,

- i. October 15 of the previous year, if the adjustment date is January 1,
- ii. January 15 of the same year, if the adjustment date is April 1,
- iii. April 15 of the same year, if the adjustment date is July 1, and
- iv. July 15 of the same year, if the adjustment date is October 1.

The base rate of interest in effect on a particular date shall be,

- i. the base rate for the particular date, if the particular date is an adjustment date, and
- ii. the base rate for the last adjustment date before the particular date, otherwise.

The rate of interest that will be charged shall be an annual interest rate that is one percentage point higher than the base rate of interest in effect for that day.

“live/work unit” means a unit which contains separate residential and non-residential areas intended for both residential and non-residential uses concurrently and shares a common wall or floor with direct access between the residential and non-residential areas.

“local board” has the meaning set out in Section 1 of the *Development Charges Act*;

“mixed-use buildings” means land, buildings or structures used, or designed or intended for use, for a combination of non-residential and residential uses, including, but not limited to a live/work unit;

“mobile home” means a Building recognized in the Building Code as a “Mobile Home” in accordance with the standard for mobile homes in CSA Z240.2.1 “Structural requirements for Manufactured Homes” or CSA A277 “Procedures for Factory Certification of Buildings”.

“non-profit housing development” means the development of a building or structure intended for use as a residential premises (including emergency transitional housing) and developed by,

- (a) a corporation to which the *Not-for-Profit Corporations Act, 2010* 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, 2022*, c. 21, Sched. 3, s. 4.

“non profit institution” means:

- (a) a "registered charity" as defined in subsection 248(1) of the *Income Tax Act*, R.S.C. 1985, c. 1 (5th Supp.), as amended;
- (b) a corporation that is a non-profit organization for the purposes of paragraph 57(l)(b) of the *Corporations Tax Act*, R.S.O. 1990, c. C.40; or

- (c) a "religious organization" as defined in subsection 1(1) of the *Religious Organizations' Lands Act*, R.S.O. 1990, c. R.23;

"non-residential (or a non-residential use)" means lands, buildings, or structures, or portions thereof designed, adopted or used for any purpose other than residential use and includes the non-residential portion of a live/work unit;

"non-retail uses" means all non-residential uses other than retail uses and shall include offices, self-storage, hotels and motels;

"office" 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 or the conduct of a non-profit organization and shall include but not be limited to the office of a physician, lawyer, dentist, architect, engineer, accountant, real estate or insurance agency, veterinarian, surveyor, appraiser, financial institution, contractor, builder, and developer;

"Official Plan" means the Official Plan of the City and any amendments thereto;

"Ontario Building Code" means the *Building Code Act*, 1992, S.O. 1992, c.23 as amended or superseded;

"other multiple dwelling units" means all dwelling units other than single detached dwelling units, semi-detached dwelling units, and apartment dwelling units. It does include, but is not limited to, back-to-back townhouse dwellings, row dwellings and the residential component of live/work units;

"owner" means the owner of land or a person who has made application for an approval for the development of land;

"parking structure/garage" means a building provided exclusively for the purpose of vehicle parking;

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

"predominant use" means use of a development that is greater than 50% of GFA. GFA for the purpose of calculating predominant use considers only the non-residential use excluding any common area and residential uses. For clarity, the calculation compares the GFA values of retail versus non-residential/non-retail uses.

"rental housing" means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises;

"residential development" means land, buildings or portions thereof used, designed or intended to be used as living accommodations for one or more individuals, and shall include a single detached dwelling, a semi-detached dwelling, an other multiple dwelling unit, an apartment dwelling unit, a special care/special dwelling unit, an accessory dwelling, and the residential portion of a mixed-use building;

"residential use" means lands, buildings, or structures designed or intended to be used as living accommodation for one or more individuals;

"retail use" means land, buildings or portions thereof used, designed or intended for use for the purpose of:

- (i) offering foods, wares, merchandise, substances, articles or things for sale directly or
- (ii) providing entertainment to the public and includes the rental of wares, merchandise, substances, article or things
- (iii) offices and storage in connection with or related or ancillary to such retail uses.

Retail uses include, but are not limited to:

- (iv) conventional restaurants, fast food restaurants, concert halls, theatres, cinemas, movie houses, automotive fuel stations with or without service facilities, specialty automotive shops, auto repairs, collision services, car or truck washes, auto dealerships, shopping centres, including more than two stores attached and under one ownership, department/discount stores, banks and similar financial institutions, including credit unions (excluding freestanding bank kiosks), warehouse clubs and retail warehouses;

"retail warehouse" means the storage of a seller's inventory and/or the place where online orders are fulfilled. Retail warehouses typically serve functions in the retail supply chain, from storage to packaging and delivering goods to consumers.

"school board" means a board as defined in Section 1(1) of the *Education Act*;

"semi-detached dwelling unit" means a dwelling unit in a residential building consisting of two dwelling units having one vertical wall, but no other parts, attached to another dwelling unit where the residential units are not connected by an interior corridor;

“**services**” means services designated in this By-law;

“**shell building**” means, for the purpose of this by-law, a non-residential building or structure for which at the time a building permit is ready to be issued, the use of the non-residential building or units within the building or structure has not been determined.

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

“**special care/special need dwelling unit**” means a unit intended for residential use, in a building containing more than three (3) such units, which units have a common enclosed entrance, where the occupants have the right to use in common halls, stairs, yards, common rooms and accessory buildings, which units may or may not have exclusive sanitary and/or culinary facilities and are designed to accommodate individuals with special needs, including an independent long-term living arrangement, where support for services such as meal preparation, grocery shopping, laundry, housekeeping, nursing, respite care and attendant services are provided at various levels;

“**stacked townhouse dwelling**” means a building containing two or more dwelling units where each dwelling unit is separated horizontally and/or vertically from another dwelling unit by a common wall or floor.

“**temporary building or structure**” means a building or structure which is designed, used or intended for non-residential uses that is constructed, erected or placed upon lands and which is demolished or removed from the lands within three (3) years of building permit issuance (or such extended term permitted by the City) and includes, but is not limited to, sales offices, office trailers, industrial tents, and temporary or seasonal structures such as tents, awnings and environmental coverings.

2. Designation of Services

The services for which development charges are imposed under this By-law are as follows:

- a) Protection
- b) Services Related to a Highway – Roads and Related
- c) Services Related to a Highway - Public Works and Fleet
- d) Transit
- e) Parks and Recreation
- f) Library Services
- g) Ambulance Services
- h) Long-term Care
- i) Waste Diversion
- j) Water Services – Facilities
- k) Water Services – Facilities Related Debt
- l) Wastewater Services – Facilities
- m) Wastewater Services – Facilities Related Debt
- n) Water Services – Distribution Systems – Salem & Hewitt’s Secondary Plan Areas
- o) Wastewater Services – Collection Systems – Salem & Hewitt’s Secondary Plan Areas
- p) Water Services – Distribution Systems – Former City Municipal Boundary Areas
- q) Wastewater Services – Collection Systems – Former City Municipal Boundary Areas
- r) Stormwater Drainage and Control Services – Former City Municipal Boundary Areas

3. Lands Affected

Where permitted pursuant to the provisions of the *Development Charges Act*, 1997, and not otherwise prohibited by such Act, or otherwise exempted by the provisions of this By-law, this By-law applies to all land, buildings and structures within the City of Barrie.

4. Approvals for Development

- a) Development Charges shall be imposed on all land, buildings or structures that are developed for Residential or Non-Residential Uses if the Development requires:
 - (i) the passing of a Zoning By-law or of an amendment to a Zoning By-law under section 34 of the Planning Act;
 - (ii) the approval of a minor variance under section 45 of the Planning Act;
 - (iii) a conveyance of land to which a by-law passed under subsection 50(7) of the Planning Act applies;
 - (iv) the approval of a plan of subdivision under section 51 of the Planning Act;

- (v) a consent under section 53 of the Planning Act;
 - (vi) the approval of a description under section 9 of the Condominium Act, S.O. 1998, c. C.19, as amended, or any successor thereof; or
 - (vii) the issuing of a permit under the Building Code Act in relation to a building or structure.
- b) No more than one development charge for each Service designated in section 2 shall be imposed upon any land, buildings or structures to which this By-law applies even though two or more of the actions described in section 4(a) are required before the land, buildings or structures can be developed.
 - c) Despite section 4(b), if two or more of the actions described in section 4(a) occur at different times, and if the subsequent action has the effect of increasing the need for municipal services as designated in this by-law, an additional development charge shall be calculated in accordance with the provisions of this by-law.

5. Calculation of Development Charges

- a) Subject to the provisions of this by-law, development charges against land shall be calculated and collected in accordance with the rates set out in Schedule B as applicable.
- b) The development charge with respect to the use of any land, buildings or structures shall be calculated as follows:
 - i. in the case of residential development or redevelopment, or the residential portion of a mixed-use development, based upon the number and type of dwelling units;
 - ii. in the case of non-residential development or redevelopment, or the non-residential portion of a mixed-use development or redevelopment, based on the gross floor area of such development or redevelopment.
- c) If at the time a building permit is ready to be issued for a Shell Building and the use of a non-residential building or units within the non-residential building has not been determined, the Treasurer or his/her designate may, in their discretion, and at the request of the owner, permit the owner to pay the lower development charges where the owner agrees to:
 - i. enter into a deferral agreement with the City to defer an amount of development charges equivalent to the difference between the probable lower charge and higher charge applicable to the development, on terms satisfactory to the Treasurer or his/her designate;
 - a) Where the Treasurer or his/her designate, determines that the building or unit within the building has a first use subject to the lower development charges that portion of the deferral agreement will be revoked.
 - b) Where the Treasurer or his/her designate, determines that the building or unit within the building has a first use subject to development charges that are higher than the lower development charges, the City's terms and conditions of the deferral agreement will become effective.

6. Phase-in of Development Charges

Development charges shall be phased in accordance with the requirements of the Act.

7. Amount of Development Charges

- a) Residential

The Development Charges set out in Schedule B shall be imposed on Residential Uses of land, buildings or structures, including a Dwelling Unit accessory to a Non-Residential Use and, in the case of a mixed use building or structure, on the Residential Uses in the mixed use building or structure, including the residential component of a Live/Work unit, according to the type of residential unit and calculated with respect to each of the Services according to the type of Residential Use.

- b) Non-Residential

The Development Charges set out in Schedule B shall be imposed on Non-Residential Uses of land, buildings or structures and in the case of a mixed-use building, on the non-residential component of the mixed-use building, including the non-residential component of a Live/Work unit, according to the type and gross floor area of the non-residential component.

8. Timing of Calculation and Payment of Development Charges

- a) Subject to the exemptions set out in this By-law or by statute or regulation, development charges shall be calculated and payable in full in money or by provision of services as may be agreed upon, or by credit granted by the Development Charges Act, 1997 on the date that the first building permit including a conditional permit is issued in relation to a building or structure on land to which a development charge applies with respect to any new or additional gross floor area or any additional dwelling units, or in a manner or at a time otherwise lawfully agreed upon.
- b) Where development charges apply to land in relation to which a building permit is required, the building permit shall not be issued until the development charge has been paid in full.
- c) Notwithstanding subsections (a) and (b), the calculation and payment of development charges may be deferred for any permit or conditional permit that authorizes the construction of only the underground portions of a building.
- d) Notwithstanding subsections (a), (b), and (c), a residential development charge with respect to:
 - (i) Services Related to a Highway (formerly Roads);
 - (ii) Water Services – Facilities;
 - (iii) Water Services - Facility Related Debt;
 - (iv) Wastewater Services – Facilities;
 - (v) Wastewater Services - Facilities Related Debt;
 - (vi) Former City Municipal Boundary Areas (where applicable):
 - a. Stormwater Drainage and Control Services
 - b. Water Services – Distribution Systems
 - c. Wastewater Services – Collection Systems
 - (vii) Salem & Hewitt's Secondary Plan Areas (where applicable):
 - a. Water Services – Distribution Systems
 - b. Wastewater Services – Collection Systems,

as set out in Schedule “B” attached, are payable, with respect to an approval of a plan of subdivision, immediately upon entering into the subdivision agreement, based upon the number and type of residential lots created.
- e) Development Charges will be calculated at the current rate in effect on the day prior to issuance of the building permit or revision to building permit
- f) If construction has not begun after 24 months from the date of issuance of a building permit (conditional or full), a top-up to the rate in effect at that time will apply
- g) Notwithstanding section 8 (a), development charges for rental housing and institutional developments in accordance with Section 26.1 of the *Development Charges Act, 1997*, are due inclusive of interest established from the date the development charge would have been payable in accordance with section 26 of the *Development Charges Act, 1997*, in 6 equal annual payments beginning on the date that is the earlier of:
 - i. the date of the issuance of a permit under the *Building Code Act, 1992* authorizing occupation of the building; and
 - ii. the date the building is first occupied.

and continuing on the following five anniversaries of that date.

- i) Where the development of land results from the approval of a site plan or zoning by-law amendment application received on or after January 1, 2020, and the approval of the application occurred within two years of building permit issuance, the development charges under section 7 shall be calculated on the rates set out in Schedule B on the date of the planning application, including interest. Where both planning applications apply, development charges under section 7 shall be calculated on the rates in effect on the day of the later planning application, including interest.

9. Indexing of Development Charges

The development charges set out in Schedule B of this By-law shall be adjusted annually without amendment to this By-law, commencing on January 1, 2024, by the percentage change during the preceding year, as recorded in the Statistics Canada's Construction Cost Index (3rd Quarter - non-residential building – table 18-10- 0135-01), as may be amended or replaced from time to time.

10. Accounting for Development Charges

- a) Any development charges paid pursuant to this By-law shall be maintained separately from all other revenues or receipts of the City.
- b) The Treasurer of the City shall maintain these monies in separate reserve funds as set out in section 2 “Designation of Services” of this By-law for the services identified in this By-law and shall only permit the monies to be expended in accordance with the provisions of s.35 of the *Development Charges Act, 1997*:

- c) The Treasurer shall provide the Council with an annual statement, on a date directed by the Council, in respect of the reserve funds established under this By-law. This statement shall contain the required information, as set out in s.s.12(1) of O.Reg. 82/98.

11. Exemptions and Discounts

- a) Notwithstanding the provisions of this By-law, development charges shall not be imposed with respect to developments or portions of developments as follows:
- (i) The enlargement to an existing residential dwelling unit;
 - (ii) One or two additional dwelling units in an existing or to be constructed single detached dwelling or prescribed ancillary structure to the existing residential building;
 - (iii) The creation of additional dwelling units equal to the greater of one or 1% of the existing dwelling units in an existing residential rental building containing four or more dwelling units or prescribed ancillary structure to the existing residential building;
 - (iv) The creation of one additional dwelling unit in any other existing or to be constructed residential building, such as a semi-detached or row dwelling or prescribed ancillary structure to the existing residential building; or
 - (v) Notwithstanding subsection (ii) above, development charges shall be imposed if the total gross floor area of the additional one or two units exceeds the gross floor area of the existing dwelling unit.
 - (vi) Notwithstanding subsection (iv) above, development charges shall be imposed if the additional unit has a gross floor area greater than:
 - (a) In the case of a semi-detached or row dwelling, the gross floor area of the existing smallest 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.
 - (viii) Land owned by and used for the purposes of The Corporation of the City of Barrie, any other municipality, the Simcoe County District School Board, the Simcoe-Muskoka Catholic District School Board (and any other school board defined in section 1(1) of the *Education Act*), or any local board or commission;
 - (ix) Non-profit housing development.
 - (x) Inclusionary zoning residential units in respect of residential units that are affordable housing units required to be included in a development or redevelopment pursuant to a by-law passed under section 34 of the *Planning Act* to give effect to the policies described in subsection 16 (4) of that Act. 2022, c. 21, Sched. 3, s. 4 .
 - (x) Temporary Buildings or Structures shall be exempt from the provisions of this By-law. In the event that a Temporary Building or Structure becomes protracted, it shall be deemed not to be nor ever to have been a Temporary Building or Structure, and the Development Charges rate acquired to be paid under this By-law shall become payable on the date the Temporary Building or Structure becomes Protracted.
 - (xi) Institutional development of land, buildings or structures owned by a College of applied arts and technology established pursuant to the *Ministry of Training, Colleges and Universities Act*, R.S.O. 1990, c. M. 19, and used for teaching-related purposes on lands owned by and used for the purposes of the College but does not include student residences;
 - (xii) Institutional development of land, buildings or structures owned by a university established by an Act of the Legislative Assembly of Ontario, and used for teaching-related purposes on lands owned by and used for the purposes of the University, but does not include student residences;
 - (xiii) No development charge shall be imposed on development constituting one or more enlargements of an existing industrial building as defined herein, where attached, up to a maximum of fifty percent (50%) of its gross floor area of the existing industrial building.
 - a) Where a proposed enlargement exceeds fifty percent (50%) of the gross floor area of an existing industrial building, development charges are payable on the amount by which the proposed enlargement exceeds fifty percent (50%) of the gross floor area before the enlargement.

- b) The cumulative total of the gross floor area previously exempted hereunder shall not be included in the determination of the amount of the exemption applicable to any subsequent enlargement and shall be calculated on the basis of the site as it existed on the date immediately prior to the first exemption hereunder.
 - c) Where a subdivision of the site subsequent to any enlargement previously exempted hereunder results in the existing industrial building being on a lot separate from the development previously, further exemptions, if any, pertaining to the existing industrial building shall be calculated on the basis of the site as it existed on the date immediately prior to the first exemption hereunder.
- b) If a development involves the demolition of and replacement of a building or structure within 60 months of the demolition permit being issued, or the conversion from one principal use to another, the developer shall be allowed a credit equivalent to:
- (i) the number of dwelling units demolished/converted multiplied by the applicable residential development charge in place at the time the development charge is payable; and/or
 - (ii) the gross floor area of the building demolished/converted multiplied by the current non-residential development charge in place at the time the development charge is payable. The credit can, in no case, exceed the amount of the development charge that would otherwise be payable;

provided that such amounts shall not exceed, in total, the amount of the Development Charges otherwise payable with respect to the Redevelopment. For greater certainty, any amount of the reductions set out above that exceed the amount of Development Charges otherwise payable with respect to the Redevelopment shall be reduced to zero and shall not be transferred to any other Development or Redevelopment.

- c) Where a building or structure ("former premises") is released by another building or structure on the same site prior to demolition of the former premises, the owner of the building or structure who has paid a development charge on the construction of the replacement building may submit a request to the Treasurer of the Finance Department for a refund from the development charge reserve funds for all or part of the development charge paid under this by-law, or a predecessor by-law. The refund shall be granted so long as:
- (i) the former premises is lawfully demolished or removed from the land within thirty-six (36) months from the date the interior final inspection process has been closed by the Chief Building Official or an occupancy permit has been issued where applicable for the replacement building or structure; and
 - (ii) the replacement building uses the existing municipal service which serviced the former premises.

The refund shall be calculated by determining the development charge that would be payable at the current rate at the time the demolition permit is issued, in respect of the former premises (by using the applicable current rate for the particular type of non-residential premises or dwelling units demolished) as if those former premises were currently being constructed, erected or placed for the first time. The refund shall be paid after confirmation that the former premises have been demolished.

- d) The following designated categories of uses are subject to discounted development charges as noted below:
- (i) notwithstanding the table of development charges set out Schedule B, development of lands owned by a non-profit institution for institutional uses by the non-profit institution for their own purposes as to 50% of the development charge chargeable;
 - (ii) notwithstanding the table of development charges set out in Schedule B, one accessory building to an existing industrial building be charged \$35.43 per square metre subject to indexing in accordance with Section "9" "Indexing of Development Charges";
 - (iii) notwithstanding the table of development charges set out in Schedule B, in the case of rental housing development, the development charge for a residential unit intended for use as a rental residential premises with three or more bedrooms shall be reduced by 25%;
 - (iv) notwithstanding the table of development charges set out in Schedule B, in the case of rental housing development, the development charge for a residential unit intended for use as a rental residential premises with two bedrooms shall be reduced by 20%;
 - (v) notwithstanding the table of development charges set out in Schedule B, in the case of rental housing development, the development charge for a residential unit intended for use as a rental residential premises not referred to in section (iii) or (iv) above shall be reduced by 15%.

12. By-law Registration

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

13. By-law Administration

This By-law shall be administered by the Treasurer of The Corporation of the City of Barrie.

14. Short Title

This By-law may be referred to as the Barrie City-Wide and Area Specific Development Charges By-law.

15. Date By-law Effective

This By-law comes into force on the date following the date of its passage by the Council of the Corporation of the City of Barrie.

16. Headings

The headings in this By-law form no part of this By-law and shall be deemed to be inserted for convenience of reference only.

17. Severability

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.

18. Schedules

The following schedules shall form part of this By-law:

Schedule "A"	Components of Services Designated in Section 2
Schedule "B"	Residential and Non-Residential Development Charges
Schedule "C"	Map of Former City Municipal Boundary Areas
Schedule "D"	Map of Salem Secondary Plan Area
Schedule "E"	Map of Hewitt's Secondary Plan Area

19. By-laws 2019-055 and 2021-059

By-laws 2019-055 and 2021-059 and all amendments thereto are hereby repealed on the date this By-law comes into effect.

20. Expiry

This By-law shall expire and be deemed to be repealed on June 21, 2033, unless repealed earlier.

READ a first and second time this 21st day of June 2023.

READ a third time and finally passed this 21st day of June 2023.

THE CORPORATION OF THE CITY OF BARRIE

"ORIGINAL SIGNED"

MAYOR – A. NUTTALL

"ORIGINAL SIGNED"

CITY CLERK – WENDY COOKE

By-law Number 2023-074

SCHEDULE "A"
COMPONENTS OF SERVICES/CLASSES OF SERVICES
DESIGNATED IN SUBSECTION 2.1

Area Specific – Former City Municipal Boundary Areas

Stormwater Drainage and Control Services
 Water Services
 Distribution Systems
 Wastewater Services
 Collection Systems

Area Specific - Salem & Hewitt's Secondary Plan Areas

Water Services
 Distribution Systems
 Wastewater Services
 Collection Systems

Municipal Wide D.C.-Eligible Services

Water Services
 Facilities
 Facilities Related Debt
 Wastewater Services
 Facilities
 Facilities Related Debt
 Services Related to a Highway
 Roads
 Transit
 Transit Facilities
 Transit Vehicles
 Transit Shelters
 Library Services
 Public Facilities
 Library Collection Materials
 Parks and Recreation
 Parkland Development
 Parks Vehicles and Equipment
 Waste Diversion
 Waste Diversion Facilities
 Waste Diversion Vehicles & Equipment
 Waste Diversion Carts & Containers
 Long Term Care
 Long-term Care Facilities
 Ambulance Services
 Facilities, Vehicles and Equipment

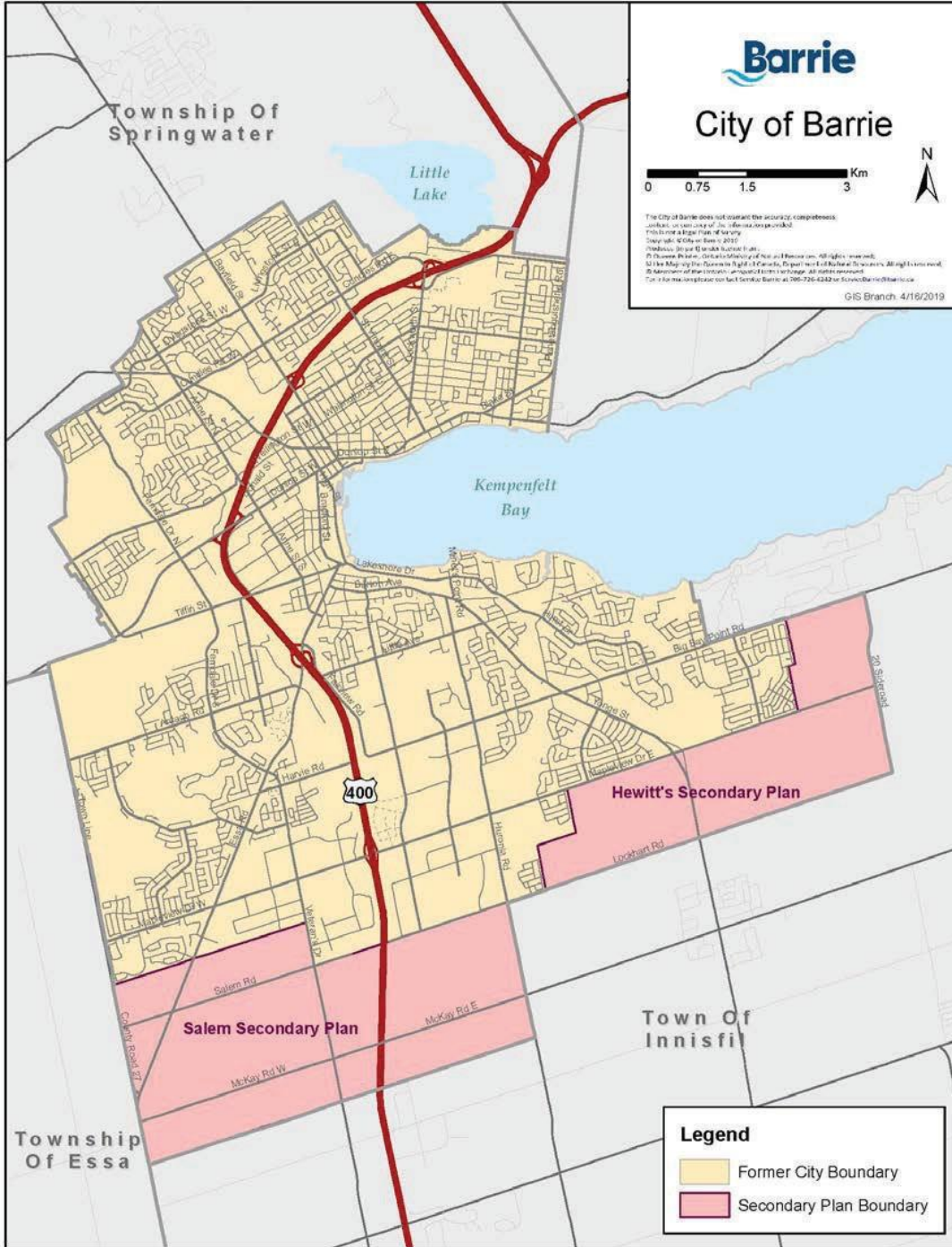
Municipal-Wide D.C.-Eligible Classes

Public Works
 Services Related to a Highway
 Water Services
 Wastewater Services
 Stormwater Services
 Protection
 Fire Facilities
 Fire Vehicles
 Fire Small Equipment and Gear
 Police Facilities
 Police Vehicles
 Police Small Equipment and Gear

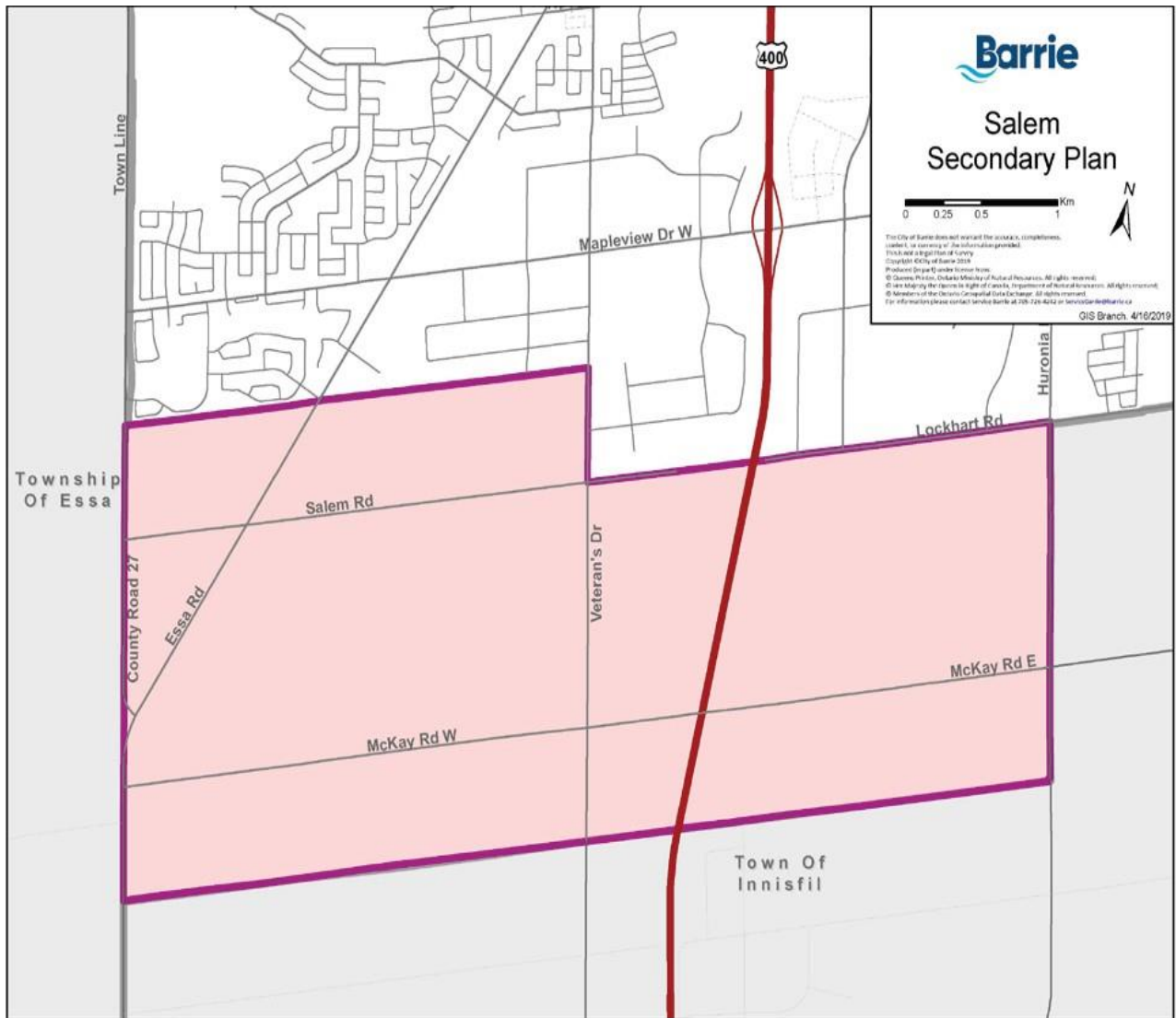
**By-law Number 2023-074
SCHEDULE "B"
Residential and Non-residential Development Charges**

Service	RESIDENTIAL \$/UNIT					NON-RESIDENTIAL \$/M ²	
	Single & Semi-Detached	Other Multiples	Apartments 2+ Bedrooms	Apartments Bachelor and 1 Bedroom	Special Care/ Special Dwelling Units	Retail	Non-Retail
Library Services	\$1,425	\$1,068	\$892	\$580	\$446	\$0.00	\$0.00
Protection Services	\$2,227	\$1,669	\$1,394	\$906	\$697	\$14.21	\$7.99
Parks And Recreation	\$14,303	\$10,719	\$8,951	\$5,818	\$4,476	\$0.00	\$0.00
Services Related To A Highway: Public Works And Fleet	\$2,030	\$1,521	\$1,270	\$826	\$635	\$12.60	\$7.25
Transit Services	\$1,861	\$1,394	\$1,164	\$757	\$582	\$12.81	\$7.24
Long Term Care Services	\$137	\$102	\$86	\$56	\$43	\$0.00	\$0.00
Ambulance Services	\$500	\$374	\$313	\$203	\$156	\$2.90	\$1.79
Waste Diversion Services	\$1,153	\$864	\$722	\$469	\$361	\$7.33	\$4.12
Services Related To A Highway: Roads	\$55,293	\$41,440	\$34,604	\$22,493	\$17,302	\$362.94	\$209.89
Water Services - Facilities	\$299	\$224	\$187	\$122	\$94	\$2.00	\$1.16
Water Services - Facilities Related Debt	\$5,716	\$4,284	\$3,577	\$2,325	\$1,788	\$38.56	\$22.31
Wastewater Services - Facilities	\$8,633	\$6,470	\$5,403	\$3,512	\$2,701	\$56.61	\$32.73
Wastewater Services - Facilities Related Debt	\$4,694	\$3,518	\$2,937	\$1,909	\$1,469	\$32.43	\$18.75
TOTAL CITY-WIDE CHARGE PER UNIT	\$98,271	\$73,647	\$61,500	\$39,976	\$30,750	\$542.41	\$313.22
FORMER MUNICIPAL BOUNDARY							
Stormwater Drainage And Control Services	\$5,855	\$4,388	\$3,664	\$2,382	\$1,832	\$14.69	\$10.04
Water Services - Distribution Systems	\$2,128	\$1,595	\$1,332	\$866	\$666	\$14.34	\$8.74
Wastewater Services - Collection Systems	\$5,620	\$4,212	\$3,517	\$2,286	\$1,759	\$36.25	\$22.32
Subtotal Former Boundary per Unit	\$13,603	\$10,195	\$8,513	\$5,534	\$4,257	\$65.28	\$41.10
Subtotal City-Wide Charge Per Unit	\$98,271	\$73,647	\$61,500	\$39,976	\$30,750	\$542.41	\$313.22
TOTAL FORMER MUNICIPAL BOUNDARY PER UNIT	\$111,874	\$83,842	\$70,013	\$45,510	\$35,007	\$607.69	\$354.33
SALEM & HEWITT'S SECONDARY PLAN AREA							
Water Services - Distribution Systems	\$14,846	\$11,126	\$9,291	\$6,039	\$4,645	\$103.25	\$41.92
Wastewater Services - Collection Systems	\$12,960	\$9,713	\$8,111	\$5,272	\$4,055	\$89.99	\$36.54
Subtotal Salem & Hewitt's per Unit	\$27,806	\$20,839	\$17,402	\$11,311	\$8,700	\$193.23	\$78.46
Subtotal City-Wide Charge Per Unit	\$98,271	\$73,647	\$61,500	\$39,976	\$30,750	\$542.41	\$313.22
TOTAL SALEM & HEWITT'S BOUNDARY PER UNIT	\$126,077	\$94,486	\$78,902	\$51,287	\$39,450	\$735.64	\$391.69

By-law Number 2023-074
SCHEDULE "C"
Map of Former City Municipal Boundary Areas



By-law Number 2023-074
SCHEDULE "D"
Map of Salem Secondary Plan Area



By-law 2023-074
SCHEDULE "E"
Map of Hewitt's Secondary Plan Area

