THE CORPORATION OF THE TOWN OF GEORGINA
IN THE
REGIONAL MUNICIPALITY OF YORK

BY-LAW NO. 2018-0080 (AD-5)

A BY-LAW TO IMPOSE AREA-SPECIFIC DEVELOPMENT CHARGES IN THE TOWN OF GEORGINA FOR THE QUEENSWAY EAST AND WEST SERVICE AREA

WHEREAS subsection 2(1) of the *Development Charges Act, 1997* (the Act) provides that the Council of a municipality may pass by-laws for the imposition of development charges against land to pay for increased capital costs because of increased need for services arising from the development of the area to which the by-law applies;

AND WHEREAS the Council of the Town of Georgina has given notice in accordance with section 12 of the Act, of its intention to pass a by-law under section 2 of the said Act;

AND WHEREAS a development charges background study has been prepared by Hemson Consulting Ltd. dated July 9, 2018 ("the background study"), wherein the background study indicated that the Town has determined development of land in Queensway East and West will increase the need for services;

AND WHEREAS copies of the background study and the proposed development charges by-law were made available on July 11, 2018 to the public in accordance with section 12 of the Act;

AND WHEREAS the Council of the Town of Georgina held a public meeting on August 15, 2018 to consider the enactment of a development charge by-law, in accordance with section 12 of the Act;

AND WHEREAS the Council of the Town of Georgina has heard all persons who applied to be heard and received written submissions whether in objection to, or in support of, the development charges proposal at a public meeting held on August 15, 2018;

AND WHEREAS by resolution adopted by Council of the Town of Georgina on August 15, 2018, Council has indicated that it intends to ensure that the increase in the need for services attributable to the anticipated development, including any capital costs, will be met, by updating its capital budget and forecast where appropriate;

AND WHEREAS by resolution adopted by Council of the Town of Georgina on August 15, 2018, Council determined that no further public meetings were required under section 12(3) of the Act.

NOW THEREFORE the Council of the Town of Georgina enacts as follows:

DEFINITIONS

1. In this by-law,

(1) "Act" means the *Development Charges Act, 1997, as amended*;

(2) "accessory use" means a use, building or structure, that is naturally and normally incidental, subordinate in purpose or floor area or both, and exclusively devoted to a principal use of the land, building or structure on the same lot;

(3) "air-supported sport structure" means an air-supported sport structure as defined in O.Reg. 403/97 under the *Building Code Act*, 1992, S.O. 1992, c.23, as amended or successor legislation;

(4) "apartment unit" means any residential dwelling unit with a building containing more than four dwelling units where the residential units are connected by an interior corridor;

(5) "band" means a body of First Nations

(a) for whose use and benefit in common, lands, the legal title to which is vested in Her Majesty, have been set apart before, on or after September 4, 1951,

(b) for whose use and benefit in common, moneys are held by Her Majesty, or

(c) declared by the Governor in Council to be a band for the purposes of the Indian Act, R.S.C., 1985, C. I-5;

(6) "bedroom" means a habitable room larger than seven (7) square metres, including a den, study or other similar area, but does not include a living room, dining room or kitchen;

(7) "benefitting area" means an area defined by a map, plan or legal description in a front-ending agreement as an area that will receive a benefit from the construction of a service;

(8) "Board of Education" has the same meaning as that specified in sub-section 1(1) of the *Education Act*;

(9) "building" means a structure occupying an area greater than ten square metres ($10m^2$) consisting of a wall, roof and floor or any of them or structural system serving the function thereof, including above grade storage tanks, air-supported sport structures and industrial tents;

(10) "capital cost" means costs incurred or proposed to be incurred by the municipality or a local board thereof directly or by others on behalf of, and as authorized by, a municipality or local board,

(a) to acquire land or an interest in land, including a leasehold interest,

(b) to improve land,

(c) to acquire, lease, construct or improve buildings or structures,

(d) to acquire, lease, construct or improve facilities including, but not limited to:

(i) rolling stock, with an estimated useful life of seven years or more,

(ii) furniture and equipment, other than computer equipment,

(iii) machinery, and

(iv) materials acquired for circulation, reference or information purposes by a library board as defined in the *Public Libraries Act.*

(e) to undertake studies in connection with any matter under the Act and any of the matters in clauses (a) to (d),

(f) required for the provision of services designated in this by-law within or outside the municipality, including interest on borrowing to pay for costs under clauses (a), (b), (c) and (d) that are development-related;

(11) "Chief Building Official" means the chief building official appointed or constituted within the municipality under section 3 or 4 of the Ontario Building Code Act, 1992, S.O. 1992, c. 23

(12) "Council" means the Council of the municipality;

(13) "derelict building" means a building or structure that is vacant, neglected, poorly maintained, and unsuitable for occupancy which may include a building or structure that:

(a) is in a ruinous or dilapidated condition;

(b) the condition of which seriously depreciates the value of land or buildings in the vicinity;

(c) is in such a state of non-repair as to be no longer suitable for human habitation or business purposes;

(d) is an allurement to children who may play there to their danger;

(e) constitutes a hazard to the health or safety of the public;

(f) is unsightly in relation to neighbouring properties because the exterior finish of the building or structure is not maintained, or;

(g) is a fire hazard to itself or to surrounding lands or buildings;

(14) "development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes redevelopment;

(15) "development charge" means a charge imposed under this by-law, pursuant to the Act;

(16) "dwelling unit" means any part of a building or structure used, designed or intended to be used as a domestic establishment in which one or more persons may sleep and are provided with culinary and sanitary facilities which include, at a minimum, a kitchen sink, stove, fridge, a toilet and a sink for the exclusive use with the toilet;

(17) "farm building" means that part of a bona fide farming operation encompassing barns, silos and other ancillary development to an agricultural use, but excluding a residential use;

(18) "front-ending agreement" means an agreement made under Section 44 of the *Act* between the municipality and any or all owners within a benefitting area providing for the costs of services for which there will be an increased need for a service or services as a result of development to be borne by one or more of the parties to the agreement and providing for persons who, in the future, develop land within the area defined in the agreement to pay an amount to reimburse some part of the costs of the work;

(19) "grade" means the average level of finished ground adjoining a building or structure at all exterior walls;

(20) "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.

In the case of a non-residential building or structure, or in the case of a mixed-use building or structure in respect of the non-residential portion thereof, the following areas are not included in the gross floor:

(a) a room or enclosed area within the building or structure above or below grade that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical or telecommunications equipment that service the building;

(b) loading facilities above or below grade; and

(c) a part of the building or structure below grade that is used for the parking of motor vehicles or for storage;

(21) "First Nations' Land" mean a tract of land, the legal title to which is vested in Her Majesty, that has been set apart by Her Majesty for the use and benefit of a band.

(22) "industrial" means lands, buildings or structures used or designed or intended for use for manufacturing, processing, fabricating or assembly of raw goods, warehousing or bulk storage of goods, and includes office uses 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;

(23) "local board" means a school board, municipal service board, transportation commission, public library board, board of health, police services board, planning board, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of a municipality or of two or more municipalities or parts thereof, other than a board as defined in subsection 1(1) of the *Education Act.*

(24) "local services" means those services, facilities or things which are under the jurisdiction of the municipality and are directly related to a plan of subdivision or within the area to which the plan relates or are installed or paid for the by the owner as a condition of approval under s.53 of the *Planning Act*;

(25) "mixed-use" means land, buildings or structures used, or designed or intended for use, for a combination of non-residential and residential uses;

(26) "multiple dwellings" means all dwellings other than single detached dwellings, semi-detached dwellings and apartment house dwellings;

(27) "municipality" means The Corporation of the Town of Georgina;

(28) "non-residential use" means a building or structure used for other than a residential use;

(29) "official plan" means the Official Plan of the Town of Georgina and any amendments thereto;

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

(31) "place of worship" means that part of a building or structure that is exempt from taxation as a place of worship under the *Assessment Act*;

(32) "Queensway East and West Service Area" refers to the benefitting lands for which development charges apply, as shown in Schedule "C" to this by-law;

(33) "rate" means the interest rate established weekly by the Bank of Canada for treasury bills having a term of 30 days;

(34) "redevelopment" means the construction, erection or placing of one or more buildings or structures on land where all or part of a building or structure has previously been demolished on such land, or changing the use of a building or structure from a residential use to a non-residential use or from a non-residential use to a residential use, or changing a building or structure from one form of residential use to another form of residential use or from one form of non-residential use to another form of non-residential use;

(35) "regulation" means any regulation made pursuant to the *Act;*

(36) "residential use" means land or building or structures of any kind whatsoever used, designed or intended to be used as living accommodations for one or more individuals;

(37) "rural areas" means those areas within the municipality not connected to a municipal sanitary sewerage and/or water distribution system or to lands where such systems are available for connection;

(38) "seasonal air-supported sport structure" means an air-supported structure that is raised and/or erected for a maximum of six months in any given year to allow for the use of an outdoor sports field or portion thereof during the winter season for sports-related activities;

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

(40) "services" (or "service") means those services designated in Schedule "A" to this by-law or specified in an agreement made under Section 44 of the Act;

(41) "services in lieu" means those services specified in an agreement made under Section 8 of this by-law;

(42) "servicing agreement" means an agreement between a landowner and the municipality relative to the provision of municipal services to specified lands within the municipality;

(43) "single detached dwelling unit" means a residential building consisting of one dwelling unit and not attached to another structure;

(44) "subsidized housing units" means any residential use declared by resolution of Council to be subsidized housing;

(45) "temporary building or structure" means a building or structure used, designed or intended for a non-residential use that is constructed or placed upon lands and which is demolished or removed from the lands within three years of building permit issuance, including but not limited to sales trailers, office trailers and industrial tents, provided that such a building or structure meets the aforementioned criteria, and includes an accessory building not exceeding 100 square metres of residential gross floor area that is inhabited by the parents of the homeowner who are over the age of 65 years;

(46) "urban areas" means those areas within the municipality connected to a municipal sanitary sewerage and/or water distribution system and/or to lands where such systems are available for connection;

SCHEDULE OF DEVELOPMENT CHARGES

2. (1) Subject to the provisions of this by-law, development charges against land in the Queensway East and West Service Area shall be calculated and collected in accordance with the base rates set out in Schedule "B", for the services set out in Schedule "A".

(2) The development charges with respect to any development shall be calculated as follows:

(a) in the case of residential development, or the residential portion of a mixed-use development, based upon the number and type of dwelling units;

(b) in the case of non-residential development, or the non-residential portion of a mixed-use development, based upon the gross floor area of such development, with the exception of any enlargement of the gross floor area of an existing industrial building which is 50% or less than the gross floor area of the existing building.

(3) Council hereby determines that any development within the Queensway East and West Service Area requires the provision, enlargement, expansion or improvement of the services referenced in Schedule "A" to this by-law.

(4) The rates set out in Schedule "B" of this by-law are applicable in addition to any rates and requirements as set out in by-law 2016-0054 (AD-5).

APPLICABLE LAND

3. (1) Subject to subsections (2), (3), (4), (5), (6) and (7) this by-law applies to all lands in the Queensway East and West Service Area, whether or not the land or use is exempt from taxation under Section 3 of the *Assessment Act*.

(2) This by-law shall not apply to land that is :

(a) owned by a board of education as defined under Subsection 1(1) of the *Education Act*;

(b) owned by any municipality or local board thereof; and,

(c) First Nations' lands.

(3) This by-law shall not apply to land that is used for the purpose of:

(a) the development of a non-residential farm building used for bona fide agricultural purposes;

(b) a place of worship and land used in connection therewith, which shall include only the grounds of the place of worship, a cemetery or burial grounds exempt from taxation under the *Assessment Act*.

(4) This by-law shall not apply to development creating or adding an accessory use not exceeding 10 square metres of non-residential gross floor area.

(5) Despite any other provision of this by-law, where, as a result of the redevelopment of land, a building or structure existing on the land within 60 months prior to the date of payment of development charges in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

(a) in the case of a residential building or structure, or in the case of residential units in a mixed-use building or structure, an amount calculated by multiplying the applicable development charge under Schedule "B" of this by-law with the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and

(b) in the case of a non-residential building or structure or, in the case of a mixed-use building or structure, the non-residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charges under Schedule "B" of this by-law by the gross floor area that has been or will be demolished or converted to another principal use;

provided that such amounts shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment.

(6) Notwithstanding section 3(5), where the Council of the municipality deems:

(a) a property to contain a derelict building or structure; and

(b) that it is in the best interest of the community for the derelict building to be demolished;

the Council of the municipality may extend the reduction of development charges to a maximum of 120 months from the date of demolition permit to the date of the building permit to facilitate the redevelopment. All other provisions in section 3(5) shall apply.

(7) This by-law shall not apply to that category of exempt development described in the Act, Subsection 2(3) and Section 2 of O.Reg. 82/98, namely:

(a) the enlargement of an existing dwelling unit or the creation of one or two additional dwelling units in an existing detached house where the total gross floor area of the dwelling units or units created does not exceed the gross floor area of the dwelling unit already in the building, or

(b) the creation of one additional dwelling unit in an existing semi-detached or row residential building, provided the gross floor area of the additional dwelling unit does not exceed the gross floor area of the dwelling unit already in the building or

(c) the creation of one additional dwelling unit in any other class of existing residential building, provided the gross floor area of the additional dwelling unit does not exceed the gross floor area of the smallest dwelling unit already in the building.

(8) Notwithstanding subsection 7(a), development charges shall be calculated and collected in accordance with Schedule "B" where the total residential gross floor area of the additional one or two dwelling units is greater than the total gross floor area of the existing dwelling unit.

(9) Notwithstanding subsection 7(b) and (c), development charges shall be calculated and collected in accordance with Schedule "B" where the additional dwelling unit has a residential gross floor area greater than,

(a) in the case of a semi-detached house or row house, the gross floor area of the existing dwelling unit, and

(b) in the case of any other residential building, the residential gross floor area of the smallest dwelling unit contained in the residential unit.

(10) For the purposes of the exemption for enlargement of *existing industrial buildings* set out in section 4 of the Act, the following provisions shall apply;

(a) For the purpose of this subsection 3(9), "gross floor area" and "existing industrial building" shall have the same meaning as those terms have in O.Reg. 82/98 under the *Act*, as amended;

(b) For the purposes of interpreting the definition of "existing industrial building" contained in the regulation, regard shall be had for the classification of the lands pursuant to the *Assessment Act,* R.S.O. 1990, c. A.31 or successor legislation, and in particular whether more than 50 percent of the gross floor area of the building or structure has an industrial tax class code for assessment purposes;

(c) Notwithstanding clause 3(10)(b) above, distribution centres, warehouses other than retail warehouses, the bulk storage of goods and truck terminals shall be considered to be industrial uses or buildings;

(d) The gross floor area of an existing industrial building shall be defined as the gross floor area of the industrial building as it existed prior to the first enlargement in respect of that building for which an exemption under section 4 of the Act is sought or was obtained;

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

(f) The enlargement must not be attached to the existing industrial building by means only of a tunnel, bridge, passageway, canopy, shared below grade connection, such as a service tunnel, foundation, footing or parking facility;

(g) The enlargement shall be for a use for or in connection with an industrial purpose as set out in this by-law;

(h) If the enlargement complies with the provisions of this subsection 3(10) and is equal to 50 percent or less of the gross floor area of an existing industrial building, the amount of the development charge in respect of the enlargement is nil; and

(i) If the enlargement is more than 50 percent of the gross floor area of an existing industrial building, and it otherwise complies with the provisions of this subsection 3(10), the development charge payable in respect of the enlargement is the amount of the development charge that would otherwise be payable multiplied by the fraction as determined as follows:

(i) The amount by which the enlargement exceeds 50 percent of the gross floor area;

(ii) Divided by the amount of the enlargement.

(11) Notwithstanding any other provisions of this by-law, a temporary building or structure shall be exempt from the payment of development charges provided that:

(a) prior to the issuance of the building permit for the temporary building or structure, the owner shall provide to the municipality securities in the form of a certified cheque or bank draft or a letter of credit acceptable to the municipality's Treasurer in the full amount of the development charges otherwise payable;

(b) within three (3) years of building permit issuance or any extension permitted in writing by the municipality's Treasurer or equivalent, the owner shall provide the municipality with evidence, the municipality's satisfaction, that the temporary building or structure was demolished or removed from the lands within three (3) years of building permit issuance or any extension herein provided, whereupon the municipality shall return to the owner the securities provided pursuant to subsection (a), without interest;

(c) the timely provision of satisfactory evidence to the Chief Building Official of the demolition or removal of the temporary building or structure in accordance with subsection (b) shall be solely the owner's responsibility.

(d) in the event that the owner does not provide satisfactory evidence of the demolition or removal of the temporary building or structure in accordance with subsection (b), the temporary building or structure shall be deemed conclusively not to be a temporary building or structure for the purposes of this by-law and the municipality shall, without prior notification to the owner, transfer the funds or draw upon the letter(s) of credit provided pursuant to subsection (a) and transfer the amount so drawn into the appropriate development charges reserve funds; and

APPLICATION, CALCULATION AND COLLECTION OF CHARGE

4. (1) Subject to Subsection (2), development charges shall apply to, and shall be calculated and collected in accordance with the provisions of this by-law on land to be developed, where the development requires:

(a) the passing of a zoning by-law or of an amendment to a zoning by-law 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 Section 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 50 of the *Condominium Act*; or

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

(2) Subsection (1) shall not apply in respect of:

(a) local services, related to a plan of subdivision or within the area to which the plan relates, to be installed or paid for the owner as a condition of approval under Section 51 of the *Planning Act;*

(b) local services to be installed or paid for by the owner as a condition of approval under Section 53 of the *Planning Act*;

LOCAL SERVICE INSTALLATION

5. Nothing in this by-law prevents Council from requiring, as a condition of an agreement under Sections 41, 51 or 53 of the *Planning Act*, that the owner, at his or her own expense, install or pay for such local services related to a plan of subdivision or within the area to which the plan relates and otherwise, as Council may require.

MULTIPLE CHARGES

6. (1) Where two or more of the actions pursuant to the *Planning Act* and as described in Section 4(1) are required before land to which a development charge applies can be developed, only one development charge shall be calculated and collected in accordance with the provisions of this by-law.

(2) Notwithstanding Subsection (1), more than one development charge by-law may apply to the same area and if two or more of the actions described in Section 4(1) occur at different times, and if the subsequent action has the effect of increasing the need for municipal services as designated in Schedule "A", an additional development charge on the additional residential units and/or non-residential floor area, shall be calculated and collected in accordance with the provisions of this by-law.

SERVICES IN LIEU

7. Council may authorize an owner to substitute the whole or such part of the development charge applicable to the owner's development as may be specified in an agreement, through the provision of, at the sole expense of the owner, services in lieu thereof, where such work is related to a service to which this by-law relates. Such agreement shall further specify that where the owner provides services in lieu of the required development charges in accordance with the agreement, Council shall give to the owner a non-transferable credit against the development charge otherwise applicable to the development, equal to the reasonable cost of doing the work as agreed by the municipality and the person who is to be given the credit, provided that such credit shall not exceed the total development charge payable by the owner to the municipality for that particular service.

FRONT-ENDING AGREEMENTS

8. (1) Where a development charge by-law is in force, Council may enter into a front-ending agreement with any or all owners within the benefitting area, providing for the payment by the owner or owners of a front-end payment or for the installation of services by the owners or any combination of front-end payments and installation of services. The cost of the work that will benefit a defined benefitting area is to be borne by one or more of the owners to the agreement who will be reimbursed some part of the costs by the owners who, in the future, develop land within the benefitting area.

(2) An owner is entitled to be given a credit towards a development charge for the amount of his or her non-reimbursable share of the costs of work under a front-ending agreement.

(3) No credit given pursuant to subsection (2) shall exceed the total development charge payable by the owner for that service.

(4) The front-end payment required to be made by the benefitting owner under a front-ending agreement may be adjusted annually, without amendment to this by-law, each October, while this by-law is in force, in accordance with the average Bank of Canada rate applied annually.

DEVELOPMENT CHARGE CREDITS

9. (1) The development charges payable under Section 2 shall be adjusted to account for the full amount of any development charge paid or services provided in lieu thereof in relation to the land in question, pursuant to the terms of an agreement with the municipality under the *Planning Act,* Section 51 or 53.

(2) An owner who has secured the necessary approvals may demolish and replace the existing dwelling units or non-residential floor area and not be subject to the development charges payable under Section 2 with respect to the development being replaced, provided that any additional dwelling units or additional floor area created in excess of those demolished shall be subject to the development charge calculated under subsection (1) and Section 2.

TIMING OF CALCULATION AND PAYMENT

10. (1) Development charges set out in Schedule "B" shall be calculated and payable in full in cash, by certified cheque, or by provision of services as may be agreed upon, or by credit granted under the Act, on the date that the first building permit is issued in relation to a building or structure on land to which a development charge applies, or in a manner or at a time otherwise agreed to by the municipality.

(2) 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 charges have been paid in full.

(3) Notwithstanding subsections (1) and (2), an owner may enter into an agreement with the municipality to provide for the payment in full of a development charge before building permit issuance or later than the issuing of a building permit.

(4) The newly calculated rates as presented in Schedule "B" will become effective on September 26, 2018 and remain in force until the expiry of this by-law.

BY-LAW REGISTRATION

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

RESERVE FUND(S)

12. (1) Monies received from payment of development charges shall be maintained in separate reserve funds, and shall be used only to meet the capital costs for which the development charge was levied under this by-law.

(2) Council directs the Municipal Treasurer to establish a separate reserve fund for each of the services set out in Schedule "A", to which the development charge payments shall be credited in accordance with the amounts shown, plus interest earned thereon.

(3) The amounts contained in the reserve funds established under this Section shall be invested, with any income received credited to the development charge reserve funds in relation to which the investment income applies.

(4) Where any development charge, or part thereof, remains unpaid after the due date, the amount unpaid shall be added to the tax roll and shall be collected as taxes.

(5) Where any unpaid development charges are collected as taxes under subsection (4), the monies so collected shall be credited to the development charge reserve funds referred to in subsection (1).

(6) The Treasurer of the Municipality shall, in each year on or before May 1, commencing 2019 for the 2018 year, furnish to Council a statement in respect of the reserve funds established hereunder for the prior year, containing the information set out in Section 12 of O.Reg. 82/98.

BY-LAW AMENDMENT OR REPEAL

13. (1) Where this by-law or any development charge prescribed thereunder is amended or repealed either by order of the Local Planning Appeal Tribunal or by resolution of Council, pursuant to an order of the Local Planning Appeal Tribunal, the Municipal Treasurer shall calculate forthwith the amount of any overpayment to be refunded as a result of said amendment or repeal.

(2) Refunds that are required to be paid under subsection (1) shall be paid to the registered owner of the land on the date on which the refund is paid.

(3) Refunds that are required to be paid under subsection (1) shall be paid with interest to be calculated as follows:

(a) Interest shall be calculated from the date on which the overpayment was collected to the date on which the refund is paid;

(b) The refund shall include the interest owed under this section;

(c) Interest shall be paid at the Bank of Canada rate in effect on the later of.

(i) the date of enactment of this by-law, or

(ii) the date of the last quarterly adjustment, in accordance with the provisions of subsection (4).

(4) The Bank of Canada interest rate in effect on the date of enactment of this by-law shall be adjusted on the next following business day to the rate established by the Bank of Canada on that day, and shall be adjusted quarterly thereafter on the first business day of every January, April, July and October to the rate established by the Bank of Canada on the day of the adjustment.

DEVELOPMENT CHARGE SCHEDULE INDEXING

14. The development charges referred to in Schedule "B" shall be adjusted annually, without amendment to this by-law, commencing on August 1st 2019, and annually thereafter each August 1st while this by-law is in force, in accordance with the most recent twelve month change in the Statistics Canada Quarterly, Building Construction Price Index, CANSIM table 327-0058.

BY-LAW ADMINISTRATION

15. This by-law shall be administered by the Municipal Treasurer.

SCHEDULES TO THE BY-LAW

16. The following schedules to this by-law form an integral part of this by-law:

Schedule "A" – Designated Municipal Services

Schedule "B" – Schedule of Area-Specific Development Charges Effective September 26, 2018

Schedule "C" – Area within which the Area-Specific Development Charges for Queensway East and West are to be imposed

DATE BY-LAW EFFECTIVE

17. This by-law shall come into force and effect on September 26, 2018.

SHORT TITLE

18. This by-law may be cited as the Development Charges By-law for the Queensway East and West Area.

READ AND ENACTED this 26th day of September, 2018.

Margaret Quirk, Mayor

John Espinosa, Town Clerk

SCHEDULE "A"

TOWN OF GEORGINA
QUEENSWAY EAST AND WEST
DESIGNATED MUNICIPAL SERVICES

1. Water Services, which shall be comprised of:
    a. Installation of Watermains
    b. Construction of Pump Station
    c. Installation of Valves

SCHEDULE "B"

TOWN OF GEORGINA
SUMMARY OF DEVELOPMENT CHARGES
EFFECTIVE SEPTEMBER 26, 2018

Service	Residential Charge by Unit Type				Non-Residential Charge ($/sq.m)
	Single & Semi-Detached	Rows & Other Multiples	Apartments ≥650 sq.ft.	Apartments <650 sq.ft.	
Water Service	$ 3,209	$ 2,587	$ 2,254	$ 1,556	$ 26.83

SCHEDULE "C"

TOWN OF GEORGINA
QUEENSWAY EAST AND WEST SERVICE AREA MAP