

**THE CORPORATION OF  
THE TOWN OF WASAGA BEACH  
BY-LAW # 2026-36**

**A BY-LAW TO ESTABLISH DEVELOPMENT CHARGES  
FOR THE CORPORATION OF THE TOWN OF WASAGA BEACH – BEACH AREA**

WHEREAS subsection 2(1) of the Development Charges Act, 1997 c. 27 (hereinafter called "the Act") provides that the Council of a Town may pass By-Laws for the imposition of Development Charges against land for increased capital costs required because of the need for services arising from development in the area to which the By-Law applies;

AND WHEREAS the Council of The Corporation of the Town of Wasaga Beach ("Town of Wasaga Beach") has given Notice in accordance with Section 12 of the Development Charges Act, 1997, of its intention to pass a By-Law under Section 2 of the said Act;

AND WHEREAS the Council of the Town of Wasaga Beach has heard all persons who applied to be heard no matter whether in objection to, or in support of, the Development Charge proposal at a Public Meeting held on March 26<sup>th</sup>, 2026;

AND WHEREAS by passing this by-law the Council of the Town of Wasaga Beach has determined that no additional public meeting is required;

AND WHEREAS copies of the Study were made available on February 27<sup>th</sup>, 2026 and copies of the proposed Development Charges by-law were made available on March 12, 2026 to the public in accordance with Section 12 of the Act;

AND WHEREAS the Council of the Town of Wasaga Beach, had before it a report entitled Development Charges Background Study dated March 26<sup>th</sup>, 2026 prepared by Hemson Consulting Ltd., wherein it is indicated that the development of any land within the Town of Wasaga Beach will increase the need for services as defined herein;

AND WHEREAS by passing this by-law Council intends to ensure that the increase in the need for services attributable to the anticipated development will be met;

AND WHEREAS Council by passing this by-law intends that the future excess capacity identified in the Development Charges Background Study, dated February 27<sup>th</sup>, 2026, shall be paid for by development charges or other similar charges;

AND WHEREAS Council of the Town of Wasaga Beach on March 26<sup>th</sup>, 2026 determined that the increase in the need for services attributable to the anticipated development as contemplated in the Study, including any capital costs, will be met by updating the capital budget and forecast for the Town of Wasaga Beach, where appropriate;

AND WHEREAS the Council of the Town of Wasaga Beach has given consideration of the use of more than one Development Charge By-law to reflect different needs for services in different areas, also known as “area rating” or “area specific development charges”, and has determined that for the services, and associated infrastructure proposed to be funded by development charges under this by-law, that it is fair and reasonable that the charges be calculated on an area-specific basis;

AND WHEREAS the Study dated February 27<sup>th</sup>, 2026 includes an Asset Management Plan that deals with all assets whose capital costs are intended to be funded under the Development Charge By-law and that such assets are considered to be financially sustainable over their full life-cycle.

AND WHEREAS the Council of the Town of Wasaga Beach adopted the applicable Development Charges Background Study, dated February 27<sup>th</sup>, 2026;

NOW THEREFORE this Council of the Corporation of the Town of Wasaga Beach HEREBY ENACTS as follows:

## **DEFINITIONS**

1. In this by-law,

- (1) "**Act**" means the *Development Charges Act*, S.O. 1997, c. 27;
- (2) "**Agricultural use**" means a bona fide farming operation;
- (3) "**Apartment dwelling**" means any dwelling unit, within a building containing more than four dwelling units where the units are connected by a corridor;
- (4) "**Bedroom**" means a habitable room larger than seven square metres, including a den, study, or other similar area, but does not include a living room, dining room or kitchen;
- (5) "**Board of Education**" means a board defined in s. 1 (1) of the *Education Act*, R.S.O. 1990, c.E. 2;
- (6) "**Building or Structure**" means a building or structure occupying an area greater than 10 square metres consisting of a wall, roof, and floor or any of them or a structural system serving the function thereof, and includes an air-supported structure, mezzanine, and an exterior storage tank, but does not include: a farm building, a canopy/roof like structure over a gas bar; or an exterior storage tank where such exterior storage tank constitutes an accessory use;
- (7) "**Building Code Act**" means the *Building Code Act*, R.S.O. 1990, c.B.13, as amended;

- (8) **"Canopy"** means a canopy as defined in the Building Code Act, and includes a free-standing roof-like structure constructed on lands used for a gas bar or service station;
- (9) **"Capital Costs"** means costs incurred or proposed to be incurred by the Town or a local board thereof directly or by others on behalf of, and as authorized by, the Town 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 and structures;
  - (d) to acquire, lease, construct or improve facilities including,
    - (i) rolling stock with an estimated useful life of seven years or more;
    - (ii) furniture and equipment, other than computer equipment, and
    - (iii) materials acquired for circulation, reference or information purposes by a library board as defined in the *Public Libraries Act*, R.S.O. 1990, c.P.-44; and
  - (e) to undertake studies in connection with any of the matters referred to in clauses (a) to (d);
  - (f) to complete the development charge background study under Section 10 of the Act;
  - (g) interest on money borrowed to pay for costs in (a) to (d); required for provision of services designated in this By-Law within or outside the Town;
- (10) **"Chalet/ Cabin Unit"** shall mean an individually owned single detached or semi-detached dwelling not exceeding 139.5 m<sup>2</sup> (1,500 ft<sup>2</sup>) in total Gross Floor Area located on a leased tract of land, comprising part of a larger tract of land operated as a tourist establishment with rental cabins under single ownership or management, which lease arrangements including the provision of certain common services (i.e. snow plowing, yard maintenance, garbage collection, recreational amenities, marketing, central reservations and check-in, housekeeping, etc.) to the lessee rental unit owners within the development area: and where the unit is offered through the tourist establishment for the accommodation of the traveling or vacationing public for short term or seasonal recreational accommodation only; where the dwelling owner is permitted to occupy the unit for personal recreational or vacation use at such time or times as the unit is not rented out by the Tourist Establishment, provided however that at

no time shall the dwelling unit be used for permanent or year round occupancy. This unit type is considered as a Leisure Lifestyle Dwelling for the purposes of this by-law;

- (11) "**Commercial**" means a Non-Residential use.
- (12) "**Commercial Resort Unit**" means one room or a group of rooms in a building used or designed or intended to be used by one or more persons, as a single commercial accommodation unit within a commercial resort unit complex (i) in which food preparation and sanitary facilities are provided for the exclusive use of such person or persons; (ii) which is part of a rental or lease management program which consists of a minimum of ten such units in one building or group of buildings; (iii) which has a private entrance from a common hallway or entrance either inside or outside the building; (iv) which is not used or designated as a principal residence; and (v) which has been established to provide accommodation for gain or profit; but does not mean or include a hotel unit, a motel unit, an inn unit, a lodge unit, a dormitory unit, or a hostel unit; and shall be considered residential use for the purposes of this by-law;
- (13) "**Council**" means the Council of The Corporation of the Town of Wasaga Beach;
- (14) "**Development**" means any activity or proposed activity in respect of land that requires one or more of the actions referred to in section 8 of this By-Law and including the redevelopment of land or the redevelopment, expansion, extension or alteration of a use, building or structure except interior alterations to an existing building or structure which do not change or intensify the use of land;
- (15) "**Development Charge**" means a charge imposed pursuant to this By-Law;
- (16) "**Dwelling Unit**" means a room or suite of rooms used, or designed or intended for use by, one person or persons living together, in which culinary and sanitary facilities are provided for the exclusive use of such person or persons, or a commercial resort unit, or time share units;
- (17) "**Farm building**" means that part of a bona fide farm operation encompassing barns, silos and other ancillary development to an agricultural use, but excluding a residential use;
- (18) "**Fractional Ownership**" means, for the purpose of this by-law, a type of unit or building whose ownership is divided into shares. Individuals purchase one or more shares in the building or unit providing them with a fractional ownership in the structure and any related land. Share holders are responsible for ongoing maintenance costs and other costs related to the structure. For the purposes of this by-law these types of building, units and land are defined as residential uses;
- (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;
- (21) "**Hotel / Motel**" - means a tourist establishment containing therein three or more guest rooms served by a common entrance where guest rooms may include culinary facilities and may have a separate entrance directly from outside the building together with an office serving the patrons of the tourist establishment. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms or similar uses.
- (22) "**Industrial**" means a building or a portion thereof that is used or designed or intended to be used for:
- (2) manufacturing, producing, processing, warehousing, storage or distributing, and including a greenhouse that is not open to the public for retail sales;
  - (3) agricultural uses;
  - (4) research or development in connection with manufacturing, producing or processing;
  - (5) retail sales by a manufacturer, producer or processor of something they manufactured, produced or processed, if the retail sales are at the site where the manufacturing, production, or processing takes place; or
  - (6) office or administrative purposes, if carried out with respect to manufacturing, producing, processing, warehousing, storage or distribution and in the building used for the manufacturing, producing, storage or distribution or attached to the building,
  - (7) but "industrial" shall not include any use that is considered to be a "commercial", "residential", or "institutional" use as defined in this by-law;
- (23) "**Institutional**" means a building or a portion thereof that is used or designed or intended to be used by an organized body, society, or religious group for promoting a public or non-profit purpose and shall include, without limiting the generality of the foregoing, a private career college, private post-secondary school, a place of worship, and a hospital, but "institutional" shall not include any use that is considered to be a "commercial", "industrial", or "residential" use as defined in this by-law;
- (24) "**Leisure Lifestyle Dwelling**" means an individually owned single detached, semi-detached or townhouse dwelling not exceeding 139.4 m<sup>2</sup> (1,500 ft<sup>2</sup>) in total Gross Floor Area located on a leased tract of land, comprising part of a larger tract of

land under single ownership and management, which lease arrangements include the provision of certain common services (e.g. snow ploughing, garbage collection, recreational facilities) to the lessee homeowners within the development area;

- (25) "**Local board**" means a local board as defined in the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, or any successor thereto;
- (26) "**Local services**" means those services or facilities which are under the jurisdiction of the Town and are related to a plan of subdivision or within the area to which the plan relates, required as a condition of approval under s.51 of the *Planning Act*, or as a condition of approval under s.53 of the *Planning Act*;
- (27) "**Multiple dwelling**" means all dwellings other than single detached dwellings, semi-detached dwellings, leisure lifestyle dwellings, and apartment dwellings;
- (28) "**Town**" means The Corporation of the Town of Wasaga Beach;
- (29) "**Non-residential uses**" means a building or structure used for other than a residential use;
- (30) "**Occupancy**" as defined in the *Building Code Act, O.Reg. 332/12 Building Code*;
- (31) "**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;
- (32) "**Park Model Trailer Campground, Seasonal**" means any parcel of land under single ownership or management which is used or intended to be used for the placement of park model trailers as defined herein; to provide temporary living, sleeping or eating accommodation where the campground includes facilities (i.e. office, Laundromat, recreational amenities, etc.) for the exclusive use of the campground patrons, but does not include permanent or year round occupancy by anyone other than the owner or operator of the campground. The trailers may be jacked up with their running gear removed and perimeter skirting installed when operational on the campground site;
- (33) "**Park Model Trailer**" means a recreational trailer constructed and certified in accordance with CAN/CSA Z241.0-03 or successor regulation, that meets the following criteria: built on a single chassis; mounted on wheels; designed to facilitate relocation from time to time; designed as living quarters for seasonal residential use and may be connected to those utilities necessary for the operation of installed fixtures and appliances; and has a Gross Floor Area, including lofts not exceeding 50.2 m<sup>2</sup> (540 ft<sup>2</sup>) when in the setup mode and having a width greater than 2.6 m (8.53 ft.) in the transit mode;

- (34) **“Park Model Trailer Add-on”** means a pre-manufactured structure designed for use as a sunroom, porch or additional living area, except for screening, clear glass, insulated wall panels or lower skirting or bottom panels and is intended or used for additional living area but is not intended or used for the purpose of cooking;
- (35) **“Places of Worship”** means a place or building or part thereof including accessory buildings or structures that are primarily used for the regular assembly of persons for the practice of religious worship, services or rites. It may include accessory uses such as classrooms for religious instruction, including programs of community social benefit, assembly areas, kitchens, offices of the administration of the place of worship, and a small scale day nursery, but shall not include a cemetery;
- (36) **“Planning Act”** means the *Planning Act*, R.S.O. 1990, c.P.-13, as amended, or any successor thereunto;
- (37) **“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 from a residential to non-residential use or from a non-residential to residential use or from one residential use to another form of residential use;
- (38) **“Regulation”** means any regulation made pursuant to the Act;
- (39) **“Residential uses”** means lands, buildings or structures or portions thereof used, or designed or intended for use as a home or residence of one or more individuals, and shall include a single detached dwelling, a semi-detached dwelling, a multiple dwelling, an apartment dwelling, a leisure lifestyle dwelling, and the residential portion of a mixed-use building or structure under all types of ownership (freehold, condominium, fractional, and all other);
- (40) **“Seasonal Park Model Trailer”** means a park model trailer that is only occupied for the whole or part of the period from mid-April to mid-November and for which water services are shut off during the period November to April. The owner of such units requires an agreement with the Town recognizing them as such;
- (41) **“Semi-detached dwelling”** means a building divided vertically into two dwelling units each of which has a separate entrance and access to grade;
- (42) **“Services”** means services set out in Schedule "A" to this By-law;
- (43) **“Single detached dwelling”** means a completely detached building containing only one dwelling unit;
- (44) **“Temporary Building or Structure”** means a building or structure constructed,

erected, or placed on land for a continuous period not exceeding two (2) years, for a use strictly incidental to construction or permitted temporary events, and which can be easily removed, and includes, but is not limited to sales pavilion, site office, office trailers, industrial tents, storage, and temporary or seasonal structures such as tents, awnings and environmental coverings. The Temporary Building or Structure is to be demolished or removed from the lands within two (2) years of building permit issuance (or such extended term permitted by the Town). In the event that such building or structure remains on the land for a period exceeding two (2) years, (without the Town's permitted extended term), it shall be deemed not to be, nor ever to have been, a temporary building or structure, and Development Charges shall become payable forthwith.

- (45) **"Tiny Dwelling Unit"** means a self-contained dwelling unit with areas for living, dining, and sleeping, as well as culinary and sanitary facilities, which is built on-site or pre-fabricated and designed to provide a permanent residence for one or more persons, and is mounted on a foundation where any wheels have been removed. A Tiny Dwelling Unit shall not be less than 17.5 m<sup>2</sup>, or larger than 37m<sup>2</sup>, per the Ontario Building Code Act, and shall not include a recreational vehicle or trailer. For the purposes of this by-law, a Tiny Dwelling Unit shall be treated as an Apartment Dwelling.

## **CALCULATION OF DEVELOPMENT CHARGES**

2. (1) Subject to the provisions of this By-Law, Development Charges against land shall be imposed, calculated and collected in accordance with the base rates set out in Schedules "B" and "C", which relate to the services set out in Schedule "A" and area in the Town set out in Schedule "D".
- (2) The Development Charge with respect to the uses of any land, building or structure shall be calculated as follows:
- (a) in the case of residential development or redevelopment or the residential portion of a mixed use development or redevelopment, as the sum of the product of the number of dwelling units of each type multiplied by the corresponding total amount for such dwelling unit type, as set out in Schedule "B";
  - (b) in the case of non-residential development or redevelopment, or the non-residential portion of a mixed use development or redevelopment, as the sum of the product of the gross floor area multiplied by the corresponding total amount for such gross floor area as set out in Schedule "C";
- (3) Council hereby determines that the development or redevelopment of land, buildings or structures for residential and non-residential uses will require the provision, enlargement or expansion of the services

referenced in Schedule "A" attached hereto and forming part of this By-law.

### **APPLICABLE LANDS**

3. (1) Subject to Sections 4 and 5, this By-Law applies to all lands identified in Schedule "D", whether or not the land or use is exempt from taxation under Section 3 of the *Assessment Act*, R.S.O. 1990, c.A.-31.
- (2) This By-Law shall not apply to land that is owned by and used for the purposes of:
  - (a) a board of education;
  - (b) the Town or local board thereof;
  - (c) places of worship.
- (3) 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, after two (2) years, without an approved extended term permitted by the Town, it shall be deemed not to be nor ever to have been a Temporary Building or Structure, and the Development Charges rate required to be paid under this By-law shall become payable on the date the Temporary Building or Structure becomes Protracted.

### **DESIGNATION OF SERVICES**

4.
  - (1) It is hereby declared by Council that it intends that all development of land within the area to which this by-law applies will increase the need for services.
  - (2) The development charge applicable to a development as determined under this by-law shall apply without regard to the services required or used by an individual development.
  - (3) Development charges shall be imposed under this by-law, for the following categories of services to pay for the increased capital costs required because of increased needs for services arising from development:
    - (a) Wastewater Works

## **RULES WITH RESPECT TO EXEMPTIONS**

5. Notwithstanding Section 3 above, no Development Charge shall be imposed with respect to the enlargement of an existing residential unit as outlined in subsection 2 (3) of the Development Charges Act.
  - (1) This by-law shall not apply to affordable and attainable residential units in accordance with, and subject to, the criteria and conditions contained in section 4.1 of the Act and the definitions in the Act.
  - (2) This by-law shall not apply to non-profit housing development in accordance with, and subject to, the criteria and conditions contained in section 4.2 of the Act and the definitions in the Act;
  - (3) This by-law shall not apply to affordable residential units to be included in a development or redevelopment pursuant to inclusionary zoning requirements in accordance with section 4.3 of the Act;
  - (4) This by-law shall not apply to the development of any part of a building or structure intended for use as a long term care facility, as defined in subsection 2 (1) of the Fixing Long Term Care Home Act, 2021, in accordance with section 4.4 of the Act;

## **RULES WITH RESPECT TO DISCOUNTS FOR RENTAL HOUSING DEVELOPMENT**

6. In the case of rental housing development, the amount determined under subsection 2 (1) (a) above for a dwelling unit intended for use as a rented residential premises shall be reduced by the following:
  - (a) dwelling unit with three or more bedrooms shall be reduced by 25 per cent;
  - (b) dwelling unit with two bedrooms shall be reduced by 20 per cent;
  - (c) dwelling unit with 1 bedroom shall be reduced by 15 per cent.

## **EXISTING INDUSTRIAL USES EXPANSION EXEMPTION**

7. Where the expansion of an existing industrial use or buildings is proposed, the amount of development charges payable shall be zero if the total expansion of gross floor area does not exceed 50% of the floor area as it existed as of the effective date of this by-law, subject to the following conditions:
  - (1) Where both the enlargement and existing industrial building are

constructed on lands owned by the same legal and/or beneficial owner;  
and

- (2) Shall only apply to the enlargement or enlargements of the existing industrial buildings to a maximum of the aggregate of fifty percent of the gross floor area of the existing industrial buildings while this by-law remains in force.

## **DEVELOPMENT CHARGES IMPOSED**

8. (1) Development Charges shall be calculated and collected in accordance with the provisions of this By-Law and be imposed on land to be developed for residential and non-residential uses, where, the development requires,
  - (1) the passing of a zoning by-law or of an amendment to a zoning by-law under Section 34 of the *Planning Act* or successor legislation;
  - (2) the approval of a minor variance under Section 45 of the *Planning Act* or successor legislation;
  - (3) a conveyance of land to which a by-law passed under Subsection 50(7) of the *Planning Act* or successor legislation applies;
  - (4) the approval of a plan of subdivision under Section 51 of the *Planning Act* or successor legislation;
  - (5) a consent under Section 53 of the *Planning Act* or successor legislation;
  - (6) the approval of a description under the *Condominium Act*, R.S.O. 1991, c. C. 26 or the *Condominium Act*, 1998, S. O. 1998, c.19 as amended, or successor legislation; or
  - (7) the issuing of a permit under the *Building Code Act, 1992*, or successor legislation in relation to a building or structure.

## **LOCAL SERVICE INSTALLATION**

9. Nothing in this By-Law prevents Council from requiring, as a condition of an agreement under Section 51 or 53 of the *Planning Act* that the owner, at his or her own expense, shall install or pay for such local services, within the Plan of Subdivision or within the area to which the plan relates, as Council may require. The Town's Local Service Policy shall identify

works or classes of works related to development that are intended to be works for the provision of local services.

## **MULTIPLE CHARGES**

10. (1) Where two or more of the actions described in subsection 8(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), if two or more of the actions described in subsection 8(1) occur at different times, and if the subsequent action has the effect of increasing the need for municipal services as set out in Schedule "A", an additional Development Charge on the additional residential units and additional gross floor area shall be calculated and collected in accordance with the provisions of this by-law.

## **SERVICES IN LIEU**

11. (1) Council may authorize an owner, through an agreement under Section 38 of the Act, to substitute such part of the Development Charge applicable to the owner's development as may be specified in the agreement, by the provision at the sole expense of the owner, of services in lieu. In considering such an agreement, Council will give consideration to the Town's financial capital plan and the impact a request for services in lieu may have on the Town's plans. Council may after such consideration, decline the request. In the event of an authorization by Council to enter into a services in lieu agreement, such agreement shall further specify that where the owner provides services in lieu in accordance with the agreement, Council shall give to the owner a credit against the Development Charge in accordance with the agreement provisions and the provisions of Section 39 of the Act, equal to the reasonable cost to the owner of providing the services in lieu. In no case shall the agreement provide for a credit that exceeds the total Development Charge payable by an owner to the Town in respect of the development to which the agreement relates.
- (2) In any agreement under subsection (1), Council may also give a further credit to the owner equal to the reasonable cost of providing services in addition to, or of a greater size or capacity, than would be required under this By-Law.
- (3) The credit provided for in subsection (2) shall not be charged to any Development Charge reserve fund.

## **RULES WITH RESPECT TO RE-DEVELOPMENT**

12. (1) (a) In the case of the demolition of all or part of a residential or non-residential building or structure a credit shall be allowed, provided that the land was improved by occupied structures (or structures capable of occupancy) within the five years prior to the issuance of the building permit, and the building permit has been issued for the development or redevelopment within five years from the date the demolition permit has been issued; and  
  
(b) In cases where a demolition credit crosses over a lot that was subject to land division, the owner directs to which lot the credit applies.
- (2) If a development or redevelopment involves the demolition of and replacement of a residential structure, a credit shall be allowed equivalent to the number of dwelling units demolished multiplied by the applicable residential development charge in place at the time the development charge is payable.
- (3) (a) If a development or redevelopment involves the demolition of and replacement of a non-residential structure, a credit shall be allowed equivalent to the gross floor area demolished multiplied by the applicable non-residential development charge in place at the time the development charge is payable, and when redevelopment occurs; and  
  
(b) On the same lot or block on which the demolished building or structure, or part thereof, was originally located; and  
  
(c) In cases where a demolition credit crosses over a lot that was subject to a land division, the owner directs to which lot the credit applies.
- (4) A credit can, in no case, exceed the amount of the Development Charge that would otherwise be payable, and no credit is available if the existing land use is exempt under this By-Law.
- (5) Where re-development will require water/wastewater services, and the building demolished was not connected to such services, the water/wastewater development charge will apply.

## **RULES WITH RESPECT TO CHANGE OF USE**

13. (1) Changing all or part of a residential building to a non-residential use will reduce development charges otherwise payable by an amount that is

equal to the applicable residential development charge in place at the time the development charge is payable, multiplied by the number of residential units being converted.

- (2) If changing all or part of a non-residential building to a residential building use:
- (a) A credit shall be equivalent to the gross floor area converted multiplied by the applicable non-residential development charge in place at the time the development charge is payable, and;
  - (b) When redevelopment occurs on the same lot or block on which the demolished building or structure, or part thereof, was originally located, and;
  - (c) In cases where a demolition credit crosses over a lot that was subject to a land division, the owner directs to which lot the credit applies; and
  - (d) Notwithstanding policies a, b and c above, when a Hotel/Motel is converted to residential use but there is no change to the gross floor area and no change to the total number of units, there will be no DCs charged on the residential units. Any additional residential units will not receive credit and are subject to development charges contained within this by-law.
- (3) A credit can, in no case, exceed the amount of the Development Charge that would otherwise be payable, and no credit is available if the existing land use is exempt under this By-Law.

#### **TIMING OF CALCULATION AND PAYMENT**

14. Development charges shall be calculated on the following dates:
- (1) As of the date when an application for an approval of development in a site plan control area under subsection 41(4) of the Planning Act was made, and deemed complete, by the Town;
  - (2) if (1) does not apply, as of the date when an application for an amendment to a by-law passed under section 34 of the Planning Act was made, and deemed complete, by the Town;
  - (3) if neither clause (1) or (2) applies, as of the date that the first building permit is issued in relation to a building or structure on the lands to which a development charge applies, in accordance with

Section 6 of this by-law, or in a manner or at a time otherwise lawfully agreed upon under the Act or specified in this by-law

If a development was the subject of more than one application referred to in clause (1) or (2) above, the later application is deemed to be the applicable application for the purposes of the calculation date.

If, on the date the first building permit is issued for the development, more than 18 months (or as otherwise stipulated by the Act) has elapsed since the application referred to in clause (1) or (2) was approved, then clause (1) and (2) above do not apply, and development charges shall be calculated as outlined in clause (3) above.

Clauses (1) and (2) above do not apply to a development charge if the total amount of all charges, including any interest charged under this by-law, that are payable in accordance with either of those clauses exceeds the total amount of all charges that would be payable had clause (3) above been applied.

15. Development charges shall be paid in lawful money of Canada or by provision of services as may be agreed upon by the Town, or by credit granted by the Act, on the following dates:
- (1) For rental housing and institutional development:
    - (a) shall be paid in equal annual instalments beginning on the earlier of the date of the issuance of a permit under the Building Code Act authorizing occupation of the building and the date the building is first occupied, and continuing on the following five anniversaries of that date.
  - (2) For any residential use that is not rental housing:
    - (a) shall be paid in full on the earlier of the date of the issuance of a permit under the Building Code Act authorizing occupation of the building or the date the building is first occupied.
  - (3) For any non-residential use that is not institutional development:
    - (a) shall be paid in full upon a building permit being issued for the development.
  - (4) Notwithstanding subsections (1), (2), and (3) above, in cases where a building permit is not required under the Building Code Act, the development charge shall be paid at the action or approval described in section 2(1) of this by-law

A person required to pay a development charge referred to in subsection (1) or (2) above shall, unless the occupation of the building in respect of

which the development charge is required is authorized by a permit under the Building Code Act, notify the Town Treasurer within the prescribed time of the building first being occupied as outlined in the Act.

A person required to pay a development charge referred to in subsection (1) or (2) above may pay the charge before it is otherwise payable even in the absence of an agreement under section 27, provided the building permit has been issued.

- (3) Notwithstanding subsection (1), development charges with respect to development requiring approval of a Plan of Subdivision under Section 51 or the Planning Act or a consent under Section 53 of the Planning Act and for which a subdivision agreement or consent agreement is entered into shall be payable immediately upon the parties entering into the agreement.
- (4) In accordance with Section 27 of the Act, the Town may enter into agreements providing for all or any part of a development charge to be paid before or after it would otherwise be payable.

## **INTEREST RATES**

16. (1) The Town may charge interest on the installments required by Section 26.1(3) of the Act as permitted by Section 26.1(7) of the Act.
- (2) Where Section 26.2 (1) (a) or (b) of the Act applies, the Town may charge interest on the development charge from the date of the application referred to in the applicable clause to the date the development charge is payable.
- (3) Interest will be determined at the maximum interest rate allowed under the Act, per Section 26.3.

## **RESERVE FUNDS**

17. (1) Monies received from payment of Development Charges under this By-Law shall be maintained in separate reserve funds for each of the services set out in Schedule "A."
- (2) Monies received for the payment of Development Charges shall be used only in accordance with the provisions of Section 35 of the Act.
- (3) 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.

- (4) Where any unpaid Development Charges are collected as taxes under subsection (3), the monies so collected shall be credited to the Development Charge reserve funds referred to in subsection (1).
- (5) The Treasurer of the Town shall, in each year commencing in 2022 for the 2021 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.

#### **INDEXING OF DEVELOPMENT CHARGES**

18. (1) The development charges set out in Schedules "B", and "C", to this bylaw shall be adjusted annually on January 1, without amendment to this by-law, in accordance with the then most recently published and available twelve month change in the Statistics Canada Non-residential Building Construction Price Index for Toronto".

#### **BY-LAW AMENDMENT OR APPEAL**

19. (1) Where this By-Law or any Development Charge prescribed thereunder is amended or repealed either by order of the Ontario Land Tribunal or by resolution of the Municipal Council, 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 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 Bank of Canada Policy Interest Rate in effect on the date of enactment of this By-Law shall be used, updated on the first business day of every January, April, July and October thereafter for the life of this by-law.
- (3) Refunds that are required to be paid under subsection (1) shall include the interest owed under this section.

#### **SEVERABILITY**

20. 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.

## **HEADINGS FOR REFERENCE ONLY**

21. The headings inserted in this By-Law are for convenience of reference only and shall not affect the construction of interpretation of this By-Law.

## **BY-LAW REGISTRATION**

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

## **BY-LAW ADMINISTRATION**

23. This By-Law shall be administered by the Municipal Treasurer.

## **BY-LAW SHORT TITLE**

24. The short title to this By-law shall be "Beach Area Development Charges By-law".

## **SCHEDULES TO THE BY-LAW**

25. The following Schedules to this By-Law form an integral part of this By-Law:

Schedule "A" - Schedule of Designated Municipal Services  
Schedule "B" - Schedule of Residential Development Charges  
Schedule "C" - Schedule of Non-Residential Development Charges  
Schedule "D" – Map of Beach Area

## **DATE BY-LAW EFFECTIVE**

26. This By-Law shall come into force and effect May 24, 2026.

**DATE BY-LAW EXPIRES**

27. This By-Law will expire ten years after the effective date of this By-Law, unless it is repealed by council at an earlier date.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 30<sup>TH</sup> DAY OF APRIL, 2026.

THE CORPORATION OF THE TOWN OF WASAGA BEACH

\_\_\_\_\_  
Brian Smith, Mayor

\_\_\_\_\_  
Nicole Rubli, Clerk

**SCHEDULE "A" OF BY-LAW # 2026-36**

**A BY-LAW TO ESTABLISH DEVELOPMENT CHARGES FOR THE  
CORPORATION OF THE TOWN OF WASAGA BEACH**

**DESIGNATED SERVICES UNDER THIS BY-LAW**

1. Beach Area Wastewater Works

**SCHEDULE "B" OF BY-LAW # 2026-36**

**A BY-LAW TO ESTABLISH DEVELOPMENT CHARGES FOR THE CORPORATION OF THE TOWN OF WASAGA BEACH**

**RESIDENTIAL DEVELOPMENT CHARGES**

Service	Charge By Unit Type				
	Single & Semi-Detached	Rows & Other Multiples	Apartments	Leisure Lifestyle Park	Seasonal Park Model Trailers
Beach Area Wastewater Works	\$5,623	\$4,592	\$2,800	\$2,800	\$1,400

**SCHEDULE "C" OF BY-LAW # 2026-36  
A BY-LAW TO ESTABLISH DEVELOPMENT CHARGES FOR THE CORPORATION  
OF THE TOWN OF WASAGA BEACH**

**NON-RESIDENTIAL DEVELOPMENT CHARGES**

<b>Service</b>	<b>Non-Residential Charge (\$/sq.m)</b>
Beach Area Wastewater Works	\$37.29

