

The Corporation of the Town of Essex

By-Law Number 2384

Being a by-law for the Imposition of Development Charges in the Town of Essex

WHEREAS the Town of Essex will experience growth through development and re-development;

AND WHEREAS Council desires to ensure that the capital cost of meeting growth-related demands for or burden on municipal services does not place an excessive financial burden on the Town of Essex or its existing taxpayers while at the same time ensuring new taxpayers contribute no more than the net capital cost attributable to providing the current level of municipal services;

AND WHEREAS the Development Charges Act, 1997 (the “Act”) provides that the 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;

AND WHEREAS the Council of The Corporation of the Town of Essex has given notice of and held a public meeting on the 12th day of August 2024 in accordance with the Act and the regulations thereto;

NOW THEREFORE be it resolved that the Council of The Corporation of the Town of Essex hereby enacts as follows:

1. INTERPRETATION

1.1 In this By-law the following items shall have the corresponding meanings:

“accessory building” means a building that is subordinate in purpose to a residential dwelling unit upon the same lot but excludes an ancillary residential building.

“Act” means the *Development Charges Act*, as amended, or any successor thereof;

“affordable residential unit” means a Dwelling Unit that meets the criteria set out in subsection 4.1 (2) or 4.1(3) of the Act.

“ancillary residential building” means a permanent residential building that would be ancillary to a detached dwelling, semi-detached dwelling, or row dwelling.

“apartment unit” means any residential unit within a building containing more than four dwelling units where the units are connected by an interior corridor;

“attainable residential unit” means a Dwelling Unit that meets the criteria set out in subsection 4.1(4) of the Act.

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

“board of education” has the same meaning as set out in the Education Act, R.S.O. 1990, Chap. E.2, as amended, or any successor thereof;

“bona fide farm uses” means the proposed development will qualify as a farm business operating with a valid Farm Business Registration Number issued by the Ontario Ministry of Agriculture, Food and Rural Affairs and be assessed in the Farmland Realty Tax Class by the Ontario Property Assessment Corporation;

“Building Code Act” means the Building Code Act, S.O. 1992, as amended, or any successor thereof;

“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 the municipality or local board as defined in Section 5(3) of the Act;

“charitable dwelling” means a residential building, a part of a residential building or the residential portion of a mixed-use building maintained and operated by a corporation approved under the Charitable Institutions Act, R.S.O. 1990, c. C.9, for persons requiring residential, specialized or group care and charitable dwelling includes a children’s residence under the Child and Family Services Act, R.S.O. 1990, c. C.11, a home or a joint home under the Homes for the Aged and Rest Homes Act, R.S.O. 1990, c. H.13, an institution under the Mental Hospitals Act, R.S.O. 1990, c. M.8, a nursing home under the Nursing Homes Act, R.S.O., 1990, c. N.7, and a home for special care under the Homes for Special Care Act, R.S.O. 1990, c. H.12;

“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 Act.

“commercial” means any use of land, structures or buildings for the purposes of buying or selling commodities and services, but does not include industrial or agricultural uses, but does include hotels, motels, motor inns and boarding, lodging and rooming houses;

“Council” means the Council of the municipality;

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

“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 the effect of increasing the size of usability thereof, and includes redevelopment;

“development charge” means a charge imposed with respect to this By-law;

“dwelling unit” means either (1) 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 (2) in the case of a special care/special need dwelling, a room or suite of rooms used, or designed or intended for use, by one person with or without exclusive sanitary and/or culinary facilities, or more than one person in sanitary facilities are directly connected and exclusively accessible to more than one room or suite of rooms;

“existing” means the number, use and size that existed as of the date this by-law was passed;

“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;

“garden suite” means a building containing one (1) dwelling unit where the garden suite is detached from and ancillary to an existing single detached dwelling or semi-detached dwelling on the lands and such building is designed to be portable.

“gross floor area” means:

- (a) in the case of a residential building or structure, the total area of all floors above grade of a dwelling unit measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing the dwelling unit from any other dwelling unit or other portion of a building; and
- (b) 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 total area of all building floors above or below grade measured between the outside surfaces of the exterior walls, or between the outside surfaces of exterior walls and the centre line of party walls dividing a non-residential use and a residential use, except for:
 - (i) a room or enclosed area within the building or structure above or below that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical or telecommunications equipment that service the building;
 - (ii) loading facilities above or below grade; and
 - (iii) a part of the building or structure below grade that is used for the parking of motor vehicles or for storage or other accessory use;

“group home” means a residential building or the residential portion of a mixed-use building containing a single housekeeping unit which may or may not be supervised on a 24-hour basis on site by agency staff on a shift rotation basis, and funded wholly or in part by any government or its agency, or by public subscription or donation, or by any combination thereof and licensed, approved or supervised by the Province of Ontario for the accommodation of persons under any general or special act and amendments or replacements thereto. A group home may contain an office provided that the office is used only for the operation of the group home in which it is located;

“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” 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;

“institutional” means land, buildings, structures or any part thereof used by any organization, group or association for promotion of charitable, educational or benevolent objectives and not for profit or gain;

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

(a) as a long-term care home within the meaning of subsection 2(1) of the Fixing Long-Term Care Act, 2021, S.O. 2021, c. 39, Sched. 1 (“Fixing Long-Term Care Act”);

(b) as a retirement home within the meaning of subsection 2(1) of the *Retirement Homes Act, 2010, S.O. 2010, c. 11*

(c) by any of the following post-secondary institutions for the objects of the institution:

(i) a university in Ontario that receives direct, regular, and ongoing operating funding from the Government of Ontario,

(ii) a college or university federated or affiliated with a university described in subclause (i), or

(iii) an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017, S.O. 2017, c. 34, Sched. 20*;

(d) as a memorial home, clubhouse, or athletic grounds by an Ontario branch of the Royal Canadian Legion; or

(e) as a hospice to provide end of life care.

“local board” means a school board, public utility, commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, 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 the Town of Essex or any part or parts thereof;

“local services” means those services, facilities or things which are under the jurisdiction of the municipality and are related to a plan of subdivision or within the area to which the plan relates in respect of the lands under Sections 51 or 53 of the *Planning Act, R.S.O. 1990, Chap. P.13*, as amended, or any successor thereof;

“mobile home” means any dwelling that is designed to be made mobile and constructed or manufactured to provide a permanent residence for one or more persons but does not include a travel trailer or tent trailer.

“multiple dwellings” means all dwellings other than single-detached, semi-detached and apartment unit dwellings;

“municipality” means the Corporation of the Town of Essex;

“non-profit housing development” means Development of a building or structure that meets the criteria set out in section 4.2 of the Act.

“non-residential use” means a building or structure of any kind whatsoever used, designed or intended to be used for other than a residential use;

“nursing home” means a residential building or the residential portion of a mixed-use building licensed as a nursing home by the Province of Ontario;

“Official Plan” means the Official Plan adopted for the Town, as amended and approved;

“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;

“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, R.S.O. 1990, Chap. A.31*, as amended, or any successor thereof;

“rate” means the interest rate established weekly by the Bank of Canada based on Treasury Bills having a term of 91 days;

“regulation” means any regulation made pursuant to the Act;

“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 dwelling” means a building, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, containing one or more Dwelling Units but not including motels, hotels, tents, truck campers, tourist trailers, mobile camper trailers or boarding, lodging or rooming houses;

“residential use” means the use of a building or structure or portion thereof for one or more Dwelling Units. This also includes a Dwelling Unit on land that is used for an Agricultural Use;

“retirement home or lodge” means a residential building or the residential portion of a mixed-use building which provides accommodation primarily for retired persons or couples where each private bedroom or living accommodation has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and common lounges, recreation rooms and medical care facilities may also be provided;

“row dwelling” means a building containing three or more attached dwelling units in a single row, each of which dwelling units has an independent entrance from the outside and is vertically separated from any abutting dwelling unit;

“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 not other parts, attached or another dwelling unit where the residential unit are not connected by an interior corridor;

“service” means a service designed in Schedule “A” to this By-law, and “services” shall have a corresponding meaning;

“servicing agreement” means an agreement between a landowner and the municipality relative to the provision of municipal services to specified land within the municipality;

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

“site” means a parcel of land which can be legally conveyed pursuant to Section 50 of the *Planning Act* and includes a development having two or more lots consolidated under identical ownership.

“solar farm” means any solar energy system comprised of one or more solar panels and associated control or conversion electronics that converts sunlight into electricity. A solar farm may be connected to the electricity grid in circuits at a substation to provide electricity off-site for sale to an electrical utility or other intermediary;

“special care/special need dwelling” means a building containing two or more dwelling units, which units have a common entrance from street level;

- (a) Where the occupants have the right to use in common, halls, stairs, yards, common rooms and accessory buildings;
- (b) Which may or may not have exclusive sanitary and/or culinary facilities;
- (c) That is designed to accommodate persons with specific needs, including, but not limited to, independent permanent living arrangements; and
- (d) Where support services such as meal preparation, grocery shopping, laundry, housekeeping, nursing, respite care and attendant services are provided at various levels,

and includes, but is not limited to, a retirement home or lodge, nursing home, charitable dwelling, group home and hospice.

“telecommunications tower” – means any tower, apparatus, structure or other thing that is used or is capable of being used for telecommunications or for any operation directly connected with telecommunications, and includes a transmission facility, as defined in the Telecommunications Act.

“town” means the area within the geographic limits of the Town of Essex;

“wind turbine” means any wind energy system, comprising one or more turbines, that converts energy into electricity, with a combined nameplate generating capacity greater than 500 kilowatts and a height greater than 100 metres, that converts energy into electricity, and consists of a wind turbine, a tower, and

associated control or conversion electronics. A wind turbine and energy system may be connected to the electricity grid in circuits at a substation to provide electricity off-site for sale to an electrical utility or other intermediary; and

“zoning by-law” means the zoning by-law of the Town of Essex, including the former Village of Essex, the former Township of Essex or any successor thereof passed pursuant to Section 34 of the *Planning Act*.

2. DESIGNATION OF SERVICES/ CLASS OF SERVICES

2.1 The categories of services/class of services for which development charges are imposed under this By-law are as follows:

- (a) Services Related to a Highway
- (b) Fire Protection Services
- (c) Policing Services
- (d) Parks and Recreation Services
- (e) Library Services
- (f) Growth Studies
- (g) Wastewater Services (urban serviced areas)

2.2 The components of the services / class of services designated in section 2.1 are described in Schedule A.

3. APPLICATION OF BY-LAW RULES

3.1 Development charges shall be payable in the amounts set out in this By-law where:

- (a) the lands are located in the area described in section 3.2; and
- (b) the development of the lands requires any of the approvals set out in subsection 3.4(a).

Area to Which By-law Applies

3.2 Subject to section 3.3, this By-law applies to all lands in the Town of Essex whether or not the land or use thereof is exempt from taxation under s. 13 or the *Assessment Act*.

3.3 Notwithstanding clause 3.2 above, this by-law shall not apply to lands that are owned by and used for the purposes of:

- (a) the municipality or a local board thereof;
- (b) a board of education; or
- (c) the Corporation of the County of Essex or a local board thereof.

Approvals for Development

- 3.4 (a) Development charges shall be imposed on all lands, 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 50 of the Condominium Act, R.S.O. 1990, Chap. C.26, 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 / class of services designated in subsection 2.1 shall be imposed upon any lands, buildings or structures to which this By-law applies even though two or more of the actions described in subsection 3.4(a) are required before the lands, buildings or structures can be developed.
- (c) Despite subsection 3.4(b), if two or more of the actions described in subsection 3.4(a) occur at different times, additional development charges shall be imposed if the subsequent action has the effect of increasing the need for services.

Exemptions

- 3.5 Notwithstanding the provisions of this By-law, development charges shall not be imposed with respect to developments or portions of developments as follows:
- i. an enlargement to an existing Dwelling Unit;
 - ii. the creation of additional Dwelling Units equal to the greater of one (1) or 1% of the existing Dwelling Units in an existing Residential rental building containing four (4) or more Dwelling Units or prescribed ancillary structure to the existing Residential building;

Notwithstanding any other provision of this By-law, Development Charges shall not be imposed with respect to the creation of any of the following in existing or new Single Detached Dwellings, Semi-Detached Dwellings, Back-to-back Townhouse Dwellings or Stacked Townhouse Dwellings:

- iii. A second Dwelling Unit on a parcel of land on which Residential Use, other than ancillary Residential Use, is permitted, if all buildings and

- structures ancillary to the existing Residential structure cumulatively contain no more than one (1) Dwelling Unit.
- iv. A third Dwelling Unit on a parcel of land on which Residential Use, other than ancillary Residential Use, is permitted, if no building or structure ancillary to the existing Residential structure contains any Dwelling Units.
 - v. One Dwelling Unit on a parcel of urban Residential land, if the existing structure contains no more than two (2) Dwelling Units and no other building or structure ancillary to the existing Residential structure contains any Dwelling Units.

Rules with Respect to an Industrial Expansion Exemption

3.6 If a development includes the enlargement of the gross floor area of an existing industrial building, the amount of the development charge that is payable in respect of the enlargement is determined in accordance with the following:

- (a) Subject to subsection 3.6(c), if the gross floor area is enlarged by 50 per cent or less of the lesser of:
 - (i) the gross floor area of the existing industrial building, or
 - (ii) the gross floor area of the existing industrial building before the first enlargement for which an exemption from the payment of development charges was granted, or
 - (iii) a lesser development charge than would otherwise be payable under this by-law, or predecessor thereof, was paid,

pursuant to Section 4 of the Act and this subsection, the amount of the development charge in respect of the enlargement is zero;

- (b) Subject to subsection 3.6(c), if the gross floor area is enlarged by more than 50 per cent or less of the lesser of:
 - (i) the gross floor area of the existing industrial building, or
 - (ii) the gross floor area of the existing industrial building before the first enlargement for which:
 - (A) an exemption from the payment of development charges was granted, or
 - (B) a lesser development charge than would otherwise be payable under this by-law, or predecessor thereof, was paid,

pursuant to Section 4 of the Act and this subsection, the amount of the development charge in respect of the enlargement is the amount of the development charge that would otherwise be payable multiplied by the fraction determined as follows:

- (i) determine the amount by which the enlargement exceeds 50 per cent of the gross floor area before the first enlargement, and

- (ii) divide the amount determined under subsection (A) by the amount of the enlargement.
- (c) For the purposes of calculating the extent to which the gross floor area of an existing industrial building is enlarged in subsection 3.6 (b), the cumulative gross floor area of any previous enlargements for which:
 - (i) An exemption from the payment of development charges was granted, or
 - (ii) A lesser development charge than would otherwise be payable under this by-law, or predecessor thereof, was paid,

pursuant to Section 4 of the Act and this subsection, shall be added to the calculation of the gross floor area of the proposed enlargement.

- (d) For the purposes of this subsection, 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.

3.7 For the purpose of section 3.6 herein, “existing industrial building” is used as defined in the Regulation made pursuant to the Act.

3.8 Other Exemptions and Discounts:

Notwithstanding the provision of this by-law, development charges shall not be imposed with respect to:

- (a) lands, buildings or structures used or to be used for a place of worship or for the purposes of a cemetery or burial ground exempt from taxation under the Assessment Act;
- (b) a public hospital receiving aid under the Public Hospitals Act, R.S.O. 1990, Chap. P.40, as amended, or any successor thereof;
- (c) the development of non-residential farm buildings constructed for bona fide farm uses, which qualify as a farm business, being that which operates with a valid Farm Business Registration Number and is assessed in the Farmland Realty Tax Class;
- (d) Non-profit Residential Development;
- (e) Affordable Residential Units required pursuant to section 34 and 16(4) of the *Planning Act* (Inclusionary Zoning).
- (f) Affordable Residential Units; and
- (g) Attainable Residential Units

Notwithstanding any other provision of this By-law, the Development Charges payable for Residential Developments, where the Dwelling Units are intended as Rental Housing, will be reduced based on the number of bedrooms in each Dwelling Unit in accordance with section 26.2(1.1) of the Act, as follows:

- (i) Three (3) or more Bedrooms – 25% reduction;
- (ii) Two (2) Bedrooms – 20% reduction; and
- (iii) Fewer than two (2) Bedrooms – 15% reduction.

Amount of Charges

Residential

- 3.9 The development charges set out in Schedule B-1 shall be imposed on residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use and, in the case of a mixed-use building or structure, on the residential uses in the mixed use building or structure, according to the type of residential unit, and calculated with respect to each of the services according to the type of residential use.

Non-Residential

- 3.10 The development charges described in Schedule B-1 to this by-law shall be imposed on non-residential uses of lands, buildings or structures, and, in the case of a mixed-use building or structure, on the non-residential uses in the mixed-use building or structure, and calculated with respect to each of the services according to the total floor area of the non-residential use.
- 3.11 The development charges described in Schedule B-2 to this by-law shall be imposed on non-residential uses of lands, buildings or structures, and, in the case of a mixed-use building or structure, on the non-residential uses in the mixed-use building or structure, and calculated with respect to each of the services according to the total site area of the property.

Wind Turbines and Telecommunication Towers

- 3.12 The development charges described in Schedule B-1 to this by-law shall be imposed on wind turbines and telecommunication towers with respect to services related to a highway and fire protection services on a per structure basis.

Solar Farm

- 3.13 The development charges described in Schedule B-1 to this by-law shall be imposed on solar farms with respect to services related to a highway and fire protection services on a per square foot of the panel surface.

Reduction of Development Charges for Redevelopment

- 3.14 Despite any other provisions of this By-law, where, as a result of the redevelopment of land, a building or structure existing on the same land within 48 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 principal use on the same land, 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 a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge under subsection 3.9 by 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 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 subsection 3.12, 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.

Time of Payment of Development Charges

- 3.15 Development charges imposed under this By-law as calculated, payable, and collected upon issuance of the first building permit for the development.
- 3.16 Despite section 3.15, Council from time to time, and at any time, 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, in accordance with section 27 of the Act.
- 3.17 Notwithstanding Section 3.15, Development Charges for Rental Housing and Institutional Developments are due and payable in six equal annual instalment payments commencing with the first instalment payable on the date of occupancy, and each subsequent instalment, including interest in accordance with Section 26.3 of the Act.
- 3.18 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 18 months of building permit issuance, the development charges under subsections 3.9 through 3.13 shall be calculated on the rates set out in Schedules "B-1" and "B-2" on the date of the planning application, including interest in accordance with Section 26.3 of the Act. Where both planning applications apply development charges under subsections 3.9 through 3.13 shall be calculated on the rates set out in Schedules "B-1" and "B-2", on the date of the later planning application, including interest in accordance with Section 26.3 of the Act.

4. PAYMENT BY SERVICES

- 4.1 Despite the payment required under subsections 3.9 through 3.13, Council may, by agreement, give a credit towards a development charge in exchange for work that relates to a service to which a development charge relates under this By-law.

5. INDEXING

5.1 Development charges imposed pursuant to this By-law as set out in Schedules "B-1" and "B-2" shall be adjusted annually, without amendment to this By-law, in accordance with the prescribed index in the Act as follows:

- (a) The initial adjustment shall be January 1, 2025, and
- (b) Thereafter, adjustment shall be made on January 1 of each year.

6. SCHEDULES

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

- Schedule A - Components of Services / Classes of Services Designated in section 2.1
- Schedule B-1 - Residential and Non-Residential Development Charges for all Services/Classes of Services.
- Schedule B-2 - Industrial Service Area Lands Development Charges.
- Schedule C-1 - Map of Ward 1 – Essex Service Area (Wastewater)
- Schedule C-2 - Map of Ward 2 – McGregor Service Area (Wastewater)
- Schedule C-3 - Map of Ward 3 – Colchester Service Area (Wastewater)
- Schedule C-4 - Map of Ward 4 – Harrow Service Area (Wastewater)
- Schedule C-5 - Map of Industrial Service Area (Wastewater)

7. CONFLICTS

- 7.1 Where the Town and an owner or former owner have entered into an agreement with respect to land within the area to which this By-law applies, and a conflict exists between the provisions of this By-law and such agreement, the provisions of the agreement shall prevail to the extent that there is a conflict.
- 7.2 Notwithstanding section 7.1, where a development which is the subject of an agreement to which section 7.1 applies, is subsequently the subject of one or more of the actions described in subsection 3.4(a), an additional development charge in respect of the development permitted by the action shall be calculated, payable and collected in accordance with the provisions of this By-law if the development has the effect of increasing the need for services, unless such agreement provides otherwise.

8. SEVERABILITY

- 8.1 If, for any reason, any provision of this By-law is held to be invalid, it is hereby declared to be the intention of Council that all the remainder of this By-law shall continue in full force and effect until repealed, re-enacted, amended or modified.

9. DATE BY-LAW IN FORCE

- 9.1 This By-law shall come into effect at 12:01 AM on October 8, 2024.

10. **EXISTING BY-LAW REPEALED**

10.1 By-law Number 1850, as amended is hereby repealed as of the date and time of this By-law coming into effect.

11. **Read a first, a second, and a third time and finally passed on October 7, 2024.**

Mayor

Clerk

SCHEDULE "A"
TO BY-LAW NO. 2384 COMPONENTS OF SERVICES/CLASSES OF SERVICES
DESIGNATED IN SUBSECTION 2.1

TOWN-WIDE SERVICES

Services Related to a Highway

Roads and Related
Public Works

Fire Protection Services

Fire Facilities
Fire Vehicles
Fire Small Equipment & Gear

Provincial Offences Act including By-law (P.O.A)

P.O.A. Facilities
P.O.A Vehicles

Library Services

Library Facilities

Parks and Recreation Services

Park Development
Amenities
Vehicles and Equipment

Growth Studies

URBAN SERVICED AREA SERVICES

Wastewater Works

Wastewater Treatment, Pumping and Collection System

SCHEDULE "B-1" TO BY-LAW NO. 2384
Applicable Development Charges

Service/Class of Service	RESIDENTIAL					NON-RESIDENTIAL		
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	Wind turbines and telecommunications towers	Solar farms (per sq.ft.)	(per sq.ft. of Gross Floor Area)
Town-wide Services/Class of Service:								
Services Related to a Highway	7,696	5,074	4,690	3,238	2,636	7,696	0.37	0.37
Fire Protection Services	2,526	1,665	1,540	1,063	865	2,526	0.12	0.12
Parks and Recreation Services	7,194	4,743	4,385	3,027	2,464	-	-	0.03
Library Services	617	407	376	260	211	-	-	0.01
Provincial Offences Act including By-Law Enforcement	89	59	54	37	30	-	-	0.01
Policing Services	1,350	890	823	568	462	-	-	0.07
Growth Studies	499	329	304	210	171	-	-	0.01
Total Town-wide Services/Class of Services	19,971	13,167	12,172	8,403	6,839	10,222	0.49	0.62
Area Specific Charges - Wastewater								
Ward 1 - Essex Service Area	1,136	749	692	478	389	-	-	0.48
Ward 2 - McGregor Service Area	15,144	9,984	9,230	6,372	5,188	-	-	1.37
Ward 3 - Colchester South Service Area	7,137	4,705	4,350	3,003	2,445	-	-	0.71
Ward 4 - Harrow Service Area	5,207	3,433	3,173	2,191	1,784	-	-	2.20

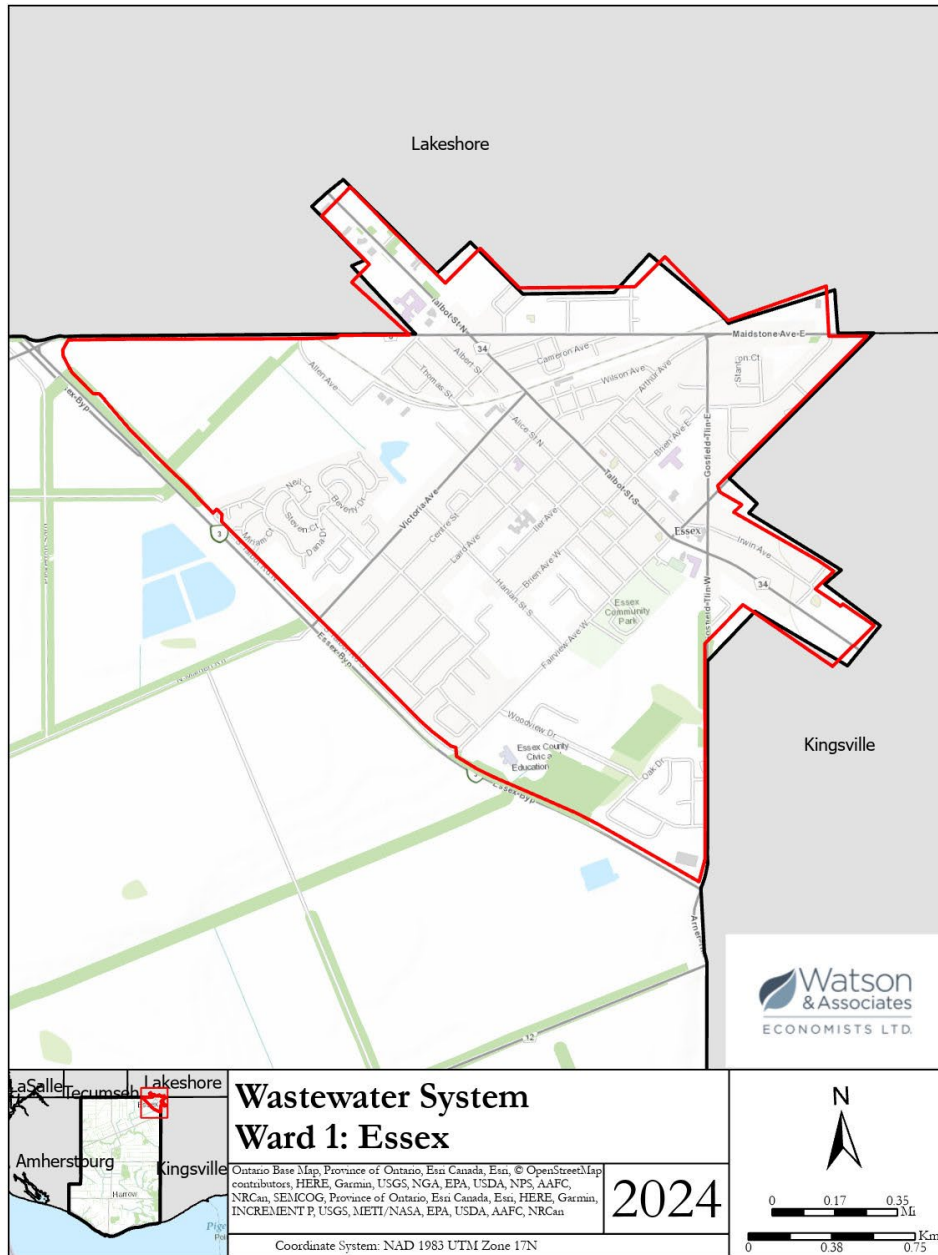
Note: Wastewater development charges for the industrial service area lands and water capital charges are excluded from the above table.

SCHEDULE "B-2" TO BY-LAW NO. 2384
INDUSTRIAL SERVICE AREA LANDS DEVELOPMENT CHARGES

Land Parcel	Parcel Size (ha)	Development Charge
0 County Road 8 (Northy)	1.79	\$ 69,645
0 County Road 8 (South)	17.16	\$ 666,136
14028 Pinkerton Sideroad	3.94	\$ -
14016 Pinkerton Sideroad	6.22	\$ -
14978 14th Concession	13.53	\$ 743,908
Total	42.65	\$ 1,479,690

Note: Water capital charges are not included in the table above

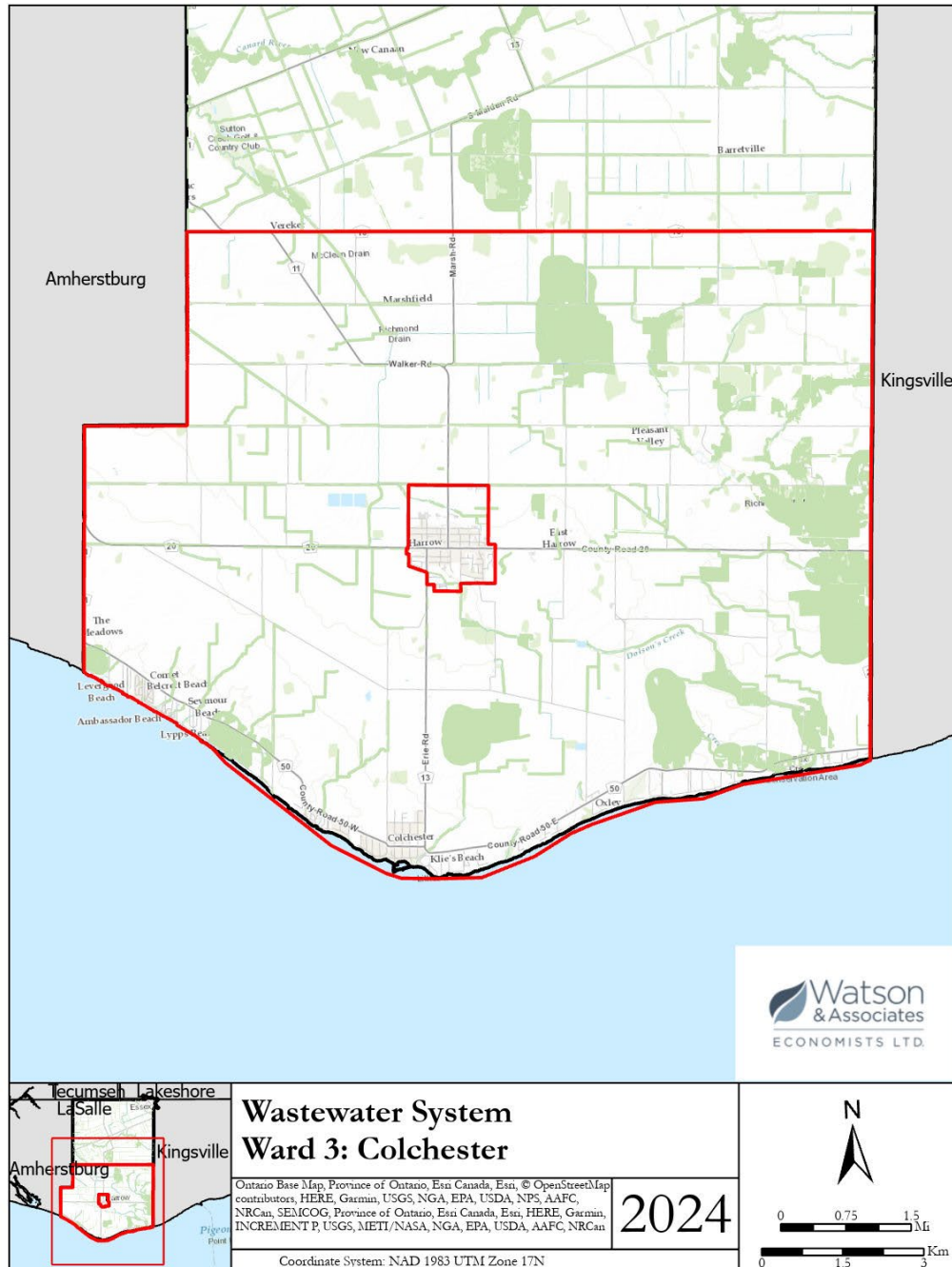
**SCHEDULE “C-1”
TO BY-LAW NO. 2384
Map of Ward 1 – Essex Service Area (Wastewater)**



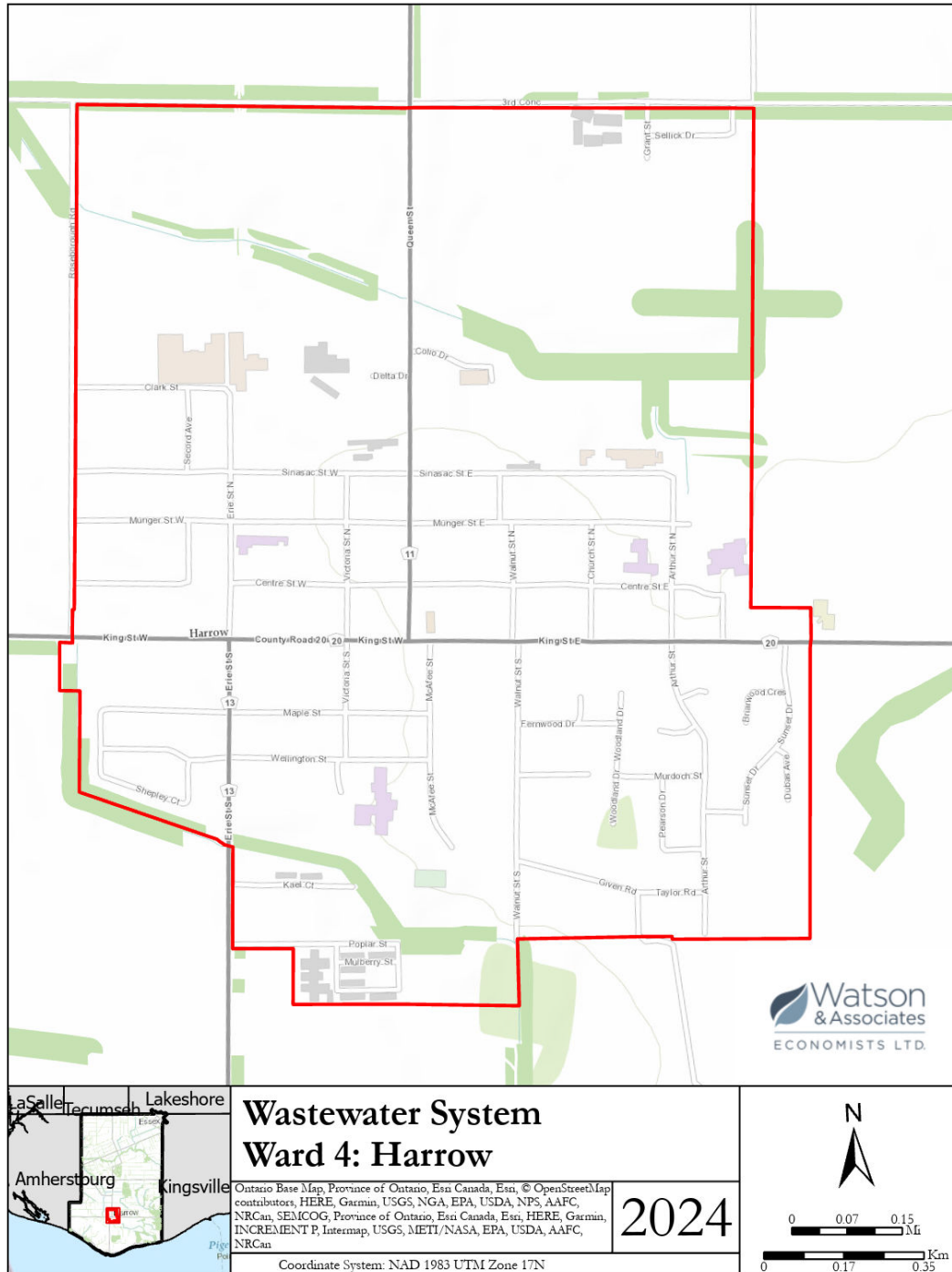
SCHEDULE "C-2"
TO BY-LAW NO. 2384
Map of Ward 2 – McGregor Service Area (Wastewater)



**SCHEDULE “C-3”
TO BY-LAW NO. 2384
Map of Ward 3 – Colchester Service Area (Wastewater)**



**SCHEDULE “C-4”
TO BY-LAW NO. 2384
Map of Ward 4 – Harrow Service Area (Wastewater)**



SCHEDULE "C-5"
TO BY-LAW NO. 2384
Map of Industrial Service Area (Wastewater)

