

FINANCIAL

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WHEREAS *the City will experience growth through development and re-development of land which will increase the need for services to be provided by the City;*

AND WHEREAS *Council wishes to ensure that the capital cost of meeting growth related demands for services is met but does not place a financial burden upon the City's existing taxpayers, and also that new taxpayers bear no more than the net capital cost attributable to providing the current level of services;*

AND WHEREAS *subsection 2 (1) of the Development Charges Act, 1997, S.O. 1997, c.27 (the Development Charges Act) enables the Council to pass by-laws for the imposition of development charges against land to pay for increased capital costs required because of increased needs for services arising from the development or redevelopment of land;*

AND WHEREAS *the City has undertaken a study to forecast, within a time frame of twenty years for engineering services and ten years for all other services, growth within the municipality through development and redevelopment, to determine the need for services at specified service standards resulting from growth and to calculate the net capital costs of services attributable to growth (the Study);*

AND WHEREAS *Council, in accordance with section 12 of the Development Charges Act and section 9 of Ontario Regulation 82/98, gave notice on April 23, 2004 of a public meeting to consider the passing of a development charges by-law, made available before and at the public meeting sufficient information to enable the public to understand generally the development charges proposal, held the public meeting on June 7, 2004 and heard representations from all persons who applied to be heard whether in objection to or in support of the proposal;*

AND WHEREAS *Council, having reviewed the Study and the proposed by-law and having considered all of the representations made at the public meeting, directed that this by-law be enacted.*

Article 1 INTERPRETATION

315.1.1 Accessory use - defined

“accessory use” means a use, including a building, which is commonly incidental, subordinate and exclusively devoted to the main use or main building situated on the same lot.

315.1.2 Agricultural use - defined

“agricultural use” means the use of land and buildings for apiaries, fish farming, animal husbandry or the cultivation of trees, shrubs, flowers, grains, sod, fruits, vegetables and other crops or ornamental plants (“agricultural products”) but shall not include any building or structure where agricultural products are displayed for sale in more than twenty-five percent of the gross floor area of such building or structure.

315.1.3 Capital cost - defined

“capital cost” means costs incurred or proposed to be incurred by the City or a local board thereof directly or by others on behalf of, and as authorized by, the City or local board thereof:

- (a) to acquire land or an interest in land, including a leasehold interest and land for an enclosed structure used throughout the year for public recreation and land that is necessary for the structure to be used for that purpose, including parking and access to the structure;
- (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, furniture and equipment other than computer equipment, and
 - (ii) materials acquired for circulation, reference or information purposes by a library board as defined in the *Public Libraries Act*; and
- (e) to undertake studies in connection with any of the matters in Sections 315.1.3(a) to Section 315.1.3(d), inclusive and the development charge background study required under section 10 of the *Development Charges Act, 1997, c. 27* required for the provision of services designated in this by-law within or outside the City, including interest on borrowing for those expenditures under Section 315.1.3 (a), (b), (c) and (d).

315.1.4 Development - defined

“development” includes redevelopment.

315.1.5 Development charge - defined

“development charge” means a charge imposed with respect to growth-related net capital costs against land under this Chapter.

315.1.6 Duplex - defined

“duplex” means a dwelling or residential building divided predominantly horizontally into two dwelling units.

315.1.7 Dwelling - defined

“dwelling unit” means a room or suite of rooms which;

- (a) is located in a building;
- (b) is occupied or designed to be occupied by a household as a single, independent and separate housekeeping establishment;
- (c) contains both a kitchen and bathroom for the exclusive common use of the occupants thereof; and

- (d) has a private entrance leading directly from outside the building or from a common hallway or stairway inside the building.

315.1.8 Excess capacity - defined

“excess capacity” means uncommitted excess capacity but excludes uncommitted excess capacity if, either before or at the time the excess capacity was created, the Council of the City expressed a clear intention that the excess capacity would be paid for by development charges or other similar charges. By-law 2004-156, 29 June, 2004.

315.1.9 Existing industrial building - defined

“existing industrial building” means a building or buildings existing on a site in the City of Kitchener on January 1, 1999 or the first building or buildings constructed and occupied on a vacant site pursuant to site plan approval under section 41 of the *Planning Act*, R.S.O. 1990, c. P.13 (the “*Planning Act*”) subsequent to January 1, 1999 for which full development charges were paid, and is used for or in connection with:

- (a) the production, compounding, processing, packaging, crating, bottling, packing or assembling of raw or semi-processed goods or materials in not less than seventy-five per cent of the total gross floor area of the building or buildings on a site (“manufacturing”) or warehousing;
- (b) research or development in connection with manufacturing in not less than seventy-five percent of the total gross floor area of the building or buildings on site;
- (c) retail sales by a manufacturer, if the retail sales are at the site where the manufacturing is carried out, such retail sales are restricted to goods manufactured at the site, and the building or part of a building where such retail sales are carried out does not constitute greater than twenty-five percent of the total gross floor area of the building or buildings on the site; or
- (d) office or administrative purposes, if they are:
 - (i) carried out with respect to manufacturing or warehousing; and
 - (ii) in or attached to the building or structure used for such manufacturing or warehousing. By-law 2006-243, 18 December, 2006.

315.1.10 Floor area - defined

“floor area” means the area of floors of a building or structure measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls, and in the case of a dwelling unit includes only those floor areas above grade. This shall not include any area which is specifically designed for parking and is not being used for the repair or sale of vehicles.

315.1.11 Grade - defined

“grade” means the average level of finished ground adjoining a dwelling unit at all exterior walls.

315.1.12 Gross floor area - defined

“gross floor area” means the total floor area of a building or structure.

315.1.13 Growth-related net capital cost - defined

“growth-related net capital cost” means the portion of the net capital cost of services that is reasonably attributable to the need for such net capital cost that results or will result from the anticipated development in all or a defined part of the City less the City’s excess capacity and the extent to which an increase in service to meet the increased need will benefit existing development within the City.

315.1.14 Home business - defined

“home business” means a vocational use, as permitted by the applicable City zoning by-law, conducted in a dwelling unit which is secondary to the use of the dwelling unit as a private residence.

315.1.15 Hospital - defined

“hospital” means a hospital as defined in the *Public Hospitals Act*.

315.1.16 Household - defined

“household” means one or more persons living together as a single non-profit, housekeeping unit, sharing all areas of the dwelling unit and may, in addition, be designed to accommodate lodging units containing less than four residents.

315.1.17 Local board - defined

“local board” means a 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 under any Act with respect to any of the affairs or purposes of the City or the Regional Municipality of Waterloo (the Region) or any part or parts thereof, excluding a school board, a conservation authority and any other board excluded under any general or special Act.

315.1.18 Local services - defined

“local services” means services related to a plan of subdivision or within the area to which the plan relates, to be installed or paid for by the owner as a condition of approval under section 51 of the *Planning Act*, R.S.O. 1990, c. P.13 or as a condition of approval under section 53 of the *Planning Act* R.S.O. 1990, c. P.13.

315.1.19 Lodging house - defined

“lodging house” means a dwelling or residential building containing one or more lodging units designed to accommodate four or more residents. The residents may share common areas of the dwelling other than the lodging units, and do not appear to function as a household. This shall not include a group home, nursing home, hospital or any residential care facility licensed, approved, or supervised under any general or specific Act, or a hotel or motel. This shall include but not be limited to student residences, convents, unlicensed nursing homes and tourist homes.

315.1.20 Lodging unit - defined

“lodging unit” means a room or set of rooms located in a lodging house designed or intended to be used for sleeping and living accommodation, which:

- (a) is designed for the exclusive use of the resident or residents of the unit;
- (b) is not normally accessible to persons other than the resident or residents of the unit; and
- (c) may contain either a bathroom or kitchen but does not contain both for the exclusive use of the resident or residents of the unit.

315.1.21 Multiple dwelling - defined

“multiple dwelling” means a dwelling or residential building containing three or more dwelling units, but shall not include townhouse or street townhouse dwellings.

315.1.22 Net capital cost - defined

“net capital cost” means the capital cost less capital grants, subsidies and other contributions made to the City or that the Council of the City anticipates will be made but only to the extent that the grant, subsidy or other contribution is clearly intended by the person making it to benefit new development and includes conveyances or payments under sections 42, 51.1 and 53 of the *Planning Act*, R.S.O. 1990, c. P.13 in respect of the capital cost.

315.1.23 Non-residential use - defined

“non-residential use” means the use of land, building or structures for a use other than residential uses, including all commercial, industrial and institutional uses and excluding agricultural uses.

315.1.24 Owner - defined

“owner” means the owner of land or a person who has made application for an approval for the development or redevelopment of land upon which a development charge is imposed.

315.1.25 Residential use - defined

“residential use” means the use of land, buildings or structures for one or more single detached, semi-detached, townhouse, street townhouse dwelling, multiple dwelling or duplex dwelling units and lodging houses.

315.1.26 Semi-detached - dwelling - defined

“semi-detached dwelling” means a dwelling or residential building divided predominantly vertically into two dwelling units.

315.1.27 Services - defined

“services” means services designate in Schedule ‘A’ attached to this Chapter.

315.1.28 Single-detached dwelling - defined

“single-detached dwelling” means a dwelling or residential building consisting of one dwelling unit and not attached to another residential structure, and shall include a mobile home located on a foundation.

315.1.29 Site - defined

“site” means a parcel of land which can be legally conveyed pursuant to section 50 of the *Planning Act*, R.S.O. 1990, c. P.13 and includes a development having two or more lots consolidated under one identical ownership.

315.1.30 Townhouse or street townhouse - defined

“townhouse or street townhouse” means a dwelling or residential building divided predominantly vertically into three or more attached dwelling units, each of which has a separate entrance from the outside.

315.1.31 Warehousing - defined

“warehousing” means a building or buildings on a site having not less than seventy-five percent of the total gross floor area of such building or buildings used for the storage or distribution of goods or materials.

Article 2
APPLICATION - EXEMPTION

315.2.1 Chapter applicable - all land - within City

Subject to Section 315.3.2, this Chapter applies to all lands within the City of Kitchener and any lands outside the City of Kitchener to which services are provided by the City, whether or not the land or use thereof is exempt from taxation under section 3 of the *Assessment Act*, R.S.O. 1990, c. A.31, save and except all lands within the Downtown Core Area, the boundary of which is shown on Schedule 'C'.

315.2.2 Exemptions - boards - commissions - municipalities

This Chapter does not apply to land owned by and used for the purposes of:

- (a) a board of education as defined by subsection 1 (1) of the *Education Act*, R.S.O. 1990, c. E.2;
- (b) the City of Kitchener or any local board thereof;
- (c) the Region or any local board thereof;
- (d) any area municipality within the Region; and
- (e) the Crown in right of Ontario or the Crown in right of Canada.

315.2.3 Charges applicable - increased need - approval

Subject to Sections 315.2.4 through 315.2.9 inclusive, development charges shall apply on land to be developed or redeveloped for residential and non-residential use, where:

- (a) development or redevelopment of the land will increase the need for services; and
- (b) the development or redevelopment requires one or more of the approvals which follow:
 - (i) the passing of a zoning by-law or of an amendment thereto under section 34 of the *Planning Act*, R.S.O. 1990, c. P.13
 - (ii) the approval of a minor variance under section 45 of the *Planning Act*, R.S.O. 1990, c. P.13;
 - (iii) a conveyance of land to which a by-law passed under subsection 50 (7) of the *Planning Act*, R.S.O. 1990, c. P.13 applies;
 - (iv) the approval of a plan of subdivision under section 51 of the *Planning Act*, R.S.O. 1990, c. P.13;

- (v) a consent under section 53 of the *Planning Act*, R.S.O. 1990, c. P.13;
- (vi) the approval of a description under section 50 of the *Condominium Act*, R.S.O. 1990, c. C.26; or
- (vii) the issuing of a permit under the *Building Code Act, 1992*, c.23 (the “Building Code”), in relation to a building or structure.

315.2.4 Exemption - local services - and connections

Section 315.2.3 shall not apply in respect of:

- (a) local services; or
- (b) local connections to water mains, sanitary sewers and storm drainage facilities installed at the expense of the owner including amounts imposed under a by-law passed under section 218 of the *Municipal Act*, R.S.O. 1990, c. M.45, as amended.

315.2.5 Single charge - two or more actions required

Where two or more of the actions described in Section 315.2.3 are required before the land to which a development charge applies can be developed or redeveloped, only one development charge shall be imposed, calculated and collected in accordance with the provisions of this Chapter.

315.2.6 Additional charges - subsequent actions

Despite Section 315.2.5, if two or more of the actions described in Section 315.2.3 occur at different times and if the subsequent action or actions has the effect of increasing the need for services as designated in this Chapter, additional development charges shall be imposed, calculated and collected in accordance with the provisions of this Chapter.

315.2.7 Exemption - charges by agreement

Despite Section 315.2.3, any subdivision agreement or development agreement made under section 51 or section 53 of the *Planning Act*, R.S.O. 1990, c. P.13 or any predecessor thereof, which provides for the payment of a lot levy, development charge, capital contribution or other charge shall remain in full force and effect, be enforceable according to its terms and prevail to the extent that there is any conflict with this Chapter. This Section, however, shall not apply with respect to any lot or block which is further subdivided by a new plan of subdivision or consent.

315.2.8 Conflict - between charges - lowest applicable

Where there is a conflict between the charge specified in an agreement set out in Section 315.2.7 or in a condition of draft plan approval for a plan of condominium and the development charge specified in this Chapter, the lower charge shall apply.

315.2.9 Exemptions - certain uses

Section 315.2.3 shall not apply to:

- (a) a temporary use permitted under a zoning by-law enacted under section 39 or 39.1 of the *Planning Act*, R.S.O. 1990, c. P.13;
- (b) an accessory use to residential use;
- (c) a home business;
- (d) an agricultural use;
- (e) temporary erection of a building without foundation as defined in the Building Code for a period not exceeding six consecutive months and not more than six months in any one calendar year on a site for which development charges or lot levies have previously been paid; and
- (f) the enlargement of an existing dwelling unit or the creation of up to two additional dwelling units as prescribed by Ontario Regulation 82/98 and set out in Schedule 'D', and such Regulation may be amended from time to time, provided that:
 - (i) the number of dwelling units created in the renovated or enlarged residential building does not exceed the applicable maximum number of additional dwelling units set out in Schedule 'D', and the total gross floor area of the additional dwelling units does not exceed the applicable maximum gross floor area provisions set out in Schedule 'D'; and
 - (ii) no more than one or two additional dwelling units in accordance with this Section may ever be created without the imposition of development charges.

315.2.10 Charges - growth-related - standards

Development charges as set out in Articles 3 and 4 shall apply to all lands that are developed or redeveloped for residential and non-residential use in accordance with this Chapter, but only insofar as:

- (a) the growth-related net capital costs of services are attributable to residential, non-residential use, as the case may be; and
- (b) the growth-related net capital cost of each service is attributable to the anticipated development and at standards no higher than the average level of each such service provided by the City over the ten year period immediately preceding the preparation of the Study.

315.2.11 Growth-related net capital cost - reduction - exception

The rates set out in Schedule 'B' shall be determined so as to reflect a ten per cent reduction to the growth-related net capital costs, except that there shall be no percentage reduction for the following growth-related net capital costs:

- (a) water supply services, including distribution and treatment services;
- (b) waste water services, including sewers and treatment services;
- (c) storm water drainage and control services;
- (d) services related to a highway as defined in subsection 1 (1) of the *Municipal Act*, R.S.O. 1990, c. M.45; and
- (e) fire protection services.

Article 3**RESIDENTIAL DEVELOPMENT CHARGES****315.3.1 Charges - based on services - Schedule 'A'**

Development charges against land to be developed or redeveloped for residential use shall be based upon the services to be provided by the City which are designated in Schedule 'A'.

315.3.2 Charges imposed - rates - Schedule 'B'

Subject to the provisions of this Chapter, development charges are hereby imposed against land to be developed or redeveloped for residential use located within the Suburban Area the boundary of which is shown on Schedule 'C-2' and shall be calculated and collected at the rates set out in Schedule 'B'.

315.3.3 Charges imposed - Central Neighbourhood - Schedule 'C-1'

Subject to the provisions of this Chapter, development charges are hereby imposed against land to be developed or redeveloped for residential use located within the Central Neighbourhoods the boundary of which is shown on Schedule 'C-1' and shall be calculated and collected at the rates set out in Schedule 'B'.

Article 4
MIXED USE

315.4.1 Mixed use - residential - Schedule 'B'

Subject to the provisions of this Chapter, development charges against land to be developed or redeveloped for mixed residential use shall be the aggregate of the amount applicable for each dwelling unit according to its type as set forth in Schedule 'B'.

Article 5
NON-RESIDENTIAL DEVELOPMENT CHARGES

315.5.1 Charges - based on services - Schedule 'A'

Development charges against land to be developed or redeveloped for non-residential use shall be based upon services to be provided by the City which are designated in Schedule 'A'.

315.5.2 Charges - imposed - rate in Schedule 'B'

Subject to the provisions of this Chapter, development charges are hereby imposed against land to be developed or redeveloped for non-residential use located within the Suburban Area, the boundary of which is shown on Schedule 'C-2' and shall be calculated and collected at the rate set out in Schedule 'B'.

315.5.3 Charges imposed - Central Neighbourhood - Schedule 'C-1'

Subject to the provisions of this Chapter, development charges are hereby imposed against land to be developed or redeveloped for non-residential use in the Central Neighbourhoods the boundary of which is shown on Schedule 'C-1' and shall be calculated and collected at the rates set out in Schedule 'B'.

315.5.4 Charge - exception - limitation - industrial building

Despite anything in this Chapter, there shall be an exemption from the payment of development charges for one or more enlargements of an existing industrial building on its site, whether attached or separate from the existing industrial building, up to a maximum of fifty per cent of the gross floor area before the first enlargement for which an exemption from the payment of development charges was granted pursuant to the *Development Charges Act, 1997* or under this Section. Development charges shall be imposed in accordance with Schedule 'B' with respect to the amount of floor area of an enlargement that results in the gross floor area of the industrial building being increased by greater than fifty per cent of the gross floor area of the existing industrial building.

315.5.5 Exemption - new sites - calculation

For the purpose of Section 315.4.4, despite any new sites created which result in an existing industrial building being on a site separate from its enlargement or enlargements for which an exemption was granted under this Section, further exemptions, if any, pertaining to the existing industrial building shall be calculated in accordance with Section 315.4.4 on the basis of its site prior to any division.

315.5.6 Exemption - hospital

Despite anything in this Chapter, there shall be an exemption from the payment of development charges in respect of any enlargement of a hospital.

315.5.7 Mixed use - how calculated

Subject to the provisions of this Chapter, development charges against land to be developed or redeveloped for mixed residential and non-residential use shall be the aggregate of the amount applicable to the residential component and the amount applicable to the gross floor area of the non-residential component.

Article 6 ADMINISTRATION

315.6.1 Payment of charges - to Chief Building Official

All development charges required to be paid to the City pursuant to this Chapter shall be paid by cash or certified cheque and directed to the City's Chief Building Official.

315.6.2 Charges - calculated - payable - building permit date

Subject to the provisions of this Article, development charges shall be calculated and payable in full on the date that a building permit is issued in relation to a building or structure on land to which a development charge applies.

315.6.3 No building permit issued - until charges paid

Where development charges apply to land where a building permit is required, no building permit shall be issued until the development charge is paid in full.

315.6.4 Subdivision agreement - calculation when payable

Despite Section 315.6.2 and 315.6.3, the City may require that development charges applicable with respect to the services described in Sections 315.3.11(a) to (d) inclusive of this Chapter ("Engineering Services"), be calculated as set forth in Schedule 'B' and payable immediately upon the execution of a subdivision agreement under section 51 of the *Planning Act*, R.S.O. 1990, c. P.13 or a consent agreement under section 53 of the *Planning Act*, R.S.O. 1990, c. P.13 with respect to the lands to which such agreement, as the case may be, relates.

315.6.5 Credit - services in lieu of payment

The City may by agreement permit the owner of land to which development charges apply to provide services for development or redevelopment of that land in lieu of the payment of all or any portion of a development charge, including services additional to or of a greater size or capacity than is required under this Chapter (“services in lieu”).

315.6.6 Credit - services in lieu - limitation

Upon proof of the installation or construction of services in lieu to the satisfaction of the City’s Engineer, a credit, without interest, shall be applied against development charges payable for an amount equal to the reasonable cost to the owner of providing services in lieu, as determined by the City’s Engineer, not to exceed the total amount of the development charges otherwise payable.

315.6.7 Unused credit - same land

Any unused credit may be applied, upon proof satisfactory to the City’s Chief Building Official, to any subsequent development charge payable with respect to the same land as referred to in Section 315.6.5 or transferred and applied to any development charge payable with respect to other land owned by the same owner to be developed or redeveloped with the consent of the City on terms satisfactory to the City Solicitor.

315.6.8 Redevelopment allowances - calculation - limitation

Subject to the provisions of this Article, where any redevelopment or re-use of land replaces or changes a former or existing development and in the case of demolition upon proof of issuance of a demolition permit for the land being provided, the development charge applicable to the redevelopment or re-use shall be reduced by a redevelopment allowance, without interest, not to exceed an amount equal to the total of:

- (a) the number and types of legally established residential units in the former or existing development; and
- (b) the legally established non-residential gross floor area of the former or existing development;

as determined by the City’s General Development and Technical Services and Chief Building Official at the rates applicable to such units or gross floor area.

315.6.9 Unused redevelopment allowances - same land

No redevelopment allowance shall be made in excess of the development charge payable for a redevelopment; however, the redevelopment allowance may be carried forward and applied, upon proof satisfactory to the City’s Chief Building Official, to any subsequent development charge payable with respect to the same land as referred to in Section 315.6.8.

315.6.10 Reserve fund - establishment - purpose

Monies received from payment of development charges shall be maintained in a separate reserve fund or funds, and shall be used only to meet the growth-related net capital costs for which the development charge was imposed under this Chapter.

315.6.11 Investment income - credit to reserve fund

Income received from investment of the development charge reserve fund or funds shall be credited to the development charge reserve fund or funds in relation to which the investment income applies.

315.6.12 Development charge - unpaid - added to tax roll

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.

315.6.13 Development charge collected as taxes - credit to fund

Where any unpaid development charges are collected as taxes under Section 315.6.12, the monies so collected shall be credited to the development charge reserve fund or funds referred to in Section 315.6.10.

Article 7**GENERAL PROVISIONS****315.7.1 Administration - designated officials**

This Chapter shall be administered by the City's General Manager of Development and Technical Services, General Manager of Financial Services and City Treasurer and Chief Building Official.

315.7.2 Annual adjustment - without amendment

The development charges set out in Sections 315.3.2, 315.4.3, 315.5.1, 315.5.2 and Schedule 'B' shall be adjusted annually, without amendment to this Chapter, as of January 1 in each year, commencing on January 1, 2005, in accordance with the index prescribed by Ontario Regulation 82/98 and as such Regulation may be amended from time to time.

315.7.3 Interest rate - minimum - adjustment

The minimum interest rate that the City shall pay under subsections 18 (3) and 25 (2) of the *Development Charges Act, 1997*, c.27 in relation to a development charges by-law shall be the Bank of Canada interest rate on the day the by-law comes into force and thereafter as such rate is adjusted on the first business day of every January, April, July, and October of each year.

Article 8
REPEAL - ENACTMENT

315.8.1 Effective date

This Chapter shall come into force and effect on July 1, 2004.

315.8.2 Term - five years - unless repealed

This Chapter shall continue in force and effect for a term not to exceed five years from the date of its coming into force and effect unless it is repealed or replaced at an earlier date by a subsequent by-law.

315.8.3 No requirement to proceed with projects

Nothing in this Chapter shall be construed so as to commit or require the City or its Council to authorize or proceed with any specific capital project at any specific time.

315.8.4 Severability

Each and every provision of this Chapter is severable and, if any provision or provisions of this Chapter should, for any reason, be declared invalid by any court, it is the intention of Council that each and every of the then remaining provisions of this Chapter shall remain in full force and effect.

315.8.5 By-law - previous

By-law 91-314 as amended by By-law 93-8, 94-44, 95-97, 95-144, 96-122, 97-140, 97-154, 99-106, 99-209 and the previous contents of Chapter 315 of The City of Kitchener Municipal Code, as amended, are hereby repealed effective at midnight on June 30, 2004. By-law 2004-156, 29 June, 2004.

DEVELOPMENT CHARGES

SCHEDULE

Schedule 'A' - Services - Designations

(Revised pursuant to Order of the Ontario Municipal Board)

Residential Rate	Phase-In					
	2004			2005 Onwards		
	Central Neighbourhoods	Suburban Area	Suburban Area	Central Neighbourhoods	Central Neighbourhoods	Suburban Area
Sanitary	\$ 418.13	\$ 418.13	\$ 418.13	\$ -	\$ -	\$ 650.11
Storm/Watercourse	\$ 127.35	\$ 127.35	\$ 127.35	\$ -	\$ -	\$ 23.48
Watermains	\$ 35.97	\$ 35.97	\$ 35.97	\$ -	\$ -	\$ 87.15
Studies	\$ -	\$ -	\$ -	\$ -	\$ 6.48	\$ 6.48
Engineering Studies	\$ 22.36	\$ 22.36	\$ 22.36	\$ -	\$ -	\$ 44.70
Intensification Allowance	\$ 53.46	\$ 53.46	\$ 53.46	\$ 558.19	\$ 558.19	\$ -
Roads	\$ 545.99	\$ 545.99	\$ 545.99	\$ 70.07	\$ 70.07	\$ -
Fire	\$ 9.58	\$ 9.58	\$ 9.58	\$ -	\$ -	\$ 102.58
Fleet	\$ 43.71	\$ 43.71	\$ 43.71	\$ -	\$ -	\$ 113.39
Library	\$ 154.48	\$ 154.48	\$ 154.48	\$ 74.54	\$ 74.54	\$ 74.54
Parks and Recreation	\$ 269.97	\$ 269.97	\$ 269.97	\$ -	\$ -	\$ 602.13
Parks and Recreation - Indoor				\$ 583.16	\$ 583.16	\$ -
Parks and Recreation - Outdoor				\$ 145.80	\$ 145.80	\$ 145.80
Per person charge	\$ 1,681.00	\$ 1,681.00	\$ 1,681.00	\$ 1,438.24	\$ 1,438.24	\$ 2,382.22
Single family & semi	2.90	5,634.00	5,634.00	4,170.90	4,170.90	6,908.44
Townhouse	2.80	4,876.00	4,876.00	4,027.07	4,027.07	6,670.22
Multiple dwelling	1.90	3,026.00	3,026.00	2,732.66	2,732.66	4,526.22
Lodging house	1.00	1,681.00	1,681.00	1,438.24	1,438.24	2,382.22

Non-Residential Rate	Phase-In					
	2004			2005 Onwards		
	Central Neighbourhoods	Suburban Area	Suburban Area	Central Neighbourhoods	Central Neighbourhoods	Suburban Area
Sanitary	\$ 1.36	\$ 1.36	\$ 1.36	\$ -	\$ -	\$ 2.59
Storm/Watercourse	\$ 0.58	\$ 0.58	\$ 0.58	\$ -	\$ -	\$ 1.36
Watermains	\$ 0.14	\$ 0.14	\$ 0.14	\$ -	\$ -	\$ 1.38
Studies	\$ -	\$ -	\$ -	\$ 0.13	\$ 0.13	\$ -
Engineering Studies	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 0.93
Intensification Allowance	\$ 2.17	\$ 2.17	\$ 2.17	\$ 10.14	\$ 10.14	\$ -
Roads	\$ 0.15	\$ 0.15	\$ 0.15	\$ 0.63	\$ 0.63	\$ 0.69
Fire	\$ 0.68	\$ 0.68	\$ 0.68	\$ -	\$ -	\$ 2.12
Fleet				\$ -	\$ -	\$ 2.45
Per square metre charge	\$ 5.08	\$ 5.08	\$ 5.08	\$ 10.89	\$ 10.89	\$ 11.66
Per square foot charge	\$ 0.47	\$ 0.47	\$ 0.47	\$ 1.01	\$ 1.01	\$ 1.08

By-law 2006-243, 18 December, 2006; Schedule 'A'.

DEVELOPMENT CHARGES

Schedule 'B' - Development Charge Rates

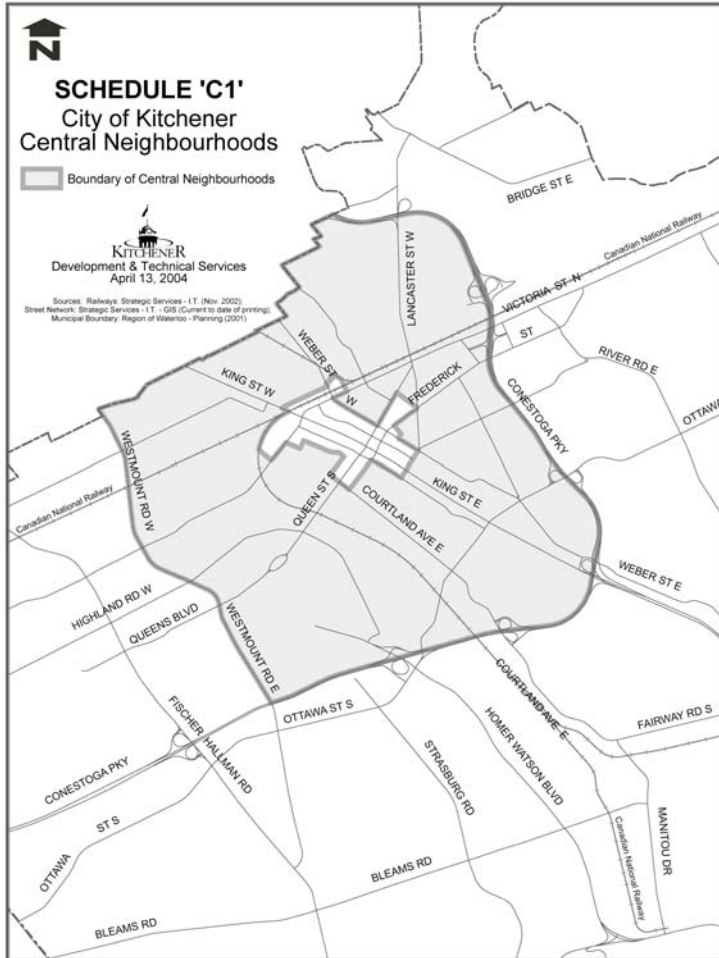
(Revised pursuant to Order of the Ontario Municipal Board)
(January 1, 2005, subject to annual adjustment. See section 21 of by-law -
Section 315.6.2 of the City of Kitchener Municipal Code.)

	Full Services Central Neighbourhoods	Full Services Suburban Area	Partial Services Suburban Area (no sanitary sewer)	Partial Services Suburban Area (no sanitary sewer or water services)
Residential Development				
Single detached or semi-detached dwelling	\$ 4,170.90 per dwelling unit	\$ 6,908.44 per dwelling unit	\$ 5,023.12 per dwelling unit	\$ 4,770.39 per dwelling unit
Townhouses or street townhouse dwelling	\$ 4,027.07 per dwelling unit	\$ 6,670.22 per dwelling unit	\$ 4,849.91 per dwelling unit	\$ 4,605.89 per dwelling unit
Multiple or duplex dwelling	\$ 2,732.66 per dwelling unit	\$ 4,526.22 per dwelling unit	\$ 3,291.01 per dwelling unit	\$ 3,125.43 per dwelling unit
Lodging house	\$ 1,438.24 per lodging unit	\$ 2,382.22 per lodging unit	\$ 1,732.11 per lodging unit	\$ 1,644.96 per lodging unit
Non-Residential Development				
Gross floor area of building	\$ 10.89 per square metre	\$ 11.66 per square metre	\$ 9.07 per square metre	\$ 7.69 per square metre
	\$ 1.01 per square foot	\$ 1.08 per square foot	\$ 0.84 per square foot	\$ 0.71 per square foot

By-law 2006-243, 18 December, 2006; Schedule 'B'.

DEVELOPMENT CHARGES

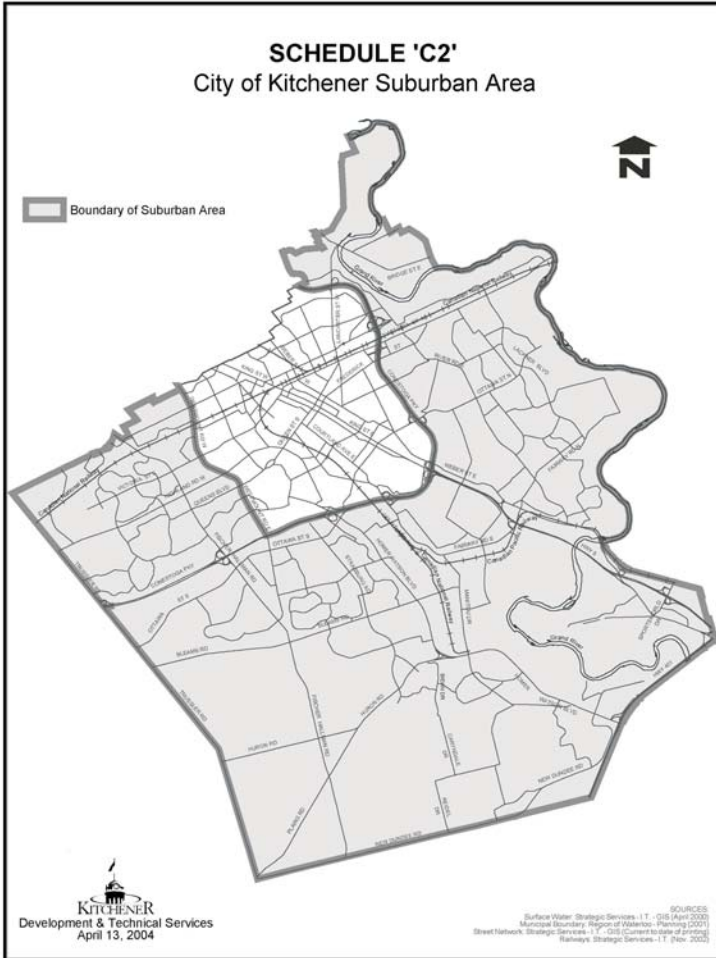
Schedule 'C1' - Central Neighbourhoods



By-law 2004-156, 29 June, 2004; Schedule 'C-1'

DEVELOPMENT CHARGES

Schedule 'C2' - Suburban Area



By-law 2004-156, 29 June, 2004; Schedule 'C-2'.

DEVELOPMENT CHARGES

Schedule 'D' - Classes of Development

Name of Class of Residential Building	Description of Class of Residential Buildings	Maximum number of additional dwelling units	Restrictions
Single detached dwellings	Residential buildings, each of which contains a single dwelling unit, that are not attached to other buildings	two	The total gross floor area of the additional dwelling unit or units must be less than or equal to the gross floor area of the dwelling unit already in the building.
Semi-detached dwellings or street townhouse dwellings	Residential buildings, each of which contains a single dwelling unit, that have one or two vertical walls, but no other parts, attached to other buildings	one	The gross floor area of the additional dwelling unit must be less than or equal to the gross floor area of the dwelling unit already in the building.
Other residential buildings	A residential building not in another class of residential building described in this table	one	The gross floor area of the additional dwelling unit must be less than or equal to the gross floor area of the smallest dwelling unit already in the building.

By-law 2004-156, 29 June, 2004; Schedule 'D'.