



Municipality of Mississippi Mills

COUNCIL AGENDA

Tuesday, December 5, 2023

5:00 p.m.

Hybrid

3131 Old Perth Road.

Celebrating 200 Years

Pages

A. CALL TO ORDER

B. CONSIDERATION OF A CLOSED SESSION

Recommended Motion:

THAT Council enter into an in-camera session at _____ as per

Municipal Act s.239 (2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board - Business Park Offer of Purchase and;

Municipal Act s. 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees - Market Salary Review

B.1 Business Park Offer

B.2 Market Salary and Pay Equity Review

C. RISE AND REPORT

C.1 Business Park Offer

C.2 Market Salary and Pay Equity Review

D. O CANADA

E. MOMENT OF SILENT MEDITATION

F. ATTENDANCE

G. APPROVAL OF AGENDA

Recommended Motion:

THAT the agenda be approved as presented.

H. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

I.	APPROVAL OF MINUTES	5 - 30
	<p>Recommended Motion: THAT the Council minutes dated November 14 and November 21, 2023 be approved as presented.</p>	
J.	DELEGATIONS, DEPUTATIONS, AND PRESENTATIONS	
	<p>J.1 Presentation - Monica Blackburn</p>	
K.	PUBLIC MEETINGS	
	<p>None</p>	
L.	COMMITTEE OF THE WHOLE REPORT	31 - 32
	<p>Recommended Motion: THAT Council approve the Committee of the Whole motions from the November 21st, 2023 meeting.</p>	
	<p>L.1 2022 Audited Financial Statements</p>	
	<p>L.2 Development Charges By-Laws Effective 2024-01-01</p>	
	<p>L.3 D14-224-23 - 430 Ottawa Street - Lifting of a Holding Zone</p>	
	<p>L.4 Bylaw Service Increased Hours</p>	
	<p>L.5 Councillor Ferguson - OPA 28</p>	
M.	COUNCIL REPORT	
	<p>M.1 Municipal Resolutions - Requests for Support</p>	
	<p>Recommended Motion: THAT the following municipal resolutions be received as information: AND THAT the following (<i>M.1.XX</i>) be pulled for support.</p>	
	a.	<p>November 16 ,2023 Town of Alymer re: Amendments to the Residential Tenancies Act 33 - 34</p>
	b.	<p>November 20, 2023 Town of Orangeville re: Ontario Works Financial Assistance Rates 35 - 36</p>
	c.	<p>November 21, 2023 Town of Amherstberg - Letter to Premier of Ontario re: Cigarette Producer Responsibility 37 - 38</p>
	d.	<p>November 27, 2023 Climate Network Lanark re: Natural Gas Expansion Program 39 - 41</p>
M.2	Proclamations	
	<p>None</p>	
M.3	Time Sensitive Items	

- a. **Lanark County Proposal - Better Homes Lanark** 42 - 56
Recommended Motion:
THAT Council support Lanark County's Better Homes Lanark County program

AND THAT staff be directed to submit a letter of support to the Federation of Canadian Municipalities (FCM) Community Efficiency Financing review Committee.

- b. **Police Services Board Appointments**
Recommended Motion:
THAT Council appoint _____ to the Lanark County Police Service Board

- c. **2024 Draft Budget Updates and Details # 4** 57 - 68
Recommended Motion 1:
THAT Council approve Option O and direct staff to maintain Corporate Services reserve contributions of \$112,924 in the 2024 draft budget

Recommended Motion 2:
THAT Council approve Option U and direct staff to reflect that the draw from reserves in the 2024 draft budget be exactly \$520,387 (or some other agreed upon amount);
AND THAT the tax rate increase in the 2024 draft budget be exactly 3.5% (or some other agreed upon rate),
AND THAT any remaining funds be used to reduce the amount of debt required for capital projects in the 2024 budget, specifically related to roads / transportation infrastructure.

Recommended Motion 3:
THAT Council receive as information that the updated insurance premium increase has been added to the draft budget for an additional cost of \$22,859;
AND THAT Council receive as information that the updated by-law services contract has been added to the draft budget amounting to savings of \$21,419.

Recommended Motion 4:
THAT Council approve the 2024 capital and operating budget, as amended.

M.4 Notice of Reconsideration
None

N. BY-LAWS

Recommended Motion:
THAT By-laws 23-080 to 23-089 be taken as read, passed, signed, and sealed in Open Council.

N.1 Bylaw 23-080 Repeal Appointment of Acting Clerk (Moyle) 69

N.2	Bylaw 23-081 Development Charges For Services Related to a Highway	70 - 84
N.3	Bylaw 23-082 Development Charges For Fire Protection Services	85 - 99
N.4	Bylaw 23-083 Development Charges For Parks and Recreation Services	100 - 114
N.5	Bylaw 23-084 Development Charges For Library Services	115 - 129
N.6	Bylaw 23-085 Development Charges For Child Care Services	130 - 144
N.7	Bylaw 23-086 Development Charges For Septage Services	145 - 159
N.8	Bylaw 23-087 Development Charges For Wastewater Services	160 - 174
N.9	Bylaw 23-088 Development Charges For Water Services	175 - 189
N.10	Bylaw 23-089 ZBLA D14-224-23 - 430 Ottawa	190 - 191

O. ANNOUNCEMENTS AND INVITATIONS

P. CONFIRMATORY BY-LAW

192

Recommended Motion:

THAT By-law 23-090 being a by-law to confirm the proceedings of the Council of the Corporation of the Municipality of Mississippi Mills at its regular meeting held on the 5th day of December 2023, be read, passed, signed, and sealed in Open Council this 5th day of December 2023.

Q. ADJOURNMENT

Recommended Motion:

THAT the meeting be adjourned at x:xx p.m.



Corporation of the Municipality of Mississippi Mills

Special Council Meeting

MINUTES

November 14, 2023

6:00 p.m.

Hybrid

3131 Old Perth Road.

PRESENT:

Mayor Lowry
Deputy Mayor Minnille
Councillor Ferguson
Councillor Holmes
Councillor Lowe
Councillor Souter
Councillor Torrance

Staff Present

Ken Kelly, CAO
Jeanne Harfield, Clerk
Casey Munro, Deputy Clerk
Kathy Davis, Director of Corporate Services
Cory Smith, Director of Public Works
Mike Williams, Director of Protective Services
Melanie Knight, Senior Planner
Tiffany MacLaren, Manager of Community and Economic
Development
Calvin Murphy, Recreation Manager
Anita Legault, Director of Childcare Services
Jon Wilson, Chief Building Official
Andrew Hodge, Deputy Treasurer

A. CALL TO ORDER

Mayor Lowry called the meeting to order at 6:00 p.m.

B. ATTENDANCE

The Clerk announced attendance.

C. APPROVAL OF AGENDA

Resolution No 383-23

Moved by Councillor Ferguson

Seconded by Councillor Holmes

THAT the agenda be approved as presented.

CARRIED

D. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

Councillor Holmes declared a conflict of interest on Item E.1.p.c "Museum Funding" as she serves on the board for the North Lanark Regional Museum. Councillor Holmes did not participate in the discussion or vote.

E. SPECIAL REPORTS

E.1 2024 Budget Update and Details # 3

Council consider E.1 p.b Curling Rink Chiller Project as the first item.

Resolution No 384-23

Moved by Councillor Holmes

Seconded by Councillor Souter

THAT Council approve the following motions from the 2024 Budget Update and Details #3 report;

AND THAT the following motions (E.1.k, E.1.m.c, E.1.m.d, E.1.m.e, E.1.n, E.1.p.b, E.1.p.c, E.1.p.d, E.1.p.e, E.1.q, E.1.r, E.1.s and E.1.u) be pulled for further consideration.

CARRIED

E.1.a Housing Accelerator Fund (information item)

Resolution No 385-23

Moved by Councillor Holmes

Seconded by Councillor Souter

THAT Council receive details related to the Housing Accelerator Fund grant application as information.

CARRIED

E.1.b Alignment of CSMP with Long Term Financial Plan and Asset Management Plan (information item)

Resolution No 386-23

Moved by Councillor Holmes
Seconded by Councillor Souter

THAT Council receive details related to the Asset Management Plan and Long Term Financial Plan as information.

CARRIED

E.1.c Cash in Lieu of Parkland (information item)

Resolution No 387-23

Moved by Councillor Holmes
Seconded by Councillor Souter

THAT Council receive the confirmation that no 2024 proposed capital projects are eligible for funding from Cash in Lieu of Parkland as information.

CARRIED

E.1.d Insurance Premiums (staff direction)

Resolution No 388-23

Moved by Councillor Holmes
Seconded by Councillor Souter

THAT Council direct staff to secure information about the Municipality’s 2024 insurance renewal, coverage implications, and cost savings opportunities and bring a report back to Council;
AND THAT should this occur prior to finalizing the budget, Council direct that staff update the budget assumption for insurance premium increases from 20% to a more accurate figure.

CARRIED

E.1.e Reserves (staff direction)

Resolution No 389-23

Moved by Councillor Holmes

Seconded by Councillor Souter

THAT Council direct staff to bring a staff report with recommendations related to reserves back to Council on or before the end of March 2024.

CARRIED

E.1.f Borrowing Rates Regarding Annual Debt Servicing Costs - Almonte Downtown Core, 2023 Paving Projects (information item)

Resolution No 390-23

Moved by Councillor Holmes

Seconded by Councillor Souter

THAT Council receive the updates regarding the borrowing rates and the related decrease in annual debt servicing costs for the Almonte Downtown Core Project and 2023 Paving Projects as information.

CARRIED

E.1.g LED Lighting Projects (staff direction)

Resolution No 391-23

Moved by Councillor Holmes

Seconded by Councillor Souter

THAT Council direct staff to apply for rebates through the Save On Energy program for the two LED lighting projects in the 2024 draft budget.

CARRIED

E.1.h Budget Line Items Shifts From Capital to Operating budget

E.1.h.a Environmental/ Waste Management (staff direction)

Resolution No 392-23

Moved by Councillor Holmes

Seconded by Councillor Souter

THAT Council direct staff to move a total of \$73,000 from the Environmental / Waste Management draft capital budget to the Environmental / Waste Management draft operating budget.

CARRIED

E.1.h.b Water & Sewer (staff direction)

Resolution No 393-23

Moved by Councillor Holmes

Seconded by Councillor Souter

THAT Council direct staff to move a total of \$66,950 from the Water & Sewer draft capital budget to the Water & Sewer draft operating budget.

CARRIED

E.1.h.c Public Works Beautification (staff direction)

Resolution No 394-23

Moved by Councillor Holmes

Seconded by Councillor Souter

THAT Council direct staff to move a total of \$31,000 from the Public Works Beautification draft Capital budget to the Public Works Beautification draft operating budget.

CARRIED

E.1.h.d Parks - Tree Works (2024 budget impact)

Resolution No 395-23

Moved by Councillor Holmes

Seconded by Councillor Souter

THAT Council amend the draft 2024 to reallocate \$10,000 for tree works in parks from the 2024 draft capital budget to the draft operating budget as an annual and recurring cost.

CARRIED

E.1.i ORPC Garage and Pole Barn (information item)

Resolution No 396-23

Moved by Councillor Holmes

Seconded by Councillor Souter

THAT Council receive the update related to lease revenue from ORPC for the garage and pole barn, in the amount of \$90,400, as information.

CARRIED

E.1.j Affordable Housing Grant (2024 budget impact)

Resolution No 397-23

Moved by Councillor Holmes

Seconded by Councillor Souter

THAT Council amend the draft 2024 budget to remove the Affordable Housing Grant from the Planning draft operating budget in the amount of \$50,000 for 2024.

CARRIED

E.1.l Ontario Municipal Partnership Funding - Paving Projects (staff direction)

Resolution No 398-23

Moved by Councillor Holmes

Seconded by Councillor Souter

THAT Council direct staff to apply an additional \$48,900 in grant funding from Ontario Municipal Partnership Funding to offset the amount proposed to be borrowed for paving projects thereby reducing debt requirements in the draft capital budget for hard topping and paving to \$880,784.

CARRIED

E.1.m 2024 Capital Projects

E.1.m.a Loader Replacement (2024 budget impact)

Resolution No 399-23

Moved by Councillor Holmes

Seconded by Councillor Souter

THAT Council amend the draft capital 2024 budget to include the replacement of the Loader, in the amount of \$240,000, funded by debt financing.

CARRIED

E.1.m.b Grader Replacement (2024 budget impact)

Resolution No 400-23

Moved by Councillor Holmes

Seconded by Councillor Souter

THAT Council amend the draft 2024 budget to include the Grader, in the amount of \$410,000, funded by debt financing.

CARRIED

E.1.o Policing (staff direction)

Resolution No 401-23

Moved by Councillor Holmes
Seconded by Councillor Souter

THAT Council direct staff to include Option I in the 2024 draft policing budget, to maintain the revised budget as presented for the OPP contract on October 12 in the amount of \$1,893,536.

CARRIED

E.1.p Community Services

E.1.p.a Tennis Court Renewal Project (2024 budget impact)

Resolution No 402-23

Moved by Councillor Holmes
Seconded by Councillor Souter

THAT Council defer the tennis court renewal project pending receipt of the Community Services Master Plan.

CARRIED

E.1.t Long Term Disability Premiums (2024 budget impact)

Resolution No 403-23

Moved by Councillor Holmes
Seconded by Councillor Souter

THAT Council amend the draft 2024 budget to include increasing the Municipality’s portion of coverage for staff Long Term Disability premiums from 50% to 100%.

CARRIED

E.1.p.b Curling Rink Chiller (2024 Budget impact)

This item was considered as the first pulled motion.

Deputy Mayor Minnille took over as chair at 6:29 pm Mayor Lowry resumed as Chair at 6:38 pm

Resolution No 404-23

Moved by Mayor Lowry

Seconded by Councillor Holmes

THAT Council approve the request for an additional \$150,000 for the Curling Rink Chiller Project;

AND THAT a new agreement with the Curling Club for the 2024 - 2025 season reflect the findings of the Community Services Master Plan.

CARRIED

E.1.k Planning & Engineering Fees (2024 budget impact)

Resolution No 405-23

Moved by Councillor Ferguson

Seconded by Councillor Holmes

THAT Council amend the draft 2024 budget to increase the draft Revenue budget for planning fees from \$127,740.24 to \$200,000 based on revised estimates and calculations;

AND THAT Council amend the draft 2024 budget to include Option E to increase Engineering Fee Revenues by \$110,000 and increase Other Professional Fees by \$75,000 for a net increase in revenues of \$35,000.

CARRIED

E.1.m.c Mercer/Marshall Project (2024 Budget impact)

Resolution No 406-23

Moved by Councillor Torrance

Seconded by Councillor Ferguson

THAT Council amend the draft 2024 budget to include Option A related to the Mercer/Marshall project, to borrow a total of \$1,650,000 for the culvert, storm sewer, and water and sanitary works.

CARRIED

E.1.m.d Pakenham Salt Shed (2024 Budget impact)

Resolution No 407-23

Moved by Councillor Souter

Seconded by Councillor Ferguson

THAT Council defer replacement of the Pakenham Salt Shed until we have our next facilities review.

CARRIED

E.1.m.e Southern River Crossing (2024 Budget impact)

Resolution No 408-23

Moved by Councillor Lowe

Seconded by Councillor Ferguson

THAT Council defer the Southern River crossing Class EA and Design until receipt of the Water & Wastewater Master Plan in 2024 and consider this project in 2025 budget deliberations.

CARRIED

E.1.n New Fire Truck (2024 budget impact)

Resolution No 409-23

Moved by Councillor Torrance

Seconded by Councillor Ferguson

THAT Council amend the draft 2024 budget to include the purchase of the new fire truck, in the amount of \$900,000, to be funded by debt financing.

CARRIED

E.1.p.c Museum Funding (2024 budget impact)

Deputy Mayor took over as Chair at 7:02 pm

Mayor Lowry resumed as Chair at 7:10 pm

Councillor Holmes declared a conflict of interest and did not participate in the discussion or vote.

Resolution No 410-23

Moved by Mayor Lowry

Seconded by Councillor Torrance

THAT Council amend the draft 2024 budget to include the Museum funding equivalent to 2023 budgeted amounts plus 3%;

AND THAT 2025 budget allocation will be considered pending receipt of the Community Services Master Plan and formalized agreements with the museums;

AND THAT Council direct staff to offer the North Lanark Regional Museum a loan of \$6,190.

CARRIED

E.1.p.d Youth Centre Funding (2024 budget impact)

Resolution No 411-23

Moved by Councillor Lowe

Seconded by Councillor Souter

THAT Council amend the draft 2024 budget to include Youth Center funding of \$35,000, with future consideration for additional increases pending receipt of the Community Services Master Plan.

CARRIED

E.1.p.e John Levi Centre Chiller and Condenser (2024 budget impact)

Resolution No 412-23

Moved by Councillor Torrance

Seconded by Councillor Souter

THAT Council amend the draft 2024 budget to include capital expenditures of \$90,000 for the John Levi Center chiller as proposed in the draft 2024 capital budget;

AND THAT Council direct staff to investigate grant and funding opportunities for condenser and water treatment equipment in 2025.

CARRIED

E.1.q Events Coordinator (2024 budget impact)

Resolution No 413-23

Moved by Councillor Ferguson

Seconded by Councillor Souter

THAT Council amend the draft 2024 budget to allocate the \$6,242.40 budget for labour related to municipal events for 2024 toward part-time casual event staff.

CARRIED

Resolution No 414-23

Moved by Councillor Ferguson

Seconded by Councillor Lowe

THAT Council amend the draft 2024 budget to include the Recreation Programmer position in the 2024 budget, with 50% of the costs to Recreation and 50% to Economic Development;

AND THAT Council direct staff to include in the job description the requirement to work weekends and statutory holidays as needed.

CARRIED

E.1.r Downtown Heritage Streetlights (2024 budget impact)

Council recessed at 7:65 pm and returned at 8:02pm

Resolution No 415-23

Moved by Councillor Torrance

Seconded by Councillor Souter

THAT Council amend the draft 2024 budget to include Option L, being \$24,000 to replace two (2) downtown heritage streetlights.

CARRIED

E.1.s Corporate Services Reserves (staff direction)

Amount each dept. has in reserves, what the target reserve is, and what the actual reserve is (would like to see in budget going forward) Motions will be considered at a future Council meeting.

Moved by Councillor Torrance

Seconded by Councillor Souter

THAT Council direct staff to include Option O in the 2024 draft budget, such that the Corporate Services transfer to reserves for 2024 is maintained at \$113,024 (\$15,000 toward elections and remainder \$98,024 to IT expenditures).

WITHDRAWN

E.1.u Reserves Stabilization and Tax Rates (2024 budget impact)

Council recessed at 8:39 pm and resumed at 8:48pm

Resolution No 416-23

Moved by Councillor Souter

Seconded by Councillor Torrance

THAT Council direct staff to provide additional information regarding actual 2022 surplus, contributions to reserves and transfers from reserves as it relates to the draft 2024 budget at the December 5th Council meeting.

CARRIED

E.2 2024 Budget Approval

No motion considered.

F. CONFIRMATORY BY-LAW

Resolution No 417-23

Moved by Councillor Souter

Seconded by Councillor Holmes

THAT By-law 23-072, being a by-law to confirm the proceedings of the Council of the Corporation of the Municipality of Mississippi Mills at its special meeting held on the 14th day of November 2023, be read, passed, signed, and sealed in Open Council this 14th day of November 2023.

CARRIED

G. ADJOURNMENT

Resolution No 418-23

Moved by Councillor Ferguson

Seconded by Councillor Lowe

THAT the meeting be adjourned at 8:55 p.m.

CARRIED

Christa Lowry, MAYOR

Jeanne Harfield, CLERK



The Municipality of Mississippi Mills

Council Meeting

MINUTES

November 21, 2023

5:45 p.m.

Hybrid

3131 Old Perth Road.

PRESENT: Mayor Lowry
Deputy Mayor Minnille
Councillor Ferguson
Councillor Holmes
Councillor Lowe
Councillor Souter
Councillor Torrance

Staff Present Ken Kelly, CAO
Jeanne Harfield, Clerk
Casey Munro, Deputy Clerk
Kathy Davis, Director of Corporate Services
Cory Smith, Director of Public Works

A. CALL TO ORDER

Mayor Lowry called the meeting to order at 5:47 p.m.

B. CONSIDERATION OF A CLOSED SESSION

Resolution No 419-23

Moved by Councillor Lowe

Seconded by Councillor Souter

THAT Council enter into an in-Camera session a 5:47 pm as per a proposed or pending acquisition or disposition of land by the municipality or local board - Business Park Offer of Purchase

CARRIED

B.1 Business Park Offer of Purchase

C. RISE AND REPORT

C.1 Business Park Offer of Purchase

Resolution No 420-23

Moved by Councillor Souter

Seconded by Councillor Holmes

THAT Council direct the CAO to accept the purchase of 7 Frank Davis St

CARRIED

D. O CANADA

Council stood for the playing of O Canada.

E. MOMENT OF SILENT MEDITATION

Council observed a moment of silent meditation.

F. ATTENDANCE

The Clerk announced attendance.

G. APPROVAL OF AGENDA

Resolution No 421-23

Moved by Councillor Ferguson

Seconded by Councillor Lowe

THAT the agenda be approved as presented.

CARRIED

**H. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE
THEREOF**

None were declared.

I. APPROVAL OF MINUTES

Resolution No 422-23

Moved by Councillor Holmes

Seconded by Deputy Mayor Minnille

THAT the Council minutes dated **November 7, 2023** be approved as presented.

CARRIED

J. DELEGATIONS, DEPUTATIONS, AND PRESENTATIONS

J.1 Deputation - Lanark County Climate Action

Elizabeth Gallant, Lanark County Climate Environmental Coordinator, presented on the Lanark County Climate Action Plan, highlights include: background, Lanark County Council approved the Lanark County Climate Action Plan on November 8, 2023, currently on the implementation stage (4 of 5), corporate plans and targets, community plans and targets, the role of lower tier municipalities, encourage municipalities to complete their own climate action plans, ongoing climate initiatives, next steps.

Members then posed questions including: regular reviews and timelines, duplication of plans and targets, funding available, rural transit goal, available funding programs, timeline for developing a corporate plan, process for development of County Plan and partnerships.

Resolution No 423-23

Moved by Councillor Torrance

Seconded by Councillor Ferguson

THAT the deputation from Elizabeth Gallant, Lanark County Climate Action Coordinator be received as information.

CARRIED

Resolution No 424-23

Moved by Councillor Torrance

Seconded by Councillor Lowe

THAT Council direct staff to bring forward a report to provide options and timelines for the development of a local climate action plan and how it fits into the Strategic Plan and timeline and to identify available grants.

CARRIED

J.2 Deputation - Lorne Franklin, Drainage Superintendent

Lorne Franklin, Drainage Superintendent, Robinson Consultants, presented to Council regarding municipal drains highlights include: what is a municipal drain, Drainage Act, location of municipal drains, benefits of good drainage, changes to municipal drains, Mississippi Mills drains stats, and drain maintenance considerations.

Members then posed questions including: the age of drains and maintenance, proactive maintenance approach, municipal responsibility when a drain fails on private property, and the difference between municipal and private drains.

Resolution No 425-23

Moved by Councillor Ferguson

Seconded by Councillor Holmes

THAT the deputation from Lorne Franklin, Drainage Superintendent be received as information.

CARRIED

K. PUBLIC MEETINGS

None

L. COMMITTEE OF THE WHOLE REPORT

Resolution No 426-23

Moved by Deputy Mayor Minnille

Seconded by Councillor Souter

THAT Council approve the Committee of the Whole motions L.1 - L.2 and L.4 - L.8 from the **November 7th, 2023** meeting;

AND THAT item L.3 Fees and Charges be pulled for further consideration

CARRIED

L.1 Zoning By-law Amendment (Housekeeping) - D14-MUN-23

Resolution No 427-23

Moved by Deputy Mayor Minnille

Seconded by Councillor Souter

THAT Council approve the Housekeeping Zoning By-law Amendments similar in effect to those detailed in Attachments A to D to amend various provisions within Zoning By-law #11-83 to clarify the intent of provisions; correct technical errors to align with the Community Official Plan; and reflect the current best practices in planning.

CARRIED

L.2 Recognition of Part-time Service

Resolution No 428-23

Moved by Deputy Mayor Minnille

Seconded by Councillor Souter

THAT Council approve the standardized process for recognizing part-time service for non-union employees who move to full-time status.

CARRIED

L.4 Surplus Equipment – 2007 Chev Silverado

Resolution No 429-23

Moved by Deputy Mayor Minnille

Seconded by Councillor Souter

THAT Council declares the following equipment as surplus equipment;

- 2007 CHEV – SILVERADO – BLUE
- VIN # 1GCEK19V87E143540

AND FURTHERMORE THAT Council approves the items for sale as scrap metal in the event that no bids are received.

CARRIED

L.5 Review of Pedestrian Crossovers Downtown Core

Resolution No 430-23

Moved by Deputy Mayor Minnille

Seconded by Councillor Souter

THAT Council direct staff to reduce the PXO to a Level 2, Category C, PXO using a smaller diameter historic looking post.

AND THAT the costs be covered by the surplus from the Downtown Core Project.

CARRIED

L.6 Quarterly Reports - Review

Resolution No 431-23

Moved by Deputy Mayor Minnille

Seconded by Councillor Souter

THAT Council approve the proposed changes to the Quarterly Reports;

AND THAT Council approve a by-law to amend Section 35.1 “Committee of the Whole Order of Business” of Procedural By-law 23-041.

CARRIED

L.7 Lease of 478 Almonte St to ORPC

Resolution No 432-23

Moved by Deputy Mayor Minnille

Seconded by Councillor Souter

THAT Council that it consider renewing the lease for office space and a portion of the garage located at 478 Almonte St., Almonte Ward with Ottawa River Power Corporation for the sum of \$90,400;

AND THAT the CAO and Manager of Facilities and Special Projects be authorized to negotiate the exact terms of the lease;

AND THAT the Mayor and Clerk be authorized to execute the lease based on a recommendation of acceptance from the CAO and Manager of Facilities and Special Project.

CARRIED

L.8 What We Heard Report – Community Services Master Plan

Resolution No 433-23

Moved by Deputy Mayor Minnille

Seconded by Councillor Souter

THAT Council to accept this report on the stakeholder consultation conducted by the Community Services Master Plan Steering Committee.

CARRIED

L.3 2024 Fees and Charges

Resolution No 434-23

Moved by Councillor Holmes

Seconded by Councillor Souter

THAT Council approve proposed changes to 2024 fees and charges and that public notice be given as to Council’s intention to pass the 2024 Fees and Charges By-Law;

AND THAT the following items be removed from the 2024 Fees and Charges By-law and be considered as part of the 2025 Fees and Charges: Burial Permit (after-hours fee), and fee for the reprint of a tax bill.

CARRIED

STAFF DIRECTION: track the number of times tax bills are re-printed required and after-hour requests for burial permits.

M. COUNCIL REPORT

M.1 Municipal Resolution - Request for Support

Resolution No 435-23

Moved by Councillor Lowe

Seconded by Councillor Torrance

THAT the following municipal resolutions be received as information:

AND THAT the following M.1.b be pulled for support.

CARRIED

M.1.a Dufferin County - Violence Against Women

M.1.b Municipality of Wawa - Firefighter tax credit

M.2 Proclamations

M.3 Time Sensitive Items

M.4 Notice of Reconsideration

N. BY-LAWS

Resolution No 436-23

Moved by Councillor Holmes

Seconded by Councillor Torrance

THAT By-laws 23-073 to 23-078 be taken as read, passed, signed, and sealed in Open Council.

CARRIED

N.1 Bylaw 23-073 2023 Fees and Charges

Resolution No 437-23

Moved by Councillor Holmes

Seconded by Councillor Torrance

THAT By-law 23-073 being a by-law to establish fees and charges for services provided by the Municipality of Mississippi Mills be read, passed, signed, and sealed.

CARRIED

N.2 Bylaw 23-074 Procedural By-law Amendment COW Order of Business (amends 23-041)

Resolution No 438-23

Moved by Councillor Holmes

Seconded by Councillor Torrance

THAT By-law 23-074 being a by-law to amend Procedural By-law 23-041 be read, passed, signed, and sealed.

CARRIED

N.3 Bylaw 23-075 Zoning Amendment D14-MUN-23 (correct mapping error)

Resolution No 439-23

Moved by Councillor Holmes

Seconded by Councillor Torrance

THAT By-law 23-075 being a by-law to amend By-law No. 11-83 being the Zoning By-law for the Municipality of Mississippi Mills be read, passed, signed, and sealed.

CARRIED

N.4 Bylaw 23-076 Zoning Amendment - D14-MUN-23 (section 23.3.2)

Resolution No 440-23

Moved by Councillor Holmes

Seconded by Councillor Torrance

THAT By-law 23-076 being a by-law to amend By-law No. 11-83 being the Zoning By-law for the Municipality of Mississippi Mills be read, passed, signed, and sealed.

CARRIED

N.5 Bylaw 23-077 Zoning Amendment - D14-MUN-23 (outdoor commercial patio and restaurant definition)

Resolution No 441-23

Moved by Councillor Holmes

Seconded by Councillor Torrance

THAT By-law 23-077 being a by-law to amend By-law No. 11-83 being the Zoning By-law for the Municipality of Mississippi Mills be read, passed, signed, and sealed.

CARRIED

N.6 Bylaw 23-078 Zoning Amendment - D-14-MUN-23 (Changes to permitted projections)

Resolution No 442-23

Moved by Councillor Holmes

Seconded by Councillor Torrance

THAT By-law 23-078 being a by-law to amend By-law No. 11-83 being the Zoning By-law for the Municipality of Mississippi Mills be read, passed, signed, and sealed.

CARRIED

O. ANNOUNCEMENTS AND INVITATIONS

O.1 New Committee of the Whole Chair for December

Member of Council shared the sad news of Al Potvin's passing on Sunday, November 19th. Al Potvin was a community builder who, over the decades, nurtured the community. Al Potvin's passing is a great loss to the community, but he has left a strong and lasting legacy.

Monica Blackburn, Deputy Librarian, retired after 30 years with the municipality.

P. CONFIRMATORY BY-LAW

Resolution No 443-23

Moved by Councillor Holmes

Seconded by Councillor Souter

THAT By-law 23-079 being a by-law to confirm the proceedings of the Council of the Corporation of the Municipality of Mississippi Mills at its regular meeting held on the 21st day of November 2023, be read, passed, signed, and sealed in Open Council this 21st day of November 2023.

CARRIED

Q. ADJOURNMENT

Resolution No 444-23

Moved by Councillor Lowe

Seconded by Councillor Ferguson

THAT the meeting be adjourned at 7:19 p.m.

CARRIED

Christa Lowry, MAYOR

Jeanne Harfield, Clerk



REPORT OF THE COMMITTEE OF THE WHOLE November 21, 2023

The following is the Committee of the Whole report from the November 21st meeting.

Staff Reports

2022 Audited Financial Statements

Resolution No. CW259-23

THAT Council accept and approve the 2022 Audited Financial Statements for the Corporation of the Municipality of Mississippi Mills.

Development Charges By-Laws Effective 2024-01-01

Resolution No. CW260-23

THAT Council approve the Development Charges background study and suggested bylaws;

AND THAT Council approve the capital project listing set out in chapter 5 of the DC Background Study dated October 5, 2023, subject to further annual review during the capital budget process;

AND THAT there are no further public meetings required.

D14-224-23 - 430 Ottawa Street - Lifting of a Holding Zone

Resolution No. CW261-23

THAT Council approve the Zoning By-law Amendment to amend a portion of the zoning of the subject lands which are municipally known as RAMSAY CON 10 PT LOT 16 RP 27R-8445 PARTS 1 TO 4 9 TO 11, RP-27R-8990 PART 1, Almonte Ward, Municipality of Mississippi Mills, municipally known as 430 Ottawa Street from Highway Commercial holding zone (C4-4h) to Highway Commercial (C4-4) in order to permit a portion of the property to be redeveloped with a new free standing commercial building, similar in effect to the details in Attachment A.

Bylaw Service Increased Hours

Resolution No. CW262-23

THAT Council to approve an increase to the Bylaw Enforcement contract hours of service to be purchased from 20hrs per week to 50hrs per week;

AND THAT the Mayor and Clerk be authorized in execute a contract for the provision of these services.

Notice of Motion

Councillor Ferguson - OPA 28

Resolution No. CW264-23

WHEREAS the national shortage of housing is having an impact in all areas of Mississippi Mills;

AND WHEREAS, Official Plan Amendment 28, Rural Villages and Rural Vitality will be reviewing the Rural and Agricultural policies of the Official Plan;

AND WHEREAS, the Official Plan permits the creation of rural, non-farm residential lots subject to a number of policies in the Rural designation;

AND WHEREAS, Additional Residential Units can make homeownership more viable, provide opportunities to support multi-generational farming operations and may also increasing local attainable rental stock;

THEREFORE, BE IT RESOLVED THAT Council direct staff to include the review of the rural, non-farm residential severance policies in the Rural designation and the policies related to Additional Residentials Units in the Rural and Agricultural designations as part of Official Plan Amendment 28.

Submitted by,

Reviewed by,

Councillor Holmes,
Committee of the Whole Chair

Casey Munro,
Deputy Clerk

November 16, 2023

The Honourable Doug Ford, M.P.P.
Premier of Ontario
Legislative Building
Queen's Park
Toronto, ON M7A 1A1

Re: Motion regarding Provincial Consideration for Amendments to the Residential Tenancies Act

At their Regular Meeting of Council on November 15, 2023, the Council of the Town of Aylmer endorsed the following motion regarding Provincial Consideration for Amendments to the Residential Tenancies Act:

Whereas the Ontario government has acknowledged an affordable housing and housing supply crisis, communicating a targeted approach to build 1.5 million homes by 2031; and

Whereas nearly one-third of Ontario households rent, rather than own, according to the most recent 2021 Census of Population; and

Whereas the Ontario government has reported that Ontario broke ground on nearly 15,000 purpose-built rentals in 2022, a 7.5 percent increase from 2021 and the highest number on record, with continued growth into 2023; and

Whereas the Residential Tenancies Act, 2006, provides for the maximum a landlord can increase most tenants rent during a year without the approval of the Landlord and Tenant Board; and

Whereas the Ontario government recently strengthened protections for tenants with the intention of preserving affordability, by holding the rent increase guideline for 2024 to 2.5 percent, well below the average inflation rate of 5.9 percent; and

Whereas the rental increase guideline protection does not apply to rental units occupied for the first time after November 15, 2018, leaving an increasing number of tenants susceptible to disproportionate and unsustainable rental increases compared to those benefiting from legislated increase protection;

Now Therefore Be It Resolved that the Council of the Town of Aylmer requests provincial consideration for amendments to the Residential Tenancies Act, 2006, to ensure that all tenants benefit from protections intended to preserve affordability;

That a copy of this Resolution be sent to:

- Honourable Doug Ford, Premier of Ontario
- Honourable Paul Calandra, Minister of Municipal Affairs and Housing
- Honourable Rob Flack, Associate Minister of Housing
- The Association of Municipalities of Ontario (AMO)
- And all Ontario Municipalities.

Thank you,

Owen Jaggard

Deputy Clerk / Manager of Information Services | Town of Aylmer

46 Talbot Street West, Aylmer, ON N5H 1J7

519-773-3164 Ext. 4913 | Fax 519-765-1446

ojaggard@town.aylmer.on.ca | www.aylmer.ca

CC:

Minister of Municipal Affairs and Housing paul.calandra@pc.ola.org

Associate Minister of Housing rob.flack@pc.ola.org

Association of Municipalities of Ontario resolutions@amo.on.ca

Corporate Services

November 20, 2023

Re: Ontario Works Financial Assistance Rates

Please be advised that the Council of the Corporation of the Town of Orangeville, at its Regular Council Meeting held on November 13, 2023, approved the following resolution:

WHEREAS poverty is taking a devastating toll on communities, undermining a healthy and prosperous Ontario, with people in receipt of Ontario Works being disproportionately impacted; and

WHEREAS the cost of food, housing, and other essential items have outpaced the highest inflation rates seen in a generation; and

WHEREAS people in need of social assistance have been legislated into poverty, housing insecurity, hunger, poorer health, their motives questioned, and their dignity undermined; and

WHEREAS Ontario Works Financial Assistance rates have been frozen since 2018; and

WHEREAS the newly introduced Common Assessment Tool (CAT) questionnaire developed by the Provincial Government for use with Ontario Works and Ontario Disability Program recipients contains complex and invasive personal health related questions; and

WHEREAS the use of the Common Assessment Tool (CAT) provides no benefit to clients, it does not score, provide results, assess client need, and does not match those in need to the services they require; and

WHEREAS the Common Assessment Tool (CAT) contains questions mirrored in the Ontario Health Common Assessment of Needs, used by health providers; and

WHEREAS privacy obligations under The Personal Health Information Protection ACT (PHIPA) do not extend to municipal delivery agents for Ontario Works; and

WHEREAS designated Service Managers are doing their part, but do not have the resources, capacity, or tools to provide the necessary income and health related supports to people experiencing poverty; and

WHEREAS leadership and urgent action is needed from the Provincial Government to immediately develop, resource, and implement a comprehensive plan to address the rising levels of poverty in Ontario, in particular for those on Ontario Works:

THEREFORE BE IT RESOLVED THAT The Town of Orangeville calls on the Provincial Government to urgently:

- a. **At least double Ontario Works rates and index rates to inflation, answering calls already made by “Raise the Rates” campaign and the “Income Security Advocacy Centre”;**
- b. **Commit to ongoing cost of living increases above and beyond the rate of inflation to make up for the years they were frozen;**
- c. **Commit to jointly working between the Ministry of Children, Community, and Social Services and the Ministry of Health on the best methods of assessing client needs and then matching those in need to the services they require;**
- d. **AND FURTHER THAT** a copy of this motion be sent to the Minister of Children, Community, and Social Services, the Minister of Health, the Minister of Municipal Affairs and Housing, the Association of Municipalities of Ontario, the Ontario Municipal Social Services Association, the Western Ontario Wardens Caucus, the Eastern Ontario Wardens Caucus, and all Ontario Municipalities

Carried.

Yours truly,

Tracy Macdonald
Deputy Clerk

November 16, 2023

The Honourable Doug Ford, M.P.P.
Premier of Ontario
Legislative Building
Queen's Park
Toronto, ON M7A 1A1

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That a copy of this Resolution be sent to:

- Honourable Doug Ford, Premier of Ontario
- Honourable Paul Calandra, Minister of Municipal Affairs and Housing
- Honourable Rob Flack, Associate Minister of Housing
- The Association of Municipalities of Ontario (AMO)
- And all Ontario Municipalities.

Thank you,

Owen Jaggard

Deputy Clerk / Manager of Information Services | Town of Aylmer

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ojaggard@town.aylmer.on.ca | www.aylmer.ca

CC:

Minister of Municipal Affairs and Housing paul.calandra@pc.ola.org

Associate Minister of Housing rob.flack@pc.ola.org

Association of Municipalities of Ontario resolutions@amo.on.ca



1565 Lanark Concession 12C
Almonte, Ontario, K0A 1A0

Dear Mayor/Reeve and Members of Council;

Nov. 26, 2023

Action 1 - The Ministry of Energy is specifically seeking input from rural municipalities on its [consultation on the future of natural gas expansion and home heating affordability](#). The Ministry is asking for comment from stakeholders on the future of the program, which will be used to inform next steps to address home heating costs in rural and northern Ontario and Indigenous communities.

CNL encourages you to **give voice to your constituents in this important consultation**, especially in the context of having recently passed the County's Climate Action Plan and the crisis of availability of affordable housing in the County and Smiths Falls. Your municipal perspective, interests and priorities could help shape the future of the program. Responses are due by December 15, 2023. You can learn more about the consultation process on the Ministry's [website](#) and from a document reflecting CNL's [outlook](#) on this.

Action 2 - Enbridge Gas has shared key messages with the County and with its Municipalities regarding out-of-date aspects of the Ontario Energy Board's Leave to Construct (LTC) process, entitled "reducing red tape for more cost-effective, timely energy connections in Ontario". Enbridge is asking for a Resolution of support.

CNL has composed the attached alternative Resolution which asks the Ontario Energy Board to determine, in gas expansion leave-to-construct applications, which option would result in the lowest energy bills - directing the subsidy to the lower, be it gas line expansion or to heat pump subsidies for homeowners. **Please give this alternate Resolution your consideration.**

CNL is working hard to lower both energy costs and emissions of homes in the County and Smiths Falls through our Climate Concierge program. We are bringing reliable affordable energy options to our communities, homes, and businesses in a cost-effective and timely manner – and promoting economic development and job creation locally – while addressing the climate crisis.

Thank you for acting on your commitment to protecting the citizens of Lanark County and Smiths Falls from a worsening climate crisis.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Hortop".

Scott Hortop
Chair,
Board of Directors
Climate Network Lanark

Attached File: Alternative Resolution OEB Leave to Construct Modernization CNL 25 Nov 2023.docx

RESOLUTION

RESOLUTION NO.

SUBJECT: Ontario Energy Board, Leave to Construct Modernization

DATE:

MOVED BY:

SECONDED BY:

IN FAVOUR:

OPPOSED:

WHEREAS: Ontario Residents are struggling with energy bill increases and need relief;

AND WHEREAS: Natural gas is no longer the cheapest way to heat homes because electric heat pumps are now much more efficient, can provide all heating needs even in the cold climates, and result in far lower energy bills compared to gas heating;

AND WHEREAS: Natural gas is methane gas, which is a fossil fuel that causes approximately one-third of Ontario's GHG emissions and must be phased out because it is inconsistent with all climate targets, while heat pumps result in the lowest GHG emissions and are consistent with a zero-carbon future;

AND WHEREAS: The Natural Gas Expansion Program provides subsidies to bring natural gas to communities across Ontario but currently cannot be redirected by municipalities toward the best option for their residents - heat pumps;

AND WHEREAS: Far more residents could achieve far lower energy bills if municipalities were allowed to redirect those subsidies toward heat pumps for their residents, which would also benefit existing natural gas customers by reducing the financial risks they bear in relation to the gas expansion projects;

AND WHEREAS: The Government of Ontario is considering requests from Enbridge Gas Inc. to reduce oversight by the Ontario Energy Board over gas expansion and other pipeline projects at a time when the Ontario Energy Board's technical and financial expertise is critical as the energy transition takes place;

NOW THEREFORE BE IT RESOLVED:

1. THAT the [municipality name] petitions the Ontario Government to expedite the implementation of the following recommendations:

i) THAT the Government of Ontario amend the Natural Gas Expansion Program to allow municipalities to redirect funds toward heat pumps, including for ongoing Phase II projects;

ii) AND THAT the Government of Ontario maintain the existing Ontario Energy Board oversight mechanisms and thresholds for gas pipeline projects; and

iii) AND THAT the Government of Ontario ask the Ontario Energy Board to determine in gas expansion leave-to-construct applications which option would result in the lowest energy bills - directing the subsidy to gas expansion or to heat pump subsidies.

2. AND THAT this resolution be circulated to the President of AMO, Colin Best, Premier Doug Ford, the Minister of Energy, Todd Smith, The Minister of Finance, Peter Bethlenfalvy and to all regional municipalities from whom Enbridge has requested support of the proposed changes.

x _____
MAYOR of *[municipality name]*

Date

File Name: Draft Alternative to Enbridge Resolution OEB Leave to Construct Modernization CNL 24 Nov 2023

Background supporting information: <https://www.cleanairalliance.org/wp-content/uploads/2023/11/ED-and-OCAA-comments-re-Gas-Expansion-v2.pdf>.

Background supporting information: [outlook](#).



#PW-32-2023 Better Homes Lanark Parameters

Public Works Committee
October 18th, 2023
Elizabeth Gallant,
Climate Environmental Coordinator



Purpose

- The purpose of this report is to:
 - Provide a high-level overview of the Better Homes Lanark program

Attachments:

Sample letter of support for local municipalities



Background

- The feasibility study and program design for the Lanark County home energy retrofit program, Better Homes Lanark (BHL), are currently underway

FCM Community Efficiency Financing (CEF) program:

- Funding for up to 80% of eligible costs
- Loan up to \$10 million (FCM clarified that the likely maximum loan is \$5M)
- Grant up to 50% of the loan amount (not to exceed the total start-up and operating costs)



Benefits of Better Homes Lanark

Social

- Reduces energy poverty and increases home affordability
- Increases home comfort, health, and quality of life for Lanark County residents

Economic

- Creates jobs and training opportunities for local trades and contractors
- Increases property value
- Homeowner energy savings can be reinvested locally

Environmental

- Reduces energy usage and greenhouse gas emissions of existing homes
- Improves air quality, increases climate resiliency, conserves water, increases renewable energy generation



LANARK
COUNTY

Draft Program Design Overview

Housing/customer focus

- Any age home using fuel oil or propane
- Low-income households with high energy cost burden (>6% after-tax income spent on energy)
- Older homes (pre-1991) using electricity or natural gas with at least 40% GHG/energy savings potential

Homeowner eligibility

- All owners of property must consent
- Good property tax standing (paid in full at time of application)



Draft Program Design Overview

Eligible retrofits

- Energy efficiency (insulation, heating and cooling systems, windows and doors)
- Renewable energy installations (such as solar rooftop photovoltaics)
- Fuel switching (fuel oil/propane to electricity)
- Non-energy improvements can account for up to 30% of the total retrofit cost (e.g., back-up power generators, battery storage systems, electrical panel upgrades, flood prevention measures, etc.)

Eligible costs:

- Cost of equipment and related materials including installation
- Cost of energy audit (unless reimbursed under Canada Greener Homes)
- Up to one-year service maintenance/warranty

Draft Program Design Overview

Local Improvement Charge Loan Terms

- Participating lower-tier municipalities must approve an LIC bylaw for each property
- Repayment is arranged as an addition to individual property tax payments
- Homeowners have up to 20 years to repay the loan
- Low interest rate (TBD – potentially match that of FCM to be <3%)

Underwriting Criteria

- Retrofit costs up to the lesser of 10% of the current property value, or \$40,000
- Average cost of retrofit is \$25,000

Risk Mitigation

- Loan loss reserve, channel partnerships, training and education campaigns, equipment commissioning and maintenance warranties

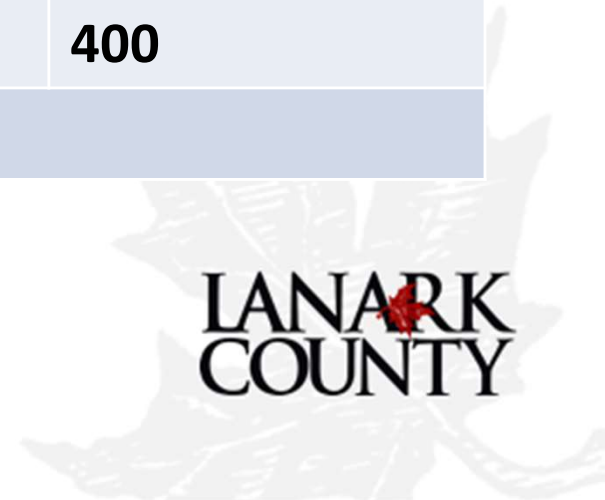


Capital Contribution

- FCM requires a minimum 20% contribution of total program costs (\$1.9 million if we receive a \$5M loan and \$2.5M grant)
- Lanark County's contribution can come from capital reserves and will be allocated to loans over a 4-year period so that it can be recoverable debt
- For the loans to remain low interest, Lanark County would need to match FCM interest rate ~2.5-3.0%. Compared to current GIC rates of 6%, this represents a potential opportunity cost of up to ~\$66,500 per year if Lanark County contributes \$1.9M.
- To expand the reach and energy cost savings of BHL, staff recommend that Lanark County increase our capital contribution beyond the 20%
- If Lanark County were to match FCM's loan of \$5 million, BHL could support retrofits in ~400 homes. This would make the County's annual contribution to the program up to $\$5M \times 3.5\% = \$175,000$ per year (if all loaned out).

Capital Contribution Scenarios

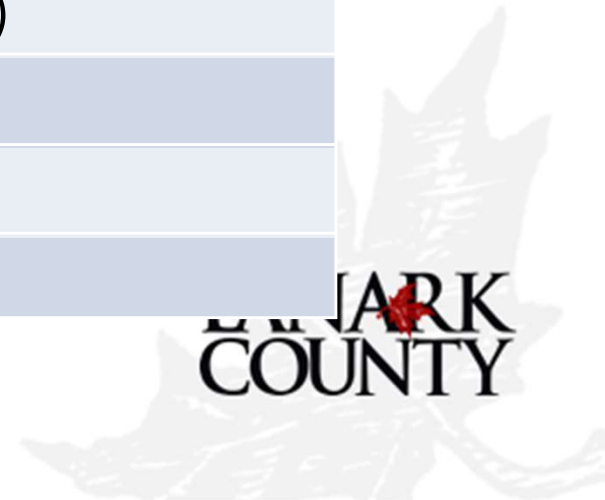
	Scenario 1 – Minimum contribution (20%)		Scenario 2 – Matched contribution	
	Capital contribution	Number of homes retrofitted*	Capital contribution	Number of homes retrofitted*
Lanark County	\$1.9 million	76	\$5 million	200
FCM	\$5 million	200	\$5 million	200
TOTAL	\$6.9 million	276	\$10 million	400
* Assumes average cost of retrofit per home is \$25,000				



Proposed Operating Expenses

- Assuming a CEF grant of \$2.5 million, it could cover the following operating/start-up expenses:

Expense
Incentives for homeowners
Loan loss reserve (required at 5% of FCM loan)
Program delivery (including energy coach service)
Administration fees to lower-tier municipalities
Customer relationship management (CRM)/User interface tool
Mandatory program evaluation (can't be program designer)
Training (contractors)
Promotion/marketing
Contingency



Proposed Operational Flow and Roles

Party	Role
FCM	<ul style="list-style-type: none"> • Approves funding application • Disburses funds to Lanark County • Receives loan repayment from County
Lanark County	<ul style="list-style-type: none"> • Manages flow of FCM loan and grant \$ • Establishes program delivery agent, energy coach, contactor training, reporting etc. • Disburses funds to lower tiers for approved loan applications
Lower-tier municipalities (with LIC bylaw)	<ul style="list-style-type: none"> • Researches tax history of homeowner loan applicant • Passes LIC bylaw for each application/property • Disburses funds to loan applicant • Collects payments and disburses them to County

Proposed Operational Flow and Roles

Party	Role
Program delivery agent (Lanark County staff or third-party TBD)	<ul style="list-style-type: none"> • Reviews all applications and manage files • Liaison between applicants and lower-tier municipalities • Provides ongoing homeowner support throughout entire retrofit process
Applicant	<ul style="list-style-type: none"> • Submits application • Schedules audits and retrofits • Receives funds through lower-tier • Repays loan on property tax bill
Contactors	<ul style="list-style-type: none"> • Completes audits and retrofits • Promotes program to clients • Participates in training programs

Conclusions

- Program design is underway for Better Homes Lanark. Details are subject to change as stakeholder consultation continues.
- To apply for FCM-CEF funding, the following steps need to be completed:
 - County Council resolution of capital contribution
 - Letter from County CAO or Treasurer to be included in the funding application
 - Written support in principle from local municipalities wishing to participate and consider an LIC bylaw
 - LIC bylaws don't need to be passed before the application goes in, but before program implementation
 - A sample letter of support and draft LIC bylaw will be provided to all local municipalities

Recommendations

THAT, the Clerk circulate report #PW-32-2023 and the sample letter of support to all local municipal clerks.



[Insert Letterhead]

[Date]

Federation of Canadian Municipalities

Re: Lanark County's proposal for the Better Homes Lanark program

This letter is submitted in support of Lanark County's proposed Better Homes Lanark (BHL) program for further consideration by the Federation of Canadian Municipalities' (FCM) Community Efficiency Financing review committee.

Municipality is one of 8 local municipal representatives on Lanark County Council and as such, fully supports the intent of the program to assist residents in lowering their carbon footprint and home utility bills through the launch and implementation of BHL.

Subject to Lanark County successfully being awarded Community Efficiency Financing funding, our **Town/Township** Council will table an LIC By-law for consideration of approval prior to program launch. We recognize that this by-law would enable our residents to participate in the BHL program by accessing critical retrofit financing and a mechanism to repay their BHL loans on their property tax bills via a Local Improvement Charge over the term agreed to by the homeowner and municipality.

With the by-law in place and the successful launch of the BHL program, **Municipality** commits to work cooperatively with Lanark County to administer the flow of financing and collection accordingly, to ensure the associated financial obligations are met for the participating homeowners and the County.

Municipality is hopeful that FCM will look upon the County's proposal favourably and provide the financial support necessary for the BHL program to meet its potential to bring the social, economic, and environmental benefits to our community.

Sincerely,

[Name]

[Position (Clerk, Mayor/Reeve , CAO), Municipality]

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

STAFF REPORT

DATE: December 5, 2023
TO: Council
FROM: Kathy Davis, Director of Corporate Services, Treasurer
Andrew Hodge, Deputy Treasurer
SUBJECT: 2024 Draft Budget Updates and Details # 4

RECOMMENDATION:

Motion 1.

THAT Council approve Option O and direct staff to maintain Corporate Services reserve contributions of \$112,924 in the 2024 draft budget

Motion 2.

**THAT Council approve Option U and direct staff to reflect that the draw from reserves in the 2024 draft budget be exactly \$520,387 (or some other agreed upon amount),
AND THAT the tax rate increase in the 2024 draft budget be exactly 3.5% (or some other agreed upon rate),
AND THAT any remaining funds be used to reduce the amount of debt required for capital projects in the 2024 budget, specifically related to roads / transportation infrastructure.**

Motion 3.

**THAT Council receive as information that the updated insurance premium increase has been added to the draft budget for an additional cost of \$22,859,
AND THAT Council receive as information that the updated by-law services contract has been added to the draft budget amounting to savings of \$21,419,**

Motion 4.

THAT Council approve the 2024 capital and operating budget, as amended.

BACKGROUND:

Council has met four times to review and discuss the 2024 budget:

- September 26, 2023 – budget;
- October 10, 2023 – budget details related to infrastructure, assets, and growth;
- October 12, 2023 – budget details related to the Municipality’s strategic priorities;
- November 14, 2023 – updates and follow up and decision making related to 30 motions that were put forward in response to the budget details provided.

At the November 14 Special Council meeting, Council approved amendments to the draft budget such that the draft operating expenditures budget was reduced by \$95,173 and the draft required debt financing was reduced by \$1,388,900 as compared to the tabled budget and subsequent updates and changes.

Below are the two remaining items carried forward from the November 14th report and discussion being the motions under consideration:

E. 1. s) Corporate Services Reserves

The draft budget included a reserve contribution in Corporate Services, being \$112,924 for 2024, comprised of \$15,000 for elections and \$97,924 for general reserves.

Staff shared that unknown costs in 2024 included potential compensation increases related to collective bargaining over and above the 2% assumed in the budget, market salary adjustments, and pay equity payments. Additionally, staff identified that future considerations for additional information technology costs could be supported by reserves.

The following options were provided for consideration:

Option O: make no changes to the budgeted reserve, such that \$15,000 is allocated for elections, and \$97,924 to general stabilization reserves.

Option P: reduce the budgeted reserve to \$15,000 for elections only.

Option Q: reduce the budgeted reserve to \$75,000, such that \$15,000 is allocated for elections, and \$60,000 to general stabilization reserves.

Recommendation s

THAT Council direct staff to include Option O in the 2024 draft budget, such that the Corporate Services transfer to reserves for 2024 is maintained at \$112,924.

E. 1. u) Reserves Stabilization and Tax Rates

On November 14, 2023, Council passed a number of motions that resulted in a decrease of operating funds required for 2024. The following options had been provided to Council for consideration with respect to the balance between drawing from reserves and increasing taxes.

Option R: determine that the draw from reserves in the 2024 budget should be exactly \$520,837, and that any increased spending or decreased costs will directly impact the tax rate.

Option S: determine that the tax rate increase in the 2024 budget should be exactly 3.5% (or some other agreed upon rate) and that any increased spending or decreased costs will directly increase or decrease the required draw from reserves, respectively.

Option T: determine that the draw from reserves in the 2024 budget should be no more than \$520,837, and that any increased spending will directly impact the tax rate, and any decreased spending will reduce the required draw from reserves.

Recommendation u:

THAT Council direct staff to reflect Option T in the draft budget whereby no more than \$520,387 shall be drawn from stabilization reserves in the 2024 budget, and additional spending in excess of this amount be applied to the tax rate.

At the November 14 meeting, Council considered different options related to item E. 1. s) with respect to Corporate Services reserves. The chart below summarizes the cumulative impact of amendments and updates since the budget was tabled on September 26, 2023, as well as the implications discussed related to Corporate Services reserves.

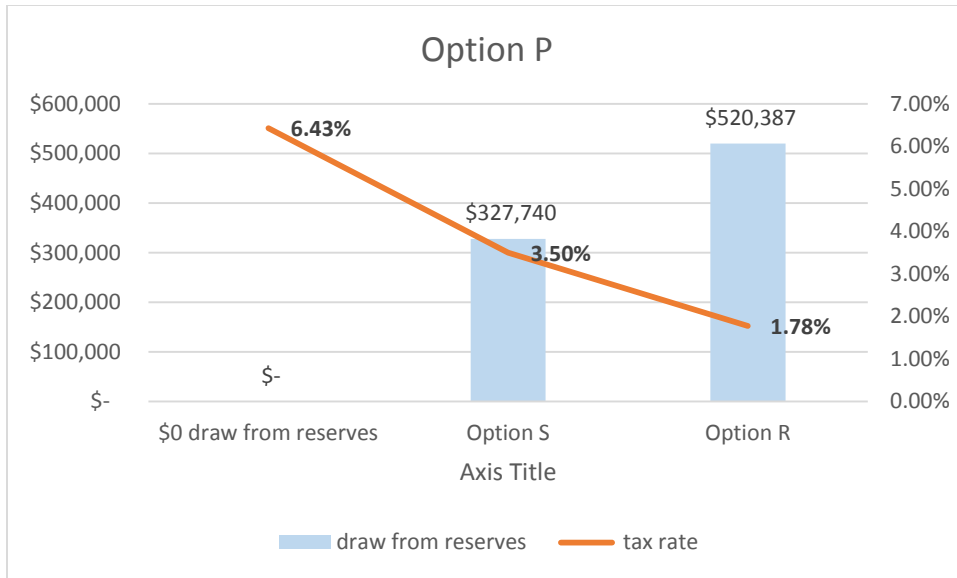
	Operating Budget Draw From Reserves	Revisions - (savings) spending	Operating Budget % Tax Increase	Operating Budget Tax Revenue
REV C Tabled	\$ 411,687.82		3.50%	\$ 11,599,354.00
REV D	\$ 411,687.82		3.50%	\$ 11,599,354.00
<i>addition to by-law contract</i>		\$ 49,742.40		
REV E October 10	\$ 461,430.22		3.50%	\$ 1,599,354.00
REV F October 12	\$ 461,430.22		3.50%	\$ 11,599,354.00
<i>Rec Programmer</i>		\$ 75,000.00		
<i>Borrowing update</i>		\$ 74,806.00		
<i>ORPC revenue</i>		\$ (90,400.00)		
REV G November 14	\$ 520,837.22		3.50%	\$ 11,599,354.00
<i>Tree Works in Parks</i>		\$ 10,000.00		

<i>Affordable Housing Grant</i>		\$ (50,000.00)		
<i>Planning Fee Revenues</i>		\$ (72,260.00)		
<i>Engineering Fee Revenues</i>		\$ (110,000.00)		
<i>Engineering Professional Svcs</i>		\$ 75,000.00		
<i>Museum Funding 3% increase</i>		\$ (33,913.00)		
<i>LTD premiums</i>		\$ 86,000.00		
<i>approve reserves Option O</i>		\$ -		
REV H November 14 Option O	\$ 425,664.22		3.50%	\$ 11,599,354.00
or REV H Nov 14 Option O	\$ 520,387.00		2.65%	\$ 1,504,631.22
OR				
<i>approve reserves Option P</i>		\$ (97,924.00)		
REV H November 14 Option P	\$ 327,740.22		3.50%	\$ 11,599,354.00
or REV H Nov 14 Option P	\$ 520,387.00		1.78%	\$ 11,406,707.22
OR				
<i>approve reserves Option Q</i>		\$ (37,924.00)		
REV H November 14 Option Q	\$ 387,740.22		3.50%	\$ 11,599,354.00
or REV H Nov 14 Option Q	\$ 520,387.00		2.32%	\$ 11,466,707.22

Following the November 14 meeting, Council directed staff to prepare a report to facilitate decision making related to motions E. 1. s and E. 1. u. This report is therefore intended to provide further information and details to support Council’s decision making related to these two items.

The decisions before Council in this staff report are interconnected. The tax rate that was provided to Council in the first draft of the 2024 budget on Sept 26, 2023 was based on a 3.5% tax rate increase and a net draw from reserves of \$411,687.82. This means that in order to limit the proposed tax increase to 3.5%, more funds are proposed to be drawn from reserves than are contributed on a whole or net basis. The decision for Council in this report is how it wants to direct the use of more or less reserves in order to reduce or maintain the proposed tax rate increase of 3.5%.

Using Option P as an example (\$15,000 allocated to Corporate Services reserves), the connection between the tax rate increase and draw from reserves is shown below. For demonstration purposes only, the first point in the graph shows the tax rate that would be needed if no funds were drawn from reserves. The second point shows the originally proposed 3.5% tax rate increase and the draw from reserves needed to maintain that increase. The third point shows that a greater draw from reserves will further reduce the tax rate increase.



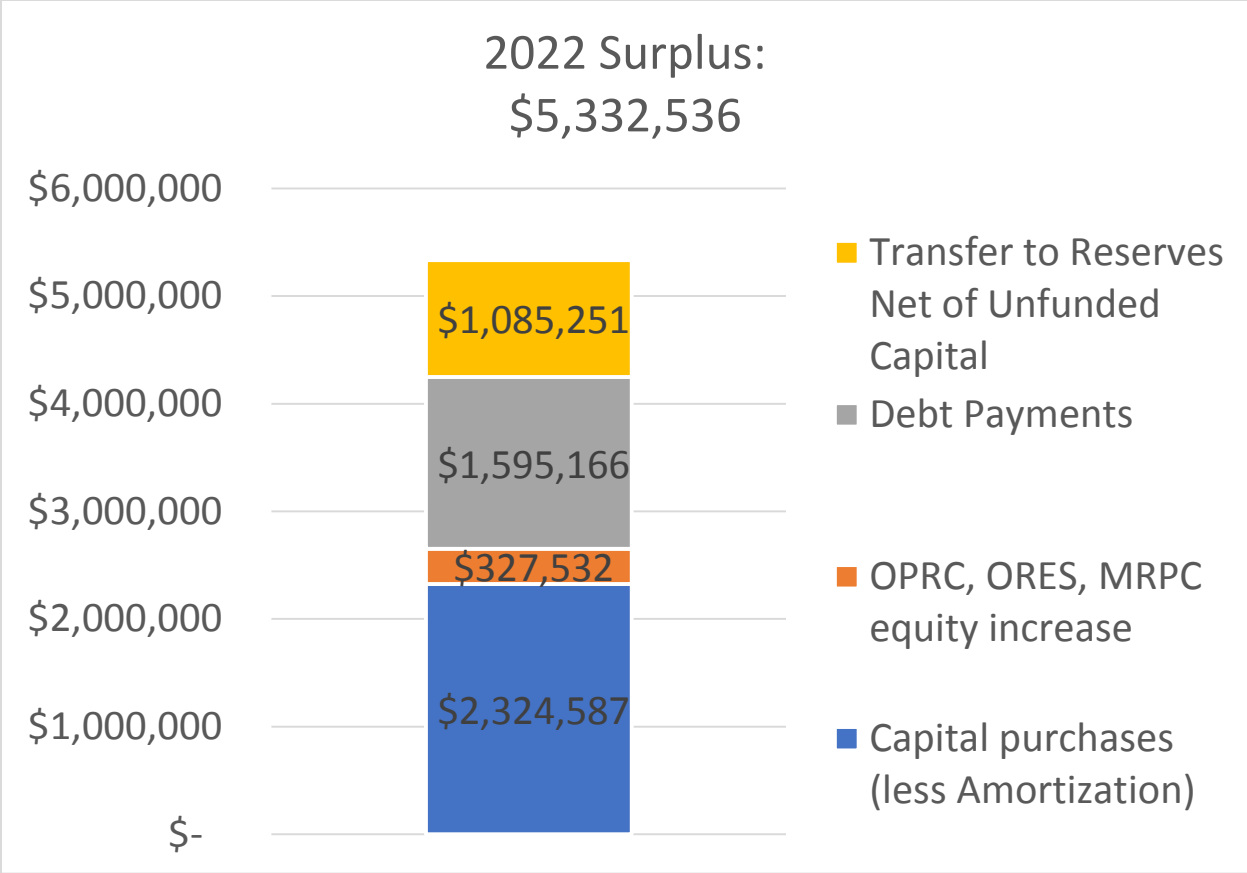
In addition, since the November 14, 2023 meeting, two additional amendments are proposed based on new information received regarding insurance premiums, and the by-law services contract. Updates are detailed in the discussion below for Council's information.

DISCUSSION:

The two decisions are interdependent. A reduction in the contribution to Corporate Services reserves will have a related reduction in the need for drawing funds from reserves, and/or in the resulting tax rate.

Additional information

Additional information for Council's consideration relates to the 2022 operating surplus. At the November 21, 2023 meeting of the Committee of the Whole, KPMG presented the Municipality's 2022 Audited Financial Statements. Part of the discussion included a summary of the 2022 surplus as represented in the statements as compared to the operating surplus. The \$5.3M recorded as surplus is comprised of a number of items.



The Transfer to Reserves net of Unfunded Capital is the amount of cash / funds received in excess of funds spent for the fiscal 2022 year.

	2021	2022	variance
water & sewer	\$ 5,588,215	\$ 4,443,931	\$ (1,144,284)
public works	\$ 571,452	\$ 379,137	\$ (192,315)
daycare	\$ 708,123	\$ 607,622	\$ (100,501)
recreation	\$ 127,544	\$ 83,222	\$ (44,322)
working capital	\$ 1,100,000	\$ 1,100,000	\$ -
library	\$ 67,677	\$ 67,677	\$ -
winter control	\$ 97,620	\$ 97,620	\$ -
planning and zoning	\$ 29,659	\$ 29,659	\$ -
parking	\$ 55,738	\$ 55,738	\$ -
general purposes	\$ 2,907	\$ 2,907	\$ -
waste management	\$ 1,085,899	\$ 1,085,899	\$ -
septic	\$ 356,292	\$ 376,292	\$ 20,000
protection to persons and prop	\$ 878,660	\$ 911,139	\$ 32,479
fire	\$ 132,966	\$ 174,230	\$ 41,264
contingencies	\$ 541,993	\$ 584,921	\$ 42,928
acquisition of capital assets	\$ 6,977,326	\$ 7,761,206	\$ 783,880
economic development	\$ 115,383	\$ 2,307,062	\$ 2,191,679
Capital - to be borrowed			\$ (545,557)
	\$ 18,437,454	\$ 20,068,262	\$ 1,085,251

On an annual basis, operating surpluses are transferred to the ‘acquisition of capital assets’ reserve. The transfer in 2022 includes \$380,735 in planned capital spending for 2022 that was not concluded in that year and was carried to 2023, planned contributions to reserves, and \$178,017 in other minor operating surpluses.

E. 1. s) Corporate Services Reserves

The recommendation related to the Corporate Services reserve continues to be Option O, such that \$15,000 for elections, and \$97,924 for general reserves, be included in the 2024 budget. This will provide stability for the Municipality should it face increased staffing costs, IT related costs, or otherwise in 2024 or future years. As has been noted, any approved costs resulting from the market salary survey, or other costs resulting from pay equity adjustments, are proposed to be drawn from reserves. Additionally, as collective bargaining will not begin until 2024, increases resulting from this process in excess of the 2% salaries and benefits assumption, are also proposed to be drawn from reserves. Finally, as we continue to review processes, technological solutions, and Information Technology upgrades and enhancements, the availability of reserves to support this advancement will serve to improve efficiencies and access to services for the public.

E. 1. u) Reserves Stabilization and Tax Rates

Council's consideration of the tax rate increase will help inform its decision making related to reserves stabilization and tax rates. Because Council's deliberations up to the time of this report have resulted in a decrease in operational funds required, Option T as originally proposed is no longer valid. As such, following conversations on November 14, staff is proposing an additional option and a new recommendation.

Option U: determine that the draw from reserves in the 2024 budget be exactly \$520,387 (or some other agreed upon amount), and that the tax rate increase be exactly 3.5% (or some other agreed upon rate), and that any remaining funds be used to reduce the amount of debt required for capital projects in the 2024 budget, specifically related to roads / transportation infrastructure.

Examples are provided here for consideration.

Example 1 – maintain the tax increase at 3.5% and the draw from reserves at \$520,387, and direct the additional funds to debt reduction. The amount directed to debt reduction would be dependent on motion E. 1. s):

Option O - \$94,723
Option P - \$192,647
Option Q - \$132,647

Example 2 – reduce the tax increase to 3% and maintain the draw from reserves at \$520,387, and direct the additional funds to debt reduction. The amount directed to debt reduction would be dependent on motion E. 1. s):

Option O - \$38,723
Option P - \$136,647
Option Q - \$76,647

Example 3 – reduce the tax increase to 2.5% and maintain the draw from reserves at \$520,387, and direct the additional funds to debt reduction. The amount directed to debt reduction would be dependent on motion E. 1. s):

Option O – n/a
Option P - \$80,647
Option Q - \$20,647

There are a number of factors for Council to consider:

1. Draw from reserves – any amount that is drawn from reserves in 2024 will reduce the amount available in future years. Any amount left in reserves at this time is earning interest over 5% per annum (as of the writing of this report).

2. Increase in tax rate – the impact of tax increases on ratepayers with respect to the municipal portion of their taxes must be considered. Inflation has certainly increased cost of living for residents, and increased operating costs for the Municipality.
3. Debt reduction – it has been noted that this budget includes a number of debt-financed capital projects which, while necessary and important, will create long-term financial implications for the Municipality in future years as the debt is paid off.

Long term financial planning and asset management planning scheduled for 2024 will help with future year budget planning. Inflation and interest rates are and will continue to be key considerations for Council.

- The inflation rate between 2022 and 2023 currently sits at 3.12%. Between 2021 and 2022 however it was 6.88% according to the Bank of Canada inflation index.
- Borrowing rates range between 5.5% and 7%, and interest earned on investments is currently over 5%.

Additional Information – Insurance

The Municipality has received its renewal documents for 2024 from its broker, Halpenny Insurance Brokers. With the exception of the cyber-insurance renewal, insurance coverage for liability, property, and auto insurance has increased by \$63,681, or 27.8%. The increase is attributed to various factors including a hard market, an increase in natural disaster related claims, and deteriorating loss experience for the Municipality over the past 5 years.

Halpenny has offered some options for decreasing premiums, which consist of increasing deductibles for various types of coverage. At this time staff is not recommending that the deductible increases be considered, as any savings in premiums would be counteracted by the losses incurred to the Municipality related to higher deductibles. The table below shows the potential savings and increased deductible options:

Coverage	Deductible increase	Premium savings
Liability coverage	From \$10,000 to \$25,000	\$28,000
Property	From \$25,000 to \$50,000	\$11,191
Automobile	From \$10,000 to \$25,000	\$2,659

A 20% premium increase was included in the budget as tabled. Given this new information, the additional increase of 7.8% or \$22,859 has been added to the draft budget, and staff recommends that Council receive this update as information.

Additional Information – By-Law Services

On November 14, 2023, Director of Protective Services Mike Williams presented to Council a proposal to increase the hours of service for by-law services, such that the total contract value would be \$21,418.73 less than was originally budgeted in the draft budget. As this was approved by Council, staff recommends that Council receive as information that the budget has been updated to reflect this change.

OPTIONS:

E. 1. s) Corporate Services Reserves

Option O: (recommended) make no changes to the budgeted reserve, such that \$15,000 is allocated for elections, and \$97,924 to general stabilization reserves.

Option P: reduce the budgeted reserve to \$15,000 for elections only.

Option Q: reduce the budgeted reserve to \$75,000, such that \$15,000 is allocated for elections, and \$60,000 to general stabilization reserves.

E. 1. u) Reserves Stabilization and Tax Rates

Option R: determine that the draw from reserves in the 2024 budget should be exactly \$520,837, and that any increased spending or decreased costs will directly impact the tax rate.

Option S: determine that the tax rate increase in the 2024 budget should be exactly 3.5% (or some other agreed upon rate) and that any increased spending or decreased costs will directly increase or decrease the required draw from reserves, respectively.

Option U: (recommended): determine that the draw from reserves in the 2024 budget be exactly \$520,387 (or some other agreed upon amount), and that the tax rate increase be exactly 3.5% (or some other agreed upon rate), and that any remaining funds be used to reduce the amount of debt required for capital projects in the 2024 budget, specifically related to roads / transportation infrastructure.

FINANCIAL IMPLICATIONS:

The financial implications of decision making detailed in this report can be summarized as follows:

	Option R - draw \$520,387 from reserves		Option S - maintain 3.5% tax increase		Option U - reduce debt		
	draw from reserves	tax rate	draw from reserves	tax rate	draw from reserves	tax rate	debt reduction
Option O - CS Reserves = \$113,924	\$ 520,387	2.65%	\$ 425,664	3.50%	\$ 520,387	3.50%	\$ 94,723
Option P - CS Reserves = \$15,000	\$ 520,387	1.78%	\$ 327,740	3.50%	\$ 520,387	3.50%	\$ 192,647
Option Q - CS Reserves = \$75,000	\$ 520,387	2.31%	\$ 387,740	3.50%	\$ 520,387	3.50%	\$ 132,647

STRATEGIC PLAN

Council's consideration and decision making to date have been supportive of all aspects of the strategic plan. The discussions related to reserves, tax rates, and debt are most relevant to priority 4., sustainable financial stewardship, and priority 6., accountable and transparent governance.

PUBLIC ENGAGEMENT

Upon approval of the budget, staff will finalize a document for publication. This will be posted on the Municipality's website, with social media updates taking place as part of the original communication plan and budget spotlights.

SUMMARY

This report summarizes the two final proposed motions that were presented at the Special Council budget meeting held on November 14, 2023. Additional information and different financial scenarios have been provided to support Council's decision making related to Corporate Services reserves, the tax rate increase, draws from reserves, and potential debt reduction related to 2024 capital projects.

All of the factors under consideration are interconnected and this report aims to provide Council with different options and scenarios to help support decision making.

Respectfully submitted by,



Kathy Davis,
Director of Corporate Services, Treasurer

Reviewed by:

Name,
Title

ATTACHMENTS:

1. Binder updates:
 - a. Summary
 - b. Schedule A
 - c. Schedule B
 - d. Revenues
 - e. Corporate Services
 - f. Planning
 - g. Development Services & Engineering
 - h. Recreation
 - i. Recreation Summary
 - j. Capital 2024
 - k. Loan schedule

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 23-080

BEING a by-law to repeal by-law 20-102 which is a by-law appointing Cynthia Moyle as an Acting Clerk.

WHEREAS Cynthia Moyle is no longer employed by the Municipality of Mississippi Mills as an Acting Clerk.

NOW THEREFORE the Council of the Corporation of the Municipality of Mississippi Mills enacts as follows:

1. **THAT**, By-law 20-102, appointing Cynthia Moyle as an Acting Clerk for the Corporation of the Municipality of Mississippi Mills, shall be and is hereby repealed.
2. **THAT**, this by-law shall take effect on the day of its passing.

BY-LAW read, passed, signed and sealed in open Council this 05th day of December 2023.

Christa Lowry, Mayor

Jeanne Harfield, Clerk

**THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI
MILLS**

**BY-LAW NO. 23-081
A BY-LAW FOR THE IMPOSITION OF DEVELOPMENT CHARGES
FOR SERVICES RELATED TO A HIGHWAY**

BEING a by-law for the imposition of Development Charges

WHEREAS section 2 (1) of the *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended (the “Act”) provides that the council of a municipality may pass By-laws for the imposition of Development Charges against land to pay for increased Capital Costs required because of the need for Services arising from Development in the area to which the By-law applies;

AND WHEREAS the Municipality of Mississippi Mills will experience growth through development and re-development;

AND WHEREAS development and re-development requires the provision of physical and social services by the Municipality of Mississippi Mills;

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 Municipality of Mississippi Mills 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 a development charge background study has been completed in accordance with the Act;

AND WHEREAS the Council of The Corporation of the Municipality of Mississippi Mills has given notice of and held a public meeting on the 7th day of November, 2023 in accordance with the Act and the regulations thereto;

NOW THEREFORE the Council of The Corporation of the Municipality of Mississippi Mills enacts as follows:

1. Interpretation

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

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

“Accessory use” means where used to describe a use, building, or structure that the use, building or structure is naturally and normally incidental, subordinate in purpose of floor area or both, and exclusively devoted to a principal use, building or structure;

“Additional dwelling unit” means a dwelling unit, whether contained within a proposed single detached dwelling, semi-detached dwelling or row dwelling, or ancillary to a single detached dwelling, a semi-detached dwelling, or a row dwelling including but not limited to a coach house, laneway suite or structure constructed above an existing garage or other structure separate from the primary dwelling unit, and which is not capable of being legally conveyed as a separate parcel of land from the primary dwelling unit;

“Agricultural” means any use of land, structures or buildings used for the growing of crops (including nursery, market gardens and horticultural crops), the raising of livestock and other animals for food or fur, (including dairy or beef cattle, poultry, swine, sheep, fish and non-traditional livestock, such as deer, bison, emu, pheasant, etc.), equine related activities, aquaculture, apiaries, forestry, maple syrup production, and orchards;

“Apartment dwelling unit” means any dwelling unit within a building containing three or more dwelling units where access to each residential unit is obtained through a common entrance or entrances from the street level and the residential units are connected by an interior corridor;

“Bedroom” means any room used or designed or intended for use as sleeping quarters including but not limited to, a den, a study, a family room or other similar use;

“Board of Education” means a board defined in subsection 1 (1) of the *Education Act, R.S.O. 1990*, c. E.2, as amended, or any successor thereof;

“Building Code Act” means the *Building Code Act, 1992*, S.O. 1992, c. 23 as amended, or any successor thereof;

“Capital cost” means capital costs as defined in subsection 5 (3) of the Act, as amended;

"Commercial" means any use of land, structures or buildings for the purposes of offices or retail buying or selling of commodities, hotels, motels, motor inns and boarding, lodging and rooming houses, but does not include uses for warehousing, wholesaling, manufacturing or assembling of goods;

“Council” means the Council of the Corporation of the Municipality of Mississippi Mills;

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

“Development charge” means a charge imposed pursuant to this by-law;

“Dwelling unit” means a suite operated as a housekeeping unit, used or intended to be used by one or more persons and containing cooking, eating, living, sleeping and sanitary facilities, but not including units in long-term care facilities, retirement homes, motels, hotels, tents, truck campers, tourist trailers, mobile camper trailers or boarding, lodging or rooming houses;

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

“Farm building” means that part of a farming operation encompassing barns, silos, and other accessory use to a bona fide agricultural use or “value add” buildings of a commercial or retail nature for the farming operation or farm help quarters for the farming operation workers but excluding a Residential use;

“Gross floor area” means the space on any storey of a building between exterior walls and required firewalls, including the space occupied by interior walls and partitions, but not including exits, vertical service spaces and their enclosing assemblies;

“Inclusionary zoning residential unit” means residential units that are affordable housing units required to be included in a development or redevelopment pursuant to a by-law passed under section 34 of the *Planning Act* to give effect to the policies described in subsection 16(4) of that Act.

“Industrial” means any use of lands, buildings, or structures used or designed or intended for use for the assembling, fabricating, manufacturing, processing, repairing or storing of goods or materials;

“Institutional” means any use of 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; For the purposes of Section 3.19, 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 *Long-Term Care Homes Act, 2007*;
- (b) as a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*;
- (c) by any institution of the following post-secondary institutions for the objects of the institution:
 - (i) a university in Ontario that receives direct, regular, and ongoing operation 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 Institute Act, 2017*;
- (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 local board as defined in the Act, as amended;

“Local services” means those services, facilities or things which are under the jurisdiction of the [Subject] and are related to a plan of subdivision or within the

area to which the plan relates with respect to the lands under sections 41, 51 or 53 of the *Planning Act, R.S.O. 1990, Chap. P.13*, as amended, or any successor thereof;

“Mixed-Use” means any use of lands, buildings, or structures that are used and/or designated to be used for both residential and non-residential purposes;

“Multiple dwelling” includes all dwellings other than a single detached dwelling, a semi-detached dwelling, or apartment dwelling unit;

“Municipal water and sewer serviced area” means all lands within the settlement area of Almonte as identified in the Municipality’s Official Plan, as amended, or other developments connecting to the municipal water and/or sewer system;

“Municipality” means The Corporation of the Municipality of Mississippi Mills;

“Non-profit housing” means development of a building or structure intended for use as residential premises by:

- (a) a corporation to which the *Not-for-Profit Corporations Act, 2010* applies, that is in good standing under that Act and whose primary objective is to provide housing;
- (b) a corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary objective is to provide housing; or
- (c) a non-profit housing co-operative that is in good standing under the Co-operative *Corporations Act*;

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

“Official Plan” means the Official Plan adopted for the [Subject] and any amendments thereto;

“Owner” means the owner of land or a person who has made application for an approval of 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;

“Planning Act” means the *Planning Act, R.S.O. 1990*, c. P.13, as amended;

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

“Rental housing” means rental housing development as defined in the Act, as amended;

“Residential unit” means the same as dwelling unit as defined in this by-law;

"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;

“Row dwelling” means one of a series of three or more attached dwelling units with each dwelling unit divided vertically from another by a party wall; and each dwelling unit located on a lot. For the purposes of this definition, a row dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a row dwelling;

“Semi-detached dwelling” means a dwelling unit in a residential building consisting of two dwelling units having one vertical wall, but not other parts, attached to another dwelling unit where the dwelling units are not connected by an interior corridor. For the purposes of this definition, a semi-detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a semi-detached dwelling;

“Service” (or “Services”) means a service designated in section 2.1 to this By-law;

"Servicing agreement" means an agreement between a landowner and the [Subject] relative to the provision of municipal services to specified land within the [Subject];

“Single detached dwelling” means a residential building consisting of one dwelling unit and not attached to another structure. For the purposes of this

definition, a single detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a single detached dwelling;

“Suite” means a single room or series of rooms of complementary use, operated under a single tenancy.

2. Designation of Services

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

(a) Services Related to a Highway

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 [Subject] whether or not the land or use thereof is exempt from taxation under s.13 of 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;

(c) the Corporation of the County of Lanark or a local board thereof; or

(d) a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education if the development in respect of which development charges would otherwise be payable is intended to be occupied and used by the university.

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 designated in section 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

Exemptions for Residential Units

- 3.5 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to:
- (a) An enlargement to an existing dwelling unit;
 - (b) A second residential unit in an existing detached house, semi-detached house, or rowhouse 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 detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
 - (c) A third residential unit in an existing detached house, semi-detached house or rowhouse 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 detached house, semi-detached house or rowhouse contains any residential units;
 - (d) One residential unit in a building or structure ancillary to an existing detached house, semi-detached house or rowhouse on a parcel of residential land, if the existing detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units; or
 - (e) In an existing rental residential building, which contains four or more residential units, the creation of the greater of one residential unit or one per cent of the existing residential units.
- 3.6 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to the creation of additional dwelling units in proposed new residential buildings, including structures ancillary to dwellings, subject to the following restrictions:
- (a) A second residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures

ancillary to the new detached house, semi-detached house or rowhouse cumulatively will contain no more than one residential unit;

- (b) A third residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units; or
- (c) One residential unit in a building or structure ancillary to a new detached house, semi-detached house or rowhouse on a parcel of residential land, if the new detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units.

Exemption for Industrial Development

- 3.7 Notwithstanding any other provision of this by-law, no development charge is payable with respect to an enlargement of the gross floor area of an existing industrial building where the gross floor area is enlarged by 50 percent or less.
- 3.8 If the gross floor area of an existing industrial building is enlarged by greater than 50 percent, the amount of the development charge payable in respect of the enlargement is the amount of the development charge that would otherwise be payable multiplied by the fraction determined as follows:
 - (a) determine the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement;
 - (b) divide the amount determined under subsection (a) by the amount of the enlargement.
- 3.9 For the purpose of section 3.7 herein, “existing industrial building” is used as defined in the Regulation made pursuant to the Act.
- 3.10 The exemption for an existing industrial building provided by this section shall be applied to a maximum of fifty percent (50%) of the gross floor area before the first enlargement for which an exemption from the payment of development charges was granted pursuant to this by-law or predecessor.

Other Statutory Exemptions

- 3.11 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to non-profit housing development.
- 3.12 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to inclusionary zoning residential unit development.

Other Exemptions

- 3.13 Notwithstanding the provision of this by-law, development charges shall not be imposed with respect to:
- (a) Industrial development;
 - (b) Hospitals under the *Public Hospitals Act*; and
 - (c) Non-residential farm building used for a bona fide agricultural use.

Amount of Charges

Residential

- 3.14 The development charges set out in Schedule A 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

- 3.15 The development charges described in Schedule A 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.

Reduction of Development Charges

For Redevelopment

3.16 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 2 years 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 section 3.14 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 section 3.15, 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.

- (c) the credits provided under this section do not apply based upon an existing or previously existing development, which is exempt under the provisions of this by-law.

Time of Payment of Development Charges

3.17 A development charge shall be calculated and payable in full in money or by provision of Services as may be agreed upon, or by credit granted pursuant to the Act or this by-law, on the date a building permit is issued in relation to a building or structure on land to which a development charge applies.

3.18 Where a development charge applies to land in relation to which a building permit is required, the building permit shall not be issued until the development charge has been paid in full.

- 3.19 Notwithstanding sections 3.17 and 3.18, development charges for rental housing and institutional developments are due and payable in six (6) installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest as provided in the [Subject]'s Council approved Development Charges Interest Rate Policy, payable on the anniversary date each year thereafter.
- 3.20 Notwithstanding sections 3.17 and 3.18, where the development of land results from the approval of a Site Plan application or Zoning By-law Amendment on or after January 1, 2020, and the building permit was issued within 2 years of the approval, the development charges shall be calculated based on the charges in effect on the date the Site Plan or Zoning By-law Amendment application was made, including interest as provided in the [Subject]'s Council approved Development Charges Interest Rate Policy.
- 3.21 Despite sections 3.17 to 3.20, Council from time to time, and at anytime, 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.

4. Payment by Services

- 4.1 Despite the payment required under sections 3.14 and 3.15, 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 shall be adjusted annually on January 1, without amendment to this by-law, in accordance with the most recent twelve-month change in the prescribed index in the Act.

6. Schedules

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

Schedule A - Residential and Non-Residential Development Charges

7. Conflicts

- 7.1 Where the [Subject] 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 January 1, 2024.

10. Date By-law Expires

- 10.1 This by-law will expire as per Section 9 of the Act unless it is repealed by Council at an earlier date.

BY-LAW READ, passed, signed, and sealed in Open Council this the 05th day of December 2023.

Christa Lowry, Mayor

Jeanne Harfield, Clerk

SCHEDULE "A" TO BY-LAW 23-081

SCHEDULE OF DEVELOPMENT CHARGES FOR SERVICES RELATED TO A HIGHWAY

Service	RESIDENTIAL (per Dwelling Unit)				NON-RESIDENTIAL (per sq.ft. of Gross Floor Area)
	Single and Semi-Detached Dwelling	Other Multiple Dwelling	Apartment Dwelling Unit – 2 Bedrooms +	Apartment Dwelling Unit – Bachelor and 1 Bedroom	
Services Related to a Highway	\$ 4,945	\$ 4,400	\$ 2,913	\$ 2,103	\$ 3.26

**THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI
MILLS**

**BY-LAW NO. 23-082
A BY-LAW FOR THE IMPOSITION OF DEVELOPMENT CHARGES
FOR FIRE PROTECTION SERVICES**

BEING a by-law for the imposition of Development Charges

WHEREAS section 2 (1) of the *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended (the “Act”) provides that the council of a municipality may pass By-laws for the imposition of Development Charges against land to pay for increased Capital Costs required because of the need for Services arising from Development in the area to which the By-law applies;

AND WHEREAS the Municipality of Mississippi Mills will experience growth through development and re-development;

AND WHEREAS development and re-development requires the provision of physical and social services by the Municipality of Mississippi Mills;

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 Municipality of Mississippi Mills 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 a development charge background study has been completed in accordance with the Act;

AND WHEREAS the Council of The Corporation of the Municipality of Mississippi Mills has given notice of and held a public meeting on the 7th day of November, 2023 in accordance with the Act and the regulations thereto;

NOW THEREFORE the Council of The Corporation of the Municipality of Mississippi Mills enacts as follows:

1. Interpretation

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

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

“Accessory use” means where used to describe a use, building, or structure that the use, building or structure is naturally and normally incidental, subordinate in purpose of floor area or both, and exclusively devoted to a principal use, building or structure;

“Additional dwelling unit” means a dwelling unit, whether contained within a proposed single detached dwelling, semi-detached dwelling or row dwelling, or ancillary to a single detached dwelling, a semi-detached dwelling, or a row dwelling including but not limited to a coach house, laneway suite or structure constructed above an existing garage or other structure separate from the primary dwelling unit, and which is not capable of being legally conveyed as a separate parcel of land from the primary dwelling unit;

“Agricultural” means any use of land, structures or buildings used for the growing of crops (including nursery, market gardens and horticultural crops), the raising of livestock and other animals for food or fur, (including dairy or beef cattle, poultry, swine, sheep, fish and non-traditional livestock, such as deer, bison, emu, pheasant, etc.), equine related activities, aquaculture, apiaries, forestry, maple syrup production, and orchards;

“Apartment dwelling unit” means any dwelling unit within a building containing three or more dwelling units where access to each residential unit is obtained through a common entrance or entrances from the street level and the residential units are connected by an interior corridor;

“Bedroom” means any room used or designed or intended for use as sleeping quarters including but not limited to, a den, a study, a family room or other similar use;

“Board of Education” means a board defined in subsection 1 (1) of the *Education Act, R.S.O. 1990*, c. E.2, as amended, or any successor thereof;

“Building Code Act” means the *Building Code Act, 1992*, S.O. 1992, c. 23 as amended, or any successor thereof;

“Capital cost” means capital costs as defined in subsection 5 (3) of the Act, as amended;

"Commercial" means any use of land, structures or buildings for the purposes of offices or retail buying or selling of commodities, hotels, motels, motor inns and boarding, lodging and rooming houses, but does not include uses for warehousing, wholesaling, manufacturing or assembling of goods;

“Council” means the Council of the Corporation of the Municipality of Mississippi Mills;

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

“Development charge” means a charge imposed pursuant to this by-law;

“Dwelling unit” means a suite operated as a housekeeping unit, used or intended to be used by one or more persons and containing cooking, eating, living, sleeping and sanitary facilities, but not including units in long-term care facilities, retirement homes, motels, hotels, tents, truck campers, tourist trailers, mobile camper trailers or boarding, lodging or rooming houses;

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

“Farm building” means that part of a farming operation encompassing barns, silos, and other accessory use to a bona fide agricultural use or “value add” buildings of a commercial or retail nature for the farming operation or farm help quarters for the farming operation workers but excluding a Residential use;

“Gross floor area” means the space on any storey of a building between exterior walls and required firewalls, including the space occupied by interior walls and partitions, but not including exits, vertical service spaces and their enclosing assemblies;

“Inclusionary zoning residential unit” means residential units that are affordable housing units required to be included in a development or redevelopment pursuant to a by-law passed under section 34 of the *Planning Act* to give effect to the policies described in subsection 16(4) of that Act.

“Industrial” means any use of lands, buildings, or structures used or designed or intended for use for the assembling, fabricating, manufacturing, processing, repairing or storing of goods or materials;

“Institutional” means any use of 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; For the purposes of Section 3.19, 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 *Long-Term Care Homes Act, 2007*;
- (b) as a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*;
- (c) by any institution of the following post-secondary institutions for the objects of the institution:
 - (i) a university in Ontario that receives direct, regular, and ongoing operation 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 Institute Act, 2017*;
- (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 local board as defined in the Act, as amended;

“Local services” means those services, facilities or things which are under the jurisdiction of the [Subject] and are related to a plan of subdivision or within the

area to which the plan relates with respect to the lands under sections 41, 51 or 53 of the *Planning Act, R.S.O. 1990, Chap. P.13*, as amended, or any successor thereof;

“Mixed-Use” means any use of lands, buildings, or structures that are used and/or designated to be used for both residential and non-residential purposes;

“Multiple dwelling” includes all dwellings other than a single detached dwelling, a semi-detached dwelling, or apartment dwelling unit;

“Municipal water and sewer serviced area” means all lands within the settlement area of Almonte as identified in the Municipality’s Official Plan, as amended, or other developments connecting to the municipal water and/or sewer system;

“Municipality” means The Corporation of the Municipality of Mississippi Mills;

“Non-profit housing” means development of a building or structure intended for use as residential premises by:

- (a) a corporation to which the *Not-for-Profit Corporations Act, 2010* applies, that is in good standing under that Act and whose primary objective is to provide housing;
- (b) a corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary objective is to provide housing; or
- (c) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*;

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

“Official Plan” means the Official Plan adopted for the [Subject] and any amendments thereto;

“Owner” means the owner of land or a person who has made application for an approval of 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;

“Planning Act” means the *Planning Act, R.S.O. 1990*, c. P.13, as amended;

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

“Rental housing” means rental housing development as defined in the Act, as amended;

“Residential unit” means the same as dwelling unit as defined in this by-law;

"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;

“Row dwelling” means one of a series of three or more attached dwelling units with each dwelling unit divided vertically from another by a party wall; and each dwelling unit located on a lot. For the purposes of this definition, a row dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a row dwelling;

“Semi-detached dwelling” means a dwelling unit in a residential building consisting of two dwelling units having one vertical wall, but not other parts, attached to another dwelling unit where the dwelling units are not connected by an interior corridor. For the purposes of this definition, a semi-detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a semi-detached dwelling;

“Service” (or “Services”) means a service designated in section 2.1 to this By-law;

"Servicing agreement" means an agreement between a landowner and the [Subject] relative to the provision of municipal services to specified land within the [Subject];

“Single detached dwelling” means a residential building consisting of one dwelling unit and not attached to another structure. For the purposes of this

definition, a single detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a single detached dwelling;

“Suite” means a single room or series of rooms of complementary use, operated under a single tenancy.

2. Designation of Services

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

(a) Fire Protection Services

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 [Subject] whether or not the land or use thereof is exempt from taxation under s.13 of 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;

(c) the Corporation of the County of Lanark or a local board thereof; or

(d) a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education if the development in respect of which development charges would otherwise be payable is intended to be occupied and used by the university.

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 designated in section 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

Exemptions for Residential Units

- 3.5 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to:
- (a) An enlargement to an existing dwelling unit;
 - (b) A second residential unit in an existing detached house, semi-detached house, or rowhouse 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 detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
 - (c) A third residential unit in an existing detached house, semi-detached house or rowhouse 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 detached house, semi-detached house or rowhouse contains any residential units;
 - (d) One residential unit in a building or structure ancillary to an existing detached house, semi-detached house or rowhouse on a parcel of residential land, if the existing detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units; or
 - (e) In an existing rental residential building, which contains four or more residential units, the creation of the greater of one residential unit or one per cent of the existing residential units.
- 3.6 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to the creation of additional dwelling units in proposed new residential buildings, including structures ancillary to dwellings, subject to the following restrictions:
- (a) A second residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures

ancillary to the new detached house, semi-detached house or rowhouse cumulatively will contain no more than one residential unit;

- (b) A third residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units; or
- (c) One residential unit in a building or structure ancillary to a new detached house, semi-detached house or rowhouse on a parcel of residential land, if the new detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units.

Exemption for Industrial Development

- 3.7 Notwithstanding any other provision of this by-law, no development charge is payable with respect to an enlargement of the gross floor area of an existing industrial building where the gross floor area is enlarged by 50 percent or less.
- 3.8 If the gross floor area of an existing industrial building is enlarged by greater than 50 percent, the amount of the development charge payable in respect of the enlargement is the amount of the development charge that would otherwise be payable multiplied by the fraction determined as follows:
 - (a) determine the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement;
 - (b) divide the amount determined under subsection (a) by the amount of the enlargement.
- 3.9 For the purpose of section 3.7 herein, “existing industrial building” is used as defined in the Regulation made pursuant to the Act.
- 3.10 The exemption for an existing industrial building provided by this section shall be applied to a maximum of fifty percent (50%) of the gross floor area before the first enlargement for which an exemption from the payment of development charges was granted pursuant to this by-law or predecessor.

Other Statutory Exemptions

- 3.11 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to non-profit housing development.
- 3.12 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to inclusionary zoning residential unit development.

Other Exemptions

- 3.13 Notwithstanding the provision of this by-law, development charges shall not be imposed with respect to:
- (a) Industrial development;
 - (b) Hospitals under the *Public Hospitals Act*; and
 - (c) Non-residential farm building used for a bona fide agricultural use.

Amount of Charges

Residential

- 3.14 The development charges set out in Schedule A 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

- 3.15 The development charges described in Schedule A 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.

Reduction of Development Charges

For Redevelopment

3.16 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 2 years 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 section 3.14 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 section 3.15, 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.

- (c) the credits provided under this section do not apply based upon an existing or previously existing development, which is exempt under the provisions of this by-law.

Time of Payment of Development Charges

3.17 A development charge shall be calculated and payable in full in money or by provision of Services as may be agreed upon, or by credit granted pursuant to the Act or this by-law, on the date a building permit is issued in relation to a building or structure on land to which a development charge applies.

3.18 Where a development charge applies to land in relation to which a building permit is required, the building permit shall not be issued until the development charge has been paid in full.

- 3.19 Notwithstanding sections 3.17 and 3.18, development charges for rental housing and institutional developments are due and payable in six (6) installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest as provided in the [Subject]'s Council approved Development Charges Interest Rate Policy, payable on the anniversary date each year thereafter.
- 3.20 Notwithstanding sections 3.17 and 3.18, where the development of land results from the approval of a Site Plan application or Zoning By-law Amendment on or after January 1, 2020, and the building permit was issued within 2 years of the approval, the development charges shall be calculated based on the charges in effect on the date the Site Plan or Zoning By-law Amendment application was made, including interest as provided in the [Subject]'s Council approved Development Charges Interest Rate Policy.
- 3.21 Despite sections 3.17 to 3.20, Council from time to time, and at anytime, 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.

4. Payment by Services

- 4.1 Despite the payment required under sections 3.14 and 3.15, 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 shall be adjusted annually on January 1, without amendment to this by-law, in accordance with the most recent twelve-month change in the prescribed index in the Act.

6. Schedules

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

Schedule A - Residential and Non-Residential Development Charges

7. Conflicts

- 7.1 Where the [Subject] 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 January 1, 2024.

10. Date By-law Expires

- 10.1 This by-law will expire as per Section 9 of the Act unless it is repealed by Council at an earlier date.

Christa Lowry, Mayor

Jeanne Harfield, Clerk

SCHEDULE "A" TO BY-LAW 23-082

SCHEDULE OF DEVELOPMENT CHARGES FOR FIRE PROTECTION SERVICES

Service	RESIDENTIAL (per Dwelling Unit)				NON-RESIDENTIAL (per sq.ft. of Gross Floor Area)
	Single and Semi-Detached Dwelling	Other Multiple Dwelling	Apartment Dwelling Unit – 2 Bedrooms +	Apartment Dwelling Unit – Bachelor and 1 Bedroom	
Fire Protection Services	\$ 430	\$ 383	\$ 253	\$ 183	\$ 0.22

**THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI
MILLS**

**BY-LAW NO. 23-083
A BY-LAW FOR THE IMPOSITION OF DEVELOPMENT CHARGES
FOR PARKS AND RECREATION SERVICES**

BEING a by-law for the imposition of Development Charges

WHEREAS section 2 (1) of the *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended (the “Act”) provides that the council of a municipality may pass By-laws for the imposition of Development Charges against land to pay for increased Capital Costs required because of the need for Services arising from Development in the area to which the By-law applies;

AND WHEREAS the Municipality of Mississippi Mills will experience growth through development and re-development;

AND WHEREAS development and re-development requires the provision of physical and social services by the Municipality of Mississippi Mills;

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 Municipality of Mississippi Mills 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 a development charge background study has been completed in accordance with the Act;

AND WHEREAS the Council of The Corporation of the Municipality of Mississippi Mills has given notice of and held a public meeting on the 7th day of November, 2023 in accordance with the Act and the regulations thereto;

NOW THEREFORE the Council of The Corporation of the Municipality of Mississippi Mills enacts as follows:

1. Interpretation

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

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

“Accessory use” means where used to describe a use, building, or structure that the use, building or structure is naturally and normally incidental, subordinate in purpose of floor area or both, and exclusively devoted to a principal use, building or structure;

“Additional dwelling unit” means a dwelling unit, whether contained within a proposed single detached dwelling, semi-detached dwelling or row dwelling, or ancillary to a single detached dwelling, a semi-detached dwelling, or a row dwelling including but not limited to a coach house, laneway suite or structure constructed above an existing garage or other structure separate from the primary dwelling unit, and which is not capable of being legally conveyed as a separate parcel of land from the primary dwelling unit;

“Agricultural” means any use of land, structures or buildings used for the growing of crops (including nursery, market gardens and horticultural crops), the raising of livestock and other animals for food or fur, (including dairy or beef cattle, poultry, swine, sheep, fish and non-traditional livestock, such as deer, bison, emu, pheasant, etc.), equine related activities, aquaculture, apiaries, forestry, maple syrup production, and orchards;

“Apartment dwelling unit” means any dwelling unit within a building containing three or more dwelling units where access to each residential unit is obtained through a common entrance or entrances from the street level and the residential units are connected by an interior corridor;

“Bedroom” means any room used or designed or intended for use as sleeping quarters including but not limited to, a den, a study, a family room or other similar use;

“Board of Education” means a board defined in subsection 1 (1) of the *Education Act, R.S.O. 1990*, c. E.2, as amended, or any successor thereof;

“Building Code Act” means the *Building Code Act, 1992*, S.O. 1992, c. 23 as amended, or any successor thereof;

“Capital cost” means capital costs as defined in subsection 5 (3) of the Act, as amended;

"Commercial" means any use of land, structures or buildings for the purposes of offices or retail buying or selling of commodities, hotels, motels, motor inns and boarding, lodging and rooming houses, but does not include uses for warehousing, wholesaling, manufacturing or assembling of goods;

“Council” means the Council of the Corporation of the Municipality of Mississippi Mills;

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

“Development charge” means a charge imposed pursuant to this by-law;

“Dwelling unit” means a suite operated as a housekeeping unit, used or intended to be used by one or more persons and containing cooking, eating, living, sleeping and sanitary facilities, but not including units in long-term care facilities, retirement homes, motels, hotels, tents, truck campers, tourist trailers, mobile camper trailers or boarding, lodging or rooming houses;

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

“Farm building” means that part of a farming operation encompassing barns, silos, and other accessory use to a bona fide agricultural use or “value add” buildings of a commercial or retail nature for the farming operation or farm help quarters for the farming operation workers but excluding a Residential use;

“Gross floor area” means the space on any storey of a building between exterior walls and required firewalls, including the space occupied by interior walls and partitions, but not including exits, vertical service spaces and their enclosing assemblies;

“Inclusionary zoning residential unit” means residential units that are affordable housing units required to be included in a development or redevelopment pursuant to a by-law passed under section 34 of the *Planning Act* to give effect to the policies described in subsection 16(4) of that Act.

“Industrial” means any use of lands, buildings, or structures used or designed or intended for use for the assembling, fabricating, manufacturing, processing, repairing or storing of goods or materials;

“Institutional” means any use of 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; For the purposes of Section 3.19, 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 *Long-Term Care Homes Act, 2007*;
- (b) as a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*;
- (c) by any institution of the following post-secondary institutions for the objects of the institution:
 - (i) a university in Ontario that receives direct, regular, and ongoing operation 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 Institute Act, 2017*;
- (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 local board as defined in the Act, as amended;

“Local services” means those services, facilities or things which are under the jurisdiction of the [Subject] and are related to a plan of subdivision or within the

area to which the plan relates with respect to the lands under sections 41, 51 or 53 of the *Planning Act, R.S.O. 1990, Chap. P.13*, as amended, or any successor thereof;

“Mixed-Use” means any use of lands, buildings, or structures that are used and/or designated to be used for both residential and non-residential purposes;

“Multiple dwelling” includes all dwellings other than a single detached dwelling, a semi-detached dwelling, or apartment dwelling unit;

“Municipal water and sewer serviced area” means all lands within the settlement area of Almonte as identified in the Municipality’s Official Plan, as amended, or other developments connecting to the municipal water and/or sewer system;

“Municipality” means The Corporation of the Municipality of Mississippi Mills;

“Non-profit housing” means development of a building or structure intended for use as residential premises by:

- (a) a corporation to which the *Not-for-Profit Corporations Act, 2010* applies, that is in good standing under that Act and whose primary objective is to provide housing;
- (b) a corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary objective is to provide housing; or
- (c) a non-profit housing co-operative that is in good standing under the Co-operative *Corporations Act*;

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

“Official Plan” means the Official Plan adopted for the [Subject] and any amendments thereto;

“Owner” means the owner of land or a person who has made application for an approval of 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;

“Planning Act” means the *Planning Act, R.S.O. 1990*, c. P.13, as amended;

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

“Rental housing” means rental housing development as defined in the Act, as amended;

“Residential unit” means the same as dwelling unit as defined in this by-law;

"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;

“Row dwelling” means one of a series of three or more attached dwelling units with each dwelling unit divided vertically from another by a party wall; and each dwelling unit located on a lot. For the purposes of this definition, a row dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a row dwelling;

“Semi-detached dwelling” means a dwelling unit in a residential building consisting of two dwelling units having one vertical wall, but not other parts, attached to another dwelling unit where the dwelling units are not connected by an interior corridor. For the purposes of this definition, a semi-detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a semi-detached dwelling;

“Service” (or “Services”) means a service designated in section 2.1 to this By-law;

"Servicing agreement" means an agreement between a landowner and the [Subject] relative to the provision of municipal services to specified land within the [Subject];

“Single detached dwelling” means a residential building consisting of one dwelling unit and not attached to another structure. For the purposes of this

definition, a single detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a single detached dwelling;

“Suite” means a single room or series of rooms of complementary use, operated under a single tenancy.

2. Designation of Services

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

- (a) Parks and Recreation Services

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 [Subject] whether or not the land or use thereof is exempt from taxation under s.13 of 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;
- (c) the Corporation of the County of Lanark or a local board thereof; or
- (d) a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education if the development in respect of which development charges would otherwise be payable is intended to be occupied and used by the university.

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 designated in section 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

Exemptions for Residential Units

- 3.5 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to:
- (a) An enlargement to an existing dwelling unit;
 - (b) A second residential unit in an existing detached house, semi-detached house, or rowhouse 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 detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
 - (c) A third residential unit in an existing detached house, semi-detached house or rowhouse 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 detached house, semi-detached house or rowhouse contains any residential units;
 - (d) One residential unit in a building or structure ancillary to an existing detached house, semi-detached house or rowhouse on a parcel of residential land, if the existing detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units; or
 - (e) In an existing rental residential building, which contains four or more residential units, the creation of the greater of one residential unit or one per cent of the existing residential units.
- 3.6 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to the creation of additional dwelling units in proposed new residential buildings, including structures ancillary to dwellings, subject to the following restrictions:
- (a) A second residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures

ancillary to the new detached house, semi-detached house or rowhouse cumulatively will contain no more than one residential unit;

- (b) A third residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units; or
- (c) One residential unit in a building or structure ancillary to a new detached house, semi-detached house or rowhouse on a parcel of residential land, if the new detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units.

Exemption for Industrial Development

- 3.7 Notwithstanding any other provision of this by-law, no development charge is payable with respect to an enlargement of the gross floor area of an existing industrial building where the gross floor area is enlarged by 50 percent or less.
- 3.8 If the gross floor area of an existing industrial building is enlarged by greater than 50 percent, the amount of the development charge payable in respect of the enlargement is the amount of the development charge that would otherwise be payable multiplied by the fraction determined as follows:
 - (a) determine the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement;
 - (b) divide the amount determined under subsection (a) by the amount of the enlargement.
- 3.9 For the purpose of section 3.7 herein, “existing industrial building” is used as defined in the Regulation made pursuant to the Act.
- 3.10 The exemption for an existing industrial building provided by this section shall be applied to a maximum of fifty percent (50%) of the gross floor area before the first enlargement for which an exemption from the payment of development charges was granted pursuant to this by-law or predecessor.

Other Statutory Exemptions

- 3.11 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to non-profit housing development.
- 3.12 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to inclusionary zoning residential unit development.

Other Exemptions

- 3.13 Notwithstanding the provision of this by-law, development charges shall not be imposed with respect to:
- (a) Industrial development;
 - (b) Hospitals under the *Public Hospitals Act*; and
 - (c) Non-residential farm building used for a bona fide agricultural use.

Amount of Charges

Residential

- 3.14 The development charges set out in Schedule A 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

- 3.15 The development charges described in Schedule A 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.

Reduction of Development Charges

For Redevelopment

3.16 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 2 years 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 section 3.14 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 section 3.15, 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.

- (c) the credits provided under this section do not apply based upon an existing or previously existing development, which is exempt under the provisions of this by-law.

Time of Payment of Development Charges

3.17 A development charge shall be calculated and payable in full in money or by provision of Services as may be agreed upon, or by credit granted pursuant to the Act or this by-law, on the date a building permit is issued in relation to a building or structure on land to which a development charge applies.

3.18 Where a development charge applies to land in relation to which a building permit is required, the building permit shall not be issued until the development charge has been paid in full.

- 3.19 Notwithstanding sections 3.17 and 3.18, development charges for rental housing and institutional developments are due and payable in six (6) installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest as provided in the [Subject]'s Council approved Development Charges Interest Rate Policy, payable on the anniversary date each year thereafter.
- 3.20 Notwithstanding sections 3.17 and 3.18, where the development of land results from the approval of a Site Plan application or Zoning By-law Amendment on or after January 1, 2020, and the building permit was issued within 2 years of the approval, the development charges shall be calculated based on the charges in effect on the date the Site Plan or Zoning By-law Amendment application was made, including interest as provided in the [Subject]'s Council approved Development Charges Interest Rate Policy.
- 3.21 Despite sections 3.17 to 3.20, Council from time to time, and at anytime, 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.

4. Payment by Services

- 4.1 Despite the payment required under sections 3.14 and 3.15, 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 shall be adjusted annually on January 1, without amendment to this by-law, in accordance with the most recent twelve-month change in the prescribed index in the Act.

6. Schedules

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

Schedule A - Residential and Non-Residential Development Charges

7. Conflicts

- 7.1 Where the [Subject] 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 January 1, 2024.

10. Date By-law Expires

- 10.1 This by-law will expire as per Section 9 of the Act unless it is repealed by Council at an earlier date.

BY-LAW READ, passed, signed, and sealed in Open Council this the 05th day of December 2023.

Christa Lowry, Mayor

Jeanne Harfield, Clerk

SCHEDULE "A" TO BY-LAW 23-083

SCHEDULE OF DEVELOPMENT CHARGES FOR PARKS AND RECREATION SERVICES

Service	RESIDENTIAL (per Dwelling Unit)				NON-RESIDENTIAL (per sq.ft. of Gross Floor Area)
	Single and Semi-Detached Dwelling	Other Multiple Dwelling	Apartment Dwelling Unit – 2 Bedrooms +	Apartment Dwelling Unit – Bachelor and 1 Bedroom	
Parks and Recreation Services	\$ 3,427	\$ 3,049	\$ 2,019	\$ 1,457	\$ 0.39

**THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI
MILLS**

**BY-LAW NO. 23-084
A BY-LAW FOR THE IMPOSITION OF DEVELOPMENT CHARGES
FOR LIBRARY SERVICES**

BEING a by-law for the imposition of Development Charges

WHEREAS section 2 (1) of the *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended (the “Act”) provides that the council of a municipality may pass By-laws for the imposition of Development Charges against land to pay for increased Capital Costs required because of the need for Services arising from Development in the area to which the By-law applies;

AND WHEREAS the Municipality of Mississippi Mills will experience growth through development and re-development;

AND WHEREAS development and re-development requires the provision of physical and social services by the Municipality of Mississippi Mills;

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 Municipality of Mississippi Mills 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 a development charge background study has been completed in accordance with the Act;

AND WHEREAS the Council of The Corporation of the Municipality of Mississippi Mills has given notice of and held a public meeting on the 7th day of November, 2023 in accordance with the Act and the regulations thereto;

NOW THEREFORE the Council of The Corporation of the Municipality of Mississippi Mills enacts as follows:

1. Interpretation

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

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

“Accessory use” means where used to describe a use, building, or structure that the use, building or structure is naturally and normally incidental, subordinate in purpose of floor area or both, and exclusively devoted to a principal use, building or structure;

“Additional dwelling unit” means a dwelling unit, whether contained within a proposed single detached dwelling, semi-detached dwelling or row dwelling, or ancillary to a single detached dwelling, a semi-detached dwelling, or a row dwelling including but not limited to a coach house, laneway suite or structure constructed above an existing garage or other structure separate from the primary dwelling unit, and which is not capable of being legally conveyed as a separate parcel of land from the primary dwelling unit;

“Agricultural” means any use of land, structures or buildings used for the growing of crops (including nursery, market gardens and horticultural crops), the raising of livestock and other animals for food or fur, (including dairy or beef cattle, poultry, swine, sheep, fish and non-traditional livestock, such as deer, bison, emu, pheasant, etc.), equine related activities, aquaculture, apiaries, forestry, maple syrup production, and orchards;

“Apartment dwelling unit” means any dwelling unit within a building containing three or more dwelling units where access to each residential unit is obtained through a common entrance or entrances from the street level and the residential units are connected by an interior corridor;

“Bedroom” means any room used or designed or intended for use as sleeping quarters including but not limited to, a den, a study, a family room or other similar use;

“Board of Education” means a board defined in subsection 1 (1) of the *Education Act, R.S.O. 1990*, c. E.2, as amended, or any successor thereof;

“Building Code Act” means the *Building Code Act, 1992*, S.O. 1992, c. 23 as amended, or any successor thereof;

“Capital cost” means capital costs as defined in subsection 5 (3) of the Act, as amended;

"Commercial" means any use of land, structures or buildings for the purposes of offices or retail buying or selling of commodities, hotels, motels, motor inns and boarding, lodging and rooming houses, but does not include uses for warehousing, wholesaling, manufacturing or assembling of goods;

“Council” means the Council of the Corporation of the Municipality of Mississippi Mills;

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

“Development charge” means a charge imposed pursuant to this by-law;

“Dwelling unit” means a suite operated as a housekeeping unit, used or intended to be used by one or more persons and containing cooking, eating, living, sleeping and sanitary facilities, but not including units in long-term care facilities, retirement homes, motels, hotels, tents, truck campers, tourist trailers, mobile camper trailers or boarding, lodging or rooming houses;

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

“Farm building” means that part of a farming operation encompassing barns, silos, and other accessory use to a bona fide agricultural use or “value add” buildings of a commercial or retail nature for the farming operation or farm help quarters for the farming operation workers but excluding a Residential use;

“Gross floor area” means the space on any storey of a building between exterior walls and required firewalls, including the space occupied by interior walls and partitions, but not including exits, vertical service spaces and their enclosing assemblies;

“Inclusionary zoning residential unit” means residential units that are affordable housing units required to be included in a development or redevelopment pursuant to a by-law passed under section 34 of the *Planning Act* to give effect to the policies described in subsection 16(4) of that Act.

“Industrial” means any use of lands, buildings, or structures used or designed or intended for use for the assembling, fabricating, manufacturing, processing, repairing or storing of goods or materials;

“Institutional” means any use of 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; For the purposes of Section 3.19, 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 *Long-Term Care Homes Act, 2007*;
- (b) as a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*;
- (c) by any institution of the following post-secondary institutions for the objects of the institution:
 - (i) a university in Ontario that receives direct, regular, and ongoing operation 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 Institute Act, 2017*;
- (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 local board as defined in the Act, as amended;

“Local services” means those services, facilities or things which are under the jurisdiction of the [Subject] and are related to a plan of subdivision or within the

area to which the plan relates with respect to the lands under sections 41, 51 or 53 of the *Planning Act, R.S.O. 1990, Chap. P.13*, as amended, or any successor thereof;

“Mixed-Use” means any use of lands, buildings, or structures that are used and/or designated to be used for both residential and non-residential purposes;

“Multiple dwelling” includes all dwellings other than a single detached dwelling, a semi-detached dwelling, or apartment dwelling unit;

“Municipal water and sewer serviced area” means all lands within the settlement area of Almonte as identified in the Municipality’s Official Plan, as amended, or other developments connecting to the municipal water and/or sewer system;

“Municipality” means The Corporation of the Municipality of Mississippi Mills;

“Non-profit housing” means development of a building or structure intended for use as residential premises by:

- (a) a corporation to which the *Not-for-Profit Corporations Act, 2010* applies, that is in good standing under that Act and whose primary objective is to provide housing;
- (b) a corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary objective is to provide housing; or
- (c) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*;

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

“Official Plan” means the Official Plan adopted for the [Subject] and any amendments thereto;

“Owner” means the owner of land or a person who has made application for an approval of 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;

“Planning Act” means the *Planning Act, R.S.O. 1990, c. P.13*, as amended;

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

“Rental housing” means rental housing development as defined in the Act, as amended;

“Residential unit” means the same as dwelling unit as defined in this by-law;

"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;

“Row dwelling” means one of a series of three or more attached dwelling units with each dwelling unit divided vertically from another by a party wall; and each dwelling unit located on a lot. For the purposes of this definition, a row dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a row dwelling;

“Semi-detached dwelling” means a dwelling unit in a residential building consisting of two dwelling units having one vertical wall, but not other parts, attached to another dwelling unit where the dwelling units are not connected by an interior corridor. For the purposes of this definition, a semi-detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a semi-detached dwelling;

“Service” (or “Services”) means a service designated in section 2.1 to this By-law;

"Servicing agreement" means an agreement between a landowner and the [Subject] relative to the provision of municipal services to specified land within the [Subject];

“Single detached dwelling” means a residential building consisting of one dwelling unit and not attached to another structure. For the purposes of this

definition, a single detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a single detached dwelling;

“Suite” means a single room or series of rooms of complementary use, operated under a single tenancy.

2. Designation of Services

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

- (a) Library Services

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 [Subject] whether or not the land or use thereof is exempt from taxation under s.13 of 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;
- (c) the Corporation of the County of Lanark or a local board thereof; or
- (d) a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education if the development in respect of which development charges would otherwise be payable is intended to be occupied and used by the university.

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 designated in section 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

Exemptions for Residential Units

- 3.5 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to:
- (a) An enlargement to an existing dwelling unit;
 - (b) A second residential unit in an existing detached house, semi-detached house, or rowhouse 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 detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
 - (c) A third residential unit in an existing detached house, semi-detached house or rowhouse 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 detached house, semi-detached house or rowhouse contains any residential units;
 - (d) One residential unit in a building or structure ancillary to an existing detached house, semi-detached house or rowhouse on a parcel of residential land, if the existing detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units; or
 - (e) In an existing rental residential building, which contains four or more residential units, the creation of the greater of one residential unit or one per cent of the existing residential units.
- 3.6 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to the creation of additional dwelling units in proposed new residential buildings, including structures ancillary to dwellings, subject to the following restrictions:
- (a) A second residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures

ancillary to the new detached house, semi-detached house or rowhouse cumulatively will contain no more than one residential unit;

- (b) A third residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units; or
- (c) One residential unit in a building or structure ancillary to a new detached house, semi-detached house or rowhouse on a parcel of residential land, if the new detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units.

Exemption for Industrial Development

- 3.7 Notwithstanding any other provision of this by-law, no development charge is payable with respect to an enlargement of the gross floor area of an existing industrial building where the gross floor area is enlarged by 50 percent or less.
- 3.8 If the gross floor area of an existing industrial building is enlarged by greater than 50 percent, the amount of the development charge payable in respect of the enlargement is the amount of the development charge that would otherwise be payable multiplied by the fraction determined as follows:
 - (a) determine the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement;
 - (b) divide the amount determined under subsection (a) by the amount of the enlargement.
- 3.9 For the purpose of section 3.7 herein, “existing industrial building” is used as defined in the Regulation made pursuant to the Act.
- 3.10 The exemption for an existing industrial building provided by this section shall be applied to a maximum of fifty percent (50%) of the gross floor area before the first enlargement for which an exemption from the payment of development charges was granted pursuant to this by-law or predecessor.

Other Statutory Exemptions

- 3.11 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to non-profit housing development.
- 3.12 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to inclusionary zoning residential unit development.

Other Exemptions

- 3.13 Notwithstanding the provision of this by-law, development charges shall not be imposed with respect to:
- (a) Industrial development;
 - (b) Hospitals under the *Public Hospitals Act*; and
 - (c) Non-residential farm building used for a bona fide agricultural use.

Amount of Charges

Residential

- 3.14 The development charges set out in Schedule A 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

- 3.15 The development charges described in Schedule A 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.

Reduction of Development Charges

For Redevelopment

3.16 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 2 years 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 section 3.14 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 section 3.15, 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.

- (c) the credits provided under this section do not apply based upon an existing or previously existing development, which is exempt under the provisions of this by-law.

Time of Payment of Development Charges

3.17 A development charge shall be calculated and payable in full in money or by provision of Services as may be agreed upon, or by credit granted pursuant to the Act or this by-law, on the date a building permit is issued in relation to a building or structure on land to which a development charge applies.

3.18 Where a development charge applies to land in relation to which a building permit is required, the building permit shall not be issued until the development charge has been paid in full.

- 3.19 Notwithstanding sections 3.17 and 3.18, development charges for rental housing and institutional developments are due and payable in six (6) installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest as provided in the [Subject]'s Council approved Development Charges Interest Rate Policy, payable on the anniversary date each year thereafter.
- 3.20 Notwithstanding sections 3.17 and 3.18, where the development of land results from the approval of a Site Plan application or Zoning By-law Amendment on or after January 1, 2020, and the building permit was issued within 2 years of the approval, the development charges shall be calculated based on the charges in effect on the date the Site Plan or Zoning By-law Amendment application was made, including interest as provided in the [Subject]'s Council approved Development Charges Interest Rate Policy.
- 3.21 Despite sections 3.17 to 3.20, Council from time to time, and at anytime, 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.

4. Payment by Services

- 4.1 Despite the payment required under sections 3.14 and 3.15, 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 shall be adjusted annually on January 1, without amendment to this by-law, in accordance with the most recent twelve-month change in the prescribed index in the Act.

6. Schedules

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

Schedule A - Residential and Non-Residential Development Charges

7. Conflicts

- 7.1 Where the [Subject] 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 January 1, 2024.

10. Date By-law Expires

- 10.1 This by-law will expire as per Section 9 of the Act unless it is repealed by Council at an earlier date.

BY-LAW READ, passed, signed, and sealed in Open Council this the 05th day of December 2023.

Christa Lowry, Mayor

Jeanne Harfield, Clerk

SCHEDULE "A" TO BY-LAW 23-084

SCHEDULE OF DEVELOPMENT CHARGES FOR LIBRARY SERVICES

Service	RESIDENTIAL (per Dwelling Unit)				NON-RESIDENTIAL (per sq.ft. of Gross Floor Area)
	Single and Semi-Detached Dwelling	Other Multiple Dwelling	Apartment Dwelling Unit – 2 Bedrooms +	Apartment Dwelling Unit – Bachelor and 1 Bedroom	
Library Services	\$ 2,912	\$ 2,591	\$ 1,716	\$ 1,238	\$ 0.33

**THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI
MILLS**

**BY-LAW NO. 23-085
A BY-LAW FOR THE IMPOSITION OF DEVELOPMENT CHARGES
FOR CHILD CARE SERVICES**

BEING a by-law for the imposition of Development Charges

WHEREAS section 2 (1) of the *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended (the “Act”) provides that the council of a municipality may pass By-laws for the imposition of Development Charges against land to pay for increased Capital Costs required because of the need for Services arising from Development in the area to which the By-law applies;

AND WHEREAS the Municipality of Mississippi Mills will experience growth through development and re-development;

AND WHEREAS development and re-development requires the provision of physical and social services by the Municipality of Mississippi Mills;

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 Municipality of Mississippi Mills 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 a development charge background study has been completed in accordance with the Act;

AND WHEREAS the Council of The Corporation of the Municipality of Mississippi Mills has given notice of and held a public meeting on the 7th day of November, 2023 in accordance with the Act and the regulations thereto;

NOW THEREFORE the Council of The Corporation of the Municipality of Mississippi Mills enacts as follows:

1. Interpretation

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

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

“Accessory use” means where used to describe a use, building, or structure that the use, building or structure is naturally and normally incidental, subordinate in purpose of floor area or both, and exclusively devoted to a principal use, building or structure;

“Additional dwelling unit” means a dwelling unit, whether contained within a proposed single detached dwelling, semi-detached dwelling or row dwelling, or ancillary to a single detached dwelling, a semi-detached dwelling, or a row dwelling including but not limited to a coach house, laneway suite or structure constructed above an existing garage or other structure separate from the primary dwelling unit, and which is not capable of being legally conveyed as a separate parcel of land from the primary dwelling unit;

“Agricultural” means any use of land, structures or buildings used for the growing of crops (including nursery, market gardens and horticultural crops), the raising of livestock and other animals for food or fur, (including dairy or beef cattle, poultry, swine, sheep, fish and non-traditional livestock, such as deer, bison, emu, pheasant, etc.), equine related activities, aquaculture, apiaries, forestry, maple syrup production, and orchards;

“Apartment dwelling unit” means any dwelling unit within a building containing three or more dwelling units where access to each residential unit is obtained through a common entrance or entrances from the street level and the residential units are connected by an interior corridor;

“Bedroom” means any room used or designed or intended for use as sleeping quarters including but not limited to, a den, a study, a family room or other similar use;

“Board of Education” means a board defined in subsection 1 (1) of the *Education Act, R.S.O. 1990*, c. E.2, as amended, or any successor thereof;

“Building Code Act” means the *Building Code Act, 1992*, S.O. 1992, c. 23 as amended, or any successor thereof;

“Capital cost” means capital costs as defined in subsection 5 (3) of the Act, as amended;

"Commercial" means any use of land, structures or buildings for the purposes of offices or retail buying or selling of commodities, hotels, motels, motor inns and boarding, lodging and rooming houses, but does not include uses for warehousing, wholesaling, manufacturing or assembling of goods;

“Council” means the Council of the Corporation of the Municipality of Mississippi Mills;

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

“Development charge” means a charge imposed pursuant to this by-law;

“Dwelling unit” means a suite operated as a housekeeping unit, used or intended to be used by one or more persons and containing cooking, eating, living, sleeping and sanitary facilities, but not including units in long-term care facilities, retirement homes, motels, hotels, tents, truck campers, tourist trailers, mobile camper trailers or boarding, lodging or rooming houses;

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

“Farm building” means that part of a farming operation encompassing barns, silos, and other accessory use to a bona fide agricultural use or “value add” buildings of a commercial or retail nature for the farming operation or farm help quarters for the farming operation workers but excluding a Residential use;

“Gross floor area” means the space on any storey of a building between exterior walls and required firewalls, including the space occupied by interior walls and partitions, but not including exits, vertical service spaces and their enclosing assemblies;

“Inclusionary zoning residential unit” means residential units that are affordable housing units required to be included in a development or redevelopment pursuant to a by-law passed under section 34 of the *Planning Act* to give effect to the policies described in subsection 16(4) of that Act.

“Industrial” means any use of lands, buildings, or structures used or designed or intended for use for the assembling, fabricating, manufacturing, processing, repairing or storing of goods or materials;

“Institutional” means any use of 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; For the purposes of Section 3.19, 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 *Long-Term Care Homes Act, 2007*;
- (b) as a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*;
- (c) by any institution of the following post-secondary institutions for the objects of the institution:
 - (i) a university in Ontario that receives direct, regular, and ongoing operation 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 Institute Act, 2017*;
- (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 local board as defined in the Act, as amended;

“Local services” means those services, facilities or things which are under the jurisdiction of the [Subject] and are related to a plan of subdivision or within the

area to which the plan relates with respect to the lands under sections 41, 51 or 53 of the *Planning Act, R.S.O. 1990, Chap. P.13*, as amended, or any successor thereof;

“Mixed-Use” means any use of lands, buildings, or structures that are used and/or designated to be used for both residential and non-residential purposes;

“Multiple dwelling” includes all dwellings other than a single detached dwelling, a semi-detached dwelling, or apartment dwelling unit;

“Municipal water and sewer serviced area” means all lands within the settlement area of Almonte as identified in the Municipality’s Official Plan, as amended, or other developments connecting to the municipal water and/or sewer system;

“Municipality” means The Corporation of the Municipality of Mississippi Mills;

“Non-profit housing” means development of a building or structure intended for use as residential premises by:

- (a) a corporation to which the *Not-for-Profit Corporations Act, 2010* applies, that is in good standing under that Act and whose primary objective is to provide housing;
- (b) a corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary objective is to provide housing; or
- (c) a non-profit housing co-operative that is in good standing under the Co-operative *Corporations Act*;

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

“Official Plan” means the Official Plan adopted for the [Subject] and any amendments thereto;

“Owner” means the owner of land or a person who has made application for an approval of 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;

“Planning Act” means the *Planning Act, R.S.O. 1990*, c. P.13, as amended;

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

“Rental housing” means rental housing development as defined in the Act, as amended;

“Residential unit” means the same as dwelling unit as defined in this by-law;

"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;

“Row dwelling” means one of a series of three or more attached dwelling units with each dwelling unit divided vertically from another by a party wall; and each dwelling unit located on a lot. For the purposes of this definition, a row dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a row dwelling;

“Semi-detached dwelling” means a dwelling unit in a residential building consisting of two dwelling units having one vertical wall, but not other parts, attached to another dwelling unit where the dwelling units are not connected by an interior corridor. For the purposes of this definition, a semi-detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a semi-detached dwelling;

“Service” (or “Services”) means a service designated in section 2.1 to this By-law;

"Servicing agreement" means an agreement between a landowner and the [Subject] relative to the provision of municipal services to specified land within the [Subject];

“Single detached dwelling” means a residential building consisting of one dwelling unit and not attached to another structure. For the purposes of this

definition, a single detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a single detached dwelling;

“Suite” means a single room or series of rooms of complementary use, operated under a single tenancy.

2. Designation of Services

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

- (a) Child Care Services

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 [Subject] whether or not the land or use thereof is exempt from taxation under s.13 of 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;
- (c) the Corporation of the County of Lanark or a local board thereof; or
- (d) a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education if the development in respect of which development charges would otherwise be payable is intended to be occupied and used by the university.

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 designated in section 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

Exemptions for Residential Units

- 3.5 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to:
- (a) An enlargement to an existing dwelling unit;
 - (b) A second residential unit in an existing detached house, semi-detached house, or rowhouse 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 detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
 - (c) A third residential unit in an existing detached house, semi-detached house or rowhouse 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 detached house, semi-detached house or rowhouse contains any residential units;
 - (d) One residential unit in a building or structure ancillary to an existing detached house, semi-detached house or rowhouse on a parcel of residential land, if the existing detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units; or
 - (e) In an existing rental residential building, which contains four or more residential units, the creation of the greater of one residential unit or one per cent of the existing residential units.
- 3.6 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to the creation of additional dwelling units in proposed new residential buildings, including structures ancillary to dwellings, subject to the following restrictions:
- (a) A second residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures

ancillary to the new detached house, semi-detached house or rowhouse cumulatively will contain no more than one residential unit;

- (b) A third residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units; or
- (c) One residential unit in a building or structure ancillary to a new detached house, semi-detached house or rowhouse on a parcel of residential land, if the new detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units.

Exemption for Industrial Development

- 3.7 Notwithstanding any other provision of this by-law, no development charge is payable with respect to an enlargement of the gross floor area of an existing industrial building where the gross floor area is enlarged by 50 percent or less.
- 3.8 If the gross floor area of an existing industrial building is enlarged by greater than 50 percent, the amount of the development charge payable in respect of the enlargement is the amount of the development charge that would otherwise be payable multiplied by the fraction determined as follows:
 - (a) determine the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement;
 - (b) divide the amount determined under subsection (a) by the amount of the enlargement.
- 3.9 For the purpose of section 3.7 herein, “existing industrial building” is used as defined in the Regulation made pursuant to the Act.
- 3.10 The exemption for an existing industrial building provided by this section shall be applied to a maximum of fifty percent (50%) of the gross floor area before the first enlargement for which an exemption from the payment of development charges was granted pursuant to this by-law or predecessor.

Other Statutory Exemptions

- 3.11 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to non-profit housing development.
- 3.12 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to inclusionary zoning residential unit development.

Other Exemptions

- 3.13 Notwithstanding the provision of this by-law, development charges shall not be imposed with respect to:
- (a) Industrial development;
 - (b) Hospitals under the *Public Hospitals Act*; and
 - (c) Non-residential farm building used for a bona fide agricultural use.

Amount of Charges

Residential

- 3.14 The development charges set out in Schedule A 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

- 3.15 The development charges described in Schedule A 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.

Reduction of Development Charges

For Redevelopment

3.16 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 2 years 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 section 3.14 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 section 3.15, 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.

- (c) the credits provided under this section do not apply based upon an existing or previously existing development, which is exempt under the provisions of this by-law.

Time of Payment of Development Charges

3.17 A development charge shall be calculated and payable in full in money or by provision of Services as may be agreed upon, or by credit granted pursuant to the Act or this by-law, on the date a building permit is issued in relation to a building or structure on land to which a development charge applies.

3.18 Where a development charge applies to land in relation to which a building permit is required, the building permit shall not be issued until the development charge has been paid in full.

- 3.19 Notwithstanding sections 3.17 and 3.18, development charges for rental housing and institutional developments are due and payable in six (6) installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest as provided in the [Subject]'s Council approved Development Charges Interest Rate Policy, payable on the anniversary date each year thereafter.
- 3.20 Notwithstanding sections 3.17 and 3.18, where the development of land results from the approval of a Site Plan application or Zoning By-law Amendment on or after January 1, 2020, and the building permit was issued within 2 years of the approval, the development charges shall be calculated based on the charges in effect on the date the Site Plan or Zoning By-law Amendment application was made, including interest as provided in the [Subject]'s Council approved Development Charges Interest Rate Policy.
- 3.21 Despite sections 3.17 to 3.20, Council from time to time, and at anytime, 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.

4. Payment by Services

- 4.1 Despite the payment required under sections 3.14 and 3.15, 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 shall be adjusted annually on January 1, without amendment to this by-law, in accordance with the most recent twelve-month change in the prescribed index in the Act.

6. Schedules

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

Schedule A - Residential and Non-Residential Development Charges

7. Conflicts

- 7.1 Where the [Subject] 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 January 1, 2024.

10. Date By-law Expires

- 10.1 This by-law will expire as per Section 9 of the Act unless it is repealed by Council at an earlier date.

BY-LAW READ, passed, signed, and sealed in Open Council this the 05th day of December 2023.

Christa Lowry, Mayor

Jeanne Harfield, Clerk

SCHEDULE "A" TO BY-LAW 23-085

SCHEDULE OF DEVELOPMENT CHARGES FOR CHILD CARE SERVICES

Service	RESIDENTIAL (per Dwelling Unit)				NON-RESIDENTIAL (per sq.ft. of Gross Floor Area)
	Single and Semi-Detached Dwelling	Other Multiple Dwelling	Apartment Dwelling Unit – 2 Bedrooms +	Apartment Dwelling Unit – Bachelor and 1 Bedroom	
Child Care Services	\$ 165	\$ 147	\$ 97	\$ 70	\$ 0.00

**THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI
MILLS**

**BY-LAW NO. 23-086
A BY-LAW FOR THE IMPOSITION OF DEVELOPMENT CHARGES
FOR SEPTAGE SERVICES**

BEING a by-law for the imposition of Development Charges

WHEREAS section 2 (1) of the *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended (the “Act”) provides that the council of a municipality may pass By-laws for the imposition of Development Charges against land to pay for increased Capital Costs required because of the need for Services arising from Development in the area to which the By-law applies;

AND WHEREAS the Municipality of Mississippi Mills will experience growth through development and re-development;

AND WHEREAS development and re-development requires the provision of physical and social services by the Municipality of Mississippi Mills;

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 Municipality of Mississippi Mills 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 a development charge background study has been completed in accordance with the Act;

AND WHEREAS the Council of The Corporation of the Municipality of Mississippi Mills has given notice of and held a public meeting on the 7th day of November, 2023 in accordance with the Act and the regulations thereto;

NOW THEREFORE the Council of The Corporation of the Municipality of Mississippi Mills enacts as follows:

1. Interpretation

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

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

“Accessory use” means where used to describe a use, building, or structure that the use, building or structure is naturally and normally incidental, subordinate in purpose of floor area or both, and exclusively devoted to a principal use, building or structure;

“Additional dwelling unit” means a dwelling unit, whether contained within a proposed single detached dwelling, semi-detached dwelling or row dwelling, or ancillary to a single detached dwelling, a semi-detached dwelling, or a row dwelling including but not limited to a coach house, laneway suite or structure constructed above an existing garage or other structure separate from the primary dwelling unit, and which is not capable of being legally conveyed as a separate parcel of land from the primary dwelling unit;

“Agricultural” means any use of land, structures or buildings used for the growing of crops (including nursery, market gardens and horticultural crops), the raising of livestock and other animals for food or fur, (including dairy or beef cattle, poultry, swine, sheep, fish and non-traditional livestock, such as deer, bison, emu, pheasant, etc.), equine related activities, aquaculture, apiaries, forestry, maple syrup production, and orchards;

“Apartment dwelling unit” means any dwelling unit within a building containing three or more dwelling units where access to each residential unit is obtained through a common entrance or entrances from the street level and the residential units are connected by an interior corridor;

“Bedroom” means any room used or designed or intended for use as sleeping quarters including but not limited to, a den, a study, a family room or other similar use;

“Board of Education” means a board defined in subsection 1 (1) of the *Education Act, R.S.O. 1990*, c. E.2, as amended, or any successor thereof;

“Building Code Act” means the *Building Code Act, 1992*, S.O. 1992, c. 23 as amended, or any successor thereof;

“Capital cost” means capital costs as defined in subsection 5 (3) of the Act, as amended;

"Commercial" means any use of land, structures or buildings for the purposes of offices or retail buying or selling of commodities, hotels, motels, motor inns and boarding, lodging and rooming houses, but does not include uses for warehousing, wholesaling, manufacturing or assembling of goods;

“Council” means the Council of the Corporation of the Municipality of Mississippi Mills;

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

“Development charge” means a charge imposed pursuant to this by-law;

“Dwelling unit” means a suite operated as a housekeeping unit, used or intended to be used by one or more persons and containing cooking, eating, living, sleeping and sanitary facilities, but not including units in long-term care facilities, retirement homes, motels, hotels, tents, truck campers, tourist trailers, mobile camper trailers or boarding, lodging or rooming houses;

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

“Farm building” means that part of a farming operation encompassing barns, silos, and other accessory use to a bona fide agricultural use or “value add” buildings of a commercial or retail nature for the farming operation or farm help quarters for the farming operation workers but excluding a Residential use;

“Gross floor area” means the space on any storey of a building between exterior walls and required firewalls, including the space occupied by interior walls and partitions, but not including exits, vertical service spaces and their enclosing assemblies;

“Inclusionary zoning residential unit” means residential units that are affordable housing units required to be included in a development or redevelopment pursuant to a by-law passed under section 34 of the *Planning Act* to give effect to the policies described in subsection 16(4) of that Act.

“Industrial” means any use of lands, buildings, or structures used or designed or intended for use for the assembling, fabricating, manufacturing, processing, repairing or storing of goods or materials;

“Institutional” means any use of 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; For the purposes of Section 3.19, 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 *Long-Term Care Homes Act, 2007*;
- (b) as a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*;
- (c) by any institution of the following post-secondary institutions for the objects of the institution:
 - (i) a university in Ontario that receives direct, regular, and ongoing operation 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 Institute Act, 2017*;
- (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 local board as defined in the Act, as amended;

“Local services” means those services, facilities or things which are under the jurisdiction of the [Subject] and are related to a plan of subdivision or within the

area to which the plan relates with respect to the lands under sections 41, 51 or 53 of the *Planning Act, R.S.O. 1990, Chap. P.13*, as amended, or any successor thereof;

“Mixed-Use” means any use of lands, buildings, or structures that are used and/or designated to be used for both residential and non-residential purposes;

“Multiple dwelling” includes all dwellings other than a single detached dwelling, a semi-detached dwelling, or apartment dwelling unit;

“Municipal water and sewer serviced area” means all lands within the settlement area of Almonte as identified in the Municipality’s Official Plan, as amended, or other developments connecting to the municipal water and/or sewer system;

“Municipality” means The Corporation of the Municipality of Mississippi Mills;

“Non-profit housing” means development of a building or structure intended for use as residential premises by:

- (a) a corporation to which the *Not-for-Profit Corporations Act, 2010* applies, that is in good standing under that Act and whose primary objective is to provide housing;
- (b) a corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary objective is to provide housing; or
- (c) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*;

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

“Official Plan” means the Official Plan adopted for the [Subject] and any amendments thereto;

“Owner” means the owner of land or a person who has made application for an approval of 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;

“Planning Act” means the *Planning Act, R.S.O. 1990*, c. P.13, as amended;

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

“Rental housing” means rental housing development as defined in the Act, as amended;

“Residential unit” means the same as dwelling unit as defined in this by-law;

"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;

“Row dwelling” means one of a series of three or more attached dwelling units with each dwelling unit divided vertically from another by a party wall; and each dwelling unit located on a lot. For the purposes of this definition, a row dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a row dwelling;

“Semi-detached dwelling” means a dwelling unit in a residential building consisting of two dwelling units having one vertical wall, but not other parts, attached to another dwelling unit where the dwelling units are not connected by an interior corridor. For the purposes of this definition, a semi-detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a semi-detached dwelling;

“Service” (or “Services”) means a service designated in section 2.1 to this By-law;

"Servicing agreement" means an agreement between a landowner and the [Subject] relative to the provision of municipal services to specified land within the [Subject];

“Single detached dwelling” means a residential building consisting of one dwelling unit and not attached to another structure. For the purposes of this

definition, a single detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a single detached dwelling;

“Suite” means a single room or series of rooms of complementary use, operated under a single tenancy.

2. Designation of Services

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

- (a) Septage Services (within the Rural Serviced Area only)

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 [Subject] whether or not the land or use thereof is exempt from taxation under s.13 of 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;
- (c) the Corporation of the County of Lanark or a local board thereof; or
- (d) a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education if the development in respect of which development charges would otherwise be payable is intended to be occupied and used by the university.

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 designated in section 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

Exemptions for Residential Units

- 3.5 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to:
- (a) An enlargement to an existing dwelling unit;
 - (b) A second residential unit in an existing detached house, semi-detached house, or rowhouse 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 detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
 - (c) A third residential unit in an existing detached house, semi-detached house or rowhouse 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 detached house, semi-detached house or rowhouse contains any residential units;
 - (d) One residential unit in a building or structure ancillary to an existing detached house, semi-detached house or rowhouse on a parcel of residential land, if the existing detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units; or
 - (e) In an existing rental residential building, which contains four or more residential units, the creation of the greater of one residential unit or one per cent of the existing residential units.
- 3.6 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to the creation of additional dwelling units in proposed new residential buildings, including structures ancillary to dwellings, subject to the following restrictions:
- (a) A second residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures

ancillary to the new detached house, semi-detached house or rowhouse cumulatively will contain no more than one residential unit;

- (b) A third residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units; or
- (c) One residential unit in a building or structure ancillary to a new detached house, semi-detached house or rowhouse on a parcel of residential land, if the new detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units.

Exemption for Industrial Development

- 3.7 Notwithstanding any other provision of this by-law, no development charge is payable with respect to an enlargement of the gross floor area of an existing industrial building where the gross floor area is enlarged by 50 percent or less.
- 3.8 If the gross floor area of an existing industrial building is enlarged by greater than 50 percent, the amount of the development charge payable in respect of the enlargement is the amount of the development charge that would otherwise be payable multiplied by the fraction determined as follows:
 - (a) determine the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement;
 - (b) divide the amount determined under subsection (a) by the amount of the enlargement.
- 3.9 For the purpose of section 3.7 herein, “existing industrial building” is used as defined in the Regulation made pursuant to the Act.
- 3.10 The exemption for an existing industrial building provided by this section shall be applied to a maximum of fifty percent (50%) of the gross floor area before the first enlargement for which an exemption from the payment of development charges was granted pursuant to this by-law or predecessor.

Other Statutory Exemptions

- 3.11 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to non-profit housing development.
- 3.12 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to inclusionary zoning residential unit development.

Other Exemptions

- 3.13 Notwithstanding the provision of this by-law, development charges shall not be imposed with respect to:
- (a) Industrial development;
 - (b) Hospitals under the *Public Hospitals Act*; and
 - (c) Non-residential farm building used for a bona fide agricultural use.

Amount of Charges

Residential

- 3.14 The development charges set out in Schedule A 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

- 3.15 The development charges described in Schedule A 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.

Reduction of Development Charges

For Redevelopment

3.16 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 2 years 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 section 3.14 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 section 3.15, 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.

- (c) the credits provided under this section do not apply based upon an existing or previously existing development, which is exempt under the provisions of this by-law.

Time of Payment of Development Charges

3.17 A development charge shall be calculated and payable in full in money or by provision of Services as may be agreed upon, or by credit granted pursuant to the Act or this by-law, on the date a building permit is issued in relation to a building or structure on land to which a development charge applies.

3.18 Where a development charge applies to land in relation to which a building permit is required, the building permit shall not be issued until the development charge has been paid in full.

- 3.19 Notwithstanding sections 3.17 and 3.18, development charges for rental housing and institutional developments are due and payable in six (6) installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest as provided in the [Subject]'s Council approved Development Charges Interest Rate Policy, payable on the anniversary date each year thereafter.
- 3.20 Notwithstanding sections 3.17 and 3.18, where the development of land results from the approval of a Site Plan application or Zoning By-law Amendment on or after January 1, 2020, and the building permit was issued within 2 years of the approval, the development charges shall be calculated based on the charges in effect on the date the Site Plan or Zoning By-law Amendment application was made, including interest as provided in the [Subject]'s Council approved Development Charges Interest Rate Policy.
- 3.21 Despite sections 3.17 to 3.20, Council from time to time, and at anytime, 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.

4. Payment by Services

- 4.1 Despite the payment required under sections 3.14 and 3.15, 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 shall be adjusted annually on January 1, without amendment to this by-law, in accordance with the most recent twelve-month change in the prescribed index in the Act.

6. Schedules

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

Schedule A - Residential and Non-Residential Development Charges

7. Conflicts

- 7.1 Where the [Subject] 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 January 1, 2024.

10. Date By-law Expires

- 10.1 This by-law will expire as per Section 9 of the Act unless it is repealed by Council at an earlier date.

BY-LAW READ, passed, signed, and sealed in Open Council this the 05th day of December 2023.

Christa Lowry, Mayor

Jeanne Harfield, Clerk

SCHEDULE "A" TO BY-LAW 23-086

SCHEDULE OF DEVELOPMENT CHARGES FOR SEPTAGE SERVICES

Service	RESIDENTIAL (per Dwelling Unit)				NON-RESIDENTIAL (per sq.ft. of Gross Floor Area)
	Single and Semi-Detached Dwelling	Other Multiple Dwelling	Apartment Dwelling Unit – 2 Bedrooms +	Apartment Dwelling Unit – Bachelor and 1 Bedroom	
Septage Services	\$ 60	\$ 53	\$ 35	\$ 26	\$ 0.03

**THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI
MILLS**

**BY-LAW NO. 23-087
A BY-LAW FOR THE IMPOSITION OF DEVELOPMENT CHARGES
FOR WASTEWATER SERVICES**

BEING a by-law for the imposition of Development Charges

WHEREAS section 2 (1) of the *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended (the “Act”) provides that the council of a municipality may pass By-laws for the imposition of Development Charges against land to pay for increased Capital Costs required because of the need for Services arising from Development in the area to which the By-law applies;

AND WHEREAS the Municipality of Mississippi Mills will experience growth through development and re-development;

AND WHEREAS development and re-development requires the provision of physical and social services by the Municipality of Mississippi Mills;

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 Municipality of Mississippi Mills 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 a development charge background study has been completed in accordance with the Act;

AND WHEREAS the Council of The Corporation of the Municipality of Mississippi Mills has given notice of and held a public meeting on the 7th day of November, 2023 in accordance with the Act and the regulations thereto;

NOW THEREFORE the Council of The Corporation of the Municipality of Mississippi Mills enacts as follows:

1. Interpretation

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

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

“Accessory use” means where used to describe a use, building, or structure that the use, building or structure is naturally and normally incidental, subordinate in purpose of floor area or both, and exclusively devoted to a principal use, building or structure;

“Additional dwelling unit” means a dwelling unit, whether contained within a proposed single detached dwelling, semi-detached dwelling or row dwelling, or ancillary to a single detached dwelling, a semi-detached dwelling, or a row dwelling including but not limited to a coach house, laneway suite or structure constructed above an existing garage or other structure separate from the primary dwelling unit, and which is not capable of being legally conveyed as a separate parcel of land from the primary dwelling unit;

“Agricultural” means any use of land, structures or buildings used for the growing of crops (including nursery, market gardens and horticultural crops), the raising of livestock and other animals for food or fur, (including dairy or beef cattle, poultry, swine, sheep, fish and non-traditional livestock, such as deer, bison, emu, pheasant, etc.), equine related activities, aquaculture, apiaries, forestry, maple syrup production, and orchards;

“Apartment dwelling unit” means any dwelling unit within a building containing three or more dwelling units where access to each residential unit is obtained through a common entrance or entrances from the street level and the residential units are connected by an interior corridor;

“Bedroom” means any room used or designed or intended for use as sleeping quarters including but not limited to, a den, a study, a family room or other similar use;

“Board of Education” means a board defined in subsection 1 (1) of the *Education Act, R.S.O. 1990*, c. E.2, as amended, or any successor thereof;

“Building Code Act” means the *Building Code Act, 1992*, S.O. 1992, c. 23 as amended, or any successor thereof;

“Capital cost” means capital costs as defined in subsection 5 (3) of the Act, as amended;

"Commercial" means any use of land, structures or buildings for the purposes of offices or retail buying or selling of commodities, hotels, motels, motor inns and boarding, lodging and rooming houses, but does not include uses for warehousing, wholesaling, manufacturing or assembling of goods;

“Council” means the Council of the Corporation of the Municipality of Mississippi Mills;

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

“Development charge” means a charge imposed pursuant to this by-law;

“Dwelling unit” means a suite operated as a housekeeping unit, used or intended to be used by one or more persons and containing cooking, eating, living, sleeping and sanitary facilities, but not including units in long-term care facilities, retirement homes, motels, hotels, tents, truck campers, tourist trailers, mobile camper trailers or boarding, lodging or rooming houses;

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

“Farm building” means that part of a farming operation encompassing barns, silos, and other accessory use to a bona fide agricultural use or “value add” buildings of a commercial or retail nature for the farming operation or farm help quarters for the farming operation workers but excluding a Residential use;

“Gross floor area” means the space on any storey of a building between exterior walls and required firewalls, including the space occupied by interior walls and partitions, but not including exits, vertical service spaces and their enclosing assemblies;

“Inclusionary zoning residential unit” means residential units that are affordable housing units required to be included in a development or redevelopment pursuant to a by-law passed under section 34 of the *Planning Act* to give effect to the policies described in subsection 16(4) of that Act.

“Industrial” means any use of lands, buildings, or structures used or designed or intended for use for the assembling, fabricating, manufacturing, processing, repairing or storing of goods or materials;

“Institutional” means any use of 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; For the purposes of Section 3.19, 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 *Long-Term Care Homes Act, 2007*;
- (b) as a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*;
- (c) by any institution of the following post-secondary institutions for the objects of the institution:
 - (i) a university in Ontario that receives direct, regular, and ongoing operation 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 Institute Act, 2017*;
- (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 local board as defined in the Act, as amended;

“Local services” means those services, facilities or things which are under the jurisdiction of the [Subject] and are related to a plan of subdivision or within the

area to which the plan relates with respect to the lands under sections 41, 51 or 53 of the *Planning Act, R.S.O. 1990, Chap. P.13*, as amended, or any successor thereof;

“Mixed-Use” means any use of lands, buildings, or structures that are used and/or designated to be used for both residential and non-residential purposes;

“Multiple dwelling” includes all dwellings other than a single detached dwelling, a semi-detached dwelling, or apartment dwelling unit;

“Municipal water and sewer serviced area” means all lands within the settlement area of Almonte as identified in the Municipality’s Official Plan, as amended, or other developments connecting to the municipal water and/or sewer system;

“Municipality” means The Corporation of the Municipality of Mississippi Mills;

“Non-profit housing” means development of a building or structure intended for use as residential premises by:

- (a) a corporation to which the *Not-for-Profit Corporations Act, 2010* applies, that is in good standing under that Act and whose primary objective is to provide housing;
- (b) a corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary objective is to provide housing; or
- (c) a non-profit housing co-operative that is in good standing under the Co-operative *Corporations Act*;

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

“Official Plan” means the Official Plan adopted for the [Subject] and any amendments thereto;

“Owner” means the owner of land or a person who has made application for an approval of 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;

“Planning Act” means the *Planning Act, R.S.O. 1990, c. P.13*, as amended;

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

“Rental housing” means rental housing development as defined in the Act, as amended;

“Residential unit” means the same as dwelling unit as defined in this by-law;

"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;

“Row dwelling” means one of a series of three or more attached dwelling units with each dwelling unit divided vertically from another by a party wall; and each dwelling unit located on a lot. For the purposes of this definition, a row dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a row dwelling;

“Semi-detached dwelling” means a dwelling unit in a residential building consisting of two dwelling units having one vertical wall, but not other parts, attached to another dwelling unit where the dwelling units are not connected by an interior corridor. For the purposes of this definition, a semi-detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a semi-detached dwelling;

“Service” (or “Services”) means a service designated in section 2.1 to this By-law;

"Servicing agreement" means an agreement between a landowner and the [Subject] relative to the provision of municipal services to specified land within the [Subject];

“Single detached dwelling” means a residential building consisting of one dwelling unit and not attached to another structure. For the purposes of this

definition, a single detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a single detached dwelling;

“Suite” means a single room or series of rooms of complementary use, operated under a single tenancy.

2. Designation of Services

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

- (a) Wastewater Services (within the Urban Serviced Area only)

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 [Subject] whether or not the land or use thereof is exempt from taxation under s.13 of 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;
- (c) the Corporation of the County of Lanark or a local board thereof; or
- (d) a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education if the development in respect of which development charges would otherwise be payable is intended to be occupied and used by the university.

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 designated in section 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

Exemptions for Residential Units

- 3.5 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to:
- (a) An enlargement to an existing dwelling unit;
 - (b) A second residential unit in an existing detached house, semi-detached house, or rowhouse 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 detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
 - (c) A third residential unit in an existing detached house, semi-detached house or rowhouse 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 detached house, semi-detached house or rowhouse contains any residential units;
 - (d) One residential unit in a building or structure ancillary to an existing detached house, semi-detached house or rowhouse on a parcel of residential land, if the existing detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units; or
 - (e) In an existing rental residential building, which contains four or more residential units, the creation of the greater of one residential unit or one per cent of the existing residential units.
- 3.6 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to the creation of additional dwelling units in proposed new residential buildings, including structures ancillary to dwellings, subject to the following restrictions:
- (a) A second residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures

ancillary to the new detached house, semi-detached house or rowhouse cumulatively will contain no more than one residential unit;

- (b) A third residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units; or
- (c) One residential unit in a building or structure ancillary to a new detached house, semi-detached house or rowhouse on a parcel of residential land, if the new detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units.

Exemption for Industrial Development

- 3.7 Notwithstanding any other provision of this by-law, no development charge is payable with respect to an enlargement of the gross floor area of an existing industrial building where the gross floor area is enlarged by 50 percent or less.
- 3.8 If the gross floor area of an existing industrial building is enlarged by greater than 50 percent, the amount of the development charge payable in respect of the enlargement is the amount of the development charge that would otherwise be payable multiplied by the fraction determined as follows:
 - (a) determine the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement;
 - (b) divide the amount determined under subsection (a) by the amount of the enlargement.
- 3.9 For the purpose of section 3.7 herein, “existing industrial building” is used as defined in the Regulation made pursuant to the Act.
- 3.10 The exemption for an existing industrial building provided by this section shall be applied to a maximum of fifty percent (50%) of the gross floor area before the first enlargement for which an exemption from the payment of development charges was granted pursuant to this by-law or predecessor.

Other Statutory Exemptions

- 3.11 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to non-profit housing development.
- 3.12 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to inclusionary zoning residential unit development.

Other Exemptions

- 3.13 Notwithstanding the provision of this by-law, development charges shall not be imposed with respect to:
- (a) Industrial development;
 - (b) Hospitals under the *Public Hospitals Act*; and
 - (c) Non-residential farm building used for a bona fide agricultural use.

Amount of Charges

Residential

- 3.14 The development charges set out in Schedule A 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

- 3.15 The development charges described in Schedule A 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.

Reduction of Development Charges

For Redevelopment

3.16 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 2 years 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 section 3.14 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 section 3.15, 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.

- (c) the credits provided under this section do not apply based upon an existing or previously existing development, which is exempt under the provisions of this by-law.

Time of Payment of Development Charges

3.17 A development charge shall be calculated and payable in full in money or by provision of Services as may be agreed upon, or by credit granted pursuant to the Act or this by-law, on the date a building permit is issued in relation to a building or structure on land to which a development charge applies.

3.18 Where a development charge applies to land in relation to which a building permit is required, the building permit shall not be issued until the development charge has been paid in full.

- 3.19 Notwithstanding sections 3.17 and 3.18, development charges for rental housing and institutional developments are due and payable in six (6) installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest as provided in the [Subject]'s Council approved Development Charges Interest Rate Policy, payable on the anniversary date each year thereafter.
- 3.20 Notwithstanding sections 3.17 and 3.18, where the development of land results from the approval of a Site Plan application or Zoning By-law Amendment on or after January 1, 2020, and the building permit was issued within 2 years of the approval, the development charges shall be calculated based on the charges in effect on the date the Site Plan or Zoning By-law Amendment application was made, including interest as provided in the [Subject]'s Council approved Development Charges Interest Rate Policy.
- 3.21 Despite sections 3.17 to 3.20, Council from time to time, and at anytime, 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.

4. Payment by Services

- 4.1 Despite the payment required under sections 3.14 and 3.15, 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 shall be adjusted annually on January 1, without amendment to this by-law, in accordance with the most recent twelve-month change in the prescribed index in the Act.

6. Schedules

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

Schedule A - Residential and Non-Residential Development Charges

7. Conflicts

- 7.1 Where the [Subject] 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 January 1, 2024.

10. Date By-law Expires

- 10.1 This by-law will expire as per Section 9 of the Act unless it is repealed by Council at an earlier date.

BY-LAW READ, passed, signed, and sealed in Open Council this the 05th day of December 2023.

Christa Lowry, Mayor

Jeanne Harfield, Clerk

SCHEDULE "A" TO BY-LAW 23-087

SCHEDULE OF DEVELOPMENT CHARGES FOR WASTEWATER SERVICES

Service	RESIDENTIAL (per Dwelling Unit)				NON-RESIDENTIAL (per sq.ft. of Gross Floor Area)
	Single and Semi-Detached Dwelling	Other Multiple Dwelling	Apartment Dwelling Unit – 2 Bedrooms +	Apartment Dwelling Unit – Bachelor and 1 Bedroom	
Wastewater Services	\$ 7,219	\$ 6,423	\$ 4,253	\$ 3,070	\$ 1.83

**THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI
MILLS**

**BY-LAW NO. 23-088
A BY-LAW FOR THE IMPOSITION OF DEVELOPMENT CHARGES
FOR WATER SERVICES**

BEING a by-law for the imposition of Development Charges

WHEREAS section 2 (1) of the *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended (the “Act”) provides that the council of a municipality may pass By-laws for the imposition of Development Charges against land to pay for increased Capital Costs required because of the need for Services arising from Development in the area to which the By-law applies;

AND WHEREAS the Municipality of Mississippi Mills will experience growth through development and re-development;

AND WHEREAS development and re-development requires the provision of physical and social services by the Municipality of Mississippi Mills;

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 Municipality of Mississippi Mills 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 a development charge background study has been completed in accordance with the Act;

AND WHEREAS the Council of The Corporation of the Municipality of Mississippi Mills has given notice of and held a public meeting on the 7th day of November, 2023 in accordance with the Act and the regulations thereto;

NOW THEREFORE the Council of The Corporation of the Municipality of Mississippi Mills enacts as follows:

1. Interpretation

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

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

“Accessory use” means where used to describe a use, building, or structure that the use, building or structure is naturally and normally incidental, subordinate in purpose of floor area or both, and exclusively devoted to a principal use, building or structure;

“Additional dwelling unit” means a dwelling unit, whether contained within a proposed single detached dwelling, semi-detached dwelling or row dwelling, or ancillary to a single detached dwelling, a semi-detached dwelling, or a row dwelling including but not limited to a coach house, laneway suite or structure constructed above an existing garage or other structure separate from the primary dwelling unit, and which is not capable of being legally conveyed as a separate parcel of land from the primary dwelling unit;

“Agricultural” means any use of land, structures or buildings used for the growing of crops (including nursery, market gardens and horticultural crops), the raising of livestock and other animals for food or fur, (including dairy or beef cattle, poultry, swine, sheep, fish and non-traditional livestock, such as deer, bison, emu, pheasant, etc.), equine related activities, aquaculture, apiaries, forestry, maple syrup production, and orchards;

“Apartment dwelling unit” means any dwelling unit within a building containing three or more dwelling units where access to each residential unit is obtained through a common entrance or entrances from the street level and the residential units are connected by an interior corridor;

“Bedroom” means any room used or designed or intended for use as sleeping quarters including but not limited to, a den, a study, a family room or other similar use;

“Board of Education” means a board defined in subsection 1 (1) of the *Education Act, R.S.O. 1990*, c. E.2, as amended, or any successor thereof;

“Building Code Act” means the *Building Code Act, 1992*, S.O. 1992, c. 23 as amended, or any successor thereof;

“Capital cost” means capital costs as defined in subsection 5 (3) of the Act, as amended;

"Commercial" means any use of land, structures or buildings for the purposes of offices or retail buying or selling of commodities, hotels, motels, motor inns and boarding, lodging and rooming houses, but does not include uses for warehousing, wholesaling, manufacturing or assembling of goods;

“Council” means the Council of the Corporation of the Municipality of Mississippi Mills;

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

“Development charge” means a charge imposed pursuant to this by-law;

“Dwelling unit” means a suite operated as a housekeeping unit, used or intended to be used by one or more persons and containing cooking, eating, living, sleeping and sanitary facilities, but not including units in long-term care facilities, retirement homes, motels, hotels, tents, truck campers, tourist trailers, mobile camper trailers or boarding, lodging or rooming houses;

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

“Farm building” means that part of a farming operation encompassing barns, silos, and other accessory use to a bona fide agricultural use or “value add” buildings of a commercial or retail nature for the farming operation or farm help quarters for the farming operation workers but excluding a Residential use;

“Gross floor area” means the space on any storey of a building between exterior walls and required firewalls, including the space occupied by interior walls and partitions, but not including exits, vertical service spaces and their enclosing assemblies;

“Inclusionary zoning residential unit” means residential units that are affordable housing units required to be included in a development or redevelopment pursuant to a by-law passed under section 34 of the *Planning Act* to give effect to the policies described in subsection 16(4) of that Act.

“Industrial” means any use of lands, buildings, or structures used or designed or intended for use for the assembling, fabricating, manufacturing, processing, repairing or storing of goods or materials;

“Institutional” means any use of 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; For the purposes of Section 3.19, 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 *Long-Term Care Homes Act, 2007*;
- (b) as a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*;
- (c) by any institution of the following post-secondary institutions for the objects of the institution:
 - (i) a university in Ontario that receives direct, regular, and ongoing operation 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 Institute Act, 2017*;
- (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 local board as defined in the Act, as amended;

“Local services” means those services, facilities or things which are under the jurisdiction of the [Subject] and are related to a plan of subdivision or within the

area to which the plan relates with respect to the lands under sections 41, 51 or 53 of the *Planning Act, R.S.O. 1990, Chap. P.13*, as amended, or any successor thereof;

“Mixed-Use” means any use of lands, buildings, or structures that are used and/or designated to be used for both residential and non-residential purposes;

“Multiple dwelling” includes all dwellings other than a single detached dwelling, a semi-detached dwelling, or apartment dwelling unit;

“Municipal water and sewer serviced area” means all lands within the settlement area of Almonte as identified in the Municipality’s Official Plan, as amended, or other developments connecting to the municipal water and/or sewer system;

“Municipality” means The Corporation of the Municipality of Mississippi Mills;

“Non-profit housing” means development of a building or structure intended for use as residential premises by:

- (a) a corporation to which the *Not-for-Profit Corporations Act, 2010* applies, that is in good standing under that Act and whose primary objective is to provide housing;
- (b) a corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary objective is to provide housing; or
- (c) a non-profit housing co-operative that is in good standing under the Co-operative *Corporations Act*;

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

“Official Plan” means the Official Plan adopted for the [Subject] and any amendments thereto;

“Owner” means the owner of land or a person who has made application for an approval of 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;

“Planning Act” means the *Planning Act, R.S.O. 1990, c. P.13*, as amended;

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

“Rental housing” means rental housing development as defined in the Act, as amended;

“Residential unit” means the same as dwelling unit as defined in this by-law;

"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;

“Row dwelling” means one of a series of three or more attached dwelling units with each dwelling unit divided vertically from another by a party wall; and each dwelling unit located on a lot. For the purposes of this definition, a row dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a row dwelling;

“Semi-detached dwelling” means a dwelling unit in a residential building consisting of two dwelling units having one vertical wall, but not other parts, attached to another dwelling unit where the dwelling units are not connected by an interior corridor. For the purposes of this definition, a semi-detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a semi-detached dwelling;

“Service” (or “Services”) means a service designated in section 2.1 to this By-law;

"Servicing agreement" means an agreement between a landowner and the [Subject] relative to the provision of municipal services to specified land within the [Subject];

“Single detached dwelling” means a residential building consisting of one dwelling unit and not attached to another structure. For the purposes of this

definition, a single detached dwelling with up to two additional dwelling units as defined in this by-law is deemed to be a single detached dwelling;

“Suite” means a single room or series of rooms of complementary use, operated under a single tenancy.

2. Designation of Services

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

(a) Water Services (within the Urban Serviced Area only)

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 [Subject] whether or not the land or use thereof is exempt from taxation under s.13 of 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;

(c) the Corporation of the County of Lanark or a local board thereof; or

(d) a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education if the development in respect of which development charges would otherwise be payable is intended to be occupied and used by the university.

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 designated in section 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

Exemptions for Residential Units

- 3.5 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to:
- (a) An enlargement to an existing dwelling unit;
 - (b) A second residential unit in an existing detached house, semi-detached house, or rowhouse 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 detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
 - (c) A third residential unit in an existing detached house, semi-detached house or rowhouse 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 detached house, semi-detached house or rowhouse contains any residential units;
 - (d) One residential unit in a building or structure ancillary to an existing detached house, semi-detached house or rowhouse on a parcel of residential land, if the existing detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the existing detached house, semi-detached house or rowhouse contains any residential units; or
 - (e) In an existing rental residential building, which contains four or more residential units, the creation of the greater of one residential unit or one per cent of the existing residential units.
- 3.6 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to the creation of additional dwelling units in proposed new residential buildings, including structures ancillary to dwellings, subject to the following restrictions:
- (a) A second residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures

ancillary to the new detached house, semi-detached house or rowhouse cumulatively will contain no more than one residential unit;

- (b) A third residential unit in a new detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units; or
- (c) One residential unit in a building or structure ancillary to a new detached house, semi-detached house or rowhouse on a parcel of residential land, if the new detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the new detached house, semi-detached house or rowhouse contains any residential units.

Exemption for Industrial Development

- 3.7 Notwithstanding any other provision of this by-law, no development charge is payable with respect to an enlargement of the gross floor area of an existing industrial building where the gross floor area is enlarged by 50 percent or less.
- 3.8 If the gross floor area of an existing industrial building is enlarged by greater than 50 percent, the amount of the development charge payable in respect of the enlargement is the amount of the development charge that would otherwise be payable multiplied by the fraction determined as follows:
 - (a) determine the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement;
 - (b) divide the amount determined under subsection (a) by the amount of the enlargement.
- 3.9 For the purpose of section 3.7 herein, “existing industrial building” is used as defined in the Regulation made pursuant to the Act.
- 3.10 The exemption for an existing industrial building provided by this section shall be applied to a maximum of fifty percent (50%) of the gross floor area before the first enlargement for which an exemption from the payment of development charges was granted pursuant to this by-law or predecessor.

Other Statutory Exemptions

- 3.11 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to non-profit housing development.
- 3.12 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to inclusionary zoning residential unit development.

Other Exemptions

- 3.13 Notwithstanding the provision of this by-law, development charges shall not be imposed with respect to:
- (a) Industrial development;
 - (b) Hospitals under the *Public Hospitals Act*; and
 - (c) Non-residential farm building used for a bona fide agricultural use.

Amount of Charges

Residential

- 3.14 The development charges set out in Schedule A 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

- 3.15 The development charges described in Schedule A 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.

Reduction of Development Charges

For Redevelopment

3.16 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 2 years 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 section 3.14 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 section 3.15, 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.

- (c) the credits provided under this section do not apply based upon an existing or previously existing development, which is exempt under the provisions of this by-law.

Time of Payment of Development Charges

3.17 A development charge shall be calculated and payable in full in money or by provision of Services as may be agreed upon, or by credit granted pursuant to the Act or this by-law, on the date a building permit is issued in relation to a building or structure on land to which a development charge applies.

3.18 Where a development charge applies to land in relation to which a building permit is required, the building permit shall not be issued until the development charge has been paid in full.

- 3.19 Notwithstanding sections 3.17 and 3.18, development charges for rental housing and institutional developments are due and payable in six (6) installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest as provided in the [Subject]'s Council approved Development Charges Interest Rate Policy, payable on the anniversary date each year thereafter.
- 3.20 Notwithstanding sections 3.17 and 3.18, where the development of land results from the approval of a Site Plan application or Zoning By-law Amendment on or after January 1, 2020, and the building permit was issued within 2 years of the approval, the development charges shall be calculated based on the charges in effect on the date the Site Plan or Zoning By-law Amendment application was made, including interest as provided in the [Subject]'s Council approved Development Charges Interest Rate Policy.
- 3.21 Despite sections 3.17 to 3.20, Council from time to time, and at anytime, 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.

4. Payment by Services

- 4.1 Despite the payment required under sections 3.14 and 3.15, 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 shall be adjusted annually on January 1, without amendment to this by-law, in accordance with the most recent twelve-month change in the prescribed index in the Act.

6. Schedules

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

Schedule A - Residential and Non-Residential Development Charges

7. Conflicts

- 7.1 Where the [Subject] 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 January 1, 2024.

10. Date By-law Expires

- 10.1 This by-law will expire as per Section 9 of the Act unless it is repealed by Council at an earlier date.

BY-LAW READ, passed, signed, and sealed in Open Council this the 05th day of December 2023.

Christa Lowry, Mayor

Jeanne Harfield, Clerk

SCHEDULE "A" TO BY-LAW 23-088

SCHEDULE OF DEVELOPMENT CHARGES FOR WATER SERVICES

Service	RESIDENTIAL (per Dwelling Unit)				NON-RESIDENTIAL (per sq.ft. of Gross Floor Area)
	Single and Semi-Detached Dwelling	Other Multiple Dwelling	Apartment Dwelling Unit – 2 Bedrooms +	Apartment Dwelling Unit – Bachelor and 1 Bedroom	
Water Services	\$ 4,903	\$ 4,362	\$ 2,888	\$ 2,085	\$ 0.74

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 23-089

BEING a by-law to amend By-law No. 11-83 being the Zoning By-law for the Municipality of Mississippi Mills.

WHEREAS the Council of the Corporation of the Municipality of Mississippi Mills passed Zoning Bylaw 11-83, known as the Zoning By-law, to regulate the development and use of lands within the Municipality;

NOW THEREFORE the Council of the Corporation of the Municipality of Mississippi Mills pursuant to Section 35.1 of the Planning Act, R.S.O. 1990, Chapter P.13, enacts as follows:

1. That Schedule 'A' to By-law No. 11-83, as amended, is further amended by changing thereon from Shopping Centre Commercial – Special Exception Holding (C4-4h) Zone to Shopping Centre Commercial – Special Exception (C4-4) for the lands identified in the attached Schedule 'A' legally described as Part of Lot 16, Concession 10, Part 1, Plan 27R-8990, Parts 1-4, 9-12, Plan RP 27R-8445.
2. This By-Law takes effect from the date of passage by Council and comes into force and effect pursuant to the provisions of the Planning Act, R.S.O. 1990, Chapter P.13.

BY-LAW read, passed, signed and sealed in open Council this **December 5, 2023**.

Christa Lowry, Mayor

Jeanne Harfield, Clerk

BY-LAW NO. 23-089


**Schedule "A"
Lands Subject to the Amendment
LOCATION MAP**

Part Lot 16, Concession 10, Part 1, Plan 27R-8990, Parts 1-4, 9-12, Plan RP 27R-8445

Ramsay Ward, Municipality of Mississippi Mills

Municipally known as 430 Ottawa Street



 Area to be rezoned from Shopping Centre Commercial Special Exception Holding (C4-4h) to Shopping Centre Commercial Special Exception (C4-4)

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 23-090

BEING a by-law to confirm the proceedings of the Council of the Corporation of the Municipality of Mississippi Mills at a **regular** meeting held on the **05th day of December, 2023.**

WHEREAS by Section 5(1) of the Municipal Act 2001, S.O. 2001, c.25 as amended, the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS by Section 5(3) of the Municipal Act 2001, S.O. 2001, c.25 as amended, a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS it is deemed expedient that the proceedings of the Council of the Corporation of the Municipality of Mississippi Mills at this meeting be confirmed and adopted by By-law;

NOW THEREFORE the Council of the Corporation of the Municipality of Mississippi Mills enacts as follows:

1. The action of the Council of the Corporation of the Municipality of Mississippi Mills at a **regular** meeting held on the **05th day of December 2023** in respect of each recommendation contained in the reports of the Committees and each motion and resolution passed and other action taken by the Council of the Corporation of the Municipality of Mississippi Mills at its meeting is hereby adopted and confirmed as if all such proceedings were expressly embodied in this by-law.
2. The Mayor and Clerk of the Corporation of the Municipality of Mississippi Mills are hereby authorized and directed to do all things necessary to give effect to the action of the Council of the Corporation of the Municipality of Mississippi Mills referred to in the preceding section hereof.
3. The Mayor and Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of the Corporation of the Municipality of Mississippi Mills.

BY-LAW read, passed, signed and sealed in open Council this **05th day of December, 2023.**

Christa Lowry, Mayor

Jeanne Harfield, Clerk