

## By-law 2024-XX

### A By-law of the City of Greater Sudbury With Respect to Development Charges

**Whereas** section 2(1) of the *Development Charges Act, 1997* (hereinafter called “the Act”) enables Council of a municipality to pass by-laws for the imposition of development charges against land within the municipality for increased capital costs required because of the need for municipal services arising from development in the area to which the by-law applies;

**And Whereas** Council of the City of Greater Sudbury, at its meeting of **May 22, 2024** approved a report dated April 12, 2024 titled Development Charges Background Study, City of Greater Sudbury, prepared by Hemson Consulting Ltd. in accordance with the direction of Council;

**And Whereas** Council has given notice in accordance with Section 12 of the Act of its development charges proposal and held a public meeting on May 14, 2024;

**And Whereas** Council has heard all persons who applied to be heard in objection to, or in support of, the development charges proposal at such public meeting, and provided for written communications to be made;

**And Whereas** Council has given said communications due consideration, has made any necessary revisions to the City of Greater Sudbury Development Charges Background Study as a result of those communications, and has determined that no further public meetings are required in respect of the background study;

**And Whereas** Council in approving the said report directed that development charges be imposed on land under development or redevelopment within the geographical limits of the City as hereinafter provided;

**Now therefore Council of the City of Greater Sudbury hereby enacts as follows:**

#### Definitions

1. In this By-Law:

“Act” means the *Development Charges Act, 1997*, S.O. 1997, c.27, and includes the regulations thereunder, as amended or replaced from time to time;

“Accessory” means a use, separate Building or Structure, which is usually incidental, subordinate, exclusively devoted to and located on the same lot as the principal use, Building or

Structure and, in the case of a Building or Structure, may or may not be attached to the main building on the same lot;

“Affordable Housing Unit” means a residential unit 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;

“Affordable Residential Unit” has the meaning used in the Act;

"Affordable Housing Project" means a housing project which targets low income households by providing affordable rent levels, provided the Owner has entered into a written agreement regarding the housing project:

- (a) with the City pursuant to the City’s Affordable Housing Community Improvement Plan; OR
- (b) with the federal or provincial government or an agency thereof, committing to affordable rent levels as defined therein; OR
- (c) with the City setting out, among other matters, affordability terms for units in the housing project, including occupant income by unit type and affordable rents, where affordable rent must be demonstrated by showing the initial rent setting is consistent with any one of the following:
  - (i) the definition of affordable rental as provided in the Provincial Policy Statement; OR
  - (ii) 80% of the Average Market Rent as determined by Canada Mortgage and Housing Corporation (CMHC) in its latest survey of the local market; OR
  - (iii) rent levels set in accordance with an affordable housing program recognized by the City's Housing Services department, such as the Canada / Ontario Affordable Housing Program;

“Attainable Residential Unit” has the meaning used in the Act;

“Benefitting Area” means an area defined by a map, plan or legal description in a Front-Ending Agreement as an area that will receive a benefit from the construction of one or more Services;

“Board of Education” means a board as defined in the *Education Act*, R.S.O. 1990, c. E.2, as amended or replaced from time to time;

“Building or Structure” means a structure occupying an area greater than 10 square metres consisting of a wall, roof and floor or any of them or a structural system serving the function thereof, but does not include a Farm Building, or include an exterior storage tank;

“Building Code Act” means the *Building Code Act 1992*, S.O. 1992, c.23, as amended or replaced from time to time and includes regulations thereunder;

“Business Improvement Area” means a geographic area in the City as designated by Council for the City, which is governed by a board of management to provide certain business promotion and improvement functions within that area;

“Chief Building Official” means the person appointed as the City’s Chief Building Official pursuant to the *Building Code Act*, and includes their authorized designate;

“City” means the municipal corporation of the City of Greater Sudbury or the geographic area, as the context requires;

“Corridor” means the part of the public roads listed on Schedule “C” to this By-law and illustrated on Schedule “C-1” to “C-3” of this By-law;

“Council” means the Council of the City of Greater Sudbury;

“Designated Exempt Area” includes each area shown in Schedules “E-1” to “E-12” of this By-law and includes any Business Improvement Area approved by Council after the effective date of this By-law;

“Development” means the construction, erection or placing of one or more Buildings or Structures on land or the making of an addition or alteration to a Building or Structure that has the effect of increasing the size or usability thereof, and includes Redevelopment;

“Development Charge” means a charge imposed against land in the City under this By-Law;

“Dwelling Unit” means any part of a Residential or Mixed-Use Building or Structure with one or more habitable rooms designed or intended to be used as a domestic establishment in which one or more persons may sleep and in which sanitary facilities and a separate kitchen are provided for the exclusive use of such person or persons;

“Farm Building” means all or any part of a building:

- (a) that does not contain a Dwelling Unit; and

- (b) is Accessory to an “agricultural use” as that term is used in the Zoning By-law and for which the Owner of the land maintains at all times an active Farm Business Registration Number and provides evidence of same to the Treasurer upon request from time to time;

“Front-End Payment” means a payment made by an Owner pursuant to a Front-Ending Agreement to cover the net Capital Costs of the Services designated in the agreement that are required to enable the land to be developed;

“Front-Ending Agreement” means an agreement made under Section 44 of the Act between the City and any or all Owners within a Benefitting Area providing for Front-End Payments by an Owner or Owners or for the installation of Services by an Owner or Owners or any combination thereof;

“Garden Suite” means a one-unit detached residential structure, containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be temporary and/or portable;

“Gross Floor Area” means the total floor area, measured between the outside of exterior walls or between the outside of exterior walls and the centre line of party walls dividing the building from another building, of all floors above the average level of finished ground adjoining the building at its exterior walls;

“Hospice” is a facility providing end of life care;

”Industrial” means lands, Buildings or Structures used or designed or intended for use for or in connection with:

- (a) manufacturing, producing, processing, storing or distributing something;
- (b) research or development in connection with manufacturing, producing or processing something;
- (c) retail sales by a manufacturer, producer or processor of something they manufactured, produced or processed, if the retail sales are at the site where the manufacturing, production or processing takes place; or
- (d) office or administrative purposes, if they are:
  - (i) carried out with respect to manufacturing, producing, processing, storage or distributing of something; and
  - (ii) in or attached to the Building or Structure used for that manufacturing, producing, processing, storage or distribution;

“Institutional Development” means development of a Building or Structure intended for Institutional Development use as defined by O. Reg. 82/98 as follows:

- (a) as a long-term care home within the meaning of subsection 2 (1) of the *Fixing Long-Term Care Act, 2021*;
- (b) as a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*;
- (c) by any of the following post-secondary institutions for the objects of the institution:
  - (i) a university in Ontario that receives direct, regular and ongoing operating funding from the Government of Ontario,
  - (ii) a college or university federated or affiliated with a university described in subclause (i), or
  - (iii) an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*;
- (d) as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion; or
- (e) as a Hospice to provide end of life care;

“Local Board” means a school board, municipal service board, transportation commission, public library board, board of health, police services board, planning board, or any other board, commission, committee, board or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes of a municipality or of two or more municipalities or parts thereof, but does not include a school district school board or a school authority as those terms are used in the *Education Act*, R.S.O. 1990, c. E.2;

“Local Services” means those services, facilities or things which are under the jurisdiction of the City and are within the boundaries of, abut or are necessary to connect lands to services and an application has been made in respect of the lands under Sections 41, 51 or 53 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended or replaced from time to time;

“Mixed-Use” means lands, Buildings or Structures used, designed or intended to be used for both Residential and Non-Residential Uses;

“Municipal” refers to something owned by the City or in the case of Services, to Water or Wastewater Services delivered by the City;

“Multi-Unit Residential Building” means a Building with three or more Dwelling Units;

“Multiple Dwelling” means a Residential Building or the Residential portion of a Mixed-Use Building containing one or more Dwelling Units, but does not include a Single Detached Dwelling or a Semi-Detached Dwelling;

“Node” refers to an area of land crosshatched on any one of Schedules “FD-1” to “FD-14” inclusive;

“Non-Industrial Use” means land, Buildings or Structures or portions thereof used, or designed or intended to be used for a use other than for a Residential Use or an Industrial Use;

“Non-Profit Housing Development” means the development of a Building or Structure intended for use as a residential premises and developed 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 object 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 object is to provide housing; or
- (c) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act, 2022, c. 21, Sched. 3, s. 4*;

“Non-Residential Use” means land, Buildings or Structures or portions thereof used, or designed or intended to be used for a use other than for a Residential Use;

“Owner” means the registered owner of the property and includes the authorized agent in lawful control of the property;

“Planning Act” means the *Planning Act, R.S.O. 1990, c.P.13*, as amended from time to time and includes regulations thereunder;

“Redevelopment” means the construction, erection or placing of one or more Buildings or Structures on land where all or part of a Building or Structure has previously been demolished on such land, or changing the use of a Building or Structure, or part thereof, from

Residential Use to Non-Residential Use or from Non-Residential Use to Residential Use or from Industrial Use to Non-Industrial Use or Non-Industrial Use to Industrial Use;

“Rental Housing Development” means development of a Building or Structure with four or more Dwelling Units all of which are intended for use as rented residential premises;

“Residential Use” means the land, Buildings or Structures or portions thereof used, designed or intended to be used as living accommodation for one or more individuals and “Residential” has a similar meaning;

“Rowhouse Dwelling” has the same meaning as Row Dwelling in the Zoning By-law;

“Semi-Detached Dwelling” has the same meaning as defined in the Zoning By-law;

“Services” (or “Service”) means those Services designated in Schedule “A” to this By-Law or specified in an agreement made under section 44 of the Act;

“Single Detached Dwelling” has the same meaning as defined in the Zoning By-law;

“Small Residential Unit” means a Single Detached Dwelling or a Semi-Detached Dwelling with a Gross Floor Area of less than 1,200 square feet, but does not include a private garage, or a basement as those terms are defined in the Zoning By-law;

“Temporary Building or Structure” means a Building or Structure constructed or erected or placed on land for a continuous period not exceeding eight months, or an addition or alteration to a Building or Structure that has the effect of increasing the total floor area thereof for a continuous period not exceeding eight months;

“Total Floor Area” means, in relation to Non-Residential Building or Structure, the sum total of the total areas of all floors in a Building or Structure, whether at, above, or below grade, measured between the exterior faces of the exterior walls of the Building or Structure or from the centre line of a common wall separating two uses, or from the outside edge of a floor where the outside edge of the floor does not meet an exterior or common wall, and includes the floor area of a mezzanine, atrium or air-supported structure, and the space occupied by interior wall partitions, as defined in the *Building Code Act*; and, where a Building or Structure does not have any walls, the Total Floor Area of the Building or Structure shall be the total of the area of all floors, including the ground floor, that are directly beneath the roof of the Building or Structure;

“Treasurer” means the person appointed by Council to the position of City Treasurer in accordance with the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, and includes their authorized designate;

“Water Service Area” includes properties within the City of Greater Sudbury;

- (a) that are connected to the Municipal water services; or
- (b) that abut streets, easements, or rights-of-way upon which Municipal water services have been placed or are placed from time to time; or
- (c) that are located within 500 feet (152.5 m) of Municipal water services as they may exist from time to time;

“Wastewater Service Area” includes properties, within the City of Greater Sudbury:

- (a) that are connected to the Municipal wastewater services;
- (b) that abut streets, easements, or rights-of-way upon which Municipal wastewater services have been placed or are placed from time to time; or
- (c) that are located within 500 feet (152.5 m) of Municipal wastewater services as they may exist from time to time; and

“Zoning By-law” means the Zoning by-law or by-laws passed under section 34 of the *Planning Act* and in force and effect in the City.

### **Schedule of Development Charges**

**2.-(1)** Subject to the provisions of this By-law, Development Charges against land shall be calculated and collected in accordance with the rates set out in the Individual Service Charges Supporting By-laws identified in Schedule “B”; which relate to the Services set out in Schedule “A”.

(2) The Development Charge with respect to the use of any land, Buildings or Structures subject to Development Charges shall be calculated as follows:

- (a) in the case of (i) Residential Development, or (ii) the Residential Use portion of a Mixed-Use Development, Single Detached Dwelling, Semi-Detached Dwelling or Multiple Dwelling based upon the number of Dwelling Units and calculated the rate set out in the applicable column of each of the Individual Service Charges By-law identified in Schedule “B”.
- (b) until 11:59 p.m., June 30, 2029, in the case of Small Residential Units based upon the number of Dwelling Units and calculated at the rate set out in the applicable column of each of the Individual Service Charges By-law identified in

Schedule “B” and commencing July 1, 2029 the category of Small Residential Unit shall be repealed.

- (c) in the case of (i) Industrial Development or (ii) the Development of the Industrial portion of a Mixed-Use Development, based upon the Total Floor Area of such Development and calculated at the rate set out in the applicable column of each of the Individual Service Charges By-law identified in Schedule “B”; and
- (d) in the case of (i) Non-Industrial Development, or (ii) the Development of Non-Industrial portion of a Mixed-Use Development, based upon the Total Floor Area of such Development and calculated at the rate set out in the applicable column of each of the Individual Service Charges By-law identified in Schedule “B”.

(3) Council hereby determines that the Development of land, Buildings or Structures for Residential Use, Industrial Use and Non-Industrial Use have required or will require the provision, enlargement, expansion or improvement of the Services referenced in Schedule “A”.

#### **Applicable Lands/ Compliance with Section 6**

**3.-(1)** Subject to subsections 3(2) and 3(3), this By-law applies to all lands in the City, whether or not the land or use is exempt from taxation under Section 3 of the *Assessment Act*, R.S.O. 1990, c.A.31.

- (2) This By-law applies to all lands in the City subject to the following:
  - (a) Development Charges for Municipal wastewater Services, will only be levied against Development of land that is in a Wastewater Service Area; and
  - (b) Development Charges for Municipal water Services, will only be levied against Development of land that is in a Water Service Area.
- (3) For the purpose of complying with Section 6 of the Act;
  - (a) the area to which this By-law applies shall be the area described in subsection 3(1) above;
  - (b) the rules developed under paragraph 9 of subsection 5(1) of the Act for determining if a Development Charge is payable in a particular case and for determining the amount of the charge shall be as set forth in sections 2 through 18 of this By-law;
  - (c) the rules for exemptions and partial exemptions shall be as set forth in subsection 3(2) and sections 5, 6, 7, and 8; of this By-law;
  - (d) the rules respecting Redevelopment of land shall be as set forth in section 9 of this By-law; and

- (e) the rules respecting indexing of Development Charges shall be as set out in section 22 of this By-law.

### **Designation of Services**

4.-(1) It is hereby declared by Council that all Development of land within the area to which this By-law applies will increase the need for Services.

(2) Development Charges shall be imposed and reserve funds established or continued for the categories of Services designated on Schedule "A" of this By-law to pay for the increased Capital Costs required because of increased needs for Services arising from Development.

### **Exemptions and Partial Exemption**

5.-(1) This By-law shall not apply to land that is owned by and used for the purposes of:

- (a) a Board of Education;
- (b) any municipality or Local Board thereof;
- (c) a consent (boundary line adjustment) under section 53 of the *Planning Act* where no new building lot is created;
- (d) any college created pursuant to the *Ontario Colleges of Applied Arts and Technology Act, 2002*, S.O. 2002, c. 8, Sched. F.;
- (e) a Garden Suite, provided that the Garden Suite is removed within ten years or such longer period as authorized by by-law pursuant to section 39 of the *Planning Act*, as amended or replaced;
- (f) a Non-Profit Housing Development; or
- (g) Residential Dwelling 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 the *Planning Act*.

(2) This By-law shall not apply to:

- (a) land, Buildings or Structures that are owned by a university and used for the university's academic or research purposes;
- (b) land, Buildings or Structures used for the purpose of an Affordable Housing Project, where the exemption from the payment of Development Charges is specifically authorized by resolution of Council or is exempted by the Act. Where an Affordable Housing Project consists of both affordable and market

rental/ownership portions, only the affordable portion of the project will be exempt from the payment of Development Charges.

(3) Where land, Buildings or Structures are owned by a university and used for purposes other than the university's academic or research purposes, a 50% exemption from Development Charges otherwise payable under this By-law shall be applied.

(4) Prior to 11:59 p.m. June 30, 2029, this By-law shall not apply to permitted uses within Designated Exempt Areas but the By-law shall apply thereafter.

(5) No Development Charges under section 4 are payable where the Development is:

- (a) a Hospice occupying land for which there is an exemption from property taxes determined in accordance with section 3, subsection 7.1 of the *Assessment Act*, R.S.O. 1990, c.A.31, if the conditions prescribed by the Minister are satisfied, or
- (b) a long term care home regulated under the *Fixing Long-Term Care 2021*, S.O. 2021, c. 39, Sched. A, as amended or replaced and exempt from property taxes pursuant to section 3, subsection 7.2 of the *Assessment Act*, R.S.O. 1990, c.A.31.

(6) In the event that a Hospice or a long-term care home is not exempt from property taxes at the time that the building permit is issued, the Chief Building Official shall collect Development Charges. Upon application in writing supported by evidence satisfactory to the Treasurer that the Development has become exempt from property taxes, the Treasurer is authorized to refund the amount of Development Charges paid for the long-term care home. The application shall be submitted by and the refund of the Development Charges collected to date shall be paid to the current Owner of the Development at time of refund application. This subsection shall only apply to Development Charges for long term care home paid after the effective date of this By-law. No interest shall be payable on the amount refunded.

(7) Until 11:59 p.m. on June 30, 2029, the amount of Development Charges otherwise payable under this By-law shall be reduced by 50% with respect to a Multi-Unit Residential Building which is:

- (a) fully within a Node; or
- (b) is located within 100 metres of the boundary of the Corridor and the parcel of land on which the Multi-Unit Residential Building is located.

(8) Development Charges payable for Rental Housing Developments, where all of the Dwelling Units are intended to be used as rented residential premises, will be reduced based on the number of bedrooms in each Dwelling Unit as follows:

- (a) 3 or more bedrooms – 25% reduction;
- (b) 2 bedrooms – 20% reduction; and
- (c) all other quantities of bedrooms – 15% reduction.

(9) Each of the following shall be exempt from Development Charges upon proclamation of the required amendment to the Act, to implement that exemption:

- (a) Affordable Residential Units; and
- (b) Attainable Residential Units.

(10) A Development will be exempt from Development Charge where such exemption is authorized by Council for the City of Greater Sudbury pursuant to By-law 2011-222, being a By-law to Adopt the Greater Sudbury Brownfield Strategy and Community Improvement Plan, as amended or replaced from time to time.

(11) If, prior to occupancy, an independent consultant who is recognized by the Canada Green Building Council certifies to the City in writing, with all of the supporting information required by the City, that such building meets LEED Certified, LEED Silver, LEED Gold or LEED Platinum, as the case may be; the City shall rebate the Development Charge as follows:

- (a) 25% LEED Certified;
- (b) 50% LEED Silver;
- (c) 75% LEED Gold; or
- (d) 100% LEED Platinum.

### **Temporary Building – Refund**

6. Development Charges actually paid with respect to a Temporary Building or Structure may be refunded by the Treasurer to the person who paid the Development Charges upon application in writing and upon evidence satisfactory to the Treasurer that the Building or Structure has been demolished to the satisfaction of the Chief Building Official, in accordance with a demolition permit, on or before a date which is 8 months after the date on which the building permit for that Temporary Building or Structure was issued.

## Rules With Respect to Exemptions for Intensification of Housing

7.-(1) Notwithstanding the provisions of this By-law, and in accordance with sections 2(3), 2(3.1), 2(3.2) and 2(3.2) of the Act and any amendments thereof, each of the following shall be exempt from Development Charges:

- (a) the enlargement of an existing Dwelling Unit;
- (b) the creation of additional Dwelling Units equal to the greater of one or 1% of the existing Dwelling Units in an existing residential rental building containing four or more Dwelling Units or prescribed ancillary structure to the existing residential building;
- (c) the creation of any of the following as it relates to the creation of additional Dwelling Units in existing residential buildings:
  - (i) A second Dwelling Unit in an existing Single Detached Dwelling, Semi-Detached Dwelling or Rowhouse Dwelling 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 Single Detached Dwelling, Semi-Detached Dwelling or Rowhouse Dwelling cumulatively contain no more than one Dwelling Unit;
  - (ii) A third Dwelling Unit in an existing Single Detached Dwelling, Semi-Detached Dwelling or Rowhouse Dwelling 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 Single Detached Dwelling, Semi-Detached Dwelling or Rowhouse Dwelling contains any Dwelling Units; or
  - (iii) One Dwelling Unit in a Building or Structure Ancillary to an existing Single Detached Dwelling, Semi-Detached Dwelling or Rowhouse Dwelling on a parcel of land, if the existing Single Detached Dwelling, Semi-Detached Dwelling or Rowhouse Dwelling contains no more than two Dwelling Units and no other Building or Structure Ancillary to the existing Single Detached Dwelling, Semi-Detached Dwelling or Rowhouse Dwelling contains any Dwelling Units.
- (d) the creation of the following as it relates to the creation of additional Dwelling Units in new Residential buildings:
  - (i) A second Dwelling Unit in a new Single Detached Dwelling, Semi-Detached Dwelling or Rowhouse Dwelling 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 Single Detached Dwelling, Semi-Detached Dwelling or Rowhouse Dwelling cumulatively will contain no more than one Dwelling Unit;

- (ii) A third Dwelling Unit in a new Single detached Dwelling, Semi-Detached Dwelling or Rowhouse Dwelling 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 Single Detached Dwelling, Semi-Detached Dwelling or Rowhouse Dwelling contains any Dwelling Units; or
- (iii) One Dwelling Unit in a Building or Structure Ancillary to a new Single Detached Dwelling, Semi-Detached Dwelling or Rowhouse Dwelling on a parcel of land, if the new Single Detached Dwelling, Semi-Detached Dwelling or Rowhouse Dwelling contains no more than two Dwelling Units and no other Building or Structure Ancillary to the new Single Detached Dwelling, Semi-Detached Dwelling or Rowhouse Dwelling contains any Dwelling Units.

### **Rules With Respect to an Industrial Expansion Exemption**

**8.-(1)** For the purposes of calculating Development Charges pursuant to section 2, if a Development includes the enlargement of the Gross Floor Area of an existing Industrial building, the amount of the Development Charge that is payable is the following:

- (a) if the Gross Floor Area is enlarged by 50 per cent or less, the amount of the Development Charge in respect of the enlargement is zero; or
- (b) if the Gross Floor Area is enlarged by more than 50 per cent, Development Charges are payable on the amount by which the enlargement exceeds 50 per cent of the Gross Floor Area before the enlargement.

(2) In this section, for greater certainty in applying the exemption herein:

- (a) the Gross Floor Area of an existing Industrial building is enlarged where there is a bona fide physical and functional increase in the size of the existing Industrial building;
- (b) for the purpose of determining any enlargement, the existing Industrial building will be its Gross Floor Area as of the effective date of this By-law (in this section "Original Gross Floor Area");
- (c) the maximum exemption permitted during the term of this By-law will be 50% of the Original Gross Floor Area irrespective of the number of enlargements or expansion of the Gross Floor Area that take place over the course of the term of

this By-law so that any enlargement beyond 50% of the Original Gross Floor Area during the term of this By-Law will be subject to the Development Charge herein.

- (d) an expansion must be attached to and a bona fide extension of the existing building, and “attached” shall not mean or include a tunnel, bridge, passageway, shared below grade connection (whether by footing, foundation, passageway, or otherwise), breezeway, shared roof connection or shared parking facility.

### **Rules With Respect to the Redevelopment of Land**

9.-(1) Subject to the limitations in this section, where, as a result of the Redevelopment of land, a Building or Structure has been demolished, in whole or in part, or converted from one principal use to another principal use on the same land, development charges otherwise payable may be reduced as follows:

- (a) Where the building permit for the redevelopment issues within 5 years of a demolition permit issued before July 1, 2024 , the development charges otherwise payable with respect to such Redevelopment shall be reduced by the amount calculated by multiplying the development charge under section 2 of this By-law for the building type in Column A of the table below by the number determined in accordance with Column B of the table below; and
- (b) Where the building permit for the redevelopment issues within 10 years of a demolition permit issued on or after July 1, 2024, the development charges otherwise payable with respect to such Redevelopment shall be reduced by the amount calculated by multiplying the development charge under section 2 of this By-law for the building type in Column A of the table below by the number determined in accordance with Column B of the table below and further multiplied by the number determined in accordance with Column C of the table below.

Column A Building Type / Development Charge	Column B The amount by which Column A is to be multiplied by:	Column C The amount by which the amount calculated in Column B is to be multiplied by:
Development Charge under section 2 of this By-law for a Residential Building or Structure or the Residential portion of a Mixed-Use Building or Structure	by the number, according to type of Dwelling Unit that have been demolished or converted to another principal use	the percentage determined in accordance with Schedule "F", based on the number of months between the date of issuance of the demolition permit and the subsequent building permit for the Redevelopment on that land
Development Charge under section 2 of this By-law an Industrial Building or Structure or the Industrial portion of a Mixed-Use Building or Structure	the Industrial Gross Floor Area that has been demolished or converted to another principal use	
Development Charge under section 2 of this By-law Non-Industrial Building or Structure or the Non-Industrial portion of a Mixed-Use Building or Structure	by the Non-Industrial Gross Floor Area that has been demolished or converted to another principal use	

(2) Despite anything else herein, any such reduction calculated under Subsection 9(1) shall not exceed in total, the amount of the Development Charges otherwise payable with respect to the Redevelopment.

(3) Where as part of a Redevelopment a building permit is issued for a new Building or Structure (the "New Building") to be erected on a site and the New Building is constructed prior to the demolition of an existing Building or Structure on the same site and provided that the existing Building or Structure is demolished pursuant to a demolition permit issued within 10 years from the issuance of the building permit for that New Building, the Owner may apply to the Chief Building Official in writing for a refund (excluding interest) of all or part of the Development Charges actually paid on the issuance of the building permit for the New Building. The amount of the refund shall be calculated at the rates paid for the Development Charges on the issuance of the building permit for the New Building, for the number and type of Residential Dwelling Units demolished or the Total Floor Area of the Non-Residential portion of the Building or Structure or part thereof demolished multiplied by the percentage determined in accordance with Schedule "F", based on the number of months between the date of issuance of the demolition permit and the subsequent building permit for the Redevelopment on that land.

(4) The reduction of Development Charges otherwise authorized under subsection 9(1) shall relate only to the land, including any parcel subject to the same site plan approval for the proposed development, upon which the Building or Structure which was demolished or converted was situate and is not transferable to another parcel of land.

(5) Any reduction in the Development Charges otherwise payable, authorized under subsection 9(1) and any refund authorized under subsection 9(3) shall apply only where the use of the Building or Structure that has been demolished or converted to another use has been legally established pursuant to the City's Zoning By-law and all building statutes and regulations related to the construction of buildings.

(6) For the purposes of this section, Dwelling Units or Gross Floor Area accidentally destroyed by fire shall be deemed to have been demolished under a demolition permit issued on the date of the fire. No refund shall be paid or reduction applied to Development Charges otherwise payable unless the Owner has obtained a Demolition Permit for the Dwelling Units or Gross Floor accidentally destroyed by fire.

### **Onus**

10. The onus is on the Owner to produce evidence to the satisfaction of the Chief Building Official which establishes that the Owner is entitled to any exemption from, or reduction of, or credit against or any refund of Development Charges otherwise payable under this By-law.

### **Approval for Development**

11.-(1) Subject to subsection 11(2), Development Charges shall apply to, and shall be calculated and collected in accordance with the provisions of this By-law on land to be developed where, the Development requires any one or more of the following:

- (a) the passing of a Zoning By-law or an amendment thereto under Section 34 of the *Planning Act*;
- (b) the approval of a minor variance under Section 45 of the *Planning Act*;
- (c) a conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act* applies;
- (d) the approval of a plan of subdivision under Section 51 of the *Planning Act*;
- (e) a consent under Section 53 of the *Planning Act*;
- (f) the approval of a description under Section 50 of the *Condominium Act*, 1998, S.O. 1998 c. 19; or

- (g) the issuing of a permit under the *Building Code Act* in relation to a Building or Structure.
- (2) Subsection 11(1) shall not apply in respect of:
- (a) Local Services installed or paid for by the Owner within a plan of subdivision as a condition of approval under Section 51 of the *Planning Act*;
  - (b) Local Services installed or paid for by the Owner within the area to which the Development relates; or
  - (c) Local Services installed at the expense of the Owner as a condition of approval under Section 53 of the *Planning Act*.

### **Local Service Installation**

**12.** Nothing in this By-law prevents Council from requiring as a condition of any approval or agreement for Development under the *Planning Act*, including sections 41, 51 or 53 of the *Planning Act*, that the Owner, at their own expense, shall install such Local Services within the area to which the Development relates, or that the Owner pay for local connections to water mains, wastewaters and/or storm drainage facilities, as Council may require.

### **Multiple Charges**

**13.(1)** Where two or more of the actions described in subsection 11(1) of this By-law are required before land to which a Development Charge applies can be developed, only one Development Charge shall be calculated and collected in accordance with the provisions of this By-law.

(2) Notwithstanding subsection 13(1), if two or more of the actions described in subsection 11(1) occur at different times, and if the subsequent action has the effect of increasing the need for Services as designated in Schedule "A", an additional Development Charge on the additional Residential Dwelling Units and/or the additional Gross Floor Area for Industrial and Non-Industrial uses shall be calculated and collected in accordance with the provisions of this By-law.

### **Credit for Services**

**14.** Despite subsection 2(1) and section 16, Council may by agreement, give a credit towards a Development Charge in exchange for work that relates to Services for which a Development Charge is imposed under this By-law, in accordance with sections 38, 39, 40 and 41 of the Act. No such credit shall exceed the total Development Charges otherwise payable.

## Front-Ending Agreements

15. The City may enter into agreements under Section 44 of the Act as it sees fit.

## Payment Due Date for Payment / Date of Calculation

16.-(1) Development Charges shall be payable in full in cash, certified cheque, bank draft or by provision of Services as may be agreed upon, or by credit granted in accordance with the Act.

(2) Except as provided to the contrary in this By-law or the Act, Development Charges are payable for a Development upon a building permit being issued for the Development.

(3) If a Development consists of one building that requires more than one building permit, the Development Charges for the Development will be payable upon the first building permit being issued but, if a Development consists of two or more phases that will not be constructed concurrently and are anticipated to be completed in different years, each phase of the Development is deemed to be a separate Development for the purposes of determining when Development Charges are due for each phase.

(4) Despite subsection 16(2) and (3), Development Charges for Institutional Developments and Rental Housing Developments (where not otherwise exempt) are due and payable in six equal annual payments commencing with the first installment payable on the earlier of the date of occupancy and the date on which a permit issues under the *Building Code Act, 1992*, authorizing occupancy, and continuing on each of the following 5 anniversaries of that date. Where authorized by Council interest will be charged in accordance with section 26.3 of the Act.

(5) Despite subsection 16(2) and (3), where authorized by Council for the City, Development Charges may be payable before or after same would otherwise be payable, in accordance with the terms of an agreement entered into by the City and the Owner, in accordance with section 27 of the Act. Without limiting the generality of the forgoing, Council may require the Owner to pay interest from the date of issuance of the building permit until payment in full of the Development Charges and to provide security for the Owner's obligations under the agreement.

(6) The date on which Development Charges are calculated and the entitlement to interest on unpaid Development Charges shall be determined in accordance with Section 26.2 of the Act.

(7) Where Development Charges are not paid on the date of issuance of the building permit, then interest may be charged on the Development Charges in accordance with Section 26.2 (3) of the Act.

(8) Where Development Charges apply to land in relation to which a building permit is required, the building permit shall not be issued until the Development Charges have been paid in full or delayed payment has been authorized in accordance with this By-law and any required agreement has been entered into between the City and the Owner.

(9) If a Development does not require a building permit but does require one or more of the approvals described in section 11, then the Development Charge shall nonetheless be payable in respect of any increased or additional Development permitted by such approval required for the increased or additional Development being granted.

### **Changes to Building Design – Residential**

17. Where a Development Charge has been paid in respect of a Residential Building or Structure, and the Development is subsequently revised within the same building envelope but with a different distribution of unit types such that a revised building permit prior to completion and new calculation of Development Charges payable is required, the calculation of the amount of Development Charges payable will be made in respect of such revised building permit as follows:

- (a) Where there is an increase in the number of any type of Dwelling Unit, the Development Charges payable will be calculated by multiplying the number of such Dwelling Units so increased by the Development Charge rate then in effect according to the type of Dwelling Unit; and
- (b) Where there is a decrease in the number of any type of Dwelling Unit, the Development Charges payable will be reduced by multiplying the number of such Dwelling Units so reduced by the Development Charges rate that was in effect and collected for such unit type upon the issuance of the initial building permit for the Development.

### **Changes to Building Design – Non-Residential**

18. Where a Development Charge has been paid in respect of a Non-Residential Building or Structures, and the Development is subsequently revised within the same building envelope but such that a revised building permit prior to completion and new calculation of Development

Charges payable is required, the calculation of the amount of Development Charges payable will be made in respect of such revised building permit as follows:

- (a) Where there is an increase in the amount of Non-Residential Total Floor Area, the Development Charges payable will be calculated by multiplying the amount of Total Floor Area so increased by the Development Charge rate then in effect; and
- (b) Where there is a decrease in the amount of Non-Residential Total Floor Area, the Development Charges payable will be reduced by multiplying the amount of Total Floor Area so reduced by the Development Charge rate that was in effect and collected upon issuance of the initial building permit for the Development;

provided that in no case shall any refund be provided in an amount greater than the amount of Development Charges paid upon issuance of such initial Building Permit.

### **By-law Registration**

19. A certified copy of this By-law may be registered in the Land Registry Office (No. 53) against the land to which it applies.

### **Reserve Fund(s)**

20. The City of Greater Sudbury shall establish Reserve Funds as follows:

- (a) Monies received from payment of Development Charges shall be maintained in separate reserve funds for each Service as detailed in Schedule "A" to this By-law. Funds shall be used only in accordance with the provisions of Section 35 of the Act.
- (b) The Treasurer shall, in each year, furnish to Council a statement in respect of the reserve funds established hereunder for the prior year, containing the information set out in Section 11 and a financial statement related to the reserve funds in accordance with s13 of O. Reg. 82/98.
- (c) Borrowing from the reserve funds, or from one designated service fund to another, for municipal financial purposes will be permitted as authorized from time to time by resolution or by-law of Council provided interest is paid in accordance with the Act and the regulations thereto, and in particular section 36.
- (d) Refunds may be made from the applicable reserve funds in accordance with this By-law.

## **Refunds**

**21.**-(1) Where this By-law or any Development Charge prescribed thereunder is amended or repealed either by order of the Ontario Land Tribunal or by Council, the Treasurer shall calculate forthwith the amount of any overpayment to be refunded as a result of said amendment or repeal.

(2) Any refund of Development Charges shall be paid to the person who is the registered Owner of the land, Building or Structure on the date on which the refund is paid.

(3) Interest on refunds payable in accordance with subsection 21(1) shall be paid in accordance with subsection 18(3) or subsection 25(2) of the Act.

(4) Interest shall not be payable on any refund other than a refund required to be paid under subsection 21(1) or section 25.

(5) Where a building permit is lawfully revoked by the Chief Building Official the Owner may apply in writing to the Chief Building Official for a refund of the Development Charges actually paid pursuant to the said building permit.

(6) In the event that a building permit is lawfully revoked by the Chief Building Official a subsequent application submitted for a building permit for a Building or Structure on the same land will be subject to the Development Charge rate in effect as of the date the building permit issues under the subsequent application.

## **Development Charge Schedule Indexing**

**22.** The Development Charges referred to in the Individual Services Charges Supporting By-laws identified in Schedule "B" shall be adjusted annually, without amendment to this By-Law, on July 1 of each year, in accordance with the most recent twelve-month change reflected in the Statistics Canada Quarterly, Building Construction Price Indexes, nonresidential (Ottawa-Gatineau) and the Treasurer shall advise Council of such adjustments.

## **By-law Administration**

**23.** This By-law shall be administered by the Treasurer and the Chief Building Official.

## **Complaints**

**24.**-(1) The Hearing Committee is appointed pursuant to Section 23.1 of the *Municipal Act, 2001* to act in the place and stead of Council to deal with complaints under Section 20 of the Act.

(2) A person required to pay a Development Charge or the person's agent may complain to the Hearing Committee that:

- (a) the amount of the Development Charge was incorrectly determined; or
- (b) whether a credit is available to be used against the Development Charge or the amount of the credit or the Service with respect to which the credit was given, was incorrectly determined; or
- (c) there was an error in the application of this By-law.

(3) A complaint may not be made under subsection 24(2) above later than 90 days after the day that the Development Charge or any part of it is payable.

(4) The complaint must be in writing and must set the complainant's name, the address where notices can be given to the complainant and the reasons for the complaint.

(5) Where the City Solicitor in consultation with the Treasurer and Chief Building Official determines that a request for a hearing as filed does not comply with the requirements of subsection 24(2) or 24(3) above or with the Act, the Clerk shall forthwith notify the complainant in writing that no hearing will be scheduled and specify the deficiency.

(6) The City Clerk shall fix a day and time for a hearing before the Hearing Committee and mail a notice of the hearing to the complainant at least 14 days before the hearing date.

(7) The Hearing Committee shall hold a hearing into a complaint made under subsection 24(2) and 24(3) above and shall give the complainant an opportunity to make representations at the hearing.

(8) After hearing the evidence and submissions of the complainant, the Hearing Committee shall as soon as practicable, make a recommendation to Council on the merits of the complaint and Council may dismiss the complaint or rectify any incorrect determination or error that was properly the subject of the complaint.

### **Request for Review**

**25.** Nothing herein prevents a person, prior to filing a complaint under subsection 24(1) of this By-law from making a request in writing to the Chief Building Official to review the calculation of the Development Charge for a reason under subsection 24(2). No such request shall be deemed to constitute a complaint to the Hearing Committee or relieve the person from complying with the process in section 24 should the person wish to file a complaint.

## **Conflict**

**26.** Where a conflict exists between the provisions of this By-law and any agreement between the City and the Owner entered into pursuant to this By-law the provisions of such agreement shall prevail to the extent of the conflict.

## **Application of the Act**

**27.** Any matter not otherwise provided for in this By-law shall be subject to the provisions of the Act.

## **Interpretation**

**28.**-(1) Whenever this By-law refers to a person or thing with reference to gender or the gender neutral, the intention is to read the By-law with the gender applicable to the circumstances.

(2) References to items in the plural include the singular, as applicable.

(3) The words “include”, “including” and “includes” are not to be read as limiting the phrases or descriptions that precede them.

(4) Headings are inserted for ease of reference only and are not to be used as interpretation aids.

(5) Specific references to laws in this By-law are printed in italic font and are meant to refer to the current laws applicable with the Province of Ontario as at the time the By-law was enacted, as they are amended from time to time and include regulations thereunder.

(6) Any reference to periods of time, stated in numbers of days, shall be deemed applicable on the first business day after a Sunday or Statutory holiday if the expiration of the time period occurs on a Sunday or Statutory holiday.

(7) The obligations imposed by this By-law are in addition to obligations otherwise imposed by law or contract.

(8) Words which are not defined for the purposes of this By-law shall be read in their ordinary, everyday meanings.

(9) References to a whole include references to a part of the whole, whether or not so specified.

## Severability

29.-(1) If any section, subsection, part or parts of this By-law is declared by any court of law to be bad, illegal or ultra vires, such section, subsection, part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.

(2) Nothing in this By-law relieves any person from complying with any provision of any Federal or Provincial legislation or any other by-law of the City.

## Schedules to the By-law

30. The following schedules are attached to and form an integral part of this by-Law:

Schedule "A"	Schedule of Designated Services
Schedule "B"	Individual Service Charges By-laws
Schedule "C"	List of Corridors
Schedule "C-1"	Corridor: Chelmsford
Schedule "C-2"	Corridor: Sudbury South
Schedule "C-3"	Corridor: Sudbury North
Schedule "D-1"	Regional Centre Node: Barry Downe/LaSalle
Schedule "D-2"	Regional Centre Node: Kingsway/Barry Downe
Schedule "D-3"	Regional Centre Node: Four Corners
Schedule "D-4"	Major Public Institutional Node: Health Sciences North
Schedule "D-5"	Major Public Institutional Node: Collège Boréal
Schedule "D-6"	Major Public Institutional Node: Laurentian University
Schedule "D-7"	Major Public Institutional Node: Cambrian College
Schedule "D-8"	Node: Coniston
Schedule "D-9"	Node: Val Caron
Schedule "D-10"	Node: Azilda
Schedule "D-11"	Node: Howard Armstrong
Schedule "D-12"	Node: Wahnapiatae
Schedule "D-13"	Node: Onaping
Schedule "D-14"	Node: Levack
Schedule "E-1"	Exempt Area: Capreol
Schedule "E-2"	Exempt Area: Chelmsford
Schedule "E-3"	Exempt Area: Copper Cliff
Schedule "E-4"	Exempt Area: Dowling

Schedule “E-5”	Exempt Area: Garson
Schedule “E-6”	Exempt Area: Hanmer
Schedule “E-7”	Exempt Area: Kathleen
Schedule “E-8”	Exempt Area: Downtown
Schedule “E-9”	Exempt Area: Lively
Schedule “E-10”	Exempt Area: Val Caron
Schedule “E-11”	Exempt Area: Walden
Schedule “E-12”	Exempt Area: Flour Mill
Schedule “F”	Reduction for qualified properties where New Building Permit Secured within 10 years of Demolition Permit – section 9(1) of this By-law.

**Date By-law Effective and Expiry**

31.-(1) This By-law shall come into force and effect on the 1st day of July, 2024.

(2) This By-law shall continue in force and effect for a term expiring June 30<sup>th</sup>, 2034, unless it is extended by statute, regulation or by-law, or repealed at an earlier date.

(3) The expiry of By-law 2019-1004 as amended does not affect the previous operation of By-law 2019-100 as amended or affect any right, privilege, obligation or liability acquired, accrued, accruing or incurred under the said By-law 2010-100 as amended.

**Short Title**

32. This By-Law shall be cited as the “Development Charges By-Law 2024”.

**Read and Passed in Open Council** this xx<sup>th</sup> day of June, 2024.

\_\_\_\_\_ Mayor

\_\_\_\_\_ Clerk

**Schedule "A"**  
**to By-law xxx of the City of Greater Sudbury**

**DESIGNATED SERVICES**

1. General Government
2. Library Services
3. Fire Services
4. Police Services
5. Public Safety
6. Parks and Recreation
7. Ambulance Services
8. Emergency Preparedness
9. Transit Services
10. Roads and Related
11. Water Services
12. Wastewater Services
13. Drains and Stormwater

**Schedule “B”  
to By-law xxx of the City of Greater Sudbury**

**List of Individual Service Charges Supporting Bylaws.**

The individual service charges for the Services identified in Column A of the table below are found in the Supporting By-law identified in Column B of the table below, as amended or replaced from time to time.

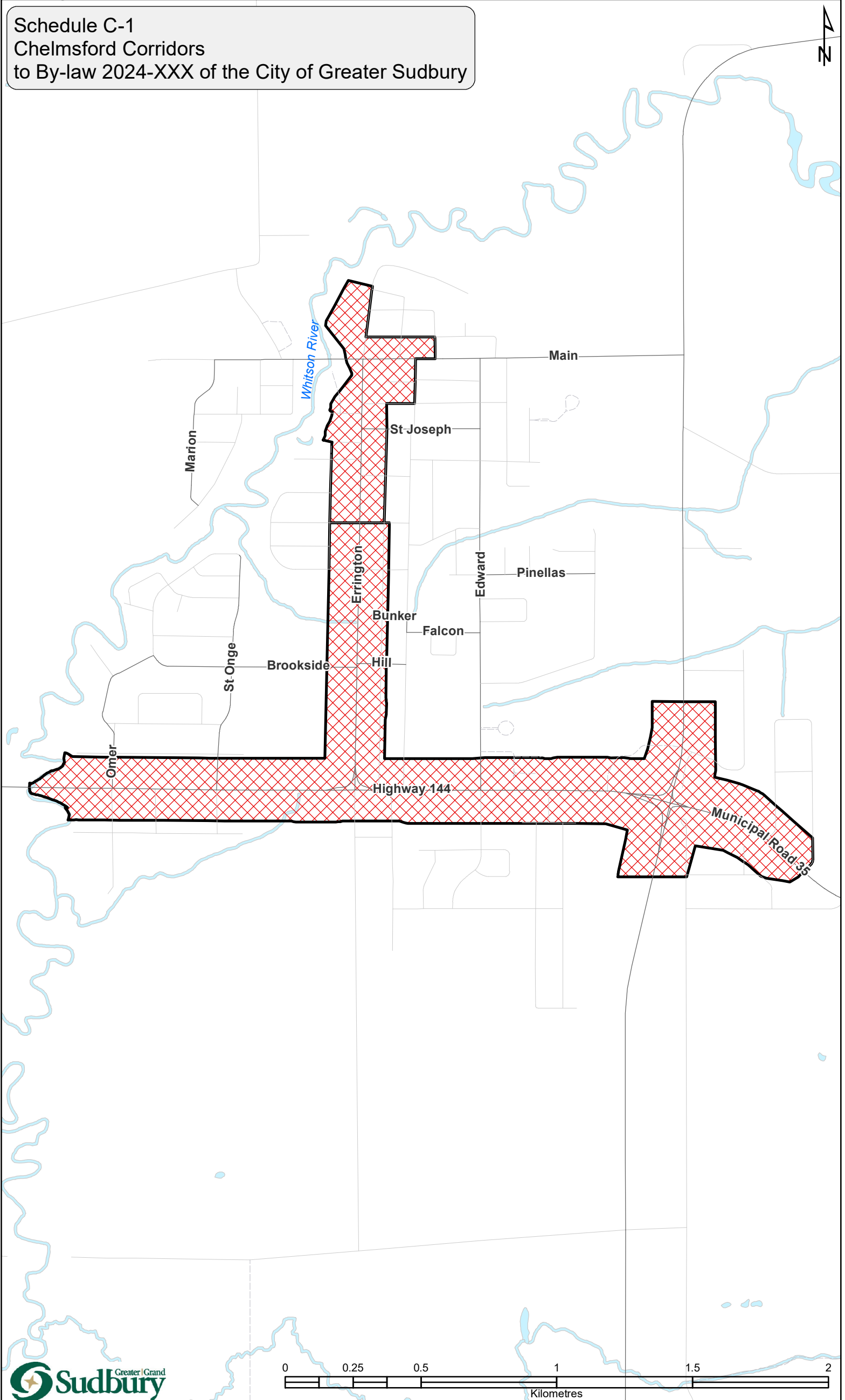
Column A Services	Column B Supporting By-law
General Government, Library Services, Fire Services, Police Services, Ambulance Services, Emergency Preparedness Services, Transit Services, Drains Services	By-law <b>2024-XX</b> Being a By-law to establish the Rates for General Government, Library Services, Fire Services, Police Services, Ambulance Services, Emergency Preparedness Services, Transit Services, Drains Services Pursuant to Bylaw <b>2024-,XX</b> being a By-law with respect to Development Charges
Parks and Recreation Services	By-law <b>2024-XX</b> Being a By-law to establish the Rates for Parks and Recreation Services Pursuant to Bylaw <b>2024-,XX</b> being a By-law with respect to Development Charges
Roads and Related Services	By-law <b>2024-XX</b> Being a By-law to establish the Rates for Roads and Related Services Pursuant to Bylaw <b>2024-,XX</b> being a By-law with respect to Development Charges
Water Services	By-law <b>2024-XX</b> Being a By-law to establish the Rates for Water Services Pursuant to Bylaw <b>2024-,XX</b> being a By-law with respect to Development Charges
Wastewater Services	By-law <b>2024-XX</b> Being a By-law to establish the Rates for Wastewater Services Pursuant to Bylaw <b>2024-,XX</b> being a By-law with respect to Development Charges

**Schedule “C”  
to By-law xxx of the City of Greater Sudbury**

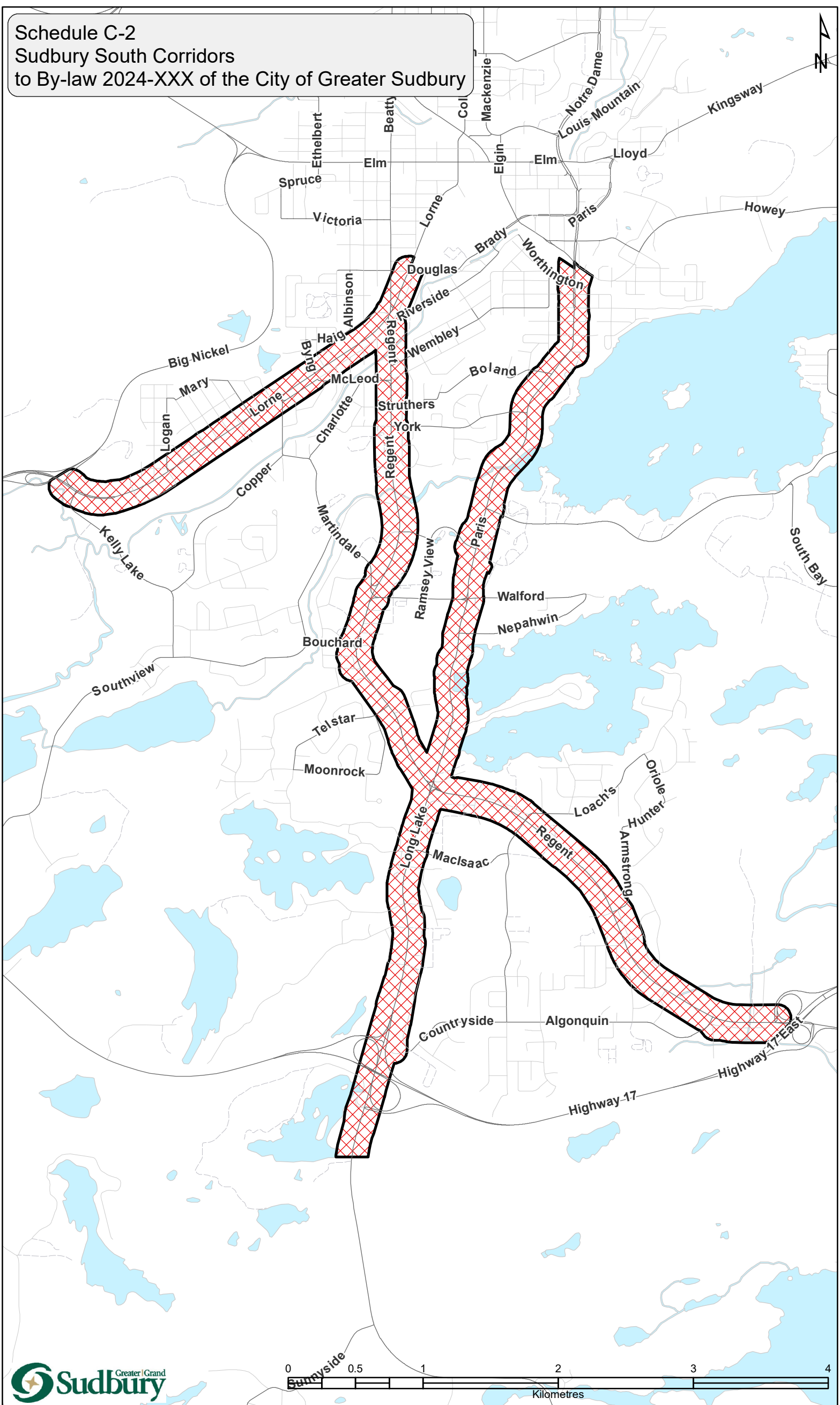
**LIST OF CORRIDORS**

Area	Corridor	From	To
Chelmsford	Errington Avenue	The centerline of Highway 144 North	northerly to the centerline of Morin Street
Chelmsford	Highway 144	The easterly limit of the Whitson River	westerly to the centerline of St. Jean Baptiste Street
Chelmsford	MR 15	The southerly limit of PIN 733480718	southerly to the northerly limit of PIN 733471631
Sudbury	Barry Downe Road	The centerline of Maley Drive	southerly to the southerly limit of the Kingsway/Barry Downe Regional Centre Node (as shown on Schedule “F-2”)
Sudbury	LaSalle Boulevard	The easterly side of the College Boreal entrance	easterly to the centerline of Falconbridge Road
Sudbury	Falconbridge Road	The centerline of LaSalle Boulevard	southwesterly to the centerline of the Kingsway
Sudbury	Lloyd/Kingsway	The easterly limit of the Downtown Sudbury Node (as shown on Schedule “E-6”)	easterly to the centerline of Moonlight Avenue
Sudbury	Paris Street	The southerly limit of the Downtown Sudbury Node (as shown on Schedule “E-6”)	southerly to the centerline of Regent Street
Sudbury	Lorne Street	The westerly limit of the Downtown Sudbury Node (as shown on Schedule “E-6”)	southwesterly to the centerline of Big Nickel Mine Road
Sudbury	Regent Street	The centerline of Lorne Street	southerly and south easterly to the westerly limit of the Highway 17 by-pass
Sudbury	Long Lake Road	The centerline of Regent Street	southerly to the southerly limit of PIN 734751767
Sudbury	Notre Dame Avenue	The northerly limit of the Downtown Sudbury Node (as shown on Schedule “E-6”)	northerly to the centerline of LaSalle Boulevard

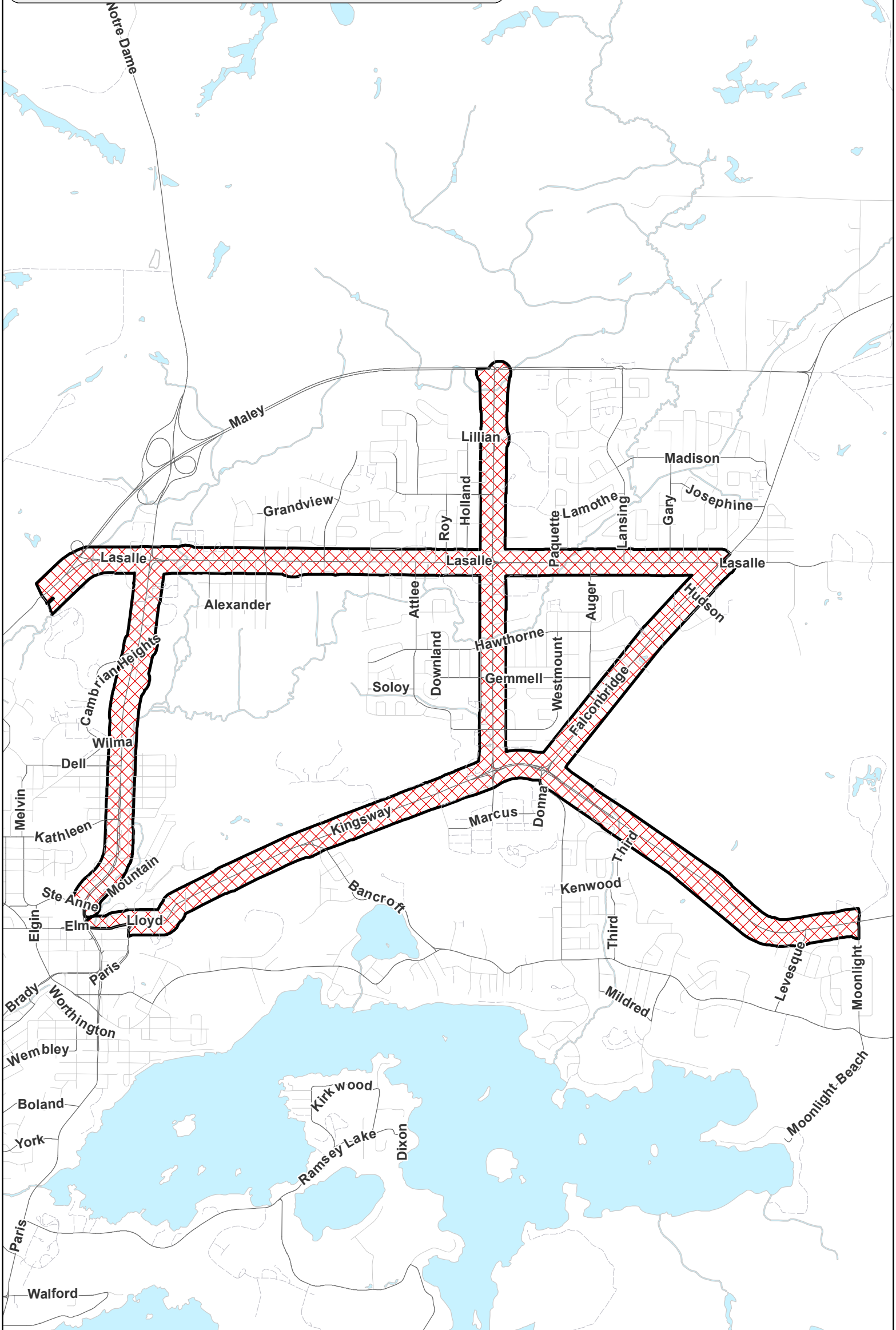
Schedule C-1  
Chelmsford Corridors  
to By-law 2024-XXX of the City of Greater Sudbury



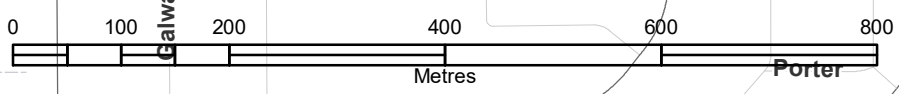
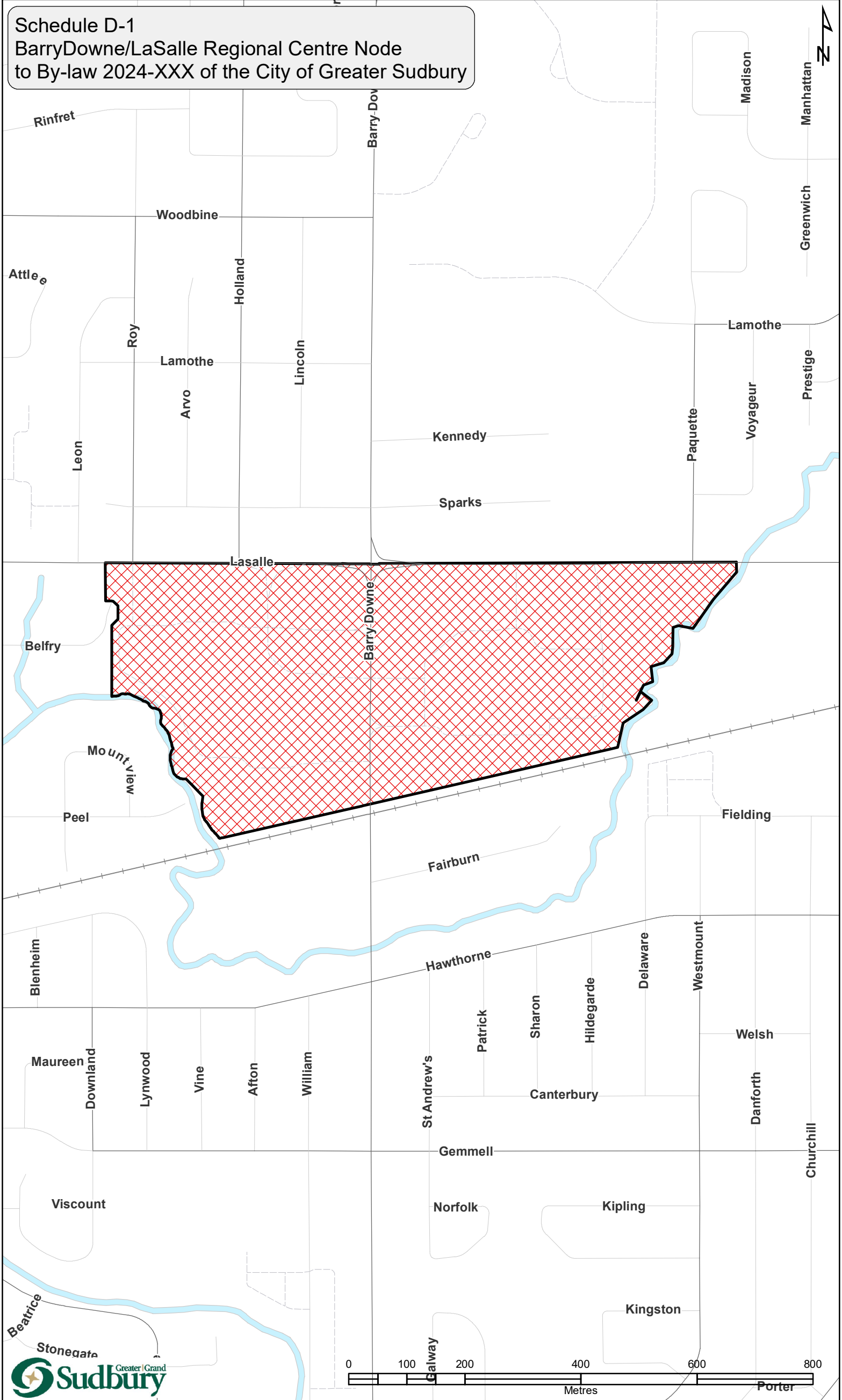
Schedule C-2  
Sudbury South Corridors  
to By-law 2024-XXX of the City of Greater Sudbury



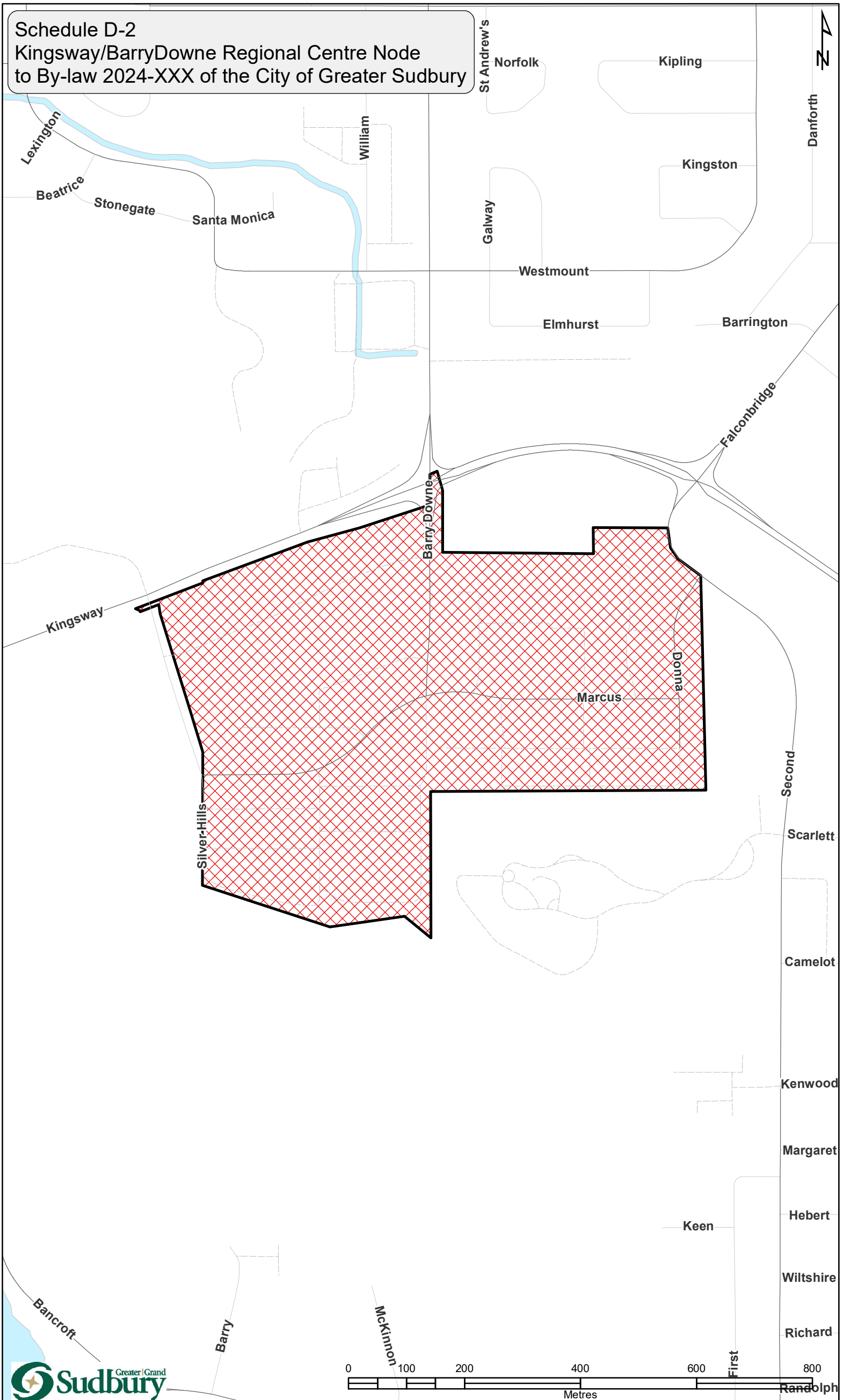
Schedule C-3  
Sudbury North Corridors  
to By-law 2024-XXX of the City of Greater Sudbury



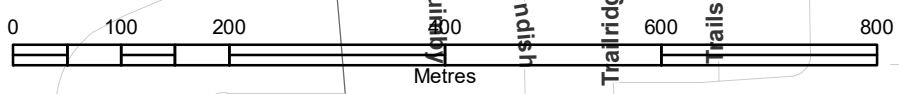
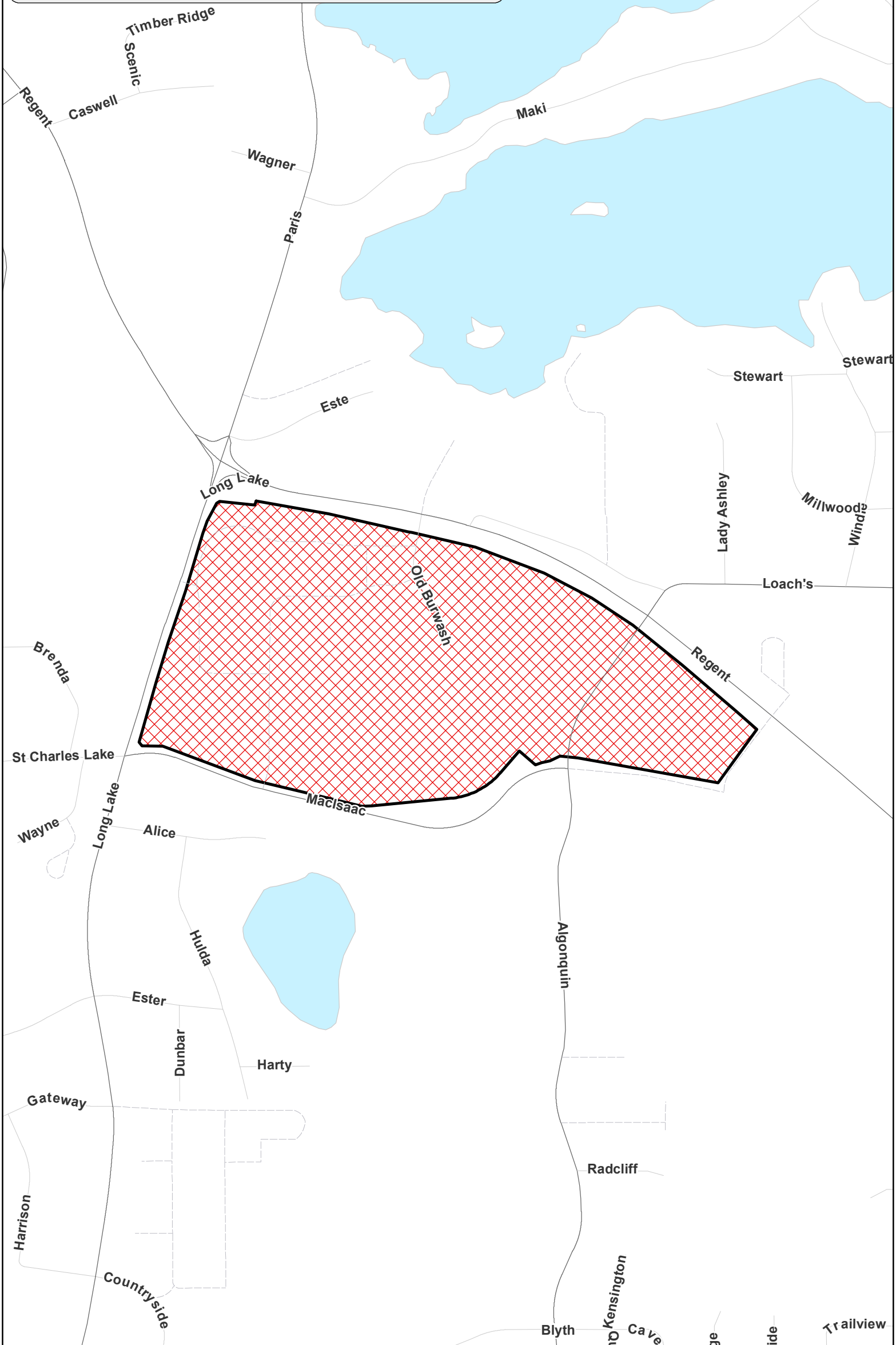
Schedule D-1  
BarryDowne/LaSalle Regional Centre Node  
to By-law 2024-XXX of the City of Greater Sudbury



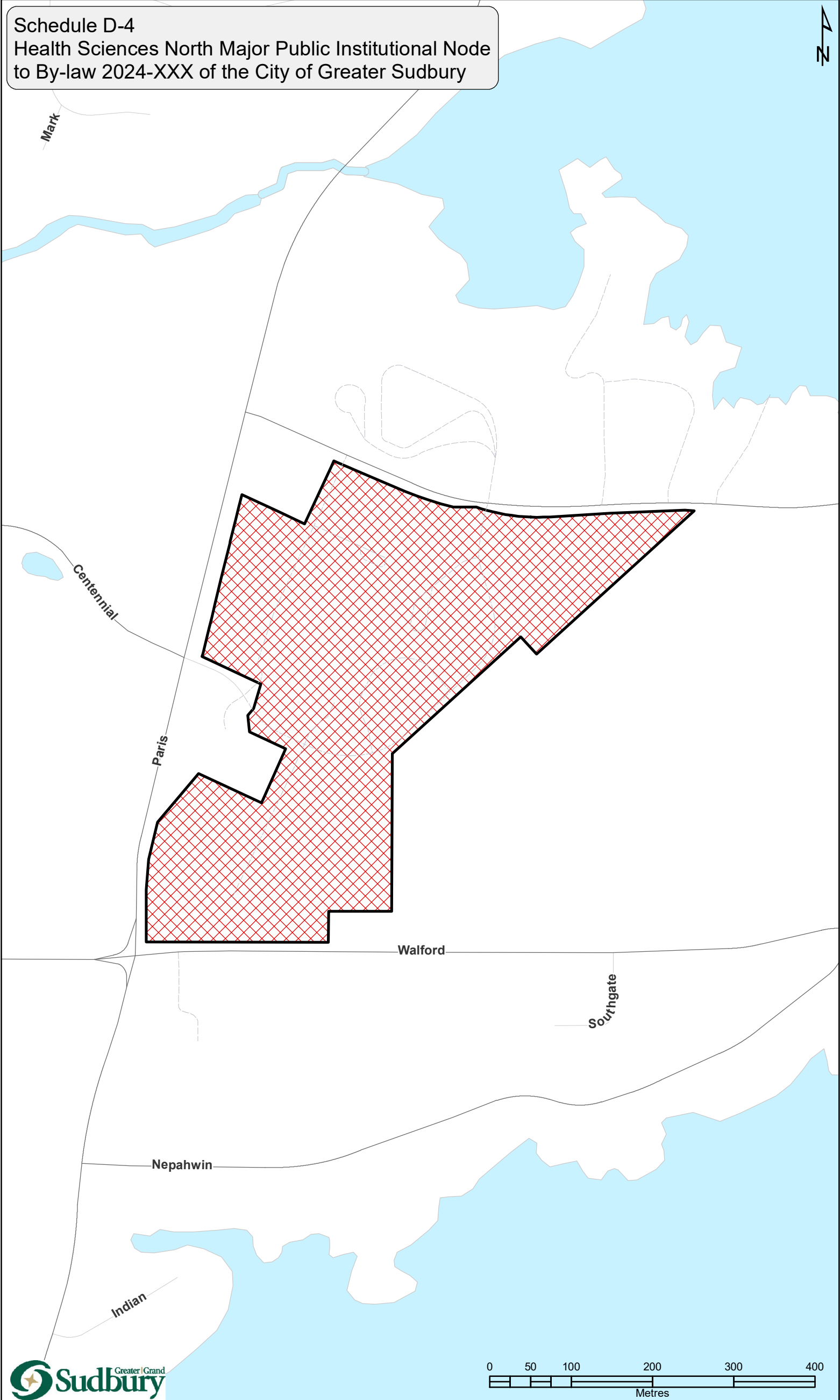
Schedule D-2  
Kingsway/BarryDowne Regional Centre Node  
to By-law 2024-XXX of the City of Greater Sudbury



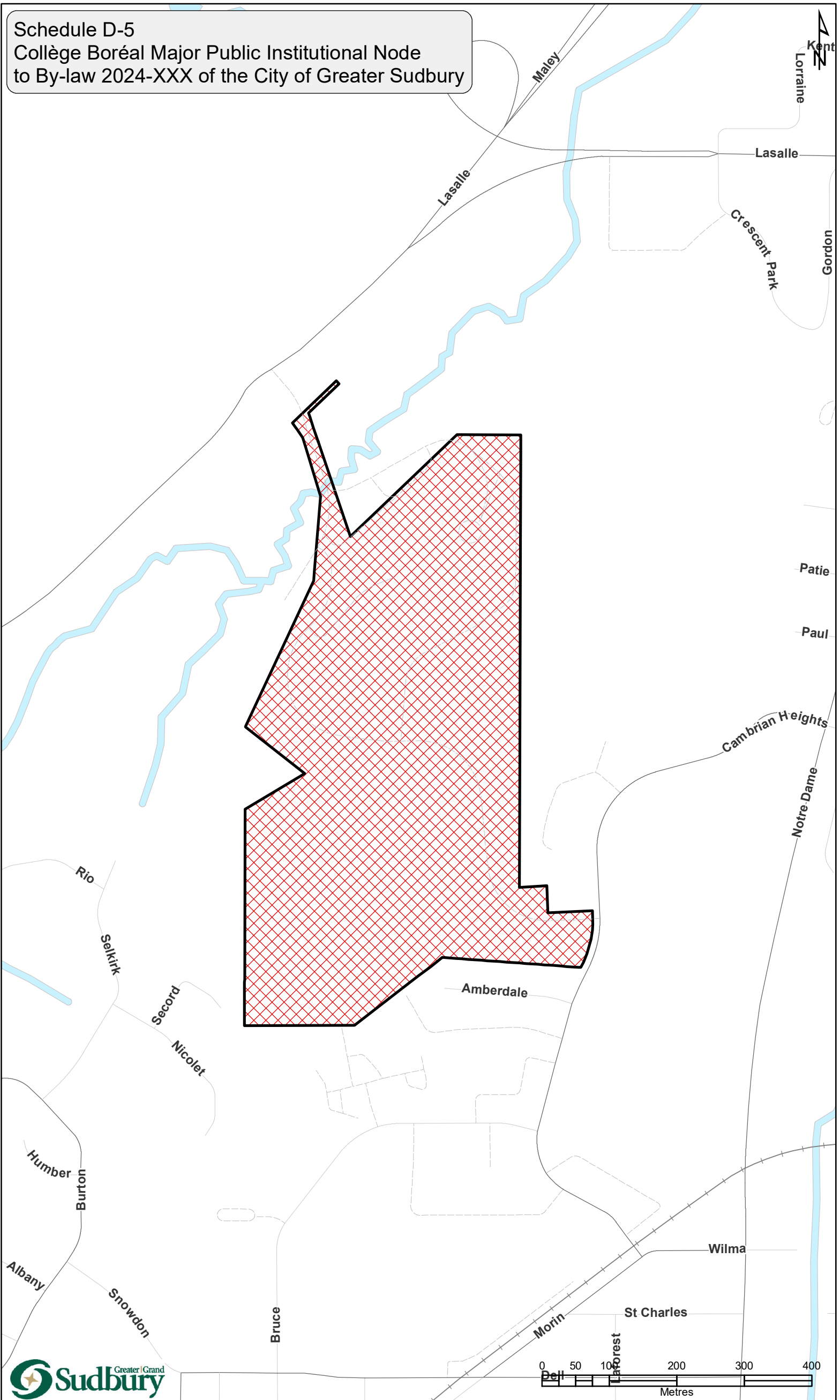
Schedule D-3  
Four Corners Regional Centre Node  
to By-law 2024-XXX of the City of Greater Sudbury



Schedule D-4  
Health Sciences North Major Public Institutional Node  
to By-law 2024-XXX of the City of Greater Sudbury



Schedule D-5  
Collège Boréal Major Public Institutional Node  
to By-law 2024-XXX of the City of Greater Sudbury



Kent

Lorraine

Gordon

Patie

Paul

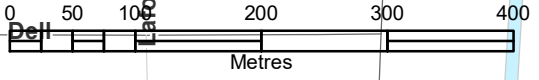
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Wilma

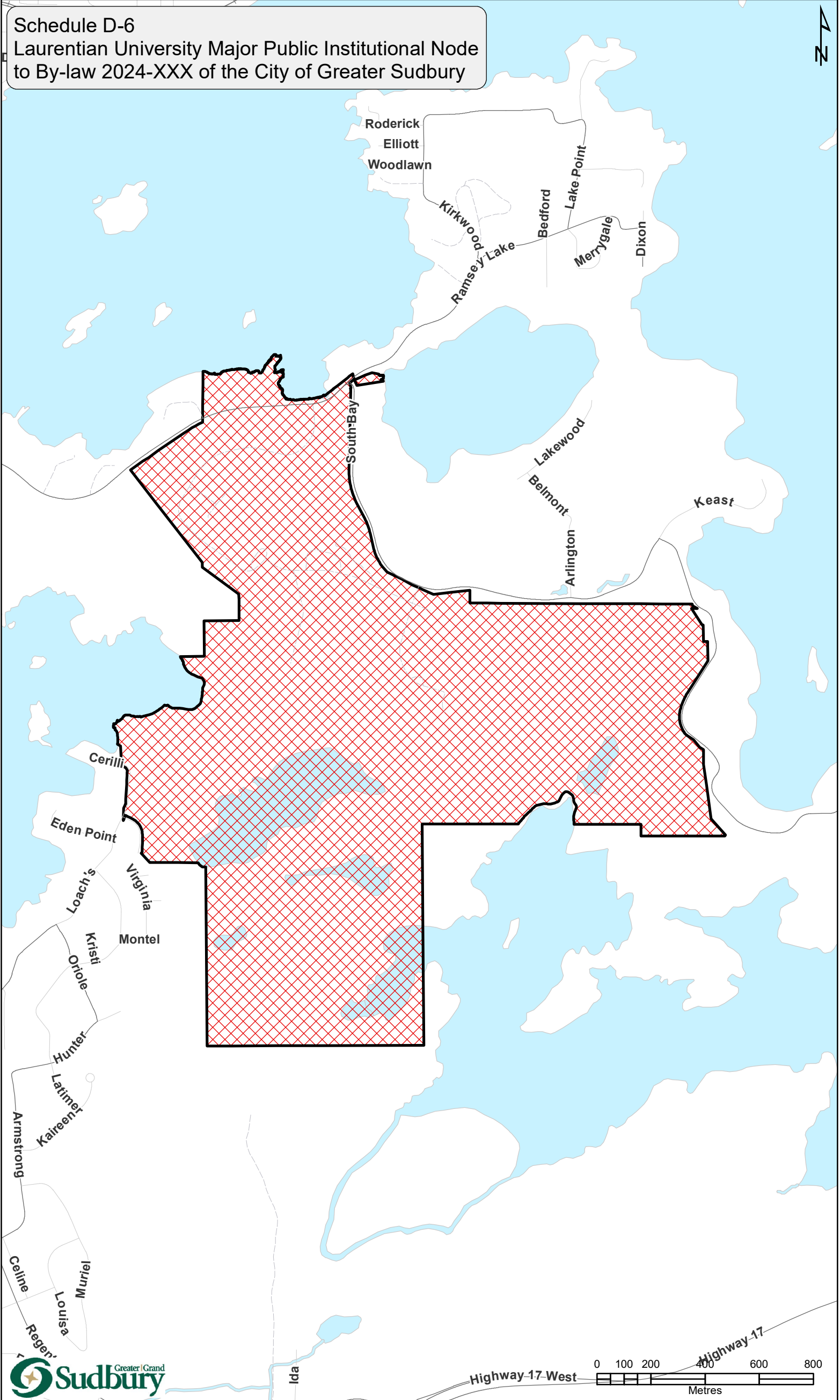
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Morin

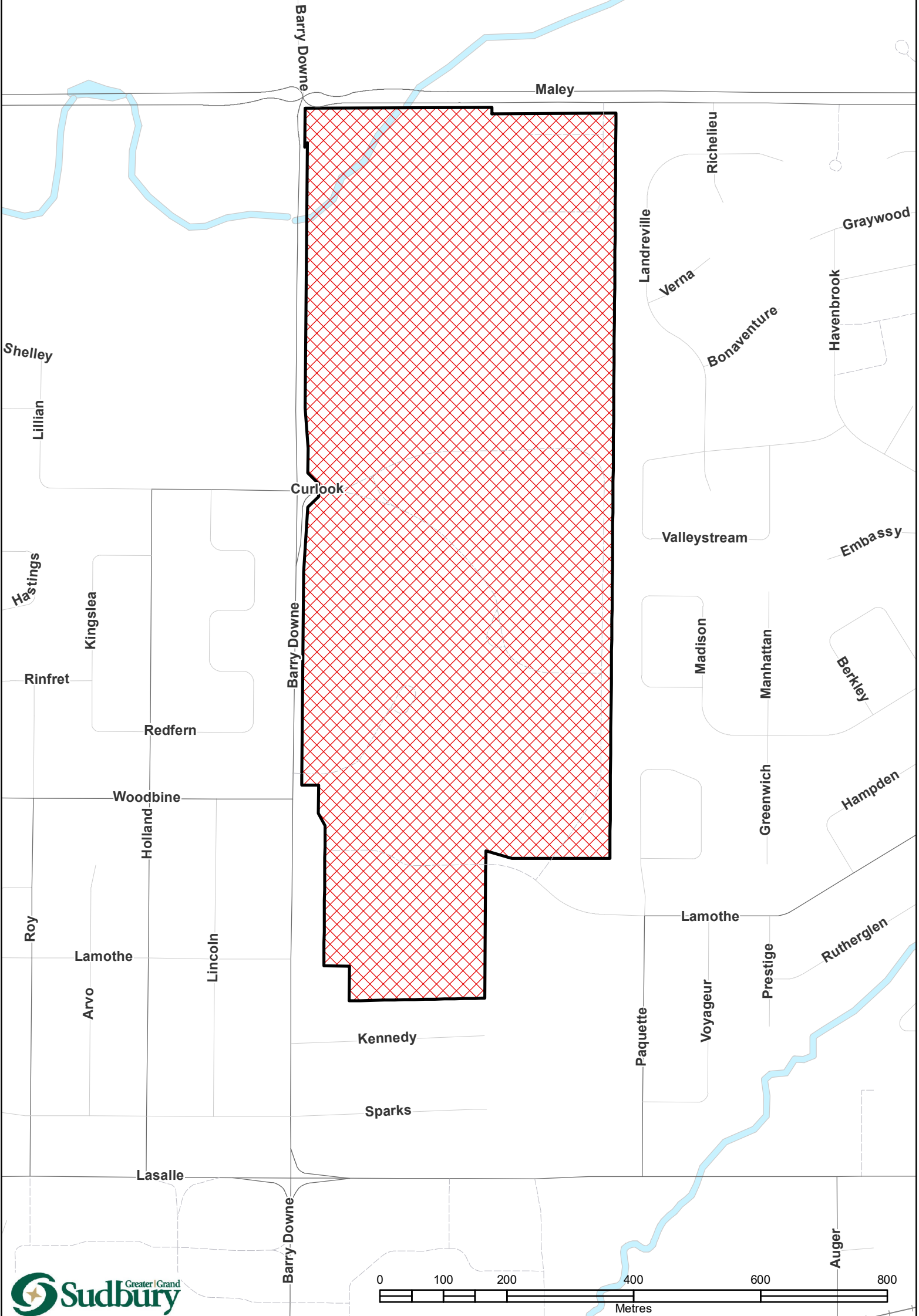
Labrest



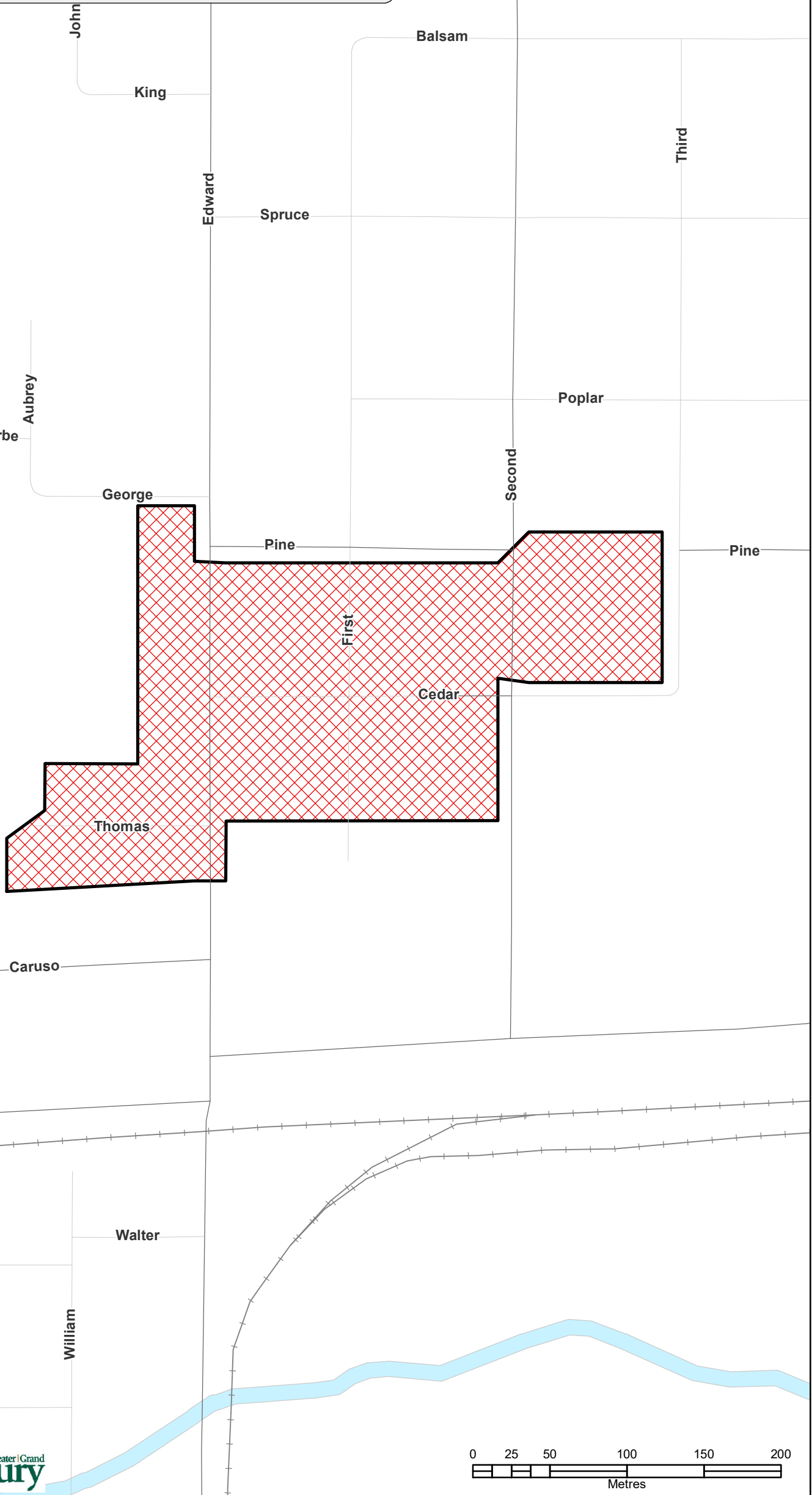
Schedule D-6  
Laurentian University Major Public Institutional Node  
to By-law 2024-XXX of the City of Greater Sudbury



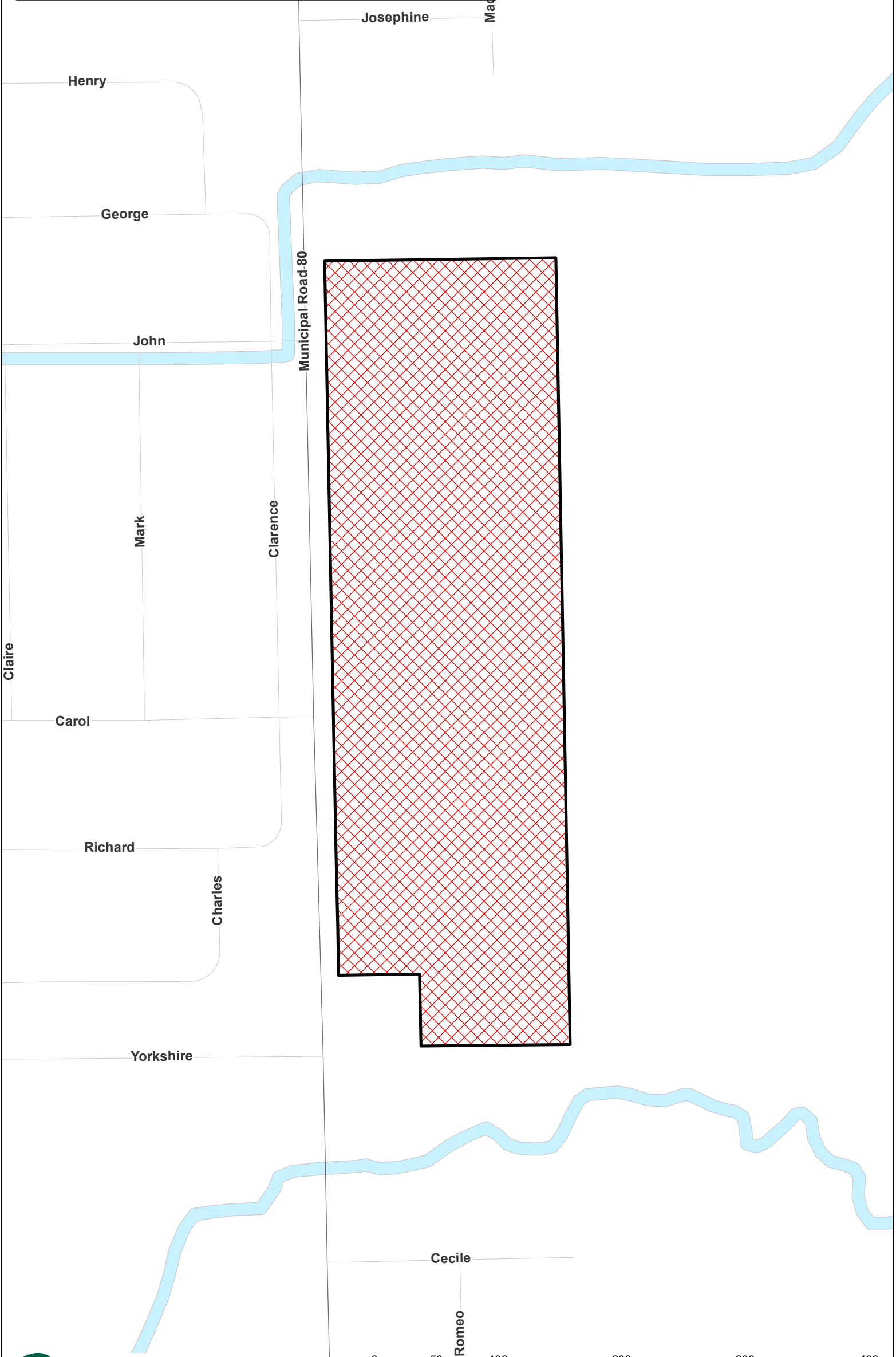
Schedule D-7  
Cambrian College Major Public Institutional Node  
to By-law 2024-XXX of the City of Greater Sudbury



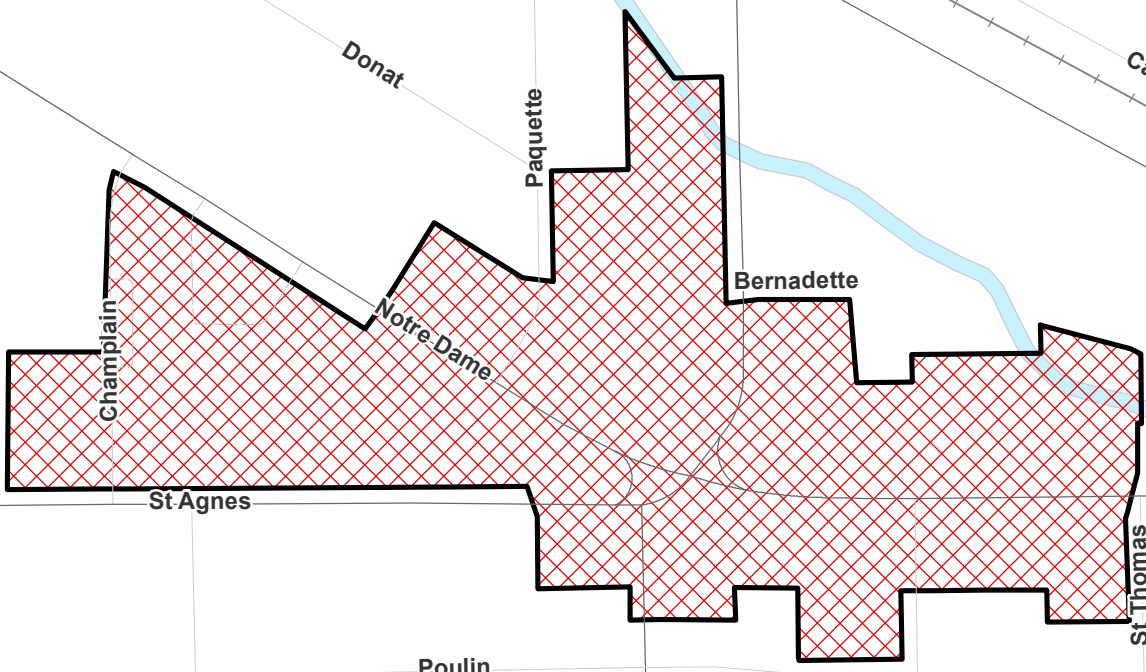
Schedule D-8  
Coniston Node  
to By-law 2024-XXX of the City of Greater Sudbury



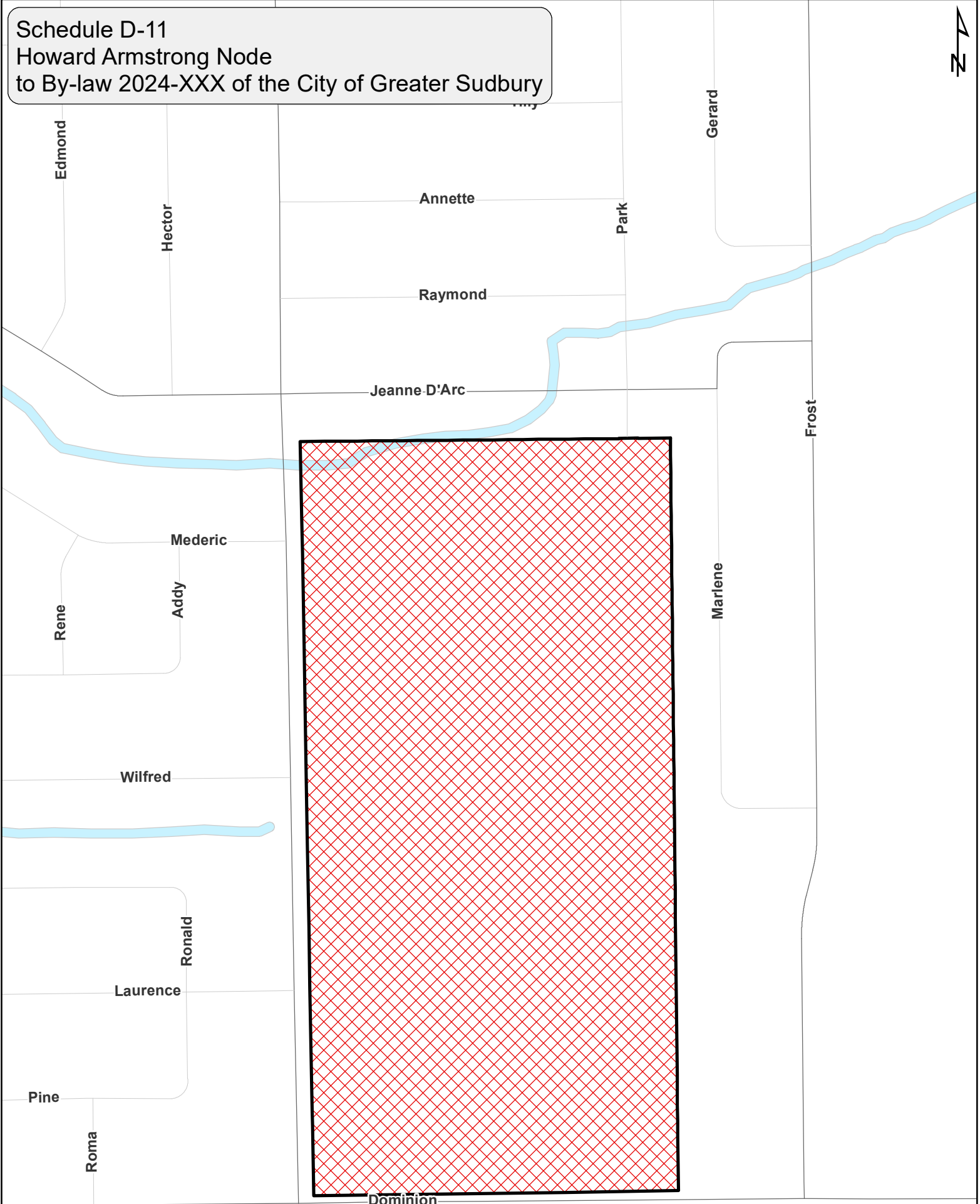
Schedule D-9  
Val Caron Node  
to By-law 2024-XXX of the City of Greater Sudbury



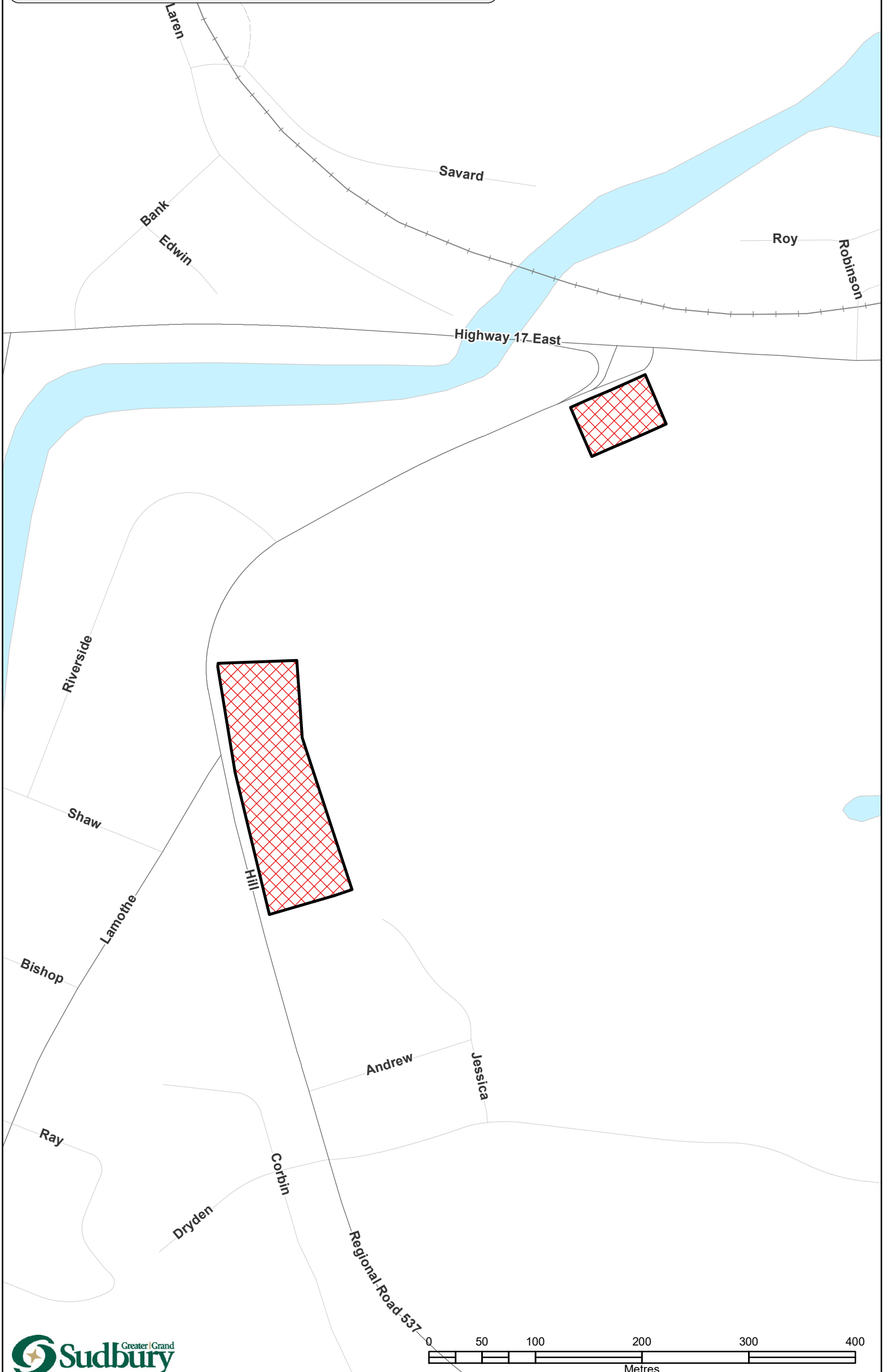
Schedule D-10  
Azilda Node  
to By-law 2024-XXX of the City of Greater Sudbury



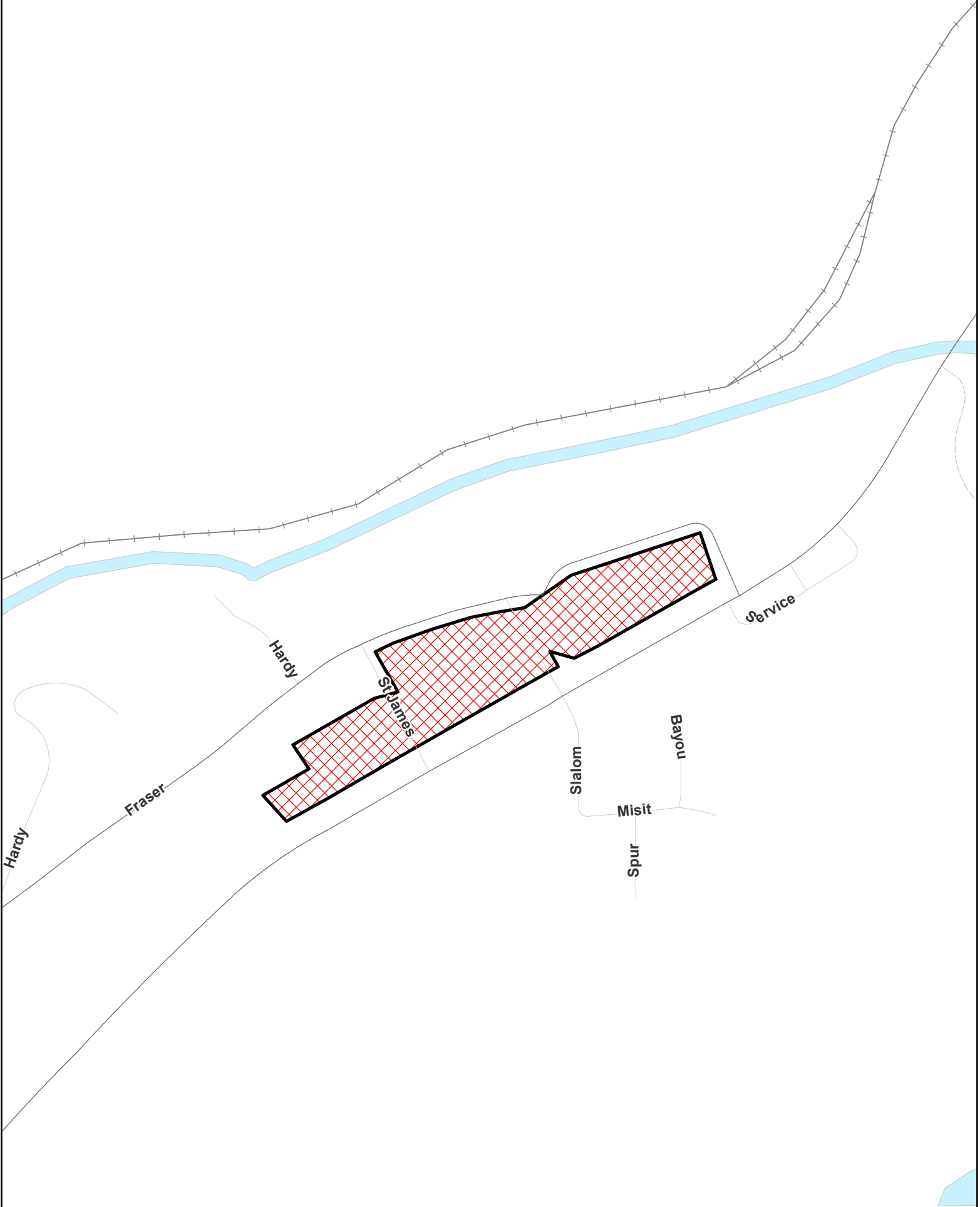
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Howard Armstrong Node  
to By-law 2024-XXX of the City of Greater Sudbury



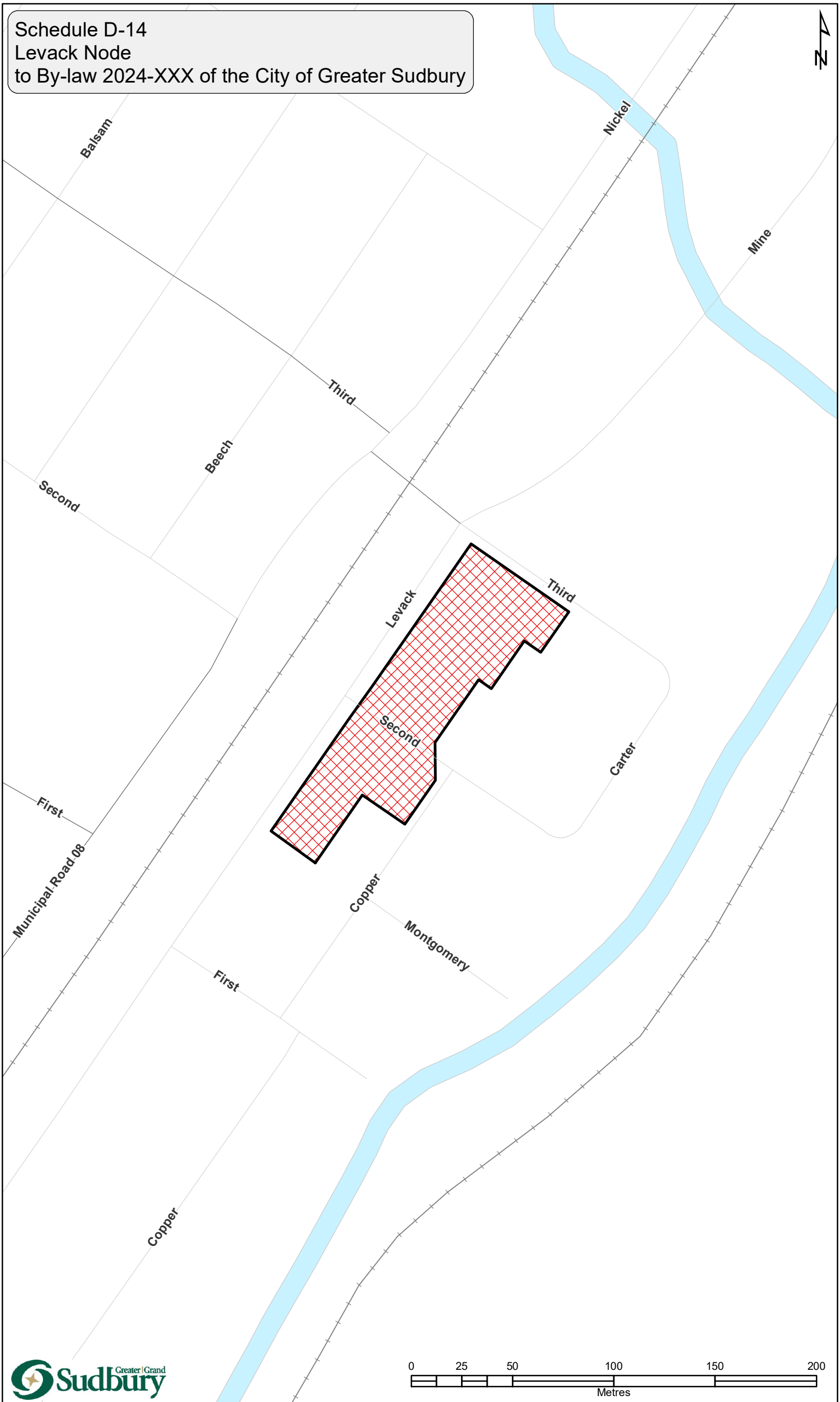
Schedule D-12  
Wahnapitae Nodes  
to By-law 2024-XXX of the City of Greater Sudbury



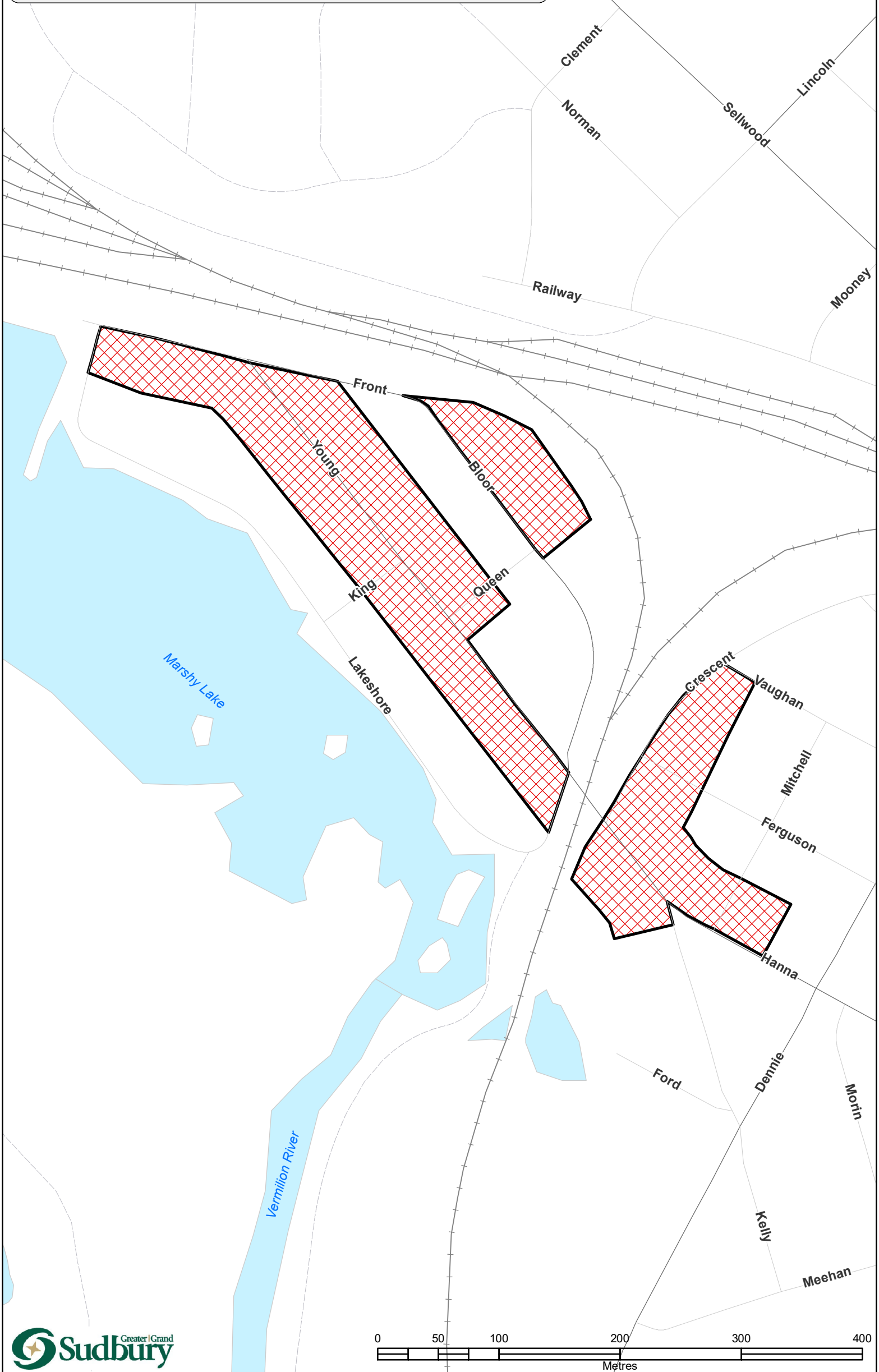
Schedule D-13  
Onaping Node  
to By-law 2024-XXX of the City of Greater Sudbury



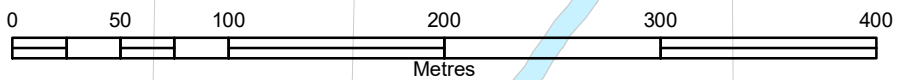
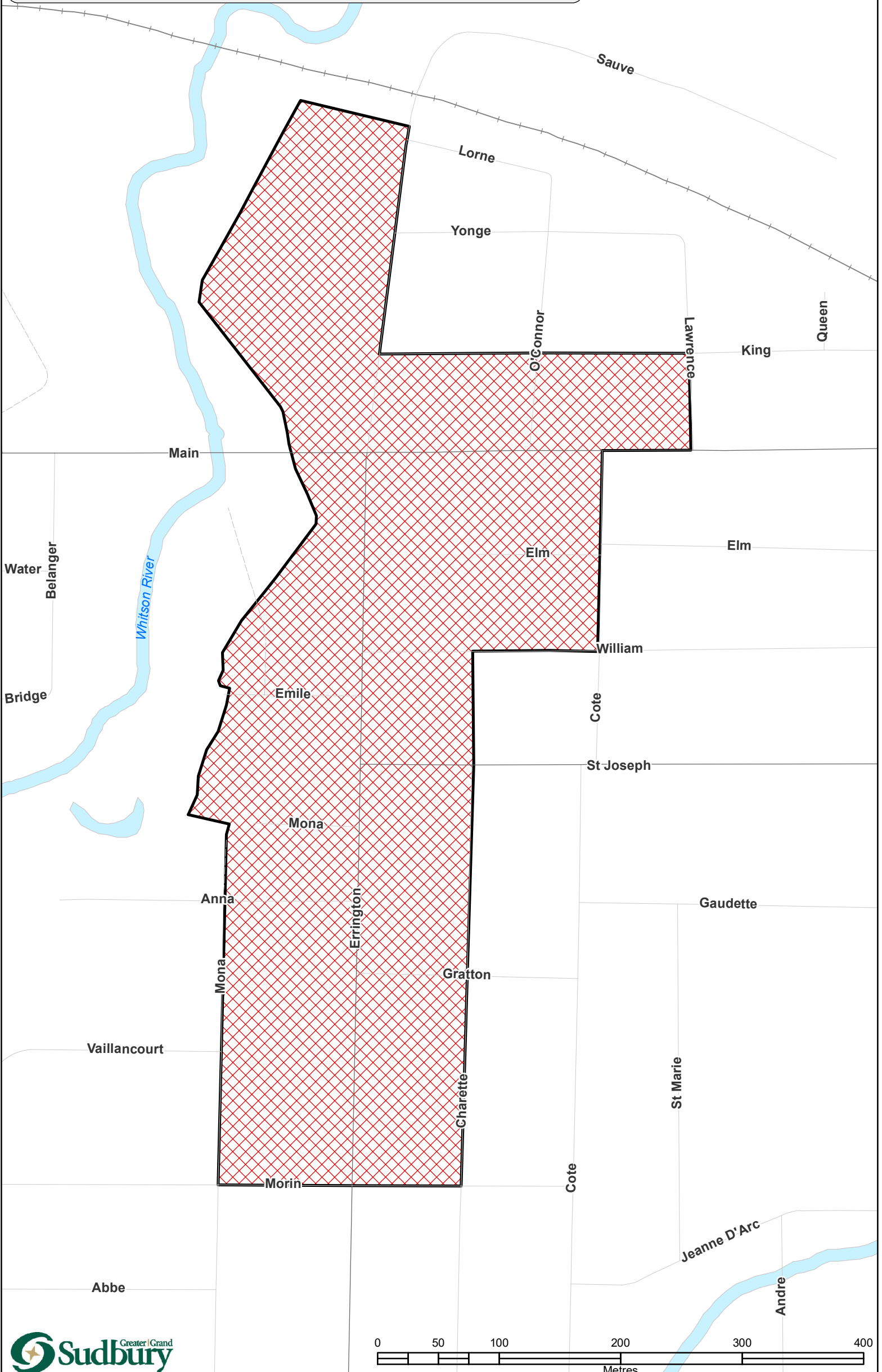
Schedule D-14  
Levack Node  
to By-law 2024-XXX of the City of Greater Sudbury



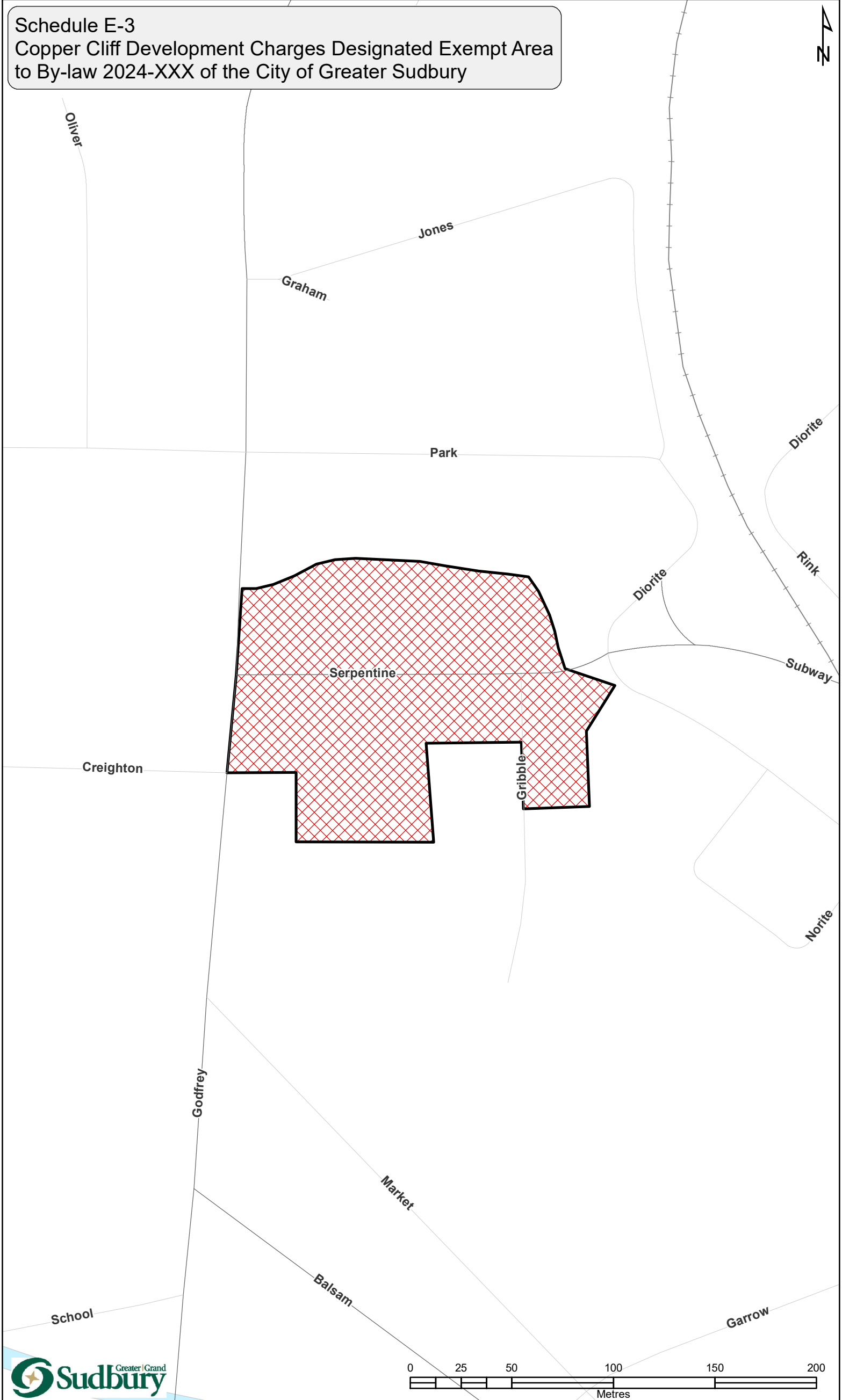
Schedule E-1  
Capreol Development Charges Designated Exempt Area  
to By-law 2024-XXX of the City of Greater Sudbury



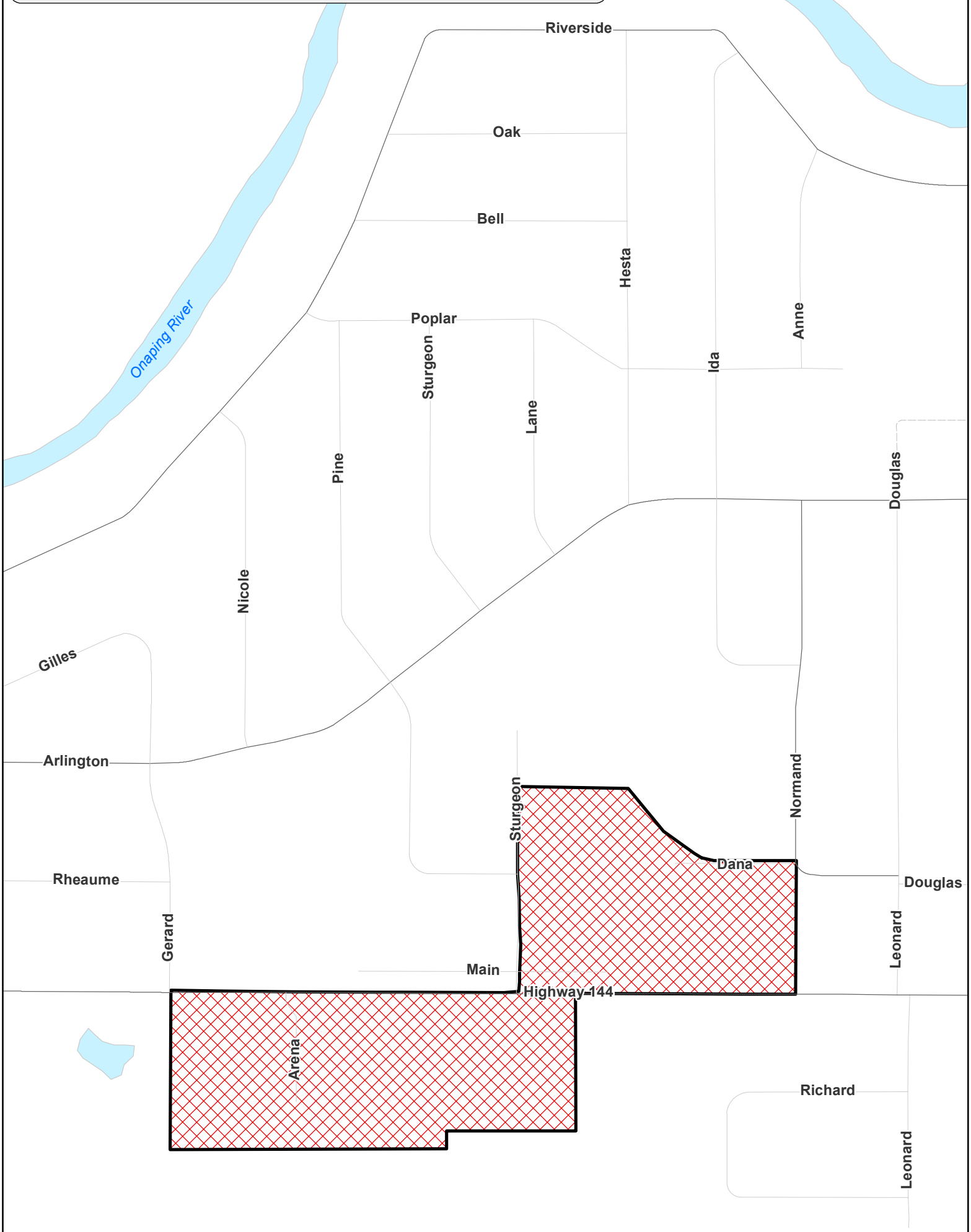
Schedule E-2  
Chelmsford Development Charges Designated Exempt Area  
to By-law 2024-XXX of the City of Greater Sudbury



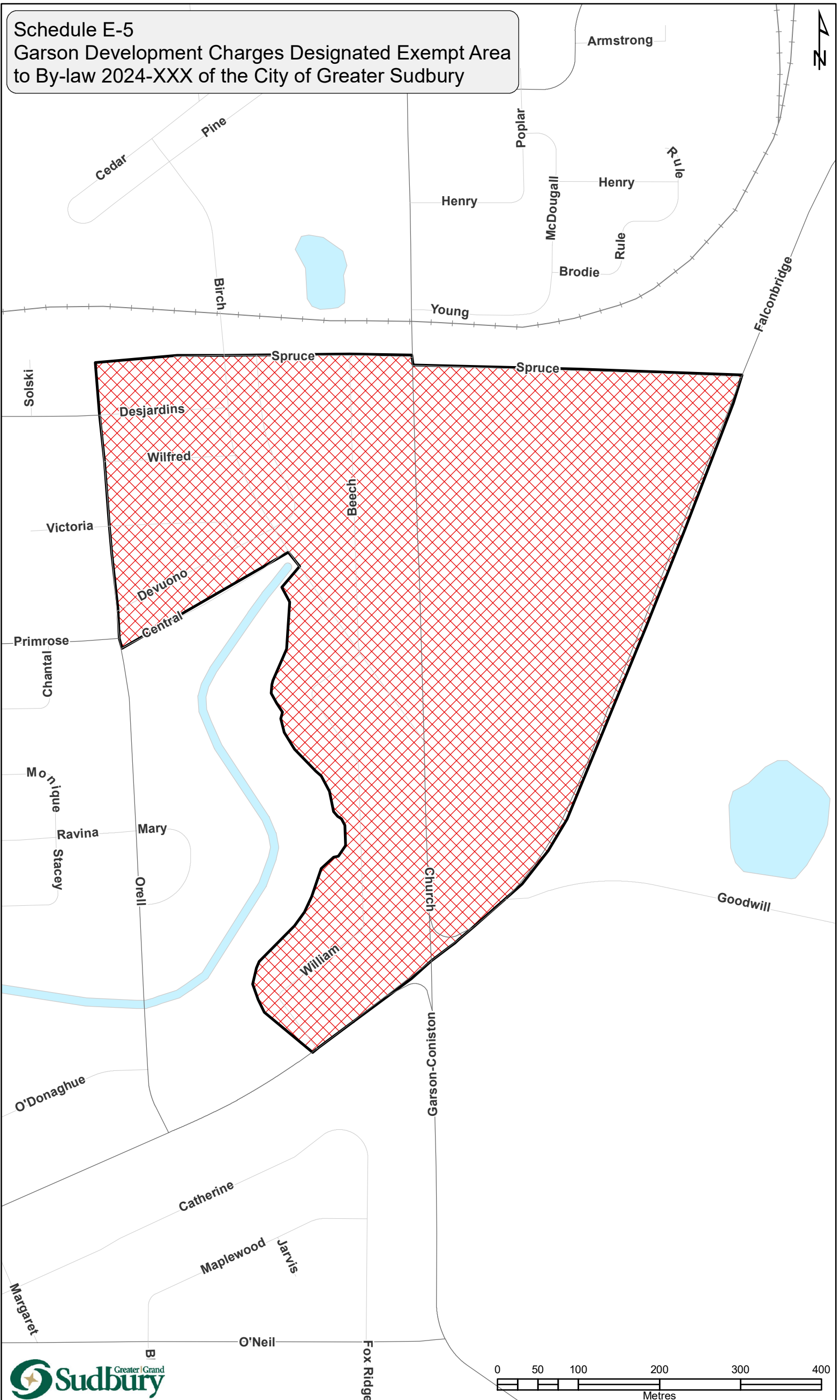
Schedule E-3  
Copper Cliff Development Charges Designated Exempt Area  
to By-law 2024-XXX of the City of Greater Sudbury



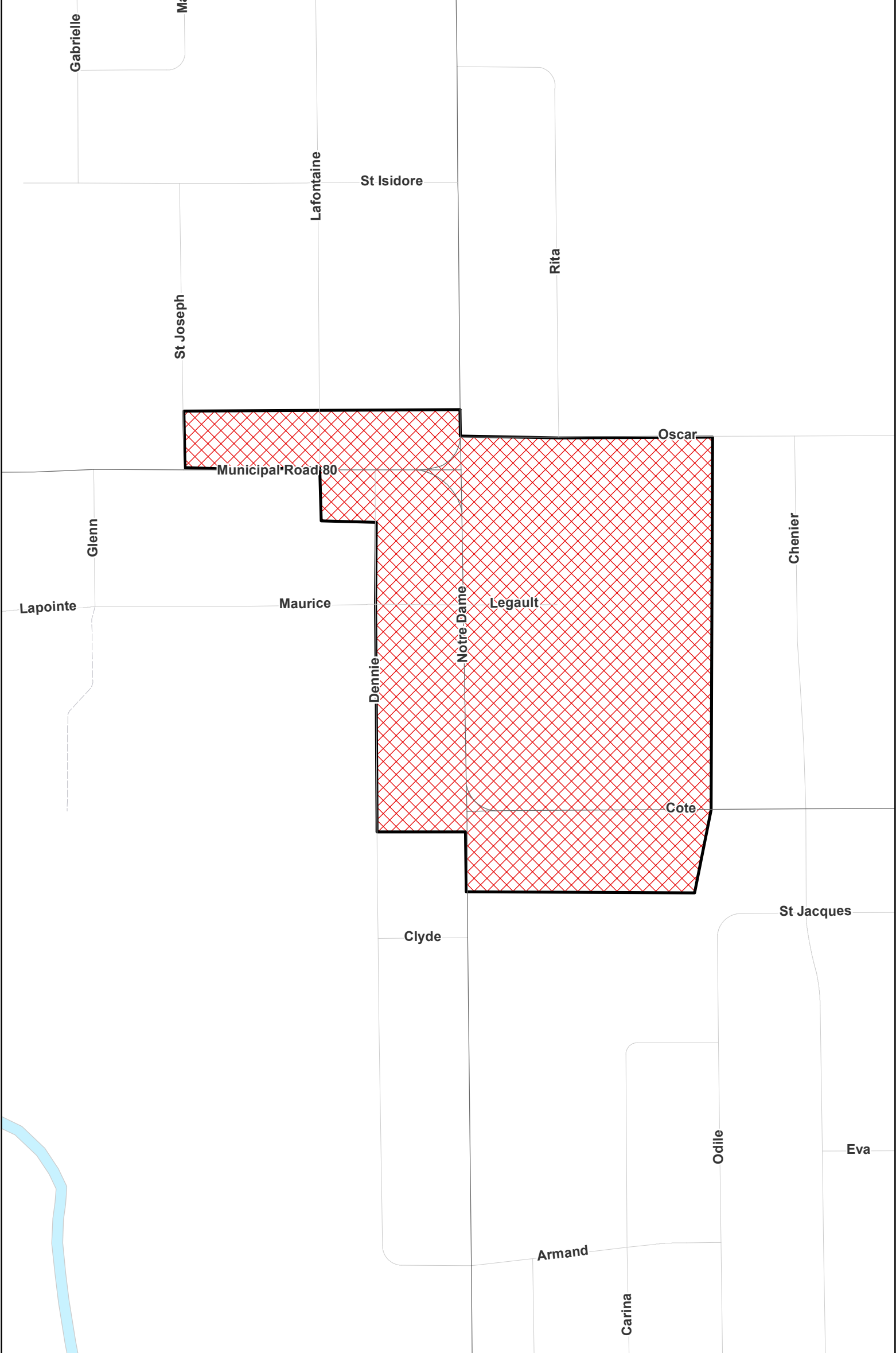
Schedule E-4  
Dowling Development Charges Designated Exempt Area  
to By-law 2024-XXX of the City of Greater Sudbury



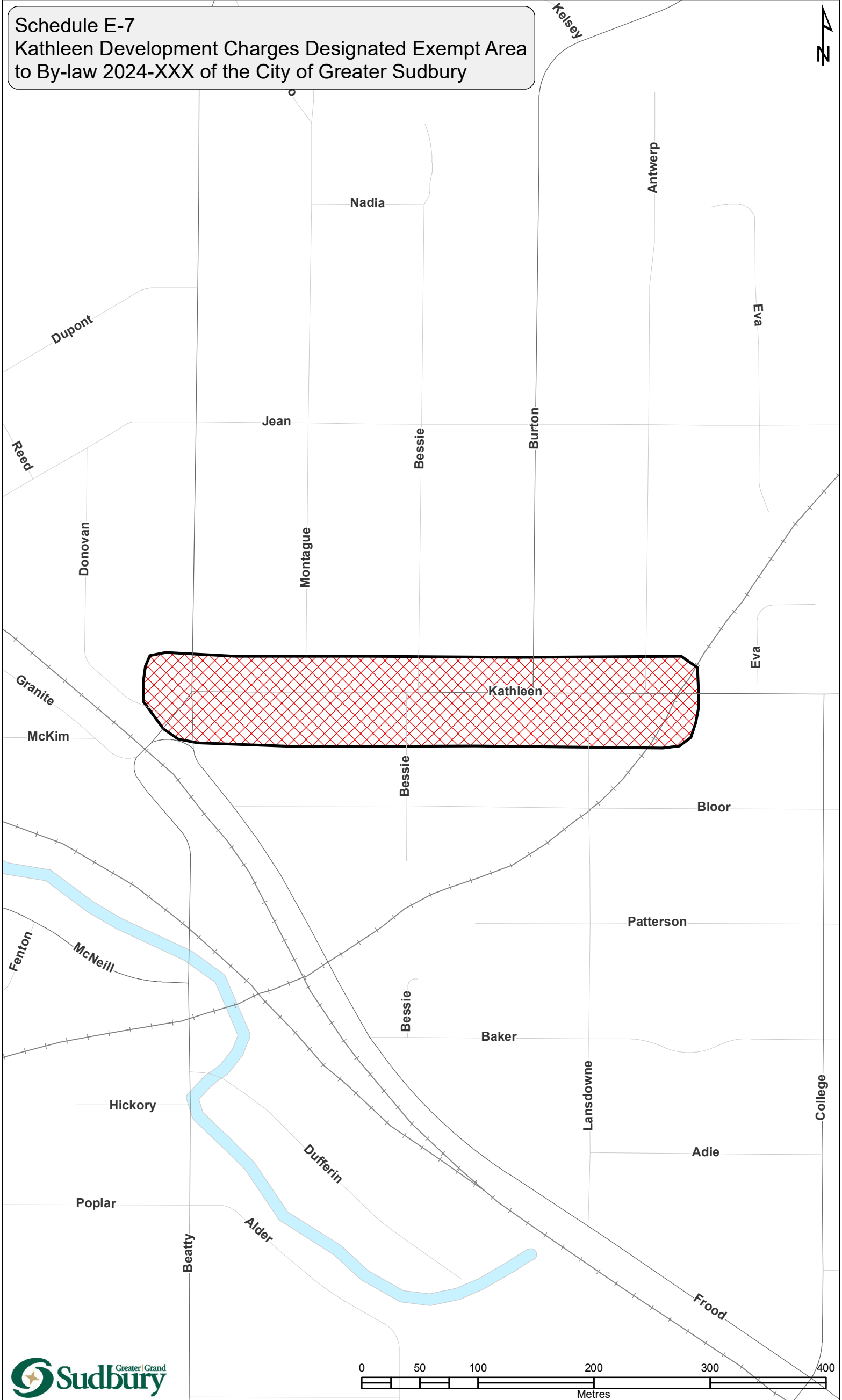
Schedule E-5  
Garson Development Charges Designated Exempt Area  
to By-law 2024-XXX of the City of Greater Sudbury



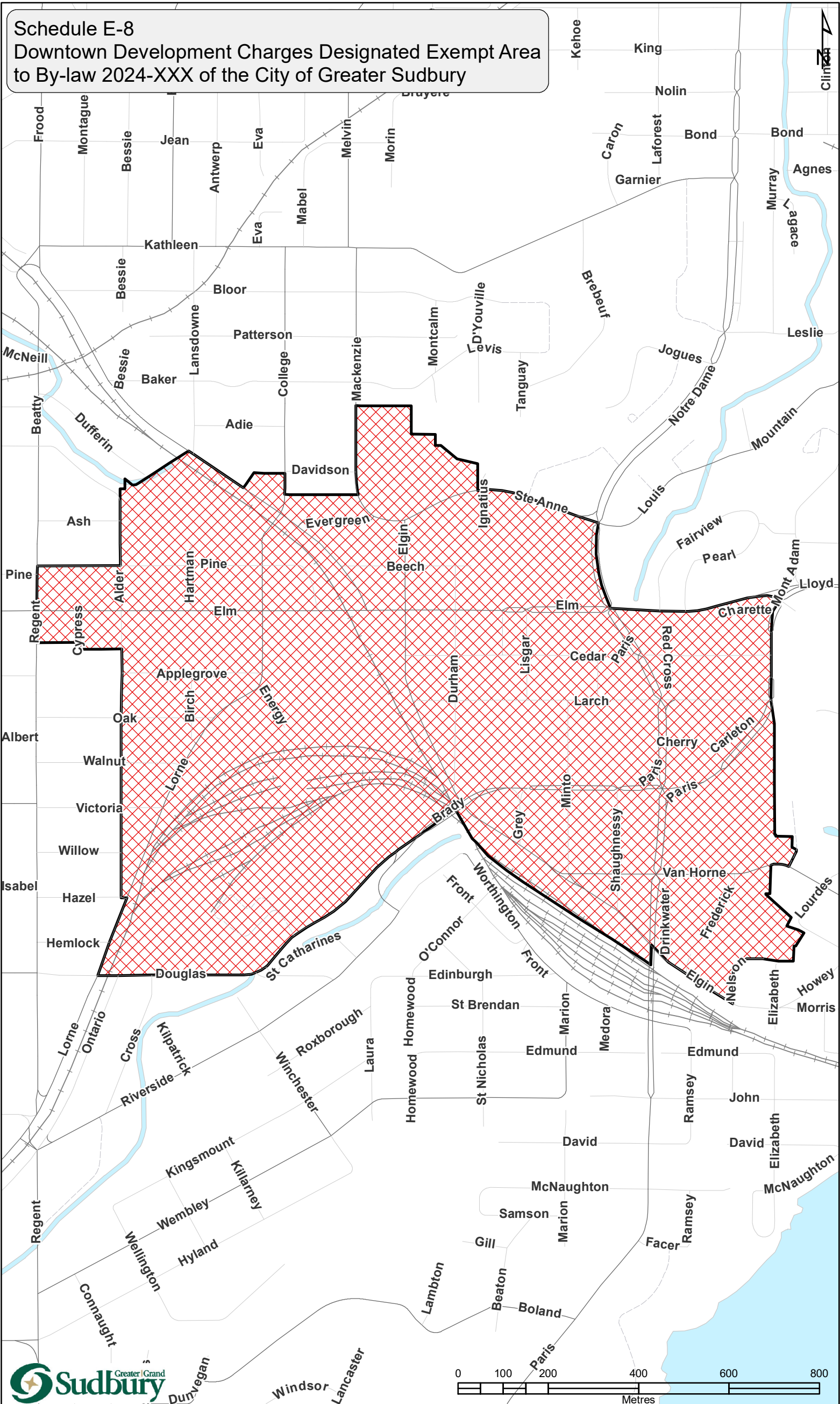
Schedule E-6  
Hanmer Development Charges Designated Exempt Area  
to By-law 2024-XXX of the City of Greater Sudbury



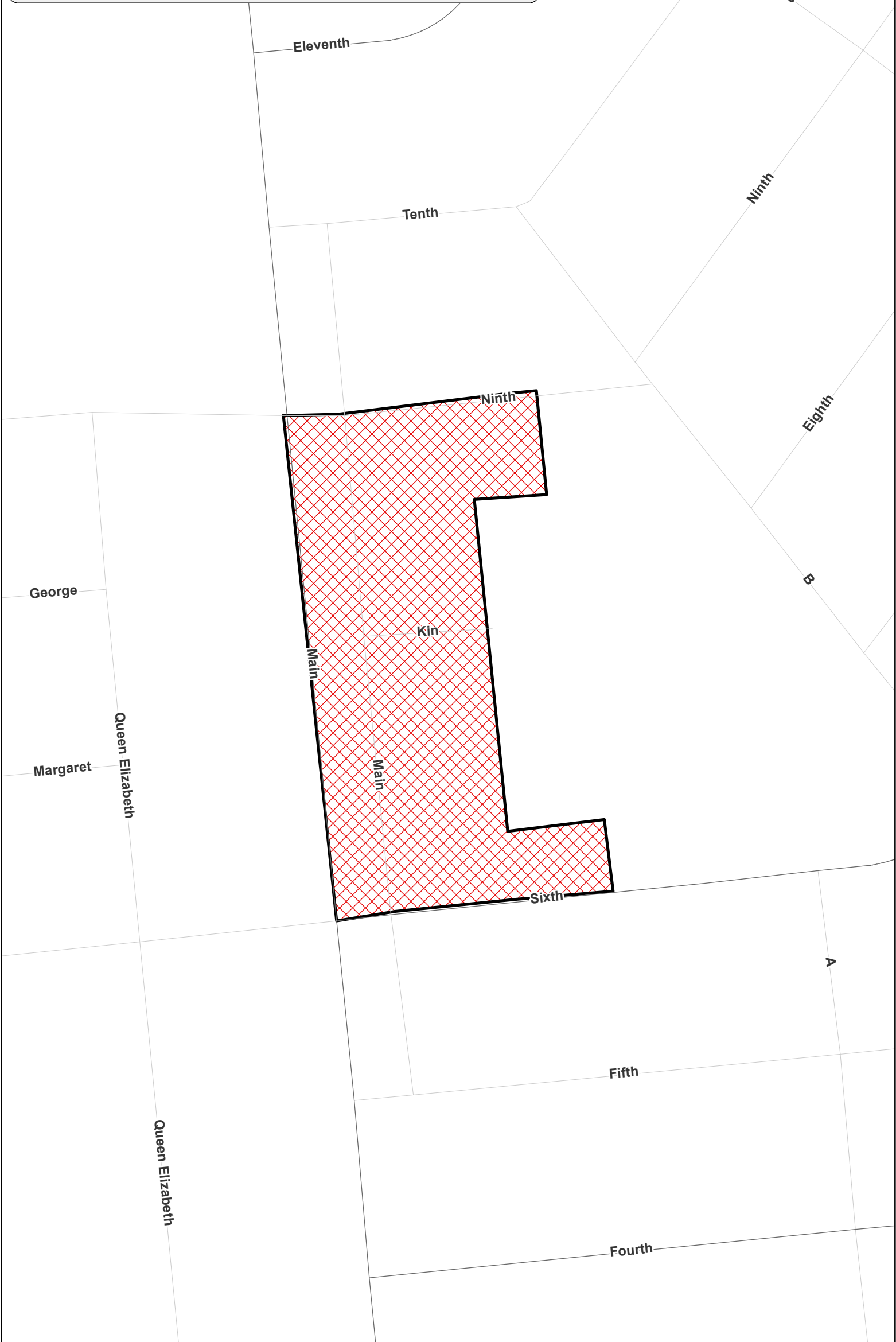
Schedule E-7  
Kathleen Development Charges Designated Exempt Area  
to By-law 2024-XXX of the City of Greater Sudbury



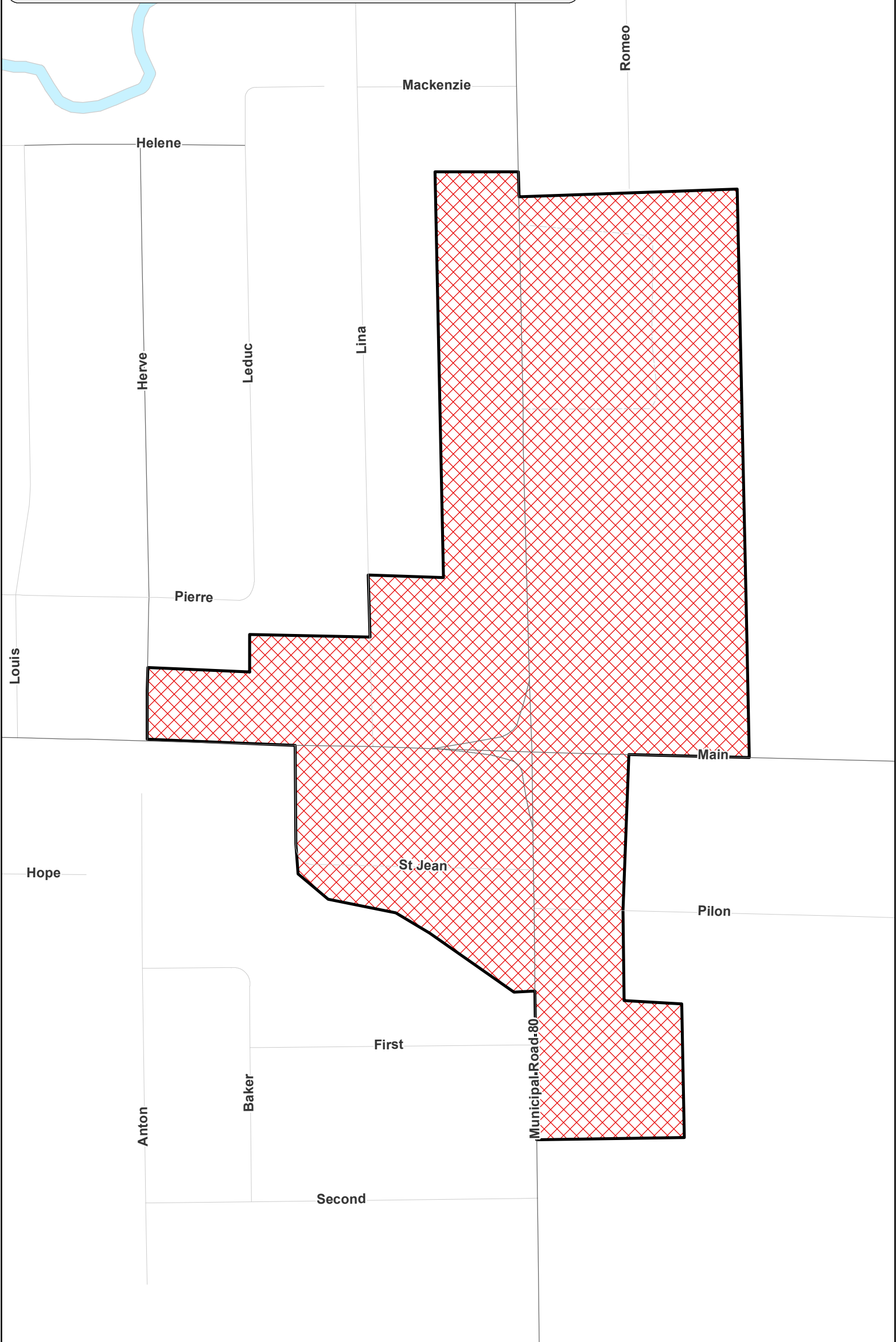
Schedule E-8  
Downtown Development Charges Designated Exempt Area  
to By-law 2024-XXX of the City of Greater Sudbury



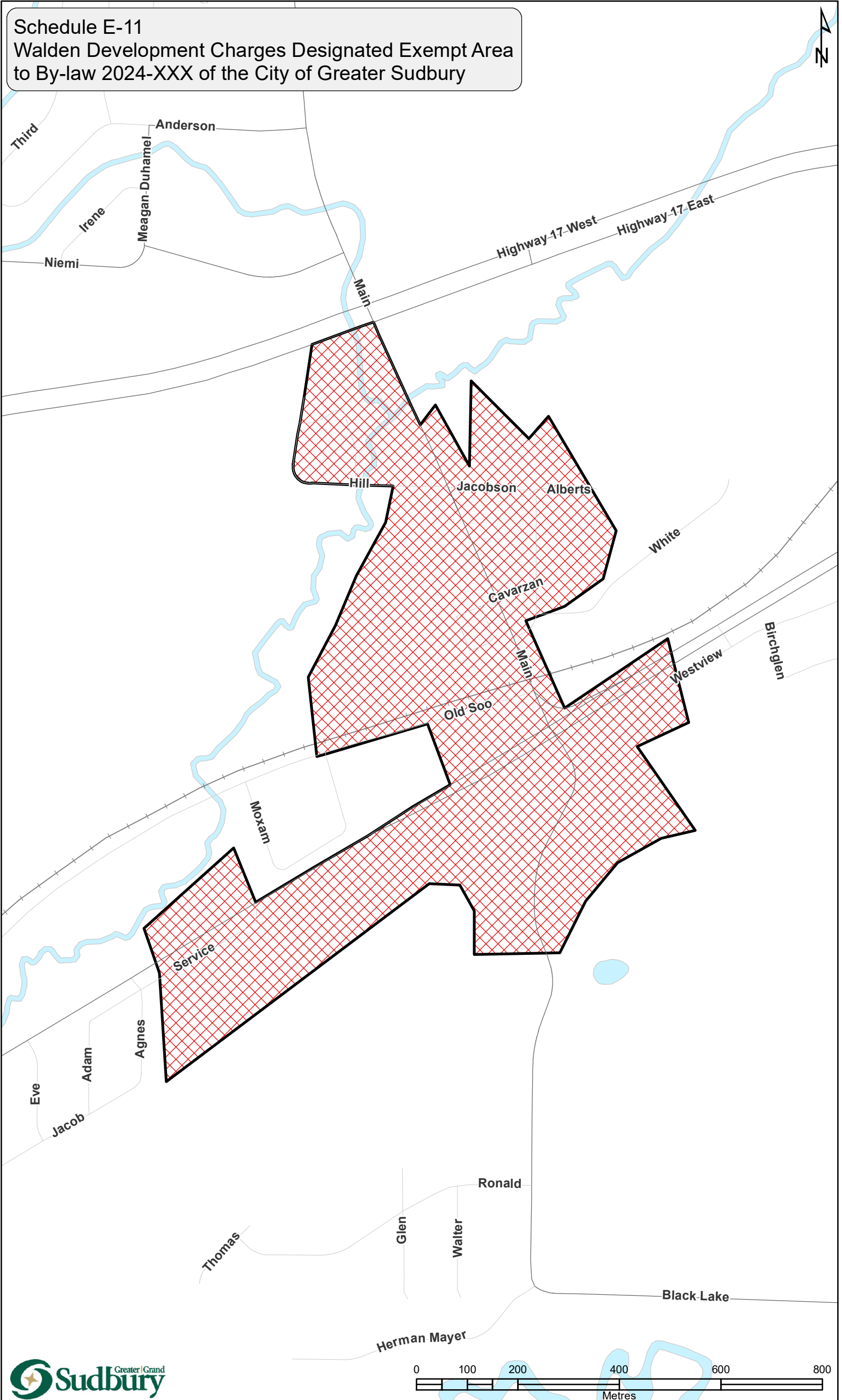
Schedule E-9  
Lively Development Charges Designated Exempt Area  
to By-law 2024-XXX of the City of Greater Sudbury



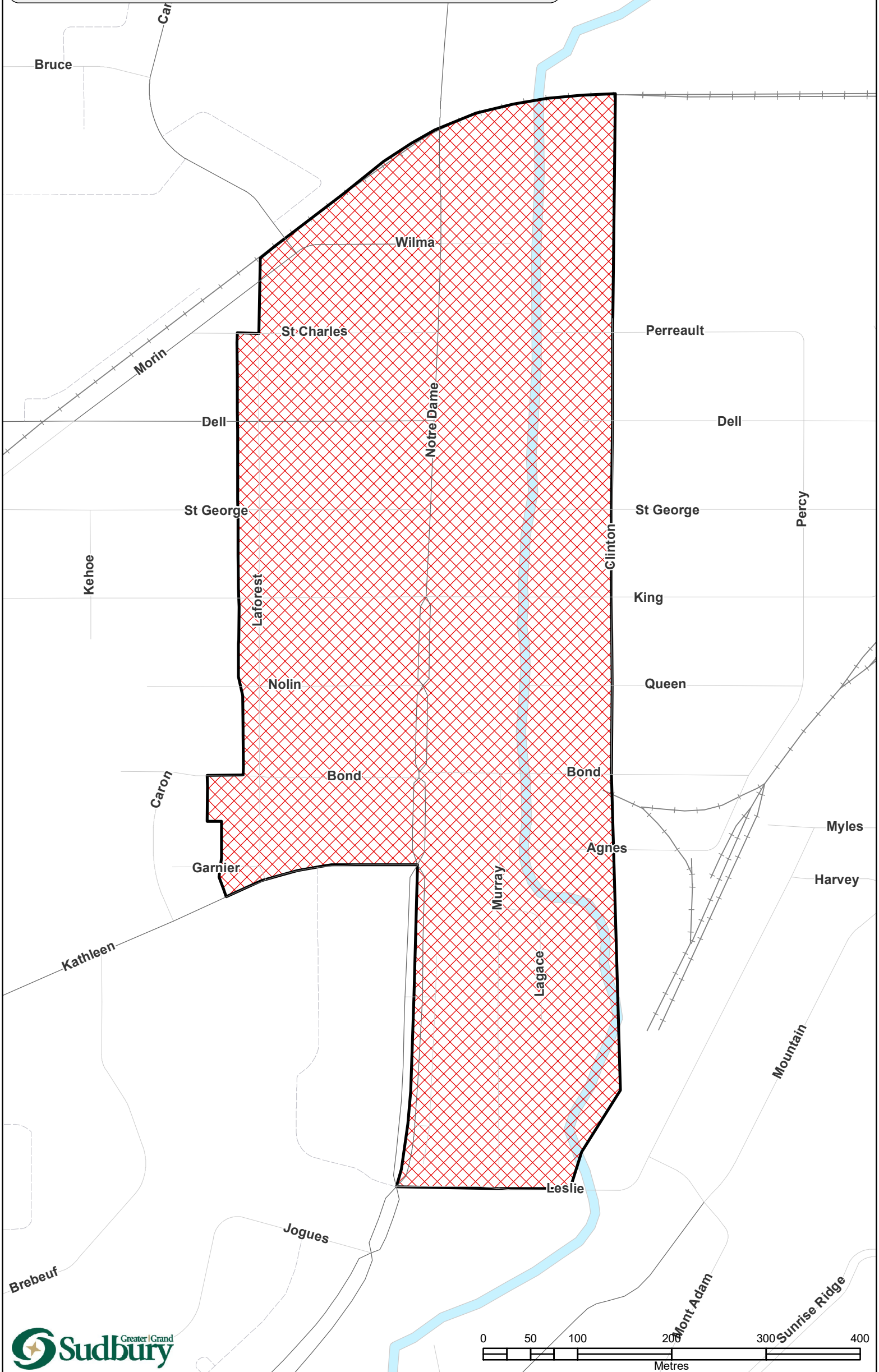
Schedule E-10  
Val Caron Development Charges Designated Exempt Area  
to By-law 2024-XXX of the City of Greater Sudbury



Schedule E-11  
Walden Development Charges Designated Exempt Area  
to By-law 2024-XXX of the City of Greater Sudbury



Schedule E-12  
Flour Mill Development Charges Designated Exempt Area  
to By-law 2024-XXX of the City of Greater Sudbury



**Schedule "F"**  
**to By-law xxx of the City of Greater Sudbury**

Rebates for Redevelopment where a Building Permit Issues  
within 10 years of the Demolition Permit – Section 9(1)

Column A	Column 2 -
<b>Number of Months From Date of Demolition Permit to Date of Building Permit Issuance for Redevelopment of land.</b>	<b>Percentage by Development Charges otherwise payable will be reduced pursuant to Subsection 10(3) corresponding to time line in Column A</b>
Up to and including 60 months	100
Greater than 60 months up to and including 72 months	75
Greater than 72 months up to and including 96 months	50
Greater than 96 months up to and including 120 months	25
Greater than 120 months	0

1 Reductions are calculated as a percentage of the then current Development Charge rates otherwise applicable.

## By-law 2024-XX

### **A By-law of the City of Greater Sudbury to Establish the Rates for All Services Excluding Parks and Recreation Services, Roads and Related Services, Water Services, and Wastewater Services Pursuant to Bylaw 2024-,XX being a By-law with Respect to Development Charges**

**Whereas** the City of Greater Sudbury will experience growth through development and re-development;

**And Whereas** development and redevelopment require the provision of physical and other services by the City of Greater Sudbury;

**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 undue financial burden on the City of Greater Sudbury or its taxpayers;

**And Whereas** subsection 2(1) of the *Development Charges Act, 1997* (the "Act") provides that the council of a municipality may by by-law impose development charges against land to pay for increased capital costs required because of increased needs for services arising from the development and redevelopment of land;

**And Whereas** a development charges background study has been completed in accordance with the Act;

**And Whereas** the Council of the City of Greater Sudbury has given notice of and held public meetings on the 14<sup>th</sup> day of May, 2024 in accordance with the Act and the regulations thereto;

#### **Now therefore Council of the City of Greater Sudbury enacts as follows:**

1. The Development Charges pursuant to By-law 2024-XX, being a By-law of the City of Greater Sudbury Respecting Development Charges, as amended or replaced from time to time, for all services excluding Parks and Recreation Services, Roads and Related Services, Water Services, and Wastewater Services as identified in Schedule "A" of the said By-law 2024-XX are as set out in Schedule "A" attached to and forming part of this By-law.

2. This By-law shall come into effect at 12:01 A.M. on **July 1<sup>st</sup>, 2024**.
3. This By-law will expire at 11:59 P.M. on **June 30<sup>th</sup>, 2034** unless it is repealed by Council at an earlier date.
4. This By-law may be referred to as the All Services excluding Parks and Recreation Services, Roads and Related Services, Water Services, and Wastewater Services Development Charges Supporting By-law.

**Read and Passed in Open Council** this 11<sup>th</sup> day of June, 2024

\_\_\_\_\_ Mayor

\_\_\_\_\_ Clerk

DRAFT

**Schedule "A"**  
to By-law 2024-XX of the City of Greater Sudbury

**Schedule of Development Charges for All Services Except Parks and Recreation Services, Roads and Related Services, Water Services, and Wastewater Services Pursuant to By-law – 2024-XX, a By-law Respecting Development Charges**

Service	Category of Development Subject to Development Charges				
	Single Detached Dwelling Charge per Dwelling Unit In Canadian Dollars *	Semi-Detached Dwelling Charge per Dwelling Unit in Canadian Dollars*	Multiple Dwelling or Small Residential Unit ** Charge per Dwelling Unit in Canadian Dollars*	Industrial Development Charge per square foot in Canadian Dollars*	Non-Industrial Development Charge per square foot in Canadian dollars*
General Government	\$0	\$0	\$0	\$0.00	\$0.00
Library Services	\$1,124	\$947	\$669	\$0.00	\$0.00
Fire Services	\$90	\$76	\$54	\$0.05	\$0.05
Police Services	\$590	\$498	\$352	\$0.38	\$0.38
Ambulance Services	\$275	\$232	\$164	\$0.16	\$0.16
Emergency Preparedness	\$195	\$164	\$116	\$0.11	\$0.11
Transit	\$404	\$341	\$241	\$0.23	\$0.23
Drains	\$762	\$643	\$454	\$0.43	\$0.43

\*Note 1 – the Development Charge rate is effective on July 1, 2024 and will be adjusted annually in accordance with the most recent twelve-month change reflected in the Statistics Canada Quarterly, Building Construction Price Index, non-residential (Ottawa – Gatineau) in accordance with section 22 of By-law 2024-XX

\*\* Note 2 – the Small Residential Unit rate expires at 11:59 p.m., June 30, 2029

## By-law 2024-XX

### **A By-law of the City of Greater Sudbury to Establish the Rates for Parks and Recreation Services Pursuant to Bylaw 2024-XX being a By-law with Respect to Development Charges**

**Whereas** the City of Greater Sudbury will experience growth through development and re-development;

**And Whereas** development and redevelopment require the provision of physical and other services by the City of Greater Sudbury;

**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 undue financial burden on the City of Greater Sudbury or its taxpayers;

**And Whereas** subsection 2(1) of the *Development Charges Act, 1997* (the "Act") provides that the council of a municipality may by by-law impose development charges against land to pay for increased capital costs required because of increased needs for services arising from the development and redevelopment of land;

**And Whereas** a development charges background study has been completed in accordance with the Act;

**And Whereas** the Council of the City of Greater Sudbury has given notice of and held public meetings on **the 14<sup>th</sup> day of May, 2024** in accordance with the Act and the regulations thereto;

#### **Now therefore Council of the City of Greater Sudbury hereby enacts as follows:**

1. The Development Charges pursuant to By-law 2024-XX, being a By-law of the City of Greater Sudbury Respecting Development Charges, as amended or replaced from time to time, for Parks and Recreation as identified in Schedule A of the said By-law 2024-XX are as set out in Schedule "A" attached to and forming part of this By-law.
2. This By-law shall come into effect at 12:01 A.M. on **July 1<sup>st</sup>, 2024**.
3. This By-law will expire at 11:59 P.M. on **June 30<sup>th</sup>, 2034** unless it is repealed by Council at an earlier date.

*OR could say that it expires upon expiry or earlier repeal of (the DC Bylaw)*

4. This By-law may be referred to as the Parks and Recreation Services Development Charges Supporting By-law.

**Read and Passed in Open Council** this 11th day of June, 2024

\_\_\_\_\_ Mayor

\_\_\_\_\_ Clerk

DRAFT

**Schedule "A"**  
**to By-law 2024-XX of the City of Greater Sudbury**

**Schedule of Development Charges for Parks and Recreation Services Pursuant to**

**By-law – 2024-XX, a By-law Respecting Development Charges**

<b>Service</b>	<b>Category of Development Subject to Development Charges</b>				
	<b>Single Detached Dwelling Charge per Dwelling Unit In Canadian Dollars *</b>	<b>Semi-Detached Dwelling Charge per Dwelling Unit in Canadian Dollars*</b>	<b>Multiple Dwelling or Small Residential Unit ** Charge per Dwelling Unit in Canadian Dollars*</b>	<b>Industrial Development Charge per square foot in Canadian Dollars*</b>	<b>Non-Industrial Development Charge per square foot in Canadian dollars*</b>
Parks and Recreation	\$2,346	\$1,978	\$1,398	\$0.00	\$0.00

\*Note 1 – the Development Charge rate is effective on July 1, 2024 and will be adjusted annually in accordance with the most recent twelve-month change reflected in the Statistics Canada Quarterly, Building Construction Price Index, non-residential (Ottawa – Gatineau) in accordance with section 22 of By-law 2024-XX

\*\* Note 2 – the Small Residential Unit rate expires on at 11:59 p.m., June 30, 2029

## By-law 2024-XX

### A By-law of the City of Greater Sudbury to Establish the Rates for Road and Related Services Pursuant to Bylaw 2024-XX being a By-law with Respect to Development Charges

**Whereas** the City of Greater Sudbury will experience growth through development and re-development;

**And Whereas** development and redevelopment require the provision of physical and other services by the City of Greater Sudbury;

**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 undue financial burden on the City of Greater Sudbury or its taxpayers;

**And Whereas** subsection 2(1) of the *Development Charges Act, 1997* (the “Act”) provides that the council of a municipality may by by-law impose development charges against land to pay for increased capital costs required because of increased needs for services arising from the development and redevelopment of land;

**And Whereas** a development charges background study has been completed in accordance with the Act;

**And Whereas** Council of the City of Greater Sudbury has given notice of and held public meetings on **the 14<sup>th</sup> day of May, 2024** in accordance with the Act and the regulations thereto;

#### **Now Therefore Council of the City of Greater Sudbury enacts as follows:**

1. The Development Charges pursuant to By-law 2024-XX, being a By-law of the City of Greater Sudbury Respecting Development Charges, as amended or replaced from time to time, for Roads and Related as identified in Schedule “A” of the said By-law 2024-XX are as set out in Schedule “A” attached to and forming part of this By-law.
2. This By-law shall come into effect at 12:01 A.M. on July 1<sup>st</sup>, 2024.
3. This By-law will expire at 11:59 P.M. on June 30<sup>th</sup>, 2034 unless it is repealed by Council at an earlier date.

4. This By-law may be referred to as the Roads and Related Services Development Charges Supporting By-law.

**Read and Passed in Open Council** this XX day of XX, 2024

\_\_\_\_\_ Mayor

\_\_\_\_\_ Clerk

DRAFT

**Schedule “A”  
to By-law 2024-xx of the City of Greater Sudbury**

**Schedule of Development Charges for Roads and Related Services Pursuant to  
By-law – 2024-XX, a By-law Respecting Development Charges**

Service	Category of Development Subject to Development Charges				
	Single Detached Dwelling Charge per Dwelling Unit In Canadian Dollars *	Semi-Detached Dwelling Charge per Dwelling Unit in Canadian Dollars*	Multiple Dwelling or Small Residential Unit ** Charge per Dwelling Unit in Canadian Dollars*	Industrial Development Charge per square foot in Canadian Dollars*	Non-Industrial Development Charge per square foot in Canadian dollars*
Roads and Related	\$8,135	\$6,860	\$4,847	\$2.93	\$6.42

\*Note 1 – the Development Charge rate is effective on July 1, 2024 and will be adjusted annually in accordance with the most recent twelve-month change reflected in the Statistics Canada Quarterly, Building Construction Price Index, non-residential (Ottawa – Gatineau) in accordance with section 22 of By-law 2024-XX

\*\* Note 2 – the Small Residential Unit rate expires at 11:59 p.m., June 30, 2029

## By-law 2024-XX

### **A By-law of the City of Greater Sudbury to establish the Rates for Water Services Pursuant to Bylaw 2024-XX being a By-law with Respect to Development Charges**

**Whereas** the City of Greater Sudbury will experience growth through development and re-development;

**And Whereas** development and redevelopment require the provision of physical and other services by the City of Greater Sudbury;

**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 undue financial burden on the City of Greater Sudbury or its taxpayers;

**And Whereas** subsection 2(1) of the *Development Charges Act, 1997* (the “Act”) provides that the council of a municipality may by by-law impose development charges against land to pay for increased capital costs required because of increased needs for services arising from the development and redevelopment of land;

**And Whereas** a development charges background study has been completed in accordance with the Act;

**And Whereas** Council of the City of Greater Sudbury has given notice of and held public meetings on **the 14<sup>th</sup> day of May, 2024** in accordance with the Act and the regulations thereto;

#### **Now Therefore the Council of the City of Greater Sudbury Enacts as Follows:**

1. The Development Charges pursuant to By-law 2024-XX, being a By-law of the City of Greater Sudbury Respecting Development Charges, as amended or replaced from time to time, Water Services as identified in Schedule “A” of the said By-law 2024-XX are as set out in sSchedule “A” attached to and forming part of this By-law.
2. This By-law shall come into effect at 12:01 A.M. on July 1<sup>st</sup>, 2024.
3. This By-law will expire at 11:59 P.M. on June 30<sup>th</sup>, 2034 unless it is repealed by Council at an earlier date.
4. This By-law may be referred to as the Water Services Development Charges Supporting By-law.

Read and Passed in Open Council this xx day of June, 2024

\_\_\_\_\_ Mayor

\_\_\_\_\_ Clerk

DRAFT

**Schedule “A”  
to By-law xxx of the City of Greater Sudbury**

**Schedule of Development Charges for Water Services Pursuant to  
By-law – 2024-XX, a By-law Respecting Development Charges**

Service	Category of Development Subject to Development Charges				
	Single Detached Dwelling Charge per Dwelling Unit In Canadian Dollars *	Semi-Detached Dwelling Charge per Dwelling Unit in Canadian Dollars*	Multiple Dwelling or Small Residential Unit ** Charge per Dwelling Unit in Canadian Dollars*	Industrial Development Charge per square foot in Canadian Dollars*	Non-Industrial Development Charge per square foot in Canadian dollars*
Water Services	\$4,637	\$3,910	\$2,763	\$3.06	\$3.06

\*Note 1 – the Development Charge rate is effective on July 1, 2024 and will be adjusted annually in accordance with the most recent twelve-month change reflected in the Statistics Canada Quarterly, Building Construction Price Index, non-residential (Ottawa – Gatineau) in accordance with section 22 of By-law 2024-XX

\*\* Note 2 – the Small Residential Unit rate expires at 11:59 p.m., June 30, 2029

## By-law 2024-XX

### **A By-law of the City of Greater Sudbury to establish the Rates for Wastewater Services Pursuant to Bylaw 2024-XX being a By-law with Respect to Development Charges**

**Whereas** the City of Greater Sudbury will experience growth through development and re-development;

**And Whereas** development and redevelopment require the provision of physical and other services by the City of Greater Sudbury;

**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 undue financial burden on the City of Greater Sudbury or its taxpayers;

**And Whereas** subsection 2(1) of the *Development Charges Act, 1997* (the "Act") provides that the council of a municipality may by by-law impose development charges against land to pay for increased capital costs required because of increased needs for services arising from the development and redevelopment of land;

**And Whereas** a development charges background study has been completed in accordance with the Act;

**And Whereas** Council of the City of Greater Sudbury has given notice of and held public meetings on the 14<sup>th</sup> day of May, 2024 in accordance with the Act and the regulations thereto;

#### **Now Therefore Council of the City of Greater Sudbury enacts as follows:**

1. The Development Charges pursuant to By-law 2024-XX, being a By-law of the City of Greater Sudbury Respecting Development Charges, as amended or replaced from time to time, Wastewater Services as identified in Schedule "A" of the said By-law 2024-XX are as set out in Schedule "A" attached to and forming part of this By-law.
2. This By-law shall come into effect at 12:01 A.M. on July 1<sup>st</sup>, 2024.
3. This By-law will expire at 11:59 P.M. on June 30<sup>th</sup>, 2034 unless it is repealed by Council at an earlier date.
4. This By-law may be referred to as the Wastewater Services Development Charges Supporting By-law.

Read and Passed in Open Council this XX day of XX, 2024

\_\_\_\_\_ Mayor

\_\_\_\_\_ Clerk

DRAFT

**Schedule "A"**  
**to By-law xxx of the City of Greater Sudbury**

**Schedule of Development Charges for Wastewater Services Pursuant to**  
**By-law – 2024-XX, a By-law Respecting Development Charges**

<b>Service</b>	<b>Category of Development Subject to Development Charges</b>				
	<b>Single Detached Dwelling Charge per Dwelling Unit In Canadian Dollars *</b>	<b>Semi-Detached Dwelling Charge per Dwelling Unit in Canadian Dollars*</b>	<b>Multiple Dwelling or Small Residential Unit ** Charge per Dwelling Unit in Canadian Dollars*</b>	<b>Industrial Development Charge per square foot in Canadian Dollars*</b>	<b>Non-Industrial Development Charge per square foot in Canadian dollars*</b>
Wastewater Services	\$10,947	\$9,231	\$6,523	\$6.13	\$6.13

\*Note 1 – the Development Charge rate is effective on July 1, 2024 and will be adjusted annually in accordance with the most recent twelve-month change reflected in the Statistics Canada Quarterly, Building Construction Price Index, non-residential (Ottawa – Gatineau) in accordance with section 22 of By-law 2024-XX

\*\* Note 2 – the Small Residential Unit rate expires at 11:59 p.m., June 30, 2029