

# THE CORPORATION OF THE TOWN OF CALEDON

## BY-LAW NO. 2025-XX

A By-law to Impose and Provide for the Payment of  
Area Specific Development Charges for Roads and  
Related Services on Simpson Road (Phase 2- from  
George Bolton Parkway Road to 125m North)

WHEREAS Subsection 2(1) of the *Development Charges Act, 1997* provides that the council of a municipality may by by-law impose development charges against land to pay for increased capital expenditures required because of the increased need for services arising from development in the area to which the by-law applies;

AND WHEREAS at the direction of the Council of The Corporation of the Town of Caledon, Watson & Associates Economists Ltd. has prepared a Background Study entitled "Simpson Road (Phase 2 - from George Bolton Parkway Road to 125m North) Area Specific Development Charges Background Study" dated July 22, 2025;

AND WHEREAS notice of a public meeting was given during August 14 and August 21, 2025, as required by Paragraph 12(1)(b) of the *Development Charges Act, 1997* and in accordance with Ontario Regulation 82/98;

AND WHEREAS the Council of The Corporation of the Town of Caledon made the Background Study available to the public as of July 23, 2025 as required by Paragraph 12(1)(c) of the *Development Charges Act, 1997*;

AND WHEREAS the Council of The Corporation of the Town of Caledon held a public meeting on September 16, 2025, at which all persons in attendance were provided with an opportunity to make representations relating to the draft version of this by-law as required by Subsection 12(2) of the *Development Charges Act, 1997*;

AND WHEREAS the Council of The Corporation of the Town of Caledon deems it expedient to:

- a) adopted the foregoing Background Study, and;
- b) determined that it was not necessary to hold any further public meetings with respect to this by-law.

NOW THEREFORE the Council of The Corporation of the Town of Caledon ENACTS AS FOLLOWS:

### **Definitions**

1. (1) In this by-law,
  - (a) "accessory", where used to describe a building, structure or use, means a building, structure or use that is subordinate, incidental and exclusively devoted to a main building, structure or use and that is located on the same lot as such main building, structure or use;

- (b) “Act” mean the *Development Charges Act, 1997*, S.O. 1997, as amended, or any successor thereto;
- (c) “agricultural building or structure” means a building or structure that is used for the purposes of or in conjunction with animal husbandry, the growing of crops including grains and fruit, market gardening, horticulture or any other use that is customarily associated with a farming operation of a bona fide farmer but shall not include buildings or structures for the use in the growing, processing, production, and sale of Cannabis or a controlled substance under the *Controlled Substances Act*;
- (d) “agricultural tourism building or structure” means a building or structure or part of a building or structure located on a working farm of bona fide farmer for the purpose of providing enjoyment, education or active involvement in the activities of the farm where the principal activity on the property remains as a farm and where products used in the activity are produced on the property and/or are related to farming. The building or structure may be related to activities such as hay or corn maze; farm related petting zoo; hay rides and sleigh, buggy or carriage rides; farm tours; processing demonstrations; pick-your-own produce; a farm theme playground for children; farm markets; farm produce stands, and farmhouse dining rooms but shall not include space used for banquets or weddings;
- (e) “apartment dwelling” means unit in a building containing more than six dwelling units where the dwelling units are connected by an interior corridor and shall include stacked townhouses;
- (f) “back-to-back townhouses” means a building that has three or more dwellings units, joined by common side and rear walls above grade, and where no dwelling unit is entirely or partially above another;
- (g) “bed and breakfast establishment” means a single detached dwelling or part of a single detached dwelling in which guest rooms are provided for hire or pay, with or without meals, for the travelling or vacationing public, but does not include a hotel or motel;

- (h) “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 thereto;
- (i) “Building Code Act” means the *Building Code Act*, 1992, S.O. 1992, c. 23 as amended, or any successor thereto;
- (j) “bona fide farmer” means an individual currently actively engaged in a farm operation with a valid Farm Business Registration number in the Town of Caledon;
- (k) “benefiting 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 a service;
- (l) “building or structure” means a building or structure occupying an area greater than 10 square metres consisting of a wall, roof, floor or any of them or a structural system serving the function thereof, including an air support structure, or mezzanine;
- (m) “commercial building” means a non-residential building other than an agricultural building, an industrial building or an institutional building;
- (n) “capital cost” means costs incurred or proposed to be incurred by the municipality or a local board thereof directly or by others on behalf of, and as authorized by the municipality or local board, as set out in Section 5 of the Act;
- (o) “country inn” means premises in which temporary lodging or sleeping accommodation are provided to the public and may include accessory services such as a restaurant, meeting facilities, recreation facilities, banquet facilities and staff accommodations. The Premises shall contain a minimum of four (4) and a maximum of twenty-nine (29) guest rooms;
- (p) “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;

- (q) “development charge” means a development charge imposed pursuant to this by-law;
- (r) “duplex dwelling unit” means a dwelling unit in a building divided horizontally into two separate dwelling units, each such dwelling unit having an independent entrance either directly from the outside the building or through a common vestibule;
- (s) “dwelling unit” means a room or suite of rooms which function as a housekeeping unit used or intended to be used as a domicile by one or more persons, in which a kitchen, sanitary facilities and living quarters are provided for the exclusive use of the residents and with a private entrance from outside from outside the building or from a common hallway or stairway;
- (t) “dwelling unit” means a room or suite of rooms used or designed or intended for use by one or more persons living together in which culinary and sanitary facilities are provided for the exclusive use of such person or persons;

- (u) “farm based home industry building” means an accessory building to a single detached dwelling where a small-scale use is located, which is operated by a bona fide farmer, which is located on and is subordinate or incidental to a permitted farm operation; which is associated with limited retailing of products created in whole or in part in the accessory building performed by one or more residents of the farm property and may include a carpentry shop; a craft shop; a metal workshop; a repair shop; a blacksmith, a building for the indoor storage of school buses, boats, snowmobiles, or similar uses, but shall not include a motor repair shop or vehicle paint shop or space for the provision of banquet or wedding facilities;
- (v) “farm help” means full-time, all-year round employee(s) of a bona fide farmer on a agricultural property;
- (w) “farm winery” and “farm cidery” means buildings or structures uses by a bona fide farmer for the processing of juice, grapes, fruit or honey in the production of wines or cider, including the fermentation, bottling, aging or storage of such products as a secondary use to a farm operation. The winery or cidery may include a laboratory, administrative office, hospitality room and retail outlet related to the production of wines or ciders, as applicable, and, if required, must be licensed or authorized under the appropriate legislation;
- (x) “front-ending agreement” means an agreement made under Section 44 of the Act between the municipality and any or all owners within a benefiting area providing for the costs of services for which there will e an increased need as a result of development to be borne by one or more of the parties to the agreement and providing for persons who, in the future, develop land within the area defined in the agreement to pay an amount to reimburse some part of the some of the work;

- (y) “garden suite” means a one-storey, free standing, temporary and portable residential structure, with a single dwelling unit containing kitchen and bathroom facilities, which is designed for year round occupancy and is accessory to a single-detached dwelling, but excludes a trailer;
- (z) “grade” means the average level of finished ground adjoining a building or structure at all of its exterior walls;
- (aa) “guest room” means temporary overnight accommodations for the traveling public;
- (bb) “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, as defined in Ontario Regulation 82/98, s. 1 (1);
- (cc) “industrial building” means a building used 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 or 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;
  - (e) the growing, processing and production of Cannabis or other controlled substances under the *Controlled Substances Act*;

- (f) the definition of industrial building shall not include a building where the main business of the owner is the rental or lease of space for self-storage to one or more third parties nor a building whose primary business is to be a retail establishment;
- (dd) “industrial development” means development of a building or structure intended for use’
  - (a) As a long-term care home within the meaning of subsection 2(1) of the Fixing Long-Term Care Act, 2021, S.O. 2021, c. 39, Sched. 1;
  - (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 received direct, regulation, 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;
- (ee) “life lease” means a property that is a form of housing tenure in which individuals purchase the right to occupy a residential unit for a specific period of time (i.e., for their lifetime, or, a defined term);
- (ff) “Life Lease Housing” means housing owned and operated by a not-for-profit organization or charity, contained within a retirement community, that offers Life Lease interests to persons aged 65 or older;
- (gg) “local board” means a local board as defined in the Municipal Act, 2001; other than a board defined in subsection 1(1) of the Education Act;

- (hh) “local services” means those services, facilities or things which are under the jurisdiction of the municipality and are related to a plan of subdivision or within the area to which the plan relates in respect of the lands under Sections 41, 51, or 53 of the Planning Act R.S.O. 1990, c. P. 13 as amended, or any successor thereto;
- (ii) “lot” means a parcel of land that is capable of being legally conveyed in accordance with Section 50 of the Planning Act or is described in accordance with a registered plan of condominium;
- (jj) “mixed use” means land, buildings or structures used or designed or intended to be used for the combination of residential uses and non-residential uses;
- (kk) “non-residential” means used or designed or intended to be used other than for residential purposes;
- (ll) “on-farm diversified use building or structure” means a building or structure secondary to the principal agricultural use of the property by a bona fide farmer, including home occupations, farm-based home industries, and uses that involve the production and sale of value-added agricultural products and excludes uses that involve lease of commercial/industrial space and excludes the provision of banquet or wedding facilities;
- (mm) “outbuilding” means a building or structure, that is a maximum of 92.903 square meters (or 1,000 square feet), that is accessory to a primary or main non-residential building or mixed use building, that is located on the same land as such primary or main non-residential building and that is used for a storage purpose that is accessory to the primary or main use on such land, such as the storage of equipment used to maintain such land or the buildings and structures thereon or the storage of equipment that is ordinarily used for the purposes of the primary or main use on such land, but shall not include a building used for the storage of inventory nor include a building or structure used in banquets or wedding facilities. The maximum area does not apply to golf course buildings or structures;



- (nn) “place of worship” means a place or building or part thereof including accessory buildings or structures that are used for the regular assembly of persons for the practice of religious worship, services, or rites. It may include accessory used such as classrooms for religious instruction, including programs of community social benefit, assembly areas, kitchens, offices of the administration of the place of worship, and a small scale day nursery, but shall not include a cemetery;
- (oo) “protracted”, in relation to a temporary building or structure, means the existence of such temporary building or structure for a continuous period of more than eight months;
- (pp) “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 on such land has been or is to be demolished, or changing the use of a building or structure from residential to mixed use or non-residential or from non-residential to residential or mixed use or from mixed use to residential or non-residential;
- (qq) “Regulation” means Ontario Regulation 82/98, as amended;
- (rr) “residential” means used or designed or intended to be used as a home or residence of one or more persons;
- (ss) “retail” means the use or intended use of land, buildings or portions thereof for the purpose of offering foods, wares, merchandise, substances, articles or things for sale directly to the public or providing services or entertainment to the public. Retail includes, but is not limited to:
- (a) the use or intended use of land, buildings or portions thereof for the rentals of wares, merchandise, substances, articles or things;
  - (b) offices and storage used or intended to be used in connection with, related to or ancillary to a retail use; or
  - (c) conventional restaurants; fast food restaurants; concert halls/theatres/cinemas/movie houses/drive-in theatres; automotive fuel stations with or without service facilities; specialty automotive shops/auto repairs/collision

services/car or truck washes; auto dealerships; shopping centres and plazas, including more than two attached stores under one ownership; department/discount stores; banks and similar financial institutions, including credit unions; warehouse clubs and retail warehouses;

(tt) “Rental housing” means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises;

(uu) “Retirement community” means a housing project consisting of ground-related dwelling units in single family, semi-detached, or multiple dwelling and other amenities, all of which are designated, marketed, developed and constructed to provide accommodation for and to meet the needs of persons aged 65 and older;

(vv) “secondary dwelling on an agricultural property” means a temporary and portable residential structure, containing a single dwelling unit with kitchen and bathroom facilities, designed for year-round occupancy by farm help;

(ww) “semi-detached dwelling unit” means a dwelling unit in a building divided vertically by a common wall both above and below grade into separate dwelling units, each such dwelling unit having an independent entrance either directly from outside the building or through a common vestibule;

(xx) “service” means a service described in this by-law or in an agreement made under Section 44 of the Act;

(yy) “single-detached dwelling unit” means a dwelling unit in a completely detached building containing only one dwelling unit;

(zz) “small unit” means a dwelling unit of less than 70 square meters in size irrespective of build form;

(aaa) “Special Care/Special Needs Unit” means, for the purpose of Scheduled “A”, a unit in a special care facility;

(bbb) “special care/special needs facility” means a residential building or portion thereof providing on intending to provide habitable units to individuals requiring special care, where such units may or may not have exclusive sanitary and/or culinary facilities, and the occupants have access to common areas and additional medical, personal and/or supervisory care. For clarity, a special care facility includes a long-term care home within the meaning of subsection 2(1) of the Fixing Long-Term Care Act, 2021, S.O. 2021, c. 39, Sched. 1, a home for special care within the meaning of the Homes for Special Care Act, R.S.O. 1990, c. H.12, or a residential hospice for end of life care;

(ccc) “stacked townhome” means a building containing two or more dwelling units where each dwelling unit is separated horizontally from another dwelling unit by a common wall;

(ddd) “structure” means anything constructed, the use of which requires location on or in the ground or attached to something having location on or in the ground;

(eee) “temporary building or structure” means a building or structure that is constructed, erected or placed on land for a continuous period of not more than eight months, or an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof for a continuous period of not more than eight months;

(fff) “total floor area” means the total of the areas of the 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 the floor where the outside edge of the floors does not meet an exterior or common wall, and;

(a) Includes space occupied by interior walls and partitions;

(b) Includes, below grade, only the floor area that is used for commercial or industrial purposes;

(c) Includes the floor area of a mezzanine;

(d) Where a building or structure does not have any walls, the total floor area shall be the total area of the land directly

- beneath the roof of the building or structure and the total areas of the floors in the building or structure;
- (e) Excludes any parts of the building or structure used for mechanical equipment related to the operation or maintenance of the building or structure, stairwells, elevators, washrooms, and the parking and loading of vehicles; and
  - (f) Excludes the area of any self-contained structural shelf and rack storage facility permitted by the Building Code Act.

(ggg) “Town” means The Corporation of the Town of Caledon

(hhh) “townhouse dwelling unit” means a dwelling unit in a building divided vertically both above and below grade into three or more dwelling units, each such dwelling unit having an independent entrance either directly from outside the building or through a common vestibule.

(iii) All words defined in the Act or the Regulation have the same meaning in this by-law as they have in the Act or Regulation unless they are defined otherwise in this by-law.

(jjj) All references to the provisions of any statute or regulation or to the Ontario Building Code contained in this by-law shall also refer to the same or similar provisions in the statute or regulations or code as amended, replaced, revised or consolidated from time to time.

### **Affected lands**

2.(1) Subject to Subsection 2 of this Section, this by-law applies to the land in the South Simpson Industrial Secondary Plan Area that is outlined on Schedule “A” attached hereto, whether or not such land is exempt from taxation under Section 3 of the *Assessment Act*.

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

- (a) a board as defined in Subsection 1(1) of the *Education Act*;
- (b) the Town or any local board thereof;
- (c) The Regional Municipality of Peel or any local board thereof; or,

(d) any other municipality or local board thereof.

### **Imposition of development charges**

3.(1) Subject to Subsection 2 of this Section, development charges shall be imposed against land that is to be developed if the development requires:

- (a) the passing of a zoning by-law or of an amendment to a zoning by-law 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 9 of the Condominium Act, 1998; or,
- (g) the issuing of a building permit under the Building Code Act, 1992 in relation to a building or structure.

(2) Only one development charge shall be imposed against land to which this by-law applies even though two or more of the actions described in Subsection 1 of this Section are required for such land to be developed.

(3) Notwithstanding Subsection 2 of this section, if two or more of the actions described in Subsection 1 of this section occur at different times, additional development charges shall be imposed in accordance with this by-law in respect of any additional development permitted by the subsequent action.

### **Description of services**

(4) (1) Development charges shall be imposed in accordance with this by-law in respect of Roads and Related Services on Simpson Road (Phase 2) adjacent to that part of the South Simpson Industrial Secondary Plan Area that is outlined on Schedule "A" attached hereto.

(2) The development charges applicable to a development, as determined in accordance with this by-law, shall apply without regard to the services required for or to be used by such development.

### **Calculation of development charges**

5. (1) Development charges that are to be imposed upon land in that part of the South Simpson Industrial Secondary Plan Area that is outlined on Schedule "A" attached hereto that is to be developed for any purpose, including, without limiting the generality of the foregoing, residential uses, non-residential uses

and/or mixed uses, shall be in the amounts set out in Schedule “B” attached hereto and adjusted in accordance with Section 10 of this by-law.

- (2) Notwithstanding Subsection (1), where the development of land results from the approval of a Site Plan or Zoning By-law Amendment received on or after January 1, 2020, and the approval of the application occurred within the prescribed amount of time of building permit issuance, the Development Charges shall be calculated based on the rates set out in Schedule “B” on the date of the planning application, including interest. Where both planning applications apply, Development Charges shall be calculated on the rates, including interest, set out in Schedule “B” on the date of the later planning application.

### **Residential intensification**

6.(1) This by-law shall not apply with respect to any of the actions described in Subsection 1 of Section 3 of this by-law if the only effect of such action is to:

- (a) permit the enlargement of an existing dwelling unit;
- (b) a second residential dwelling unit in an existing or new single detached dwelling, semi-detached dwelling, or row-townhouse 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 or new single detached dwelling, semi-detached dwelling, or row-townhouse dwelling cumulatively contain no more than one residential dwelling unit;
- (c) a third residential dwelling unit in an existing or new single detached dwelling, semi-detached dwelling, or row-townhouse dwelling on a parcel of land on which residential use, other than ancillary residential use, is permitted, if not building or structure ancillary to the existing or new single detached dwelling, semi-detached dwelling, or row-townhouse dwelling contains any residential dwelling units;
- (d) one residential dwelling unit in a building or structure ancillary to an existing or new single detached dwelling, semi-detached dwelling, or row-townhouse dwelling on a parcel of land, if the existing or new single detached dwelling, semi-detached dwelling, or row-townhouse dwelling contains no more than two residential dwelling units and no other building or structure ancillary to the existing or new single detached dwelling, semi-detached dwelling, or row-townhouse dwelling contains any residential dwelling units;
- (e) in an existing rental residential building, which contains four or more residential dwelling units, the creation of the greater of one residential dwelling unit or one per cent of the existing residential dwelling units.

- (2) Notwithstanding any other provision of this by-law, for the purpose of Subsection 1 of this section, the terms “single-detached dwelling”, “semi-

detached dwelling”, “row dwelling” and “gross floor area” shall have the same meanings provided for them in the Regulation.

### **Industrial expansion**

- 7.(1) Notwithstanding any other provision of this by-law, if a development includes the enlargement of the gross floor area of an existing industrial building, the amount of the development charge applicable to such development shall be determined as follows:
- (a) if the gross floor area is enlarged by fifty percent or less, cumulatively from the original building floor area, the amount of the development charge in respect of the enlargement shall be zero; or,
  - (b) if the gross floor area is enlarged by more than fifty percent cumulatively from the original building gross floor area, the amount of the development charge in respect of the enlargement shall be calculated on the amount by which the proposed enlargement exceeds fifty percent of the gross floor area of the industrial building prior to any enlargements.
- (2) Notwithstanding any other provision of this by-law, for the purpose of Subsection 1 and 5 of this Section, the terms “existing industrial building” and “gross floor area” shall have the same meanings provided for them in the Regulation.
- (3) For the purpose of interpreting the definition of “existing industrial building” in the Regulation, regard shall be had for the classification of the land on which the existing industrial building is located under the Assessment Act and in particular:
- (a) whether the land is within a tax class such that taxes on the land are payable at the industrial tax rate; and,
  - (b) whether more than fifty percent of the gross floor area of the existing industrial building has an industrial property code for assessment purposes.
- (4) For the purpose of applying Subsection 1 of this Section, the gross floor area of an existing industrial building shall be calculated as it was prior to the first enlargement of such existing industrial building for which an exemption under Subsection 1 of this Section applies.
- (5) Notwithstanding any other provision of this by-law, development charges shall not be imposed with respect to the construction or erection of a building that is accessory to and not more than fifty percent of the gross floor area of an existing industrial building or the construction or erection of the gross floor area of an existing industrial building, provided that, prior to a building permit or building permits being issued for such building or buildings, the owner or owners of the land on which such building or buildings are to be constructed or erected enter into a written agreement with the Town which has the effect of counting the floor

area of such building or buildings against the exemption provided for in subsection 1 of this section.

### **Redevelopment**

8. Subject to section 7 of this by-law, where, in conjunction with the redevelopment of land, a building or structure on such land was demolished in whole or in part on or after November 6, 1991, or is to be demolished in whole or in part or converted from a residential use to a non-residential use or vice-versa, the development charge to be imposed with respect to such redevelopment shall be reduced by the following amounts:

- (1) in the case of a residential building or the residential portion of a mixed use building or structure, an amount calculated by multiplying the development charge that would have been applicable under section 5 of this by-law by the number of dwelling units that have completed culinary and sanitary facilities, according to the type thereof, that have been or are to be demolished or converted to another use; or,
- (2) in the case of a non-residential building or the non-residential portion of a mixed use building or structure, an amount calculated by multiplying the applicable development charge under section 5 of this by-law by the total floor area, according to the type thereof, that has been or is to be demolished or converted to another use;

provided that evidence satisfactory to the Town is provided by the property owner as to the total floor area or type and number of dwelling units that have been demolished, that such amounts shall not exceed in total the amount of the development charges to otherwise be imposed with respect to the redevelopment.

### **Temporary buildings or structures**

9.(1) Notwithstanding any other provision of this by-law, development charges shall not be imposed under this by-law in respect of the construction or erection of a temporary building or structure so long as its status as a temporary building or structure is maintained in accordance with the provisions of this by-law.

(2) Upon application being made for the issuance of a building permit for the construction or erection of a temporary building or structure to which, but for Subsection 1 of this Section, development charges apply, the Town may require the owner or owners of the land on which such temporary building or structure is to be constructed or erected to either:

- (a) pay for development charges on the proposed temporary building for which the owner or owners may apply for a refund no later than one month



following the time period defined in this by-law for temporary buildings or structures; or

- (b) enter into an agreement with the Town pursuant to section 27 of the Act and submit security, satisfactory to the Town, to be realized upon in the event that the temporary building or structure becomes protracted and development charges thereby become payable.
- (3) In the event that a temporary building or structure becomes protracted, it shall be deemed not to be, nor ever to have been a temporary building or structure and, subject to any agreement made pursuant to section 27 of the Act, development charges under this by-law shall become payable forthwith.

### **Indexing**

- 10. The development charges described in Schedule “B” to this by-law shall be adjusted without amendment to this by-law on February 1st and August 1st in each year, commencing on 1 February 2026, in accordance with the Statistics Canada Quarterly Construction Price Statistics (catalogue number 62-007) with the base index value being that in effect on 1 August 2025.

### **Payment of development charges**

- 11.(1) Development charges set out in Schedule “B” and adjusted in accordance with Section 10 of this by-law to the date of payment, shall be payable:
  - (a) in regard to development charges imposed under section 5 of this by-law, with respect to a dwelling unit in a building or structure for which a building permit is issued, on the date that the building permit is issued; and,
  - (b) in regard to development charges being imposed under section 5 of this by-law, with respect to a building or structure for which a building permit is issued, on the date that the building permit is issued;
  - (c) prior to final approval of a plan of subdivision or a plan of condominium for the land that is to be developed;
  - (d) prior to a certificate being issued for a consent for the land that is to be developed; or,
  - (e) prior to a building permit being issued for the construction of a building or structure on the land that is to be developed;

whichever occurs earlier.

- (2) Development charges for rental housing and institutional developments are due and payable in 6 installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest, payable on the anniversary date each year thereafter.  
In the alternative to payment by the means provided in subsection 1 of this section, the Town may, by an agreement made under section 38 of the Act with the owner or owners of land that is to be developed, accept the provision of

services in full or partial satisfaction of development charges otherwise payable by such owner or owners, provided that:

- (a) If the Town and such owner or owners cannot agree as to the reasonable cost of providing the services, the dispute shall be referred to the Council of the Town and its decision shall be final and binding; and,
  - (b) if the reasonable cost of providing the services exceeds the amount of the development charge for the service to which the work relates:
    - (i) the excess amount shall not be credited against the development charge for any other service, unless the Town has so agreed in an agreement made under section 39 of the Act; and,
    - (ii) in no event shall the Town be required to make a cash payment to such owner or owners.
- (4) Nothing in this by-law shall prevent the Council of the Town from requiring, as a condition of any approval under the Planning Act, that the owner or owners of land install such local services as the Council of the Town may require in accordance with the policies of the Town with respect to local services.
- (5) The Town may require the owner or owners of land that is to be developed to enter into an agreement, including the provision of security for the obligations of such owner or owners under the agreement pursuant to section 27 of the Act providing for all or part of a development charge to be paid before or after it otherwise would be payable, and the terms of such agreement shall prevail over the provisions of this by-law.
12. The Development Charge payable for Rental Housing developments will be reduced based on the number of bedrooms in each unit as follows:
- (a) Three or more bedrooms – 25% reduction;
  - (b) Two bedrooms – 20% reduction
  - (c) Less than two bedrooms – 15% reduction

### **Front-ending agreements**

- 13.(1) Where a development charge by-law is in force, Council may enter into a front-ending agreement with any or all owners within the benefiting area, providing for the payment by the owner or owners of a front-end payment or for the installation of services by the owners or any combination of front-end payments and installation of services. The cost of the work that will benefit a defined benefiting area is to be borne by one or more of the parties to the agreement who will be reimbursed some part of the costs by persons who, in the future, develop land within the benefiting area.

- (2) A person is entitled to be given a credit towards a development charge for the amount of their non-reimbursable share of the costs of work under a front-ending agreement.
- (3) No credit given pursuant to subsection (2) shall exceed the total development charge payable by the owner for that service, or the level of service underlying Schedule "B".
- (4) The front-end payment required to be made by the benefiting owner under the front-ending agreement may be adjusted annually, without amendment to this bylaw, each October, while this by-law is in force, in accordance with the average Bank of Canada rate applied annually.

#### **Effective date**

14. This by-law shall come into force and effect on October 28,  
2025

#### **Expiry date**

15. This by-law shall expire ten years from the date that it comes into force and effect, unless it is repealed at an earlier date by a subsequent by-law.

#### **Registration**

16. A certified copy of this by-law may be registered in the by-law register in the Peel Land Registry Office and/or against the title to any land to which this by-law applies.

#### **Severability**

17. In the event that any provision of this by-law is found by a court or tribunal of competent jurisdiction to be invalid, such provision shall be deemed to be

severed, and the remaining provisions of this by-law shall remain in full force and effect.

### **Headings**

18. The headings inserted in this by-law are for convenience of reference only and shall not affect the interpretation of this by-law.

### **Schedule**

Schedules “A” and “B” attached to this by-law shall be deemed to be a part of this by-law.

### **General**

By-law 2020-078 and all amendments thereto are hereby repealed.

### **Enactment**

This By-law shall come into full force and effect on the day of its passing.

**Enacted by the Town of Caledon Council this 23<sup>rd</sup> day of September, 2025.**

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Annette Groves, Mayor

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Kevin Klingenberg, Municipal Clerk