

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2025-139**

### **A By-Law to Impose Development Charges in the City of Kawartha Lakes**

#### **Recitals:**

1. The City of Kawartha Lakes (hereinafter, the “City”) will experience growth through development requiring the provision of capital assets and other capital-related services by the City, and intends to recover from development the costs of such services to the extent permitted by law or as otherwise considered advisable by Council.
2. Subsection 2(1) of the *Development Charges Act, 1997*, S.O. 1997, c. 27 (hereinafter, 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 of the area to which the by-law applies.
3. A report for public circulation entitled “2025 Development Charges Background Study” (hereinafter, the “study”) prepared by Watson and Associates Economists Limited (hereinafter, “Watson”) and a draft proposed development charges by-law (hereinafter, the “proposed by-law”) prepared by the Manager of Corporate Assets, each prepared for the City pursuant to section 10 of the Act, were dated and made publicly available on September 17, 2025.
4. Council held a public meeting regarding the study and proposed by-law on October 21, 2025, and public notice of the meeting was given by the City, as required by section 12 of the Act.
5. On November 7, 2025, Watson issued an addendum to the study and the Manager of Corporate Assets revised the proposed by-law, and the resulting amended study, dated November 7, 2025, and revised proposed by-law were made publicly available on November 12, 2025.
6. Having reviewed the amended study and revised proposed by-law, Council has adopted the amended study and has determined, pursuant to section 12 of the Act, that no further public meetings are required on these documents.
7. Having adopted the amended study, including the growth-related capital forecast therein, Council has thereby indicated its intention to ensure the corresponding increase in need for services attributable to anticipated development is met, and has further indicated its intention to recover the costs of the committed and future excess capacity identified in the study through development charges or other similar charges.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-Law 2025-139.

## 1 Section 1: Definitions and Interpretation

### 1.01 Definitions: In this by-law:

**“accessory use”** means a use of lands, buildings or structures that is naturally and normally incidental and subordinate in purpose and or gross floor area, and exclusively devoted to, the principal use of such lands, buildings or structures;

**“Act”** means the *Development Charges Act, 1997*, S.O. 1997, c. 27;

**“agricultural”** means non-residential lands, buildings or structures or any parts thereof used, designed or intended solely for farming, apiaries, fish farming, animal husbandry or the cultivation of trees, shrubs, flowers, grains, sod, fruits, vegetables and other crops or ornamental plants, or similar agrarian activity, on land of at least three (3) hectares in area, and includes barns, implement sheds, seasonal roadside stands and silos but does not include facilities principally used for processing, year-round wholesaling or year-round retailing;

**“agricultural development charges”** means development charges pertaining to agricultural development, as determined in the Development Charges Background Study adopted by Council for the purposes of this by-law, subject to the same indexation applied to development charges set out in Schedules 1 and 2 to this by-law;

**“apartment dwelling unit”** means a stacked dwelling unit or any dwelling unit within a dwelling:

- (a) containing three (3) or more dwelling units whereby access to each dwelling unit is obtained through one or more common entrances from the outside and the dwelling units are connected by one or more interior corridors; or
- (b) attached to a non-residential building or structure such that the dwelling unit is not a single-detached, semi-detached or row dwelling unit;

**“Assessment Act”** means the *Assessment Act*, R.S.O. 1990, c. A.31;

**“bedroom”** means a habitable room of more than seven (7) square metres of floor area, including a den, study or other similar area, within a dwelling unit, but does not include a bathroom, living room, dining room or kitchen;

**“benefitting area”** means a geographically defined area in which lands, buildings or structures receive or will receive a benefit from the emplacement of capital assets facilitating a municipal service;

**“Building Code Act”** means the *Building Code Act, 1992*, S.O. 1992, Chap. 23;

**“capital charge”** means a charge or fee imposed on owners by the City, pursuant to sections 390 through 400 of the *Municipal Act*, for the purpose of recovering capital and related costs;

**“capital cost”** means a cost defined in subsection 5(3) of the Act that is incurred or proposed to be incurred by the City or a local board thereof, directly or by others on behalf of and as authorized by the City or local board;

**“Chief Building Official”** means the person appointed by Council to discharge the duties of the chief building official, pursuant to the *Building Code Act*;

**“City”, “City of Kawartha Lakes” or “Kawartha Lakes”** means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

**“City Treasurer”** means the person appointed by Council to discharge the duties of the treasurer described in section 286 of the *Municipal Act*;

**“Condominium Act”** means the *Condominium Act, 1998*, S.O. 1998, c.19;

**“Council” or “City Council”** means the municipal council for the City;

**“demolition”** means the deconstruction or removal of a building or structure or any material part thereof;

**“development”** means the construction, erection, installation, placing, extension or expansion of a building or structure, or the material alteration or repair of a building or structure so as to increase or otherwise alter the size or useability thereof, and includes the installation of a building unit fabricated or moved from elsewhere such as a repurposed shipping container;

**“development charge”** means a charge imposed by the City on development pursuant to the Act and this by-law or a predecessor thereof, as context requires;

**“Development Charges Background Study”** means a study undertaken by or on behalf of the City, in accordance with section 10 of the Act, and that has been or is intended to be adopted by Council;

**“development charges reserve fund”** means a fund or collection of funds of the City established pursuant to section 33 of the Act;

**“dwelling”** means a residential building or structure or any parts thereof that are occupied or capable of being occupied as a home, residence or domestic establishment or habitat of some kind;

**“dwelling unit”** means any part of a dwelling, which may include the entirety thereof, used exclusively, or designed or intended for exclusive use, by one person or two or more cohabitating persons;

**“electricity generation”** means non-residential lands, buildings or structures or any parts thereof that are not of an accessory use and that:

- (a) form, support or accommodate a system or utility used, designed or intended to convert wind, solar, biomass, coal, natural gas, waste, water flow or other form of energy into electricity to be fed into the general electricity grid, and includes such systems or utilities that participate or are designed or intended to participate in the Independent Electricity System Operator's Feed-In Tariff Program, or successor thereof, or similar program; and
- (b) constitute development for which gross floor area is inapplicable, indeterminate or otherwise unrepresentative of the scale of the development, as determined by the Chief Building Official;

**“general service area”** means all land within the corporate boundaries of the City;

**“gross floor area”**, as determined by the Chief Building Official, means:

- (a) in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential portion thereof, the total area of all building floors measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing residential and non-residential uses; and
- (b) in the case of a non-residential building or structure, or in the case of a mixed-use building or structure, the non-residential portion thereof, the total area of all building floors measured between the outside surfaces of the exterior walls, or between the outside surfaces of exterior walls and the centre line of party walls dividing residential and non-residential uses;

**“large apartment dwelling unit”** means an apartment dwelling unit that contains two (2) or more bedrooms;

**“local board”** means a board of education, public utility, commission, public library board, board of park management, local board of health, board of commissioners of police, planning board, or any other board, commission, committee, body or local authority established or exercising any power or authority under any legislation with respect to any of the affairs or purposes, including school purposes, of the City;

**“local services”** means those services, facilities or things that are:

(a) under the jurisdiction of the City and related to a plan of subdivision, or within the area to which the plan relates, to which sections 41, 51 or 53 of the Planning Act pertain; and

(b) those services to which section 59 of the Act pertains;

**“Manager of Corporate Assets”** means the person who holds that position with the City, and his or her delegate(s), or, in the event of organizational changes, another person designated by Council;

**“multiple dwelling unit”** means a park model trailer or any dwelling unit that is not a single-detached, semi-detached, row or apartment dwelling unit;

**“Municipal Act”** means the *Municipal Act, 2001*, S.O. 2001, c. 25;

**“municipal service”** means a service set out in subsection 3(4) of the Act, including a class of service as defined in section 7 of the Act, provided by or on behalf of the City and designated in subsection 2.01;

**“nameplate generating capacity”, “nameplate capacity” or “plated capacity”** means, in respect of electricity generation, the maximum rated continuous load-carrying capability to generate electricity, expressed in kilowatts (KW), as verified, if applicable, by the Electrical Safety Authority or any successor thereof or similar regulating authority;

**“non-residential”** means lands, buildings or structures or any parts thereof that are not residential;

**“Northwest Lindsay Development Area”** means all lands to which the Northwest Sanitary Sewer Works Capital Charge applies, as indicated in Schedule 3 to this by-law;

**“Northwest Sanitary Sewer Works Capital Charge”** means the capital charge imposed pursuant to City of Kawartha Lakes By-Law 2015-151 (Northwest Sanitary Sewer Capital Charge), as amended, or any successor thereof;

**“other non-residential”** means non-residential lands, buildings or structures or any parts thereof that are not agricultural or electricity generation;

**“owner”** means the owner of land, or successor thereof, or a person who has made application for an approval for the development of land upon which development charges are or are to be imposed;

**“park model trailer”** means a CAN/CSA-Z241 Series-03 (R2013) recreational trailer, as defined by the Standards Council of Canada, or successor thereof, that is, in the determination of the Chief Building Official, constructed and certified in accordance with that standard, built on

a single chassis, and designed exclusively for seasonal residential use through relocation from time to time;

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

**“permit”** means a written permission or authorization issued by the Chief Building Official for the development or occupancy of a building or structure, or part thereof, pursuant to the *Building Code Act*;

**“police service area”** means the area serviced by the City of Kawartha Lakes Police Service, or any successor thereof, that being:

- (a) the union of all land within the former Township of Ops and the former Town of Lindsay, and all land that has been or may be appended thereto by the City to accommodate development, or in the alternative;
- (b) all land deemed to receive service by the City of Kawartha Lakes Police Service, or any successor thereof, as otherwise established by Council subsequent to the enactment of this by-law;

**“principal use”** means a use of lands, buildings or structures by which development charges are, as indicated by Schedules 1 and 2 to this by-law, imposed pursuant to this by-law, or that is agricultural;

**“redevelopment”** means development that involved, involves or will involve, on the same land as the development, the demolition or removal of an existing or former building or structure or the conversion of an existing building or structure from one principal use to another principal use, in whole or in part;

**“residential”** means lands, buildings or structures or any parts thereof used, designed or intended to provide accommodation or quarters for living, sleeping, sanitary and culinary purposes, or otherwise to serve as a domestic residence, and includes park model trailers, but does not include motels, hotels, tents, truck campers, tourist trailers, mobile camper trailers, cottage establishments, boarding houses, lodging houses or rooming houses of any kind;

**“row dwelling unit”** means a dwelling unit within a dwelling containing three (3) or more attached dwelling units in a single row, whereby each dwelling unit has an exclusive entrance from the outside and is vertically separated from any abutting dwelling unit;

**“rural-Ops service area”** means all land within the police service area that does not form part of the water or wastewater service areas;

**“rural-other service area”** means all land within the general service area that does not form part of the urban-Lindsay, urban-NWT, urban-other or rural-Ops service areas;

**“semi-detached dwelling unit”** means a dwelling unit within a dwelling consisting of exactly two (2) attached dwelling units, whereby each dwelling unit has an exclusive entrance from the outside and is vertically separated from the abutting dwelling unit;

**“service area”** means a benefitting area in respect of a municipal service or set of municipal services, and includes the police, transit, water, wastewater, wastewater-NWT, general, urban-Lindsay, urban-NWT, urban-other, rural-Ops and rural-other service areas;

**“single-detached dwelling unit”** means a dwelling unit within a dwelling consisting of exactly one (1) dwelling unit that is not attached to another dwelling unit;

**“small apartment dwelling unit”** means an apartment dwelling unit that is not a large apartment dwelling unit;

**“stacked dwelling unit”** means a dwelling unit, other than a row dwelling unit, within a dwelling containing at least three (3) dwelling units, whereby each dwelling unit is separated from the others vertically and or horizontally and has an exclusive entrance from the outside;

**“temporary building or structure”** means a former building or structure that, in the determination of the Chief Building Official, was created with the express intention of being used for a continuous period not to exceed six (6) months and had existed for a continuous period not exceeding six (6) months;

**“transit service area”** means the area serviced by the City’s public transit service, that being:

- (a) all land within the former Town of Lindsay, and all land that has been or may be appended thereto by the City to accommodate development, or in the alternative;
- (b) all land deemed to receive the City’s public transit service as otherwise established by Council subsequent to the enactment of this by-law;

**“urban-Lindsay service area”** means the intersection of all land within the transit, police, water and wastewater service areas outside the wastewater-NWT service area;

**“urban-NWT service area”** means the intersection of all land within the transit, police, water and wastewater-NWT service areas;

**“urban-other service area”** means the intersection of all land within the water and wastewater service areas outside the urban-Lindsay and urban-NWT service areas;

**“wastewater-NWT service area”** means the intersection of all land within the Northwest Lindsay Development Area and the wastewater service area;

**“wastewater service area”** means the union of all land serviced by a City wastewater system, that being all land on which buildings or structures are, as determined by the Chief Building Official, required, planned or expected to connect, or are capable of being connected in future, to a City wastewater system designed to service such lands, buildings or structures;

**“water service area”** means the union of all land serviced by a City water system, that being all land on which buildings or structures are, as determined by the Chief Building Official, required, planned or expected to connect, or are capable of being connected in future, to a City water system designed to service such lands, buildings or structures; and

**“zoning by-law”** means the zoning by-law or set of zoning by-laws of the City enacted pursuant to section 34 of the *Planning Act*.

**1.02 Rules of Interpretation:** For the purposes of interpretation of this by-law:

- (a) all word variations and derivatives of the terms defined in subsection 1.01 shall carry a corresponding meaning, and the words “include”, “includes”, “inclusive” and “including” are not to be read as limiting the meaning of any word, term, phrase or description that follows;
- (b) headings herein are used for reference only and shall not affect the interpretation of this by-law; and
- (c) references to laws in this by-law are meant to refer to the statutes, as amended from time to time, including the regulations made thereunder, that are applicable within the Province of Ontario.

## **2 Section 2: Development Charges Respecting Municipal Services**

**2.01 Designated Municipal Services:** Development charges shall be imposed in respect of the following municipal services to pay for the increased capital costs required because of the increased needs for those services arising from development:

- (a) public health, being the service or services referred to by paragraph 15 of subsection 2(4) of the Act;
- (b) by-law enforcement, being part of the service or services referred to by paragraph 18 of subsection 2(4) of the Act;
- (c) parks and recreation, being the service or services referred to by paragraph 14 of subsection 2(4) of the Act;



- (d) library, being the service or services referred to by paragraph 12 of subsection 2(4) of the Act;
- (e) growth-related studies, being the service or services referred to by paragraphs 5 and 6 of subsection 5(3) of the Act and subsection 7(3) of the Act;
- (f) fire, being part of the service or services referred to by paragraph 10 of subsection 2(4) of the Act;
- (g) fire-rural, being part of the service or services referred to by paragraph 10 of subsection 2(4) of the Act;
- (h) paramedic, being the service or services referred to by paragraph 11 of subsection 2(4) of the Act;
- (i) police, being the service or services referred to by paragraph 9 of subsection 2(4) of the Act;
- (j) transit, being the service or services referred to by paragraph 7 of subsection 2(4) of the Act;
- (k) roads and related, being the service or services referred to by paragraph 4 of subsection 2(4) of the Act;
- (l) water treatment, being part of the service or services referred to by paragraph 1 of subsection 2(4) of the Act;
- (m) water distribution, being part of the service or services referred to by paragraph 1 of subsection 2(4) of the Act;
- (n) wastewater treatment, being part of the service or services referred to by paragraph 2 of subsection 2(4) of the Act; and
- (o) wastewater collection, being part of the service or services referred to by paragraph 2 of subsection 2(4) of the Act.

2.02 **Geographic Application:** Respecting the municipal services designated in subsection 2.01, the development charges set out in Schedules 1 and 2 to this by-law shall be imposed on development in the general service area, except that:

- (a) fire-rural development charges shall be imposed outside the water service area only;
- (b) police development charges shall be imposed in the police service area only;
- (c) transit development charges shall be imposed in the transit service area only;

- (d) water treatment and water distribution development charges shall be imposed in the water service area only;
- (e) wastewater treatment development charges shall be imposed in the wastewater service area only; and
- (f) wastewater collection development charges shall be imposed in the wastewater service area only, exclusive of the wastewater-NWT service area.

2.03 **Aggregation for Administrative Convenience:** For greater certainty, the aggregation of development charges across municipal services and by certain service areas in Schedules 1 and 2 to this by-law is for administrative convenience only and does not affect or override the geographic application of individual development charges by service area prescribed by subsection 2.02.

2.04 **Independent of Specific Need or Benefit:** Development charges shall be determined and imposed pursuant to this by-law without regard for the specific increase in need for municipal services that may be required by, or the specific municipal service benefits that may be conferred to, any individual or particular development.

### **3 Section 3: Nexus between Development Approvals and Development Charges**

3.01 **Designated Development Approvals:** In accordance with subsection 2(2) of the Act, but subject to subsection 3.02, the development charges referred to by subsection 2.02 shall be imposed on development within the City only if such development requires any of the following approvals or actions:

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

- 3.02 **Treatment of Enlargement of an Existing Dwelling Unit:** To qualify subsection 3.01 in respect of subsection 2(3) of the Act and to provide for greater certainty with respect to the application of this by-law to the enlargement of an existing dwelling unit:
- (a) the approvals and actions described in subsection 3.01, as required by subsection 2(3) of the Act, exclude those whose only effect is to permit the enlargement of an existing dwelling unit;
  - (b) the enlargement of an existing dwelling unit is considered, for the purposes of subsection 2.01, development that does not increase the need for municipal services; and
  - (c) by reason of paragraph (b) of this subsection and for the purposes of paragraph 9 of subsection 5(1) of the Act, paragraph 3 of subsection 5(6) of the Act and paragraphs 1 through 3 of section 6 of the Act, no inapplicability of development charges arising from subsection 2(3) of the Act shall be construed as any form of exemption, discount or similar measure designed to reduce development charges below the allowable quantum in any particular case.
- 3.03 **Multiple Development Approvals:** For any given development, only one development charge for each municipal service designated in subsection 2.01 shall be imposed, even though two or more of the approvals and actions described in subsection 3.01 may be required by the development.
- 3.04 **Subsequent Development Approvals:** Notwithstanding subsection 3.03, whereupon two or more of the approvals and actions described in subsection 3.01 occur at different times for a development, additional development charges shall be imposed in respect of any increased or additional development arising directly from such approvals or actions.
- 3.05 **After Permit Issuance:** Whereupon a development requires an approval or action described in subsection 3.01 after the issuance of a permit for the development, any unpaid portion of development charges pertaining to the development shall be paid prior to the granting of the approval or the execution of the action that is required.
- 3.06 **Permit Not Required:** Whereupon a development does not require a permit but does require one or more of the approvals or actions described in subsection 3.01, development charges shall nonetheless be imposed in respect of any increased or additional development arising directly from such approvals or actions.
- 3.07 **Withholding of Permit Issuance:** To the extent permitted by the Act, the Chief Building Official shall withhold issuance of a permit for a development for which any development charges remain unpaid.
- 3.08 **Local Services and Other Conditions of Development:** Nothing in this by-law prevents the City from requiring as a condition of development, through a development agreement or not, that an owner, at his or her own

expense, install local services required by the City, or pay for local infrastructure connections or other local capital works, or administrative, processing, permit, inspection or other fees, or capital charges, community benefits charges or other levies required by the City.

## **4 Section 4: Calculation and Payment of Development Charges**

**4.01 General Basis of Calculation:** Development charges imposed by this by-law shall be calculated:

- (a) in the case of residential development, or the residential portion of a mixed-use development, based upon the number and type of dwelling units comprising such development; and
- (b) in the case of non-residential development, or the non-residential portion of a mixed-use development, based upon the type of non-residential development and gross floor area or nameplate generating capacity of such development, whichever unit of measure is applicable.

**4.02 Residential Calculation:** The residential development charges per dwelling unit set out in Schedule 1 to this by-law shall be imposed on residential development, including dwelling units accessory to non-residential uses, and, in the case of a mixed-use building or structure, against the residential portion thereof, and calculated with respect to each of the applicable municipal services according to the type of dwelling unit.

**4.03 Non-Residential Calculation:** The non-residential development charges per unit of gross floor area or per 500 kilowatts of nameplate generating capacity, as the case may be, set out in Schedule 2 to this by-law shall be imposed on non-residential development, and, in the case of a mixed-use building or structure, against the non-residential portion thereof, and calculated with respect to each of the applicable municipal services according to the type of non-residential use.

**4.04 Timing of Calculation and Payment:** Development charges pertaining to a development shall, subject to the Act, be calculated as of, and be made payable on:

- (a) in the case that a permit for the development is or will be withheld pursuant to subsection 3.07, the date of issuance of the permit; otherwise
- (b) the date on which the first approval or action described in subsection 3.01 is granted or executed for the development.

**4.05 Override by the Act:** In the case of the Act rendering subsection 4.04 inoperable or inapplicable, the dates on which development charges pertaining to a development are calculated and made payable shall be determined by the Chief Building Official in accordance with the Act.

- 4.06 **Override by Future Section 27 Agreement:** Notwithstanding subsection 4.04 but only to the extent permitted by the Act, the dates on which development charges pertaining to a development are calculated and made payable may, pursuant to section 27 of the Act, be determined by an agreement between the City and the owner required to pay the development charges, whereby the City may, to the extent permitted by the Act, register the agreement against the title of the land to which the development charges apply.
- 4.07 **Collection as Property Taxes:** In accordance with subsection 32(1) of the Act, development charges that remain unpaid after they become payable by the subject owner pursuant to this by-law shall be added to the tax roll and shall be collected from the owner in the same manner as property taxes.

## **5 Section 5: Development Charges Exemptions, Refunds and Credits**

- 5.01 **Legislated Exemptions, Etcetera:** Provisions of the Act, including subsections 2(3.1) through 2(3.3), sections 3 through 4.4 and sections 26.1 through 26.3 thereof, which override this by-law so as to limit the quantum or otherwise impair the collection of development charges the City may, in any particular case, impose and collect pursuant to this by-law are:
- (a) in a declaratory sense only, recognized by the City as rules for the purposes of paragraph 9 of subsection 5(1) of the Act and paragraphs 1 and 2 of section 6 of the Act; and
  - (b) for greater certainty with respect to paragraph 3 of subsection 5(6) of the Act, not prescribed by this by-law.
- 5.02 **Discretionary Exemptions:** Notwithstanding any other provision of this by-law, development charges shall not be imposed in respect of the development of:
- (a) a place of worship, non-profit hospice, public hospital, cemetery, burial site or crematorium, as defined in the *Assessment Act*;
  - (b) an agricultural building or structure; or
  - (c) a park model trailer.
- 5.03 **Refunds for Temporary Buildings or Structures:** Notwithstanding any other provision of this by-law, a temporary building or structure shall, on a retroactive basis, be considered not to have been development, and, therefore, an owner who paid development charges pertaining to a temporary building or structure shall be entitled to a refund of the development charges, without interest, if the owner demonstrates to the satisfaction of the Chief Building Official that the building or structure was indeed temporary.

**5.04 Redevelopment Credits:** Subject to subsection 5.05 but notwithstanding any other provision of this by-law, respecting a redevelopment of land, whereupon a building or structure on the same land was demolished or is to be demolished or converted from one principal use to another principal use, in whole or in part, in order to facilitate the redevelopment, the development charges pertaining to such a redevelopment shall, as determined by the Chief Building Official based upon information he or she considers verifiable, be credited by:

- (a) in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential portion thereof, an amount calculated by multiplying the applicable development charge rates by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and
- (b) in the case of a non-residential building or structure, or in the case of mixed-use building or structure, the non-residential portion thereof, an amount calculated by multiplying the applicable development charge rates by the gross floor area or nameplate generating capacity, whichever unit of measure is applicable, that has been or will be demolished or converted to another principal use.

**5.05 Restrictions on Redevelopment Credits:** A credit set against development charges pursuant to subsection 5.04 shall:

- (a) be determined in accordance with development charge rates that would otherwise apply if the provisions referred to in subsection 5.01 and imposed by subsection 5.02 did not apply;
- (b) notwithstanding paragraph (a) of this subsection, not exceed the amount of development charges otherwise payable pursuant to this by-law; and
- (c) apply only if the building or structure or part thereof associated with the credit was, as determined by the Chief Building Official based upon information he or she considers verifiable, capable of being occupied within the 5-year period or such longer period, as may be established by Council subsequent to the enactment of this by-law, prior to the date on which the development charges are calculated pursuant to this by-law.

**5.06 Credits Related to Expiration or Revocation of Permits:** Whereupon a permit has been issued for a development on land for which development charges have been paid, in the case that the permit expires or is revoked, the development charges shall not be refunded but instead shall be credited against any subsequent development charges that may become payable as a result of any subsequent approvals or actions described in subsection 3.01 being granted or executed in respect of the same land.

**5.07 Status of Credits and Refunds:** For the purposes of paragraph 9 of subsection 5(1) of the Act, paragraph 3 of subsection 5(6) of the Act and

paragraphs 1 through 3 of section 6 of the Act, and for greater certainty with respect to each of them, no credit against or refund of development charges provided for by subsections 5.03 through 5.06 shall be construed as any form of exemption, discount or similar measure designed to reduce development charges below the allowable quantum in any particular case.

- 5.08 **Agreement Potentially Required:** To the extent permitted by the Act, the City may require an owner liable for development charges to enter into an agreement with the City as a condition of obtaining the benefit of a provision referred to in subsection 5.01, whereby the City may, to the extent permitted by the Act, register the agreement against the title of the land to which the development charges apply.
- 5.09 **Onus on Owner:** The onus is on the owner liable for development charges to produce evidence to the satisfaction of the Chief Building Official that the owner is indeed entitled to any relief referred to in subsection 5.01 or any exemption, refund or credit provided for by subsections 5.02 through 5.06.

## **6 Section 6: Administrative Matters**

- 6.01 **By-Law Administration:** The Chief Building Official and Manager of Corporate Assets are jointly responsible for the administration of this by-law, whereby the former position is responsible for day-to-day administration and the latter position is responsible for general administration and oversight.
- 6.02 **Restructuring of Reserve Fund:** For the purposes of section 33 of the Act, the City Treasurer shall, upon the coming into force of this by-law, restructure the consolidated development charges reserve fund as necessary into separate constituent reserve fund accounts bearing a one-to-one correspondence with the municipal services designated in subsection 2.01.
- 6.03 **Replenishment of Reserve Fund:** Respecting compliance with paragraph 3 of subsection 5(6) of the Act:
- (a) the City Treasurer shall, as much as financial records and resources will admit, ensure the development charges reserve fund is replenished annually from other City funds to correct for shortfalls in the development charges reserve fund arising from the provisions of subsection 5.02; and
  - (b) for the purposes of paragraph (a) of this subsection, the shortfalls in the development charges reserve fund arising from paragraphs (a), (b) and (c) of subsection 5.02 shall, respectively, be determined in accordance with the applicable rates of other non-residential, agricultural and residential development charges.
- 6.04 **Effect of Provisions Referred to in Subsection 5.01:** As subsection 5.01 is not subject to paragraph 3 of subsection 5(6) of the Act, the

development charges reserve fund reconciliation included in any Development Charges Background Study prepared after the coming into force of this by-law shall, as much as financial records will admit, carry forward into the determination of future rates of development charges the shortfalls in the development charges reserve fund arising from the provisions referred to in subsection 5.01.

- 6.05 **No Phase-in of Development Charges:** For greater certainty, the development charges set out in Schedules 1 and 2 to this by-law shall not be phased in, and, subject to indexation in accordance with subsection 6.06, shall take effect upon the coming into force of this by-law.
- 6.06 **Indexation of Development Charges:** Starting on January 1, 2026, the Manager of Corporate Assets shall, without amendment to this by-law and as permitted by paragraph 10 of subsection 5(1) of the Act, annually index the development charges set out in Schedules 1 and 2 to this by-law in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, or any successor thereof, whereupon the indexed development charges shall take effect at 12:01am January 1 of the year during which they are to be in effect.

## **7 Section 7: Other Matters**

- 7.01 **Schedules:** The following schedules to this by-law form part of this by-law:
- (a) Schedule 1: Residential Development Charges;
  - (b) Schedule 2: Non-Residential Development Charges; and
  - (c) Schedule 3: Northwest Lindsay Development Area.
- 7.02 **Abbreviations and Symbols in Schedules:** The following equivalences apply to abbreviations and symbols appearing in Schedules 1 and 2 to this by-law:
- (a) "\$" stands for dollars in Canadian currency;
  - (b) "/" stands for per;
  - (c) "Unit" stands for dwelling unit;
  - (d) "m<sup>2</sup>" stands for square metre or square metres, as context requires;
  - (e) "GFA" stands for gross floor area, measured in square metres;
  - (f) "NGC" stands for nameplate generating capacity, measured in kilowatts; and
  - (g) "KW" stands for kilowatt or kilowatts, as context requires.



- 7.03 **Override by Prior Section 27 Agreement:** Notwithstanding any other provision of this by-law, the provisions of an agreement between the City and an owner, made pursuant to section 27 of the Act and setting out, based upon rates of development charges in effect prior to the coming into force of this by-law, the development charges to be paid and or services in lieu of development charges to be provided by the owner in respect of a particular development, shall override this by-law in respect of that development if the agreement:
- (a) was executed before the coming into force of this by-law; and
  - (b) remains in effect at the time this subsection is invoked for the purposes of fulfilling the agreement.
- 7.04 **Concurrent and Subsequent By-Laws:** This by-law does not:
- (a) impair any concurrent by-law imposing development charges, capital charges or similar charges within the City; or
  - (b) preclude the enactment of subsequent by-laws imposing development charges, capital charges or similar charges within the City.
- 7.05 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.
- 7.06 **Registration on Title:** As permitted by section 42 of the Act, the City may register a certified copy of this by-law with the Land Registry Office, or any successor thereof, against title to any land to which this by-law applies.
- 7.07 **Effective Date and Expiry:** This by-law shall come into force at 12:01am January 1, 2026, and shall expire at 11:59pm December 31, 2035 unless it is repealed prior thereto.
- 7.08 **Repeal:** By-Law 2019-184 (A By-Law to Impose Development Charges in the City of Kawartha Lakes) is repealed at 12:01am January 1, 2026 upon the coming into force of this by-law.

By-law passed this 18th day of November, 2025.

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Doug Elmslie, Mayor

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Cathie Ritchie, City Clerk

### **Schedule 1: Residential Development Charges**

The residential development charges imposed by this by-law shall be those set out in the following table by type of dwelling unit, subject to indexation:

Municipal Service	Single- or Semi-Detached (\$/Unit)	Row or Multiple (\$/Unit)	Large Apartment (\$/Unit)	Small Apartment (\$/Unit)
Public Health	332	246	242	151
By-Law Enforcement	41	30	30	19
Parks and Recreation	3,924	2,909	2,856	1,785
Library	500	371	364	227
Growth-Related Studies	567	420	413	258
Fire	3,403	2,523	2,477	1,548
Fire-Rural	737	546	536	335
Paramedic	811	601	590	369
Police	1,874	1,389	1,364	852
Transit	641	475	467	292
Roads and Related	12,841	9,521	9,346	5,841
Water Treatment	20,625	15,292	15,012	9,382
Water Distribution	2,790	2,069	2,031	1,269
Wastewater Treatment	11,079	8,214	8,064	5,040
Wastewater Collection	7,301	5,413	5,314	3,321
Municipal Service Area	Single- or Semi-Detached (\$/Unit)	Row or Multiple (\$/Unit)	Large Apartment (\$/Unit)	Small Apartment (\$/Unit)
Urban-Lindsay	66,729	49,473	48,570	30,354
Urban-NWT	59,428	44,060	43,256	27,033
Urban-Other	64,214	47,609	46,739	29,210
Rural-Ops	25,030	18,556	18,218	11,385
Rural-Other	23,156	17,167	16,854	10,533

## **Schedule 2: Non-Residential Development Charges**

The non-residential development charges imposed by this by-law shall be those set out in the following table by type of non-residential development, subject to indexation:

Municipal Service	Electricity Generation (\$/500 KW of NGC)	Other Non-Residential (\$/m <sup>2</sup> of GFA)
Public Health		0.54
By-Law Enforcement		0.22
Parks and Recreation		7.75
Library		0.97
Growth-Related Studies		4.41
Fire	3,403	20.13
Fire-Rural	737	2.26
Paramedic	811	4.63
Police	1,874	11.84
Transit		4.20
Roads and Related	12,841	74.92
Water Treatment		127.98
Water Distribution		17.33
Wastewater Treatment		68.57
Wastewater Collection		46.39
Municipal Service Area	Electricity Generation (\$/500 KW of NGC)	Other Non-Residential (\$/m <sup>2</sup> of GFA)
Urban-Lindsay	18,929	389.88
Urban-NWT	18,929	343.49
Urban-Other	17,055	373.84
Rural-Ops	19,666	127.67
Rural-Other	17,792	115.83

# Schedule 3: Northwest Lindsay Development Area

