


TO: GENERAL COMMITTEE


SUBJECT: WHISKEY CREEK AREA SPECIFIC DEVELOPMENT CHARGES BY-LAW UPDATE

WARD: ALL

PREPARED BY AND KEY CONTACT: A. GALLANT, SUPERVISOR OF DEVELOPMENT CHARGES, EXTENSION #4503
M. JERMEY, DEPUTY TREASURER, EXTENSION #4407

SUBMITTED BY: C. MILLAR, DIRECTOR OF FINANCE AND TREASURER 

GENERAL MANAGER APPROVAL: P. ELLIOTT-SPENCER, GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES 

CHIEF ADMINISTRATIVE OFFICER APPROVAL: C. LADD, CHIEF ADMINISTRATIVE OFFICER 

RECOMMENDED MOTIONS

1. That the Whiskey Creek Stormwater Works and Downstream Conveyance Works Area-Specific Development Charges Background Study, dated April 13, 2016, be approved under Section 10 of the Development Charges Act, 1997.
2. That By-law No. 2011-096 be repealed and replaced with the necessary by-law attached as Appendix "B" to Staff Report FIN009-16.
3. That pursuant to Section 12 of the Development Charges Act, 1997, no further public meetings are required prior to the passing of this by-law.

PURPOSE & BACKGROUND

Report Overview

4. On June 27, 2011, Council passed the current Whiskey Creek Area Specific Development Charge By-law 2011-096 (replacing By-law 2006-165) to ensure payback to the front-ending owners of costs related to Pond A and the associated downstream conveyance works located west of Highway 400 on the north and south side of Harvie Road extending to Essa Road and beyond.
5. The current Development Charge Background Study provides the basis for a new development charge by-law for the purpose of updating costs for the uncompleted projects and continues development charge collection from all properties in the defined area.

6. The works included in the current By-law are as follows:
 - a) Stormwater management pond W5 (Pond A);
 - b) Stolp Pond Quality Improvements;
 - c) Bryne Drive culvert;
 - d) Harvie Road East of Bryne Regional culvert;
 - e) Harvie Road West of Bryne culvert and channel upgrades; and,
 - f) Highway 400 Regional culvert crossing.
7. The development within the benefiting area will require the completion of identified works in order to permit further development to proceed. The Whiskey Creek area specific development charge by-law supports development within the area while sharing the costs of stormwater management and downstream conveyance works between benefiting land owners. It also supports the payback of upfront financing arrangements from the other benefiting owners.

ANALYSIS

8. A team consisting of staff from Engineering and Finance Departments, as well as consultants from Watson and Associates Economists Ltd. (Watson & Associates), was assembled to review and update the 2011 Background Study and By-law.
9. Consistent with the key principles of the previous By-laws, the development charge in the proposed updated by-law was calculated on a per development area basis and based on benefiting drainage area and run-off co-efficients. There are a total of 15 development areas which benefit from at least some of the works.
10. The share of costs to each development area remains proportionately similar to the 2011 Whiskey Creek Area Specific By-law. As development within the areas has occurred in phases, some of the areas have been further broken down into sub-areas. However, the total area has not changed.
11. The current total eligible development charge costs for the six works as well as study and by-law costs are calculated as \$6.8M. Appendix A indicates the 15 development areas and their related share of the development charge. Collection of the proposed area specific development charges will occur immediately upon entering into a subdivision agreement or, if applicable, at time of severance. If the development does not require subdivision or severance approval, collection will occur at the time of the first building permit issuance on the parcel.
12. Under the current and previous by-laws, the City has collected approximately \$1.5M for all recommended drainage works, which will be used to repay developers for works completed and to fund future works as identified in the background study. Under the proposed by-law, any land that will be redeveloped will be subject to development charges related to the stormwater management Pond A and downstream conveyance works, with credits given for payments made under previous by-laws.
13. The stormwater management pond and the Stolp Pond quality improvements works were completed in 2005 at a cost of \$1.6M with development charges collected to date of approximately \$852K. The proposed by-law includes remaining indexed costs to be collected of \$1.3M with respect to the pond costs.

14. Works related to the downstream conveyance system have not been completed but were identified in the Whiskey Creek Master Drainage Plan Class Environmental Assessment update in 2009. Costs associated with this work have been updated in the proposed by-law and are estimated to be \$5.5M, with development charges collected to date of \$705K.
15. The Background Study was published on April 13, 2016 and made available through the City's website. Notices regarding the background study release and public meeting date were published in This Week in Barrie commencing on April 14th and weekly thereafter. The public meeting was held on May 16th, during which no questions were raised by the public. The deadline for written submissions for inclusion with the staff report to General Committee was May 24th; no submissions have been received to date.
16. The founding principle of the Whiskey Creek By-law from 2002 is that charges are based on land area and not net developable area. This principle has been maintained in the current by-law update. Consequently, the by-law has not been revised to account for any future Environmental Assessments and Master Plans.
17. The development charge by-law term will be in effect for a period of no more than five years as stipulated under the *Development Charges Act, 1997*.
18. On December 3, 2015 the Province passed Bill 73 which amended the *Development Charges Act*. The key changes that impact this background study have been summarized in Section 2 of the study. For example, the background study is now required to include an asset management plan related to new infrastructure, in order to demonstrate that the new infrastructure is financially sustainable over their full life cycle. The asset management plan has been included in Section 3.6 of the study. Another requirement that resulted from Bill 73 is that the background study must be made available to the public at least 60 days prior to the passage of the Development Charge By-law. The Whiskey Creek Area Specific Development Charge Background Study was posted on the City's website on April 13, 2016 in order to comply with this requirement.

ENVIRONMENTAL MATTERS

19. There are no environmental matters related to the recommendation.

ALTERNATIVES

20. The following alternatives are available for consideration by General Committee:

Alternative #1

General Committee could direct staff not to proceed with the update of the Area Specific Development Charge By-law.

This alternative is not recommended as there is approximately \$1.3M of outstanding development charges to be collected related to completed works, and \$5.5M to be collected related to the Development Charges Study and future works. The remaining works are required for future development and without this by-law, the City would need to fund this work directly.

Alternative #2

General Committee could defer judgement on the recommended motions to allow additional time for review of the background study.

This alternative is not recommended as the current by-law expires on June 27, 2016, after which time development charges cannot be collected until a new by-law is in place. The background study has been available to the public since April 13.

FINANCIAL

21. There are no direct financial implications for the Corporation resulting from the proposed recommendations in this Staff Report.
22. There is financial risk associated with the potential inability to collect full development charges in this area, due to the development that has already taken place. If the City does not collect adequate development charges to fund the downstream conveyance works projects, an alternate funding source may need to be identified.

LINKAGE TO 2014-2018 STRATEGIC PLAN

23. The recommendations included in this Staff Report support the following goal identified in the 2014-2018 Strategic Plan:
 - Responsible Spending

APPENDIX A

Total Cost Sharing for Each Development (Contributing) Area

NO.	DEVELOPMENT AREAS	WHISKEY CREEK STORM WATER MANAGEMENT POND WORKS	WHISKEY CREEK DOWNSTREAM CONVEYANCE WORKS (INCLUDING DC STUDY COSTS)	TOTAL DC ELIGIBLE COSTS
1A	Barrie - Bryne Developments - Industrial (formerly Lorne Properties - Industrial)	\$221,157	\$638,472	\$859,629
1B	Barrie - Bryne Developments - Commercial (formerly Lorne Properties - Commercial)	\$0	\$239,395	\$239,395
1C	Barrie - Bryne Developments - Commercial (formerly Lorne Properties - Commercial)	\$0	\$446,841	\$446,841
1D	1074243 Ontario Limited - Industrial (formerly Lorne Properties - Industrial)	\$85,205	\$245,983	\$331,189
1E	1074243 Ontario Limited - Industrial (formerly Lorne Properties - Industrial)	\$0	\$131,432	\$131,432
1F	Discovery Daycare *	\$0	\$40,997	\$40,997
2	Harvie Island Estates - Residential (formerly Lorne Properties - to Res) *	\$0	\$153,094	\$153,094
3	Mason Homes Ltd.	\$626,145	\$1,045,300	\$1,671,445
4	ASV Enterprises - Townhouse (formerly Lorne Properties - Townhouse) *	\$0	\$71,099	\$71,099
5	Future Dev - Residential	\$23,810	\$39,748	\$63,558
6A	Sunfield Homes (Mapleview III):	\$192,744	\$321,772	\$514,516
6B	Pratt/Hansen*	\$96,808	\$161,613	\$258,420
7	Future Res - Allandale Vet	\$9,054	\$15,116	\$24,170
8	Future Comm - Allandale Vet	\$60,517	\$101,029	\$161,546
9	Jarlette *	\$0	\$99,220	\$99,220
10A	Rob-Geoff *	\$0	\$308,582	\$308,582
10B	541 Essa Rd.	\$0	\$5,039	\$5,039
11A	Pratt Construction (Pratt-Holly Meadows) *	\$0	\$198,595	\$198,595
11B	27 Holdings *	\$0	\$304,551	\$304,551
12A	Essa - Ferndale Development	\$0	\$71,561	\$71,561
12B	Pratt Ferndale Townhouse *	\$0	\$36,261	\$36,261
12C	430 Essa Rd.	\$0	\$18,302	\$18,302
12D	440 Essa Rd.	\$0	\$13,852	\$13,852
13	Beacon Subdivision *	\$0	\$117,381	\$117,381
14	Future Residential	\$0	\$139,977	\$139,977
15A	Bell Media Site (CKVR Lands - Station Lands)*	\$0	\$55,419	\$55,419
15B	Bell Media Site (CKVR Lands)	\$0	\$498,770	\$498,770
TOTALS		\$1,315,441	\$5,519,401	\$6,834,842

* Development areas (in whole or in part) which have already provided securities to the City, or have already paid development charges under prior by-laws

APPENDIX B

By-law 2016-XXX

Being a by-law of the Corporation of the City of Barrie, to establish an area-specific development charge for the Whiskey Creek Stormwater Management Works and Downstream Conveyance Works, pursuant to an Area-Specific Development Charge Background Study

WHEREAS Subsection 2(1) of the *Development Charges Act, 1997, c. 27 (the "Act")* provides that the council of a municipality may pass by-laws for the imposition of development charges against land for increased capital costs required because of the need for services arising from development in the area to which the by-law applies;

AND WHEREAS the Council of the Corporation of the City of Barrie (the "City of Barrie") has given Notice of a Public Meeting, in accordance with the *Act*, of its intention to pass a by-law under Section 2 of *the Act*;

AND WHEREAS the Council of the City of Barrie has heard all persons who applied to be heard no matter whether in objection to, or in support of, the area-specific development charge proposal at a public meeting held on May 16, 2016;

AND WHEREAS the Council of the City of Barrie received and had before it, a report entitled Development Charge Background Study, Whiskey Creek Stormwater Management Works and Downstream Conveyance Works, prepared by Watson & Associates Economists Ltd., dated April 13, 2016, wherein it is indicated that the development of any land within the specified areas designated in Schedule "A" to this By-law will increase the need for services as defined therein;

AND WHEREAS the Council of the City of Barrie has made the Development Charge Background Study, Whiskey Creek Stormwater Management Works and Downstream Conveyance Works dated April 13, 2016, available to the public at least sixty days prior to the passage of the Whiskey Creek Area Specific Development Charges By-law, in accordance with *the Act*;

AND WHEREAS the Council of the City of Barrie on June 13, 2016 approved the City of Barrie Development Charge Background Study, Whiskey Creek Stormwater Management Works and Downstream Conveyance Works dated April 13, 2016, in which certain recommendations were made relating to the establishment of an area specific development charge pursuant to *the Act*;

AND WHEREAS the Council of the City of Barrie at its meeting on June 13, 2016 determined that no additional public meeting was required.

NOW THEREFORE, the Council of the City of Barrie enacts as follows:

AREA-SPECIFIC DEVELOPMENT CHARGE – WHISKEY CREEK STORMWATER MANAGEMENT WORKS AND DOWNSTREAM CONVEYANCE WORKS

1. **THAT** an area-specific development charge shall be imposed on the lands set out in Schedule "A" of this by-law in accordance with the terms and provisions set out therein.

DATE BY-LAW EFFECTIVE

2. **THAT** this by-law comes into force on the date following the date of its passage by the Council of the Corporation of the City of Barrie.

SCHEDULES

3. **THAT** the following Schedules to this by-law form an integral part of this by-law:
Schedules "A", "A-1", "A-2" and "A-3"

READ a first and second time this _____ day of June, 2016.

READ a third time and finally passed this _____ day of June, 2016.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR

CLERK

Schedule "A"
City of Barrie By-law 2016-
Schedule of Area-Specific Development Charges for
Whiskey Creek Stormwater Management Works and Downstream
Conveyance Works Area

DEFINITIONS

1. For the purposes of this Schedule, the following definitions shall apply:
 - (1) "**Act**" means the *Development Charges Act, 1997, c. 27*;
 - (2) "**accessory use**" means a use of land, buildings or structures which is incidental and subordinate to the principal use of the lands and buildings;
 - (3) "**Board of Education**" means a board defined in Subsection 1(1) of the *Education Act R.S.O. 1990, c.E.2*;
 - (4) "**Building Code Act**" means the *Building Code Act, S.O. 1992, c.23* as amended;
 - (5) "**capital cost**" means costs incurred or proposed to be incurred by the municipality or a local board directly or by others on behalf of, and as authorized by, a municipality or local board
 - (a) to acquire land or an interest in the land, including a leasehold interest;
 - (b) to improve land;
 - (c) to acquire, lease, construct or improve buildings and structures;
 - (d) to acquire, lease, construct or improve facilities including:
 - (i) rolling stock with an estimated useful life of seven years or more,
 - (ii) furniture and equipment, other than computer equipment, and
 - (iii) materials acquired for circulation, reference or information purposes by a library board as defined in the *Public Libraries Act, c.P.44*;
 - (e) to undertake studies in connection with any matter under the Act and any of the matters in clauses (a) to (d);
 - (f) interest on money borrowed to pay for costs in (a) to (d);
 - (g) to complete the development charge background study under Section 10 of the Act;
- required for provision of services designated in this Schedule within or outside the municipality.

- (6) "**Council**" means the Council of The Corporation of the City of Barrie;
- (7) "**development**" means any activity or proposed activity in respect of land that requires one or more of the actions referred to in Section 8 of this Schedule and including the redevelopment of land or the redevelopment, expansion, extension or alteration of a use, building or structure except interior alterations to an existing building or structure that does not change or intensify the use of the land;
- (8) "**development charge**" means a charge imposed pursuant to this Schedule;
- (9) "**local board**" means a public utility commission, public library board, local board of health or any other board, commission, or body 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 the municipality or any part or parts thereof;
- (10) "**local services**" means those services or facilities 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, required as a condition of approval under Section 51 of the *Planning Act*, or as a condition of approval under Section 53 of the *Planning Act*;
- (11) "**municipality**" means The Corporation of the City of Barrie;
- (12) "**non-residential use**" means a building or structure used for other than a residential use;
- (13) "**official plan**" means the Official Plan of the City of Barrie and any amendments thereto;
- (14) "**owner**" means the owner(s) of land or a person(s) who has made application for an approval for the development of land upon which a development charge is imposed;
- (15) "**Planning Act**" means the *Planning Act*, R.S.O. 1990, c.P.13 as amended;
- (16) "**regulation**" means any regulation made pursuant to the Act;
- (17) "**residential uses**" means lands, buildings or structures or portions thereof used, or designed or intended for use as a home or residence of one or more individuals, and shall include a single detached dwelling, a semi-detached dwelling, a multiple dwelling, an apartment dwelling, and the residential portion of a mixed-use building or structure;
- (18) "**services**" means services set out in Schedule A-1 to this Schedule.

SCHEDULES OF DEVELOPMENT CHARGES

2. (a) Subject to the provisions of this Schedule, development charges against land shall be imposed, calculated and collected in relation to the services set out in Schedule "A-1".
- (b) The development of residential and non-residential lands within the areas defined in Schedule "A-3" are subject to the charges set out in Schedule "A-2".
- (c) Council hereby determines that the development or redevelopment of land, buildings or structures for residential and non-residential uses will require the provision, enlargement or expansion of the services referenced in Schedule "A-1".

PHASE IN OF DEVELOPMENT CHARGES

3. The development charges imposed pursuant to this by-law are not being phased in and are payable in full, subject to the exemptions herein, from the effective date of this Schedule.

APPLICABLE LANDS

4. (a) Subject to Section 5, 6 and 7, this Schedule applies to all lands within the Whiskey Creek drainage area, 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.
- (b) This Schedule shall not apply to the lands owned by and used for the purposes of:
- (i) a board of education;
 - (ii) any municipality or local board thereof.

RULES WITH RESPECT TO EXEMPTIONS FOR INTENSIFICATION OF EXISTING HOUSING

5. (a) Notwithstanding Section 4 above, no development charge shall be imposed with respect to developments or portions of developments as follows:
- (i) the enlargement of an existing residential dwelling unit;
 - (ii) the creation of one or two additional residential dwelling units in an existing single detached dwelling where the total gross floor area of each additional unit does not exceed the gross floor area of the existing dwelling unit;
 - (iii) the creation of one additional dwelling unit in any other existing residential building provided the gross floor area of the additional unit does not exceed the smallest dwelling unit already in the building.
- (b) Notwithstanding subsection 5(a)(ii), development charges shall be calculated and collected in accordance with Schedule "A-2" where the total residential gross floor area of the additional one or two dwelling units is greater than the total gross floor area of the existing single detached dwelling unit.
- (c) Notwithstanding subsection 5(a)(iii), development charges shall be calculated and collected in accordance with Schedule "A-2" where the additional dwelling unit has a residential gross floor area greater than,
- (i) in the case of a semi-detached house or multiple dwelling, the gross floor area of the existing dwelling unit, and
 - (ii) in the case of any other residential building, the residential gross floor area of the smallest existing dwelling unit.

RULES WITH RESPECT TO AN "INDUSTRIAL" EXPANSION EXEMPTION

6. (a) Notwithstanding Section 4 above, 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:
- (i) if the gross floor area is enlarged by 50 percent or less, the amount of the development charge in respect of the enlargement is zero; or

- (ii) if the gross floor area is enlarged by more than 50 percent, development charges are payable on the amount by which the enlargement exceeds 50 percent of the gross floor area before the enlargement.
- (b) For the purposes of this section, the terms "gross floor area" and "existing industrial building" shall have the same meaning as those terms have in O.Reg. 82/98 made under the Act.

DEVELOPMENT CHARGES IMPOSED

7. (a) Subject to subsections (b) and (c), development charges shall be calculated and collected in accordance with the provisions of this Schedule and be imposed on land to be developed for residential and non-residential use where the development requires:
- (i) the passing of a zoning by-law or an amendment thereto under Section 34 of the *Planning Act*;
 - (ii) the approval of a minor variance under Section 45 of the *Planning Act*;
 - (iii) a conveyance of land to which a by-law passed under subsection 49(7) of the *Planning Act* applies;
 - (iv) the approval of a plan of subdivision under Section 51 of the *Planning Act*;
 - (v) a consent under Section 53 of the *Planning Act*;
 - (vi) the approval of a description under Section 50 of the *Condominium Act*, S.O. 1990, c. 19;
 - (vii) the issuing of a permit under the *Building Code Act* in relation to a building or structure.
- (b) Subsection (a) shall not apply in respect to
- (i) local services installed or paid for by the owner within a plan of subdivision or within the area to which the plan relates, as a condition of approval under Section 51 of the *Planning Act*;
 - (ii) local services installed or paid for by the owner as a condition of approval under Section 53 of the *Planning Act*.
- (c) Where an owner proposes to develop land within a development area in accordance with the areas shown in Schedule A-3 and the land to be developed comprises less than 100 percent of a defined development area as set out in Schedule A-3, the amount of the charge may be calculated and collected, at the discretion of the municipality, on the basis of the proportion to which the land subject to the development application bears to the total development area, applied to the charge in Schedule A-2. For greater certainty, land to be developed shall be deemed to include land to be dedicated to the municipality or any other public agency within a defined development area.

LOCAL SERVICE INSTALLATION

8. Nothing in this Schedule prevents Council from requiring, as a condition of an agreement under Section 51 or 53 of the *Planning Act*, that the owner, at his or her own expense, shall install or pay for such local services within the plan of subdivision or within the area to which the plan relates, as Council may require.

MULTIPLE CHARGES

9. Where two or more of the actions described in subsection 7(a) 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 provision of this Schedule.

SERVICES IN LIEU

10. (a) Council may authorize an owner, through an agreement under Section 38 of the Act, to substitute such part of the development charge applicable to the owner's development as may be specified in the agreement, by the provision at the sole expense of the owner, of services in lieu. Such agreement shall further specify that where the owner provides services in lieu in accordance with the agreement, Council shall give to the owner a credit against the development charge in accordance with the agreement provisions and the provisions of Section 39 of the Act, equal to the reasonable cost to the owner of providing the services in lieu. In no case shall the agreement provide for a credit that exceeds the total development charge payable by an owner to the municipality in respect of the development to which the agreement relates.
- (b) In any agreement under subsection 10(a), Council may also give a further credit to the owner equal to the reasonable cost of providing services in addition to, or of a greater size or capacity that would be required under this Schedule.
- (c) The credit provided for in subsection 10(b) shall not be charged to any development charge reserve fund.

RULES WITH RESPECT TO RE-DEVELOPMENT

11. (a) No credit shall be given if all or part of a residential or non-residential building or structure is demolished.
- (b) Notwithstanding subsection 11(a), if a development charge has previously been paid under this Schedule or a predecessor by-law for the Whiskey Creek Downstream Conveyance Works in respect of development of land, and the land is being redeveloped:
- (i) the development charge payable in respect of the redevelopment will be calculated under this by-law;
- (ii) the development charge determined under paragraph (i) will be reduced by a credit equivalent to the development charge previously paid in respect of the land provided that the owner provides proof of payment satisfactory to the City of Barrie and the credit does not exceed the development charge determined under paragraph (i).

TIMING AND CALCULATION OF PAYMENT

12. (a) Development Charges shall be calculated and payable in full in money, on the date of registration of a plan of subdivision under section 51 of the *Planning Act* or upon the date of the granting of any severance approved under section 53 of the *Planning Act*.
- (b) Notwithstanding subsection (a), if no new plan of subdivision is required, development charges shall be calculated and payable on the date of the first building permit issued in relation to a building or structure on land to which a building permit applies.
- (c) 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 charge has been paid in full.

RESERVE FUNDS

13. (a) Monies received from payment of development charges shall be maintained in two separate reserve funds as follows: Whiskey Creek Stormwater Management Works and Whiskey Creek Downstream Conveyance Works.
- (b) Monies received for the payment of development charges shall be used only in accordance with the provisions of Section 35 of the Act.
- (c) Where any development charge, or part thereof, remains unpaid after the due date, the amount unpaid shall be added to the tax roll and shall be collected as taxes.
- (d) Where any unpaid development charges are collected as taxes under subsection (c), the monies so collected shall be credited to the development charge reserve funds referred to in subsection (a).
- (e) The Treasurer of the Municipality 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 the Section 43 of the Development Charges Act, 1997, as amended.

BY-LAW AMENDMENT OR APPEAL

14. (a) Where this Schedule or any development charge prescribed hereunder is amended or repealed either by order of the Ontario Municipal Board or by resolution of the Municipal Council, the Municipal Treasurer shall calculate forthwith the amount of any overpayment to be refunded as a result of said amendment or repeal.
- (b) Refunds that are required to be paid under subsection (a) shall be paid with interest to be calculated as follows:
- (i) Interest shall be calculated from the date on which the overpayment was collected to the date on which the refund is paid;
- (ii) The Bank of Canada interest rate in effect on the date of enactment of this Schedule shall be used.
- (c) Refunds that are required to be paid under subsection (a) shall include the interest owed under this section.

BY-LAW INDEXING

15. The development charges set out in Schedule "A-2" to this Schedule shall be adjusted annually, without amendment to this by-law, commencing on January 1, 2017, and annually on the first of January thereafter in accordance with the indexing requirements set out under the City of Barrie's Development Charge By-law 2014-108 or a successor by-law.

BY-LAW REGISTRATION

16. A certified copy of the By-law of which this Schedule forms a part may be registered on title to any land to which it applies.

SEVERABILITY

17. In the event any provision, or part thereof, of this by-law is found, by a court of competent jurisdiction, to be *ultra vires*, such provision, or part thereof, shall be deemed to be severed, and the remaining portion of such provision and all other provisions of this by-law shall remain in full force and effect.

HEADINGS FOR REFERENCE ONLY

18. The headings inserted in this Schedule are for convenience of reference only and shall not affect the construction or interpretation of this Schedule or the By-law of which it forms a part.

BY-LAW ADMINISTRATION

19. This by-law shall be administered by the Municipal Treasurer.

SCHEDULES

20. The following Schedules are attached hereto and form an integral part hereof as well as the By-law of which this Schedule forms a part:

Schedule A-1 - Schedule of Municipal Services

Schedule A-2 - Schedule of Area Specific Development Charges for Whiskey Creek Stormwater Management Works and Downstream Conveyance Works

Schedule A-3 - Schedule of Areas in which Area Specific Development Charges for Whiskey Creek Stormwater Management Works and Downstream Conveyance Works apply.

SHORT TITLE

21. The By-law to which this and all Schedules referred to herein are attached may be cited as the "Whiskey Creek Stormwater Management Works and Downstream Conveyance Works Development Charges By-law, 2016."

SCHEDULE "A-1"
CITY OF BARRIE BY-LAW 2016-
SCHEDULE OF MUNICIPAL SERVICES FOR
WHISKEY CREEK STORMWATER MANAGEMENT WORKS AND DOWNSTREAM
CONVEYANCE WORKS AREA

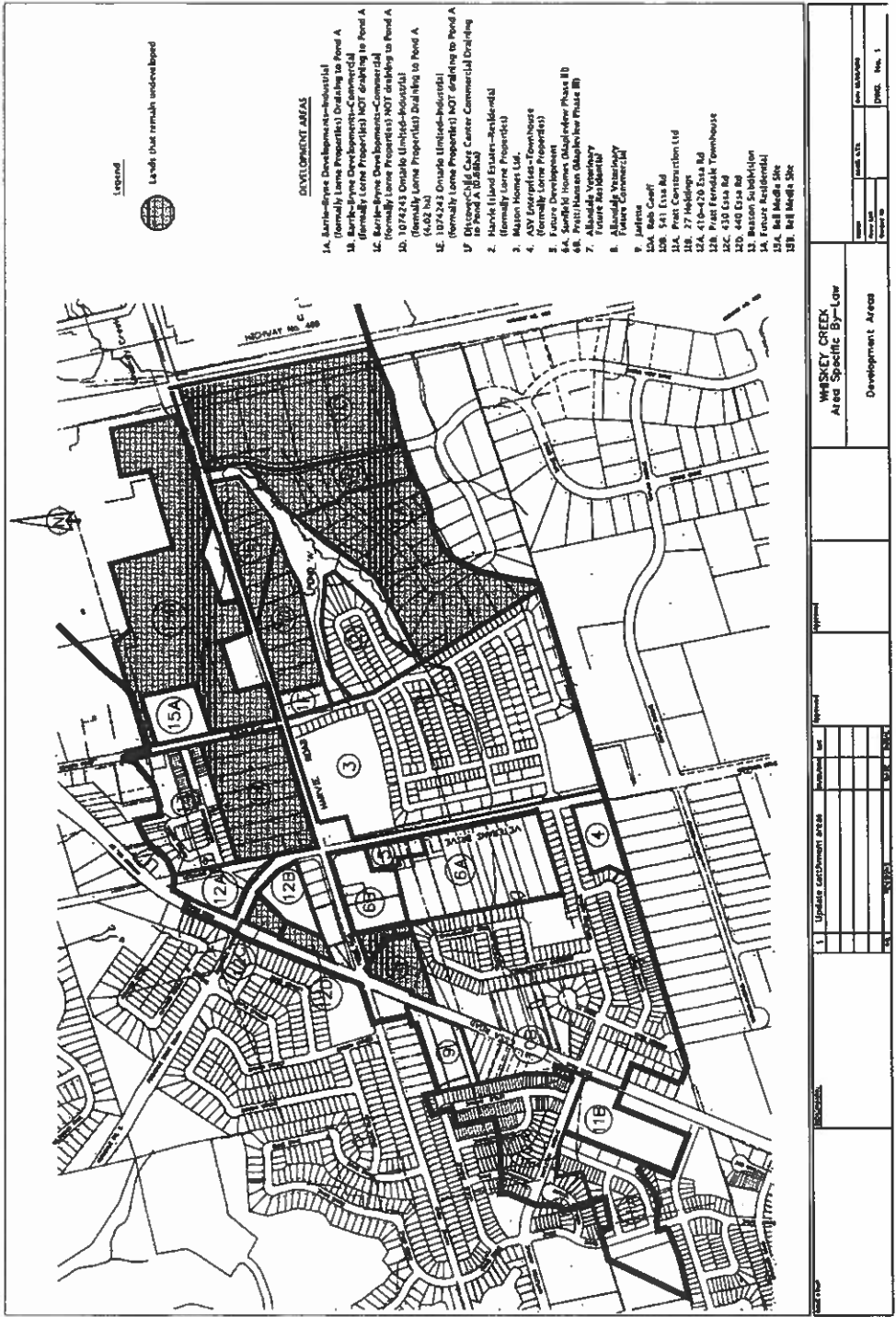
1. Whiskey Creek Stormwater Management Pond Works (including Stolp Pond Improvements)
2. Whiskey Creek Downstream Conveyance Works (including Development Charge Study Costs)

Schedule "A-2"
City of Barrie By-law 2016-
Schedule of Municipal Services for
Whiskey Creek Stormwater Management Works and Downstream
Conveyance Works Area

NO.	DEVELOPMENT AREAS	WHISKEY CREEK STORMWATER MANAGEMENT POND WORKS	WHISKEY CREEK DOWNSTREAM CONVEYANCE WORKS (INCLUDING DC STUDY COSTS)	TOTAL DC ELIGIBLE COSTS
1A	Barrie - Bryne Developments - Industrial (formerly Lorne Properties - Industrial)	\$221,157	\$638,472	\$859,629
1B	Barrie - Bryne Developments - Commercial (formerly Lorne Properties - Commercial)	\$0	\$239,395	\$239,395
1C	Barrie - Bryne Developments - Commercial (formerly Lorne Properties - Commercial)	\$0	\$446,841	\$446,841
1D	1074243 Ontario Limited - Industrial (formerly Lorne Properties - Industrial)	\$85,205	\$245,983	\$331,189
1E	1074243 Ontario Limited - Industrial (formerly Lorne Properties - Industrial)	\$0	\$131,432	\$131,432
1F	Discovery Daycare *	\$0	\$40,997	\$40,997
2	Harvie Island Estates - Residential (formerly Lorne Properties - to Res) *	\$0	\$153,094	\$153,094
3	Mason Homes Ltd.	\$626,145	\$1,045,300	\$1,671,445
4	ASV Enterprises - Townhouse (formerly Lorne Properties - Townhouse) *	\$0	\$71,099	\$71,099
5	Future Dev - Residential	\$23,810	\$39,748	\$63,558
6A	Sunfield Homes (Mapleview III):	\$192,744	\$321,772	\$514,516
6B	Pratt/Hansen*	\$96,808	\$161,613	\$258,420
7	Future Res - Allandale Vet	\$9,054	\$15,116	\$24,170
8	Future Comm - Allandale Vet	\$60,517	\$101,029	\$161,546
9	Jarlette *	\$0	\$99,220	\$99,220
10A	Rob-Geoff *	\$0	\$308,582	\$308,582
10B	541 Essa Rd.	\$0	\$5,039	\$5,039
11A	Pratt Construction (Pratt-Holly Meadows) *	\$0	\$198,595	\$198,595
11B	27 Holdings *	\$0	\$304,551	\$304,551
12A	Essa - Ferndale Development	\$0	\$71,561	\$71,561
12B	Pratt Ferndale Townhouse *	\$0	\$36,261	\$36,261
12C	430 Essa Rd.	\$0	\$18,302	\$18,302
12D	440 Essa Rd.	\$0	\$13,852	\$13,852
13	Beacon Subdivision *	\$0	\$117,381	\$117,381
14	Future Residential	\$0	\$139,977	\$139,977
15A	Bell Media Site (CKVR Lands - Station Lands)*	\$0	\$55,419	\$55,419
15B	Bell Media Site (CKVR Lands)	\$0	\$498,770	\$498,770
TOTALS		\$1,315,441	\$5,519,401	\$6,834,842

* Development areas (in whole or in part) which have already provided securities to the City, or have already paid development charges under prior by-laws

**Schedule "A-3"
City of Barrie By-law 2016-
Schedule of Area-Specific Development Charges for Whiskey Creek Stormwater Management Works and
Downstream Conveyance Works Area**



Whiskey Creek Area Specific By-Law		Development Areas	
1. Update development areas	2. Update development areas	3. Update development areas	4. Update development areas
5. Update development areas	6. Update development areas	7. Update development areas	8. Update development areas
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