

BY-LAW NO. 6342

OF

THE CORPORATION OF THE COUNTY OF SIMCOE

A By-law to repeal and replace By-law No. 6297
being a by-law to establish an Industrial Development
Charges Abatement Program for the County of Simcoe.

WHEREAS the Planning Act, R.S.O. 1990, Section 28, authorizes municipalities to make grants or loans in conformity with community improvement plans;

AND WHEREAS the Municipal Act, 2001, Section 5(1), provides that the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS the Development Charges Act, 1997, Section 29, provides the powers of a upper tier municipality to impose development charges to be administered by an area municipality;

AND WHEREAS the Municipal Act, 2001, Section 5(3), provides that the powers of every Council are to be exercised by by-law;

AND WHEREAS the County of Simcoe encourages County municipalities to take advantage of a diverse range of implementation tools in order to encourage and direct Industrial development to the County of Simcoe;

AND WHEREAS the Province of Ontario has provided local municipalities with different planning tools to stimulate development or redevelopment in their municipalities under the provision of the Planning Act;

AND WHEREAS the County of Simcoe Official Plan contains policy that supports sustainable land uses, intensification, restoration and reuse of vacant or underused buildings and land as well as the reclamation of contaminated lands.

AND WHEREAS the County of Simcoe's 10-year Economic Development Strategic Plan encourages collaboration with local municipalities to provide financial solutions for having the necessary infrastructure and services in place for employment areas and districts throughout the County of Simcoe;

AND WHEREAS by the adoption of Resolution 2013-174, County Council deemed it necessary to establish a Development Charges Abatement Program;

AND WHEREAS by the adoption of Committee of the Whole Recommendation CCW-092-14, County Council deems it desirable to expand the Development Charges Abatement Program to provide Development Charge abatement for industrial uses for a period of five years.

NOW THEREFORE the Council of the Corporation of the County of Simcoe enacts as follows:

SECTION 1 - DEFINITIONS

1. In this by-law,

- 1.1 “Commercial” means a building or land used for the buying and selling of commodities, a retail store, and office and associated ancillary uses.
- 1.2 “Industrial” means a building or area used and designated for businesses and economic activities including but not limited to, manufacturing, warehousing, offices which may have very limited associated retail and ancillary facilities.
- 1.3 “Local Municipality” or “area municipality” means a lower-tier municipality that forms part of the County of Simcoe.
- 1.4 “Residential” means a building or use of building or part thereof by a person or persons for whom sleeping accommodation is provided but who are not harboured or detained to received medical care or treatment or are not involuntarily detained.

SECTION 2 – ELIGIBILITY CRITERIA, CONDITIONS AND LIMITATIONS

- 2.1. A local municipality is eligible to participate in the County of Simcoe Development Charges Abatement Program provided the local municipality has an approved local Development Charges Abatement program for industrial uses, this includes perpetual exemptions.
- 2.2 The County of Simcoe will waive County Development Charges based upon the same time limits, percentages and conditions as that of the local municipality’s program as it pertains to industrial lands and buildings only. For example, where a local municipality provides for the reduction of 100% of Development Charges, the County of Simcoe will match the program by waiving 100% of the applicable County Development Charge. Where a municipality provides for the reduction of any other percentage of Development Charge levied by a local municipality, the County will match the program by waiving the equivalent percentage of the applicable County Development Charge. The County of Simcoe will not waive a greater percentage than that of the applicable local municipality’s development charge. This program of abatement shall remain in effect for a period of five years from the date this by-law is enacted.

- 2.3. Commercial and residential buildings and uses shall not be included in the County of Simcoe development charge abatement program.
- 2.4 The Treasurer of the County of Simcoe shall be authorized to make the necessary transfer of funds from the general levy to the Development Charges account to compensate for the amounts not collected as a result of this Industrial abatement program.
- 2.5 Pursuant to section 29 of the Development Charges Act, the Treasurer of the County of Simcoe shall advise the Treasurers' of the area municipalities within the County of Simcoe that they are not required to collect the County of Simcoe Industrial Development funds pursuant to section 2.2 herein. The Treasurers of the area municipalities must report on the amounts not collected in the normal fashion of Development Charges reporting requirements.


SECTION 3 – REPEAL OF BY-LAW

- 3.1 THAT By-law No. 6297 being a by-law to establish an Industrial Development Charges Abatement Program be repealed.

SECTION 4 - EFFECTIVE DATE

- 4.1 THAT this by-law shall come into force and take effect immediately upon the approval of County Council.

By-law read a first, second and third time and finally enacted this 11th day of March, A.D., 2014.



Warden, County of Simcoe



Clerk, County of Simcoe