

THE CORPORATION OF THE TOWN OF LINCOLN

BY-LAW NO. 2024-80

BY-LAW TO AMEND BY-LAW 2024-33, BEING A BY-LAW FOR THE IMPOSITION OF DEVELOPMENT CHARGES AND TO REPEAL BY-LAW 2018-93 AND 2022-30 (STORMWATER DRAINAGE SERVICES)

WHEREAS:

1. the Development Charges Act, 1997 c. 27 (hereinafter called "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 need for services;
2. Section 19 of the Act provides for amendments to be made to Development Charges by-laws;
3. subsections 19 (1.2) and 19 (1.3) of the Act permits a municipality to amend a Development Charges by-law, subject to conditions being met, that do not require the process for by-law amendments under subsection 19 (1) of the Act to be followed.

NOW THEREFORE THE COUNCIL OF THE TOWN OF LINCOLN ENACTS AS FOLLOWS:

1. By-law 2024-33 is hereby amended as follows:
 - A. The Capital Cost Definition in Section 1 is deleted, and the following definition is substituted, therefore:

““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;

 - i. to acquire land or an interest in land, including a leasehold interest;
 - ii. to improve land;
 - iii. to acquire, lease, construct or improve buildings and structures;
 - iv. to acquire, construct or improve facilities including:
 - a. furniture and equipment other than computer equipment;
 - b. materials acquired for circulation, reference or information purposes by a library board as defined in the Public Libraries Act; and
 - c. rolling stock with an estimated useful life of seven years or more;
 - v. to undertake studies in connection with any of the matters referred to in paragraphs (i) to (iv);

- vi. costs of the development charge background study required under section 10; and
- vii. interest on borrowing for those expenditures under clauses (i) to (iv) above that are growth-related.”

B. Repeal the Mandatory Phase-in Section 7.1.

- 2. This By-law shall come into force and take effect on the date of its final passing.
- 3. Except as amended by this By-law, all provisions of By-law 2024-33, are and shall remain in full force and effect.

PASSED AND ENACTED on the 18th day of November 2024.

Original signed by:

MAYOR: SANDRA EASTON

Original signed by:

CLERK: JULIE KIRKELOS