



Oct 29, 2025

To: The Mayor
97 Hurontario St,
Collingwood,
ON, L9Y 2L8

Subject: Upcoming Deputation – Development Charge Exemption for Seasonal Structures

Dear Mayor Hamlin,

I am writing on behalf of the Georgian Bay Racquets Initiative (GBRI), a volunteer-led community organisation working to establish year-round indoor tennis facilities in South Georgian Bay.

We are scheduled to present a deputation to Collingwood Town Council on November 3rd, 2025, regarding a proposed development charge exemption for seasonal or temporary recreational structures, specifically air-supported domes used for indoor tennis.

Our deputation will focus on a straightforward policy update: asking Council to direct Town staff to review how Collingwood's Development Charges By-law could recognise seasonal structures—those used less than eight months per year—differently from permanent buildings. We believe this small modernisation would align Collingwood with regional best practice and unlock private investment in community recreation without adding any cost or risk to the Town.

We're looking forward to the opportunity to present our case to Council on November 3rd. In advance of that meeting, I wanted to provide you with a brief overview of the legal authority that supports this type of exemption, which may be helpful if you wish to share it with Town staff or legal counsel as they prepare for the deputation.

Understanding the Development Charges Act, 1997:

The Development Charges Act, 1997 (DCA) is the provincial legislation that governs how municipalities can impose these charges. It sets out the rules that all Ontario municipalities

must follow when establishing and collecting development charges, including what can be charged, how rates are calculated, and what exemptions are permitted.

The good news is that the DCA explicitly grants municipalities the authority to create exemptions for different types of development—meaning Collingwood has full legal authority to recognise seasonal structures as distinct from permanent buildings.

Legal Authority Under the Development Charges Act, 1997:

The Town has clear statutory authority to create exemptions for seasonal structures under the *Development Charges Act, 1997* (the “DCA”).

Section 5(1), paragraph 10 of the DCA provides that:

“The rules may provide for full or partial exemptions for types of development and for the phasing in of development charges.”

This provision explicitly authorises municipalities, in their by-laws, to establish exemptions for different “types of development” when creating their development charge rules.

When read together with paragraph 9 of Section 5(1) — which requires municipalities to set rules “*to determine if a development charge is payable in any particular case and to determine the amount of the charge*” — the Act gives municipalities full discretion to define classes of development and determine how development charges should apply to each.

Through this mechanism, a seasonal or temporary structure (for example, one used less than eight months per year) can be defined as a distinct *type of development*, separate from permanent buildings, and therefore fully or partially exempt from development charges.

This interpretation is also consistent with Section 2(1) of the Act, which empowers municipalities to impose development charges “*by by-law*” — giving them legislative latitude to determine how and when such charges apply.

In short, Collingwood has full legal authority under the DCA to define and exempt temporary or seasonal structures as a unique class of development within its Development Charges By-law.

How This Authority Has Been Used by Regional Municipalities:

Examples are plentiful of municipalities in our region who have relied on this provision to establish DC exemptions for seasonal structures, these include (but are not limited to):

- Town of The Blue Mountains – exempts temporary structures
- Township of Clearview – exempts temporary structures

- Town of Meaford – exempts temporary structures
- City of Owen Sound – exempts temporary structures

These municipalities have defined "temporary structure" in their DC by-laws as structures erected for less than eight months in any calendar year, recognising that seasonal air-supported domes are fundamentally different from permanent buildings in terms of:

- Duration of use
- Lack of permanent foundation or services
- Removability and seasonal operation
- Minimal lasting impact on municipal infrastructure

Enclosed, for ease of reference, are one-page extracts from each of these Town's by-laws demonstrating the existence of this exemption.

Why This Matters for Collingwood:

Under the Town's current DC by-law, any enclosed air-supported structure—regardless of whether it's up for 6 days, 6 months, or 60 years—is treated identically as a permanent building. This creates an unintended barrier to seasonal recreational facilities that could benefit the community.

Establishing an exemption for seasonal structures (as a defined "type of development") would:

- ✓ Align Collingwood with regional best practice
- ✓ Recognise the material difference between temporary and permanent structures
- ✓ Be fully compliant with the *Development Charges Act*
- ✓ Unlock private investment in year-round community recreation

Our Request on November 3rd:

During our deputation, we will be asking Council to direct Town staff to review and report back with options for amending the DC by-law to establish an exemption (as allowed for by the DCA 1997) for seasonal or temporary structures.

Please feel free to share this email with Town staff, legal counsel, or anyone else involved in reviewing this matter. We are happy to provide any additional information that would be helpful in advance of the November 3rd deputation.

Thank you for your time and consideration. We look forward to presenting to Council next week.

Sincerely,

K Rostami

Kev Rostami

Georgian Bay Racquets Initiative, Founder

Web: georgianbayracquets.ca

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Enc.: Extracts of DC Bylaws from neighbouring municipalities demonstrating the existence of the temporary structure exemption.

TOWN OF CLEARVIEW (EXTRACT)

- h) Land, buildings, structures or additions constructed by a charitable or a non-profit organization for a purpose that benefits the community as determined by Council may have up to a 100% exemption to DCs.
eg: Non-profit housing, youth centres, and community centres.;
- i) Land, buildings, structures or additions constructed for industrial or commercial uses utilizing green technologies as defined by the Planning Act may be eligible for a grant for a portion of the D.C. through a Township grant program.
- j) Land, buildings, structures or additions constructed for industrial use creating jobs shall have a reduction in total DCs of 0.5% per new full time equivalent direct jobs created to a maximum reduction of 30%. The determination of what constitutes a new full-time equivalent job and how to measure and verify the total eligible discount to DCs shall be determined by policy.;
- k) Unless this By-law specifically provides for an exemption of 100% of DC charges, the total cumulative exemption or reduction in DC charges shall not exceed 66% of the DC charges which would apply in the absence of such exemptions or reductions.; and,
- l) Buildings, structures or additions for non-residential uses shall be exempt from paying the portion of the charges related to recreation and library services.

3.13 Temporary Use Buildings



- a) Subject to Subsection (b), temporary buildings or structures shall be exempt from the payment of development charges;
- b) In the event that a temporary building or structure continues beyond a period of nine months, it shall be deemed not to be nor ever to have been a temporary building or structure, and the development charges required to be paid under this by-law shall become payable on the date nine months after the temporary building or structure was first constructed or put in use; and,
- c) Prior to the Township issuing a building permit for a temporary building or structure, the Township may require an owner to enter into an agreement, including the provision of security for the owner's obligation under the agreement, pursuant to Section 27 of the Act providing for all or part of the development charge required by Subsection (2) to be paid after it would otherwise be payable. The terms of such agreement shall then prevail over the provisions of this by-law.

TOWN OF MEAFORD (EXTRACT)

enlargement exceeds 50 per cent of the gross floor area before the enlargement.

13. Categories of Exempt Uses

The following categories of uses are hereby designated as being exempt from the payment of development charges:

- (a) land, buildings or structures owned by and used for the purposes of a municipality and exempt from taxation under Section 3 of the Assessment Act, R.S.O. 1990, c.A.31, as amended;
- (b) lands, buildings or structures owned by and used for the purposes of a board of education and exempt from taxation under Section 3 of the Assessment Act, R.S.O. 1990, c.A.31;
- (c) buildings or structures used as public hospitals governed by the Public Hospitals Act, R.S.O. 1990, c.P.40, as amended;
- (d) buildings owned by and used, designed or intended for use as a institutional church use;
- (e) agricultural use as defined herein.

14. Temporary Buildings or Structures

→ 14.1 Subject to Subsections 14.2 and 14.3, temporary buildings or structure shall be exempt from the payment of development charges.

- 14.2 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 the development charges required to be paid under this by-law shall become payable on the date the temporary building or structure becomes protracted.
- 14.3 Prior to the Municipality issuing a building permit for a temporary building or structure, the Municipality may require an owner to enter into an agreement, including the provision of security for the owner's obligation under the agreement, pursuant to Section 27 of the Act providing for all or part of the development charge required by Subsection 14.2 to be paid after it would otherwise be payable. The terms of such agreement shall then prevail over the provisions of this by-law.



n.b. "Temporary Building or Structure" defined as: a building or structure constructed or erected or placed on land for a continuous period not exceeding eight months, or an addition or alteration to a building or structure that has the effect of increasing the gross floor area thereof for a continuous period not exceeding eight months;

TOWN OF THE BLUE MOUNTAINS (EXTRACT)

Categories of Exempt Uses

20. The following categories of uses are hereby designated as being exempt from the payment of development charges:

- (1) land, buildings or structures owned by and used for the purposes of a municipality and exempt from taxation under Section 3 of the *Assessment Act*, R.S.O. 1990, c.A.31, as amended;
- (2) lands, buildings or structures owned by and used for the purposes of a board and exempt from taxation under Section 3 of the *Assessment Act*, R.S.O. 1990, c.A.31;
- (3) buildings or structures used as public hospitals governed by the *Public Hospitals Act*, R.S.O. 1990, c.P.40, as amended;
- (4) land, buildings or structures used for place of worship use and exempt from taxation under the *Assessment Act*, R.S.O. 1990, c.A.31, as amended;
- (5) land, buildings or structures for agricultural use which do not receive municipal sanitary sewer or water supply services;
- (6) accessory apartments;
- (7) non-residential development that is smaller than 232 square meters in gross floor area, this exemption does not apply to buildings that are greater than 232 square meters; and
- (8) Fire Protection Services portion of the Development Charges is not imposed if a sprinkler system is provided in the residential or non-residential buildings where sprinklers are not required to comply with the Ontario Building Code.

Categories of Partial Exempt Uses

21. (1) The following categories of uses are hereby designated as being partially exempt from the payment of development charges:

- (a) Single-detached dwellings that are less than 115 square metres in gross floor area shall pay the "Other Multiples/Hotel" Dwelling Unit rate shown in Schedule C-2.
- (b) Semi-detached dwellings that are less than 115 square metres in gross floor area shall pay the "Other Multiples/Hotel" Dwelling Unit rate shown in Schedule C-2.

(2) For the purpose of this Section the term "gross floor area" shall exclude the total area of all floors located below grade.

Temporary Buildings or Structures

22. (1) Subject to Subsections (2) and (3), temporary buildings or structure shall be exempt from the payment of development charges.

(2) 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 the development charges required to be paid under this By-law shall become payable on the date the temporary building or structure becomes protracted.



[*n.b. 'Temporary Building or Structure' defined as:*

means a building or structure constructed or erected or placed on land for a continuous period not exceeding eight months, or an addition or alteration to a building or structure that has the effect of increasing the gross floor area thereof for a continuous period not exceeding eight months]

Calculation of Development Charges - Non-Residential Uses

13. If the development is the enlargement of the gross floor area of an existing industrial, commercial or institutional building and the gross floor area is enlarged by 50% or less, there is no development charge.
14. If the development is the enlargement of the gross floor area of an existing industrial, commercial or institutional building and the gross floor area is enlarged by more than 50%, the amount of the development charge is based on the size of the enlargement that exceeds the exemption outlined in section 13 above.
15. In the case of the non-residential portion of a mixed use development, the development charge with respect to the uses of any land, building or structure is calculated in accordance with Schedule "B" and Schedule "C".

Exempt Buildings

16. No Development Charge under Schedule B of this by-law are imposed with respect to:
 - a. Non-residential buildings used accessory to an agricultural operation;
 - b. Temporary buildings where the owner has completed an agreement with the City specifying the owner's obligation to remove the building;
 - c. Places of worship for religious uses that are exempt from Provincial taxes pursuant to the *Provincial Land Tax Act*;
 - d. A new industrial building or structure or the enlargement of an existing industrial building or structure;
 - e. Non-profit housing, as defined in this by-law;
 - f. Rental housing development, as defined in this by-law, provided:
 - i. the development received approval for a zoning by-law amendment under section 34 of the *Planning Act* or site plan approval under subsection 41(4) of the *Planning Act* prior to March 01, 2026; and
 - ii. the first building permit is issued for the development within two years of the development receiving approval under subsection 16(f)(ii) above; and
 - iii. subject to a written agreement pursuant to section 35 of this by-law.

Redevelopment

17. In accordance with sections 21, 22 and 23 of this by-law, where there is a redevelopment, conversion, demolition or change of use of a building or structure or part thereof, the development charges payable by the new or proposed development will be credited by the amount to which the previous use of the building or structure was subject to development charges at the time this by-law was passed.
18. A credit will not be warranted where a building or structure or part thereof was demolished and no building permit has been issued within 5 years from the date of issuance of the demolition permit.
19. The credit with respect to a redevelopment, conversion, demolition, or change of use of a building or structure or part thereof may not

 *n.b. "Temporary Building Or Structure" defined as: a building or structure constructed or erected or placed on land for a continuous period not exceeding eight months, or an addition or alteration to a building or structure that has the effect of increasing the gross floor area thereof for a continuous period not exceeding eight months*