

THE CORPORATION OF THE TOWN OF GRAND VALLEY

BY-LAW NO. 2021-25

A BY-LAW TO AMEND DEVELOPMENT CHARGES BY-LAW 2019-42

WHEREAS Section 19 of the *Development Charges Act, 1997* S.O. 1997, c.27, as amended (“the Act”) provides for amendments to be made to development charges by-laws;

AND WHEREAS the Council of the Corporation of the Town of Grand Valley (hereinafter called “the Council”) has determined that certain amendments should be made to the Development Charge By-law of the Corporation of the Town of Grand Valley, being By-law 2019-42;

AND WHEREAS, in accordance with the Act, a development charges background study has been completed in respect of the proposed amendment;

AND WHEREAS the Council of the Corporation of the Town of Grand Valley has given notice and held a public meeting in accordance with the Act;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF GRAND VALLEY ENACTS AS FOLLOWS:

1. **By-law 2019-42 is hereby amended as follows:**
 - a. The definition of “institutional” in Section 1.1 is deleted and replaced with the following:

“institutional” means development of a building or structure intended for use:

 - (a) as a long-term care home within the meaning of Subsection 2 (1) of the *Long-Term Care Homes Act, 2007*;
 - (b) as a retirement home within the meaning of Subsection 2(1) of the *Retirement Homes Act, 2010*.
 - (c) By any institution of the following post-secondary institutions for the objects of the institution:

- (i) a university in Ontario that receives direct, regular and ongoing operation funding from the Government of Ontario;
 - (ii) a college or university federated or affiliated with a university described in subclause (i); or
 - (iii) an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institute Act, 2017*;
 - (d) as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion; or
 - (e) as a hospice to provide end of life care;
- b. The following definitions are added to Section 1.1 of the By-law:

“non-profit housing development” means development of a building or structure intended for use as residential premises by:

- (a) a corporation without share capital to which the *Corporations Act* applies, that is in good standing under that Act and whose primary objective is to provide housing;
- (b) a corporation without share capital to which the *Canada Not-for-profit Corporation Act* applies, that is in good standing under that Act and whose primary objective is to provide housing; or
- (c) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*;

“rental housing” means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises;

- c. Section 2 is deleted and replaced with the following:

2. DESIGNATION OF SERVICES

2.1 The categories of services and classes of service for which development charges are imposed under this By-law are as follows:

Services

- (1) Road and Related Services;
- (2) Fire Protection Services;
- (3) Parks and Recreation Services;
- (4) Library Services;
- (5) Septage Treatment Services (within the Rural Serviced Area only);
- (6) Wastewater Services (within the Urban Serviced Area only); and
- (7) Water Services (within the Urban Serviced Area only).

Classes of Service

- (1) Growth-Related Studies

2.2 The components of the services and classes designated in subsection 2.1 are described in Schedule A.

d. The following paragraph is added to Subsection 3.3

- (4) land vested in or leased to a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education if the development in respect of which development charges would otherwise be payable is intended to be occupied and used by the university.

e. Subsections 3.5, 3.6, and 3.7 are deleted and replaced with the following:

3.5 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to developments or portions of developments as follows:

- (1) the enlargement to an existing residential dwelling unit;

- (2) the creation of a maximum of two additional dwelling units in an existing single detached dwelling or structure ancillary to such dwelling. The total gross floor area of the additional dwelling unit or units must be less than or equal to the gross floor area of the dwelling unit already in the existing residential building/dwelling
- (3) the creation of additional dwelling units equal to the greater of one or 1% of the existing dwelling units in an existing residential rental building containing four or more dwelling units or within a structure ancillary to such residential building;
- (4) the creation of one additional dwelling unit in any other existing residential building/dwelling or within a structure ancillary to such residential building/dwelling. The gross floor area of the additional dwelling unit must be less than or equal to the gross floor area of the smallest dwelling unit already in the existing residential building/dwelling; or
- (5) the creation of a second dwelling unit in prescribed classes of proposed new residential buildings, including structures ancillary to dwellings, subject to the following restrictions:

Item	Name of Class of Proposed New Residential Buildings	Description of Class of Proposed New Residential Buildings	Restrictions
1	Proposed new detached dwellings	Proposed new residential buildings that would not be attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	<p>The proposed new detached dwelling must only contain two dwelling units.</p> <p>The proposed new detached dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.</p>
2	Proposed new semi-detached dwellings or row dwellings	Proposed new residential buildings that would have one or two vertical walls, but no other parts, attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	<p>The proposed new semi-detached dwelling or row dwelling must only contain two dwelling units.</p> <p>The proposed new semi-detached dwelling or row dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.</p>
3	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling and that are permitted to contain a single dwelling unit.	<p>The proposed new detached dwelling, semi-detached dwelling or row dwelling, to which the proposed new residential building would be ancillary, must only contain one dwelling unit.</p> <p>The gross floor area of the dwelling unit in the proposed new residential building must be equal to or less than the gross floor area of the detached dwelling, semi-detached dwelling or row dwelling to which the proposed new residential building is ancillary.</p>

3.6 For the purposes of Subsection 3.5 “existing residential building/dwelling”, means:

- (1) A residential building/dwelling, containing at least one dwelling unit, that existed on a parcel of land as of May 11, 2021 and which was not exempt from the payment of development charges pursuant to Section 2(3)(b) of the Act; or
- (2) The first residential building/dwelling, containing at least one dwelling unit, constructed on a vacant parcel of land after May 11, 2021, and for which development charges were paid.

3.7 In addition to the restrictions outlined in Subsection 3.5(5), for the purposes of the exemption for an additional residential unit in a building ancillary to a proposed new Single Detached, Semi-Detached or Row Townhouse Dwelling, the proposed new Single Detached, Semi-Detached or Row Townhouse Dwelling must be located on a parcel of land on which no other Single Detached, Semi-Detached or Row Townhouse dwelling is or would be located.

f. Subsection 3.13 is deleted and replaced with the following:

3.13 Despite any other provisions of this by-law, where, as a result of the redevelopment of land, a building or structure existing on the same land within 36 months prior to the date of payment of development charges in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

- (1) in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge under subsection 3.11 by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and
- (2) in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charges under subsection 3.12, by the gross floor area that has been or will be demolished or converted to another principal use;

provided that such amounts shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment. No credit shall be given with respect to the redevelopment, conversions, demolition, or change of use of a

building or structure or part thereof where the existing building or structure or part thereof would have been exempt from D.C.s in accordance with the by-law.

g. Subsection 3.15 is deleted and replaced with the following:

3.15 Notwithstanding Subsection 3.14, Development Charges for rental housing and institutional developments are due and payable in 6 installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest as provided in the Town's Council approved Development Charge Interest Policy, payable on the anniversary date each year thereafter.

h. The following subsections are added to Section 3

3.16 Notwithstanding Subsection 3.14, Development Charges for non-profit housing developments are due and payable in 21 installments commencing with the first installment payable on the date of first occupancy, and each subsequent installment, including interest as provided in the Town's Council approved Development Charge Interest Policy, payable on the anniversary date each year thereafter.

3.17 Where the development of land results from the approval of a Site Plan or Zoning Bylaw Amendment made on or after January 1, 2020, and the approval of the application occurred within 2 years of building permit issuance, the Development Charges under Subsections 3.14, 3.15 and 3.16 shall be calculated based on the rates set out in Schedule "B" on the date the planning application was made, including interest as provided in the Town's Council approved Development Charge Interest Policy. Where both planning applications apply Development Charges under Subsections 3.14, 3.15 and 3.16 shall be calculated on the rates, including interest as provided in the Town's Council approved Development Charge Interest Policy, set out in Schedule "B" on the date of the later planning application.

3.18 Despite Subsections 3.14, 3.15, 3.16, and 3.17, Council from time to time, and at any time, may enter into agreements providing for all or any part of a development charge to be paid before or after it would otherwise be payable, in accordance with section 27 of the Act.

i. Schedules A and B are deleted and replaced with the attached.

2. **This By-law shall come into effect on the date of passage.**

Read a first, second, third time and passed in open Council this May 11, 2021.

Original signed by

Steve Soloman, Mayor

Original signed by

Meghan Townsend, CAO/Clerk-Treasurer

**Schedule “A” To
By-law 2019-42
Components of Services Designated in Section 2.1**

Eligible Services

TOWN-WIDE SERVICES

1. Roads and Related Services
2. Fire Protection Services
3. Parks and Recreation Services
4. Library Services

URBAN SERVICED AREA SERVICES

5. Water Services
6. Wastewater Services

RURAL SERVICED AREA SERVICES

7. Septage Treatment Services

Classes of Service

8. Growth-Relates Studies
 - a. Roads and Related Services
 - b. Fire Protection Services
 - c. Parks and Recreation Services
 - d. Library Services
 - e. Water Services
 - f. Wastewater Services
 - g. Septage Treatment Services



**Schedule “B” To By-law 2019-42
Schedule of Development Charges**

Service	RESIDENTIAL				NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	(per sq.ft. of Gross Floor Area)
Municipal Wide Services:					
Roads and Related	6,555	3,359	2,274	5,087	2.69
Fire Protection Services	532	273	185	413	0.22
Parks and Recreation Services	755	387	262	586	0.25
Library Services	1,686	864	585	1,308	0.55
Total Municipal Wide Services	9,528	4,883	3,306	7,394	3.71
Rural Services					
Septage Services	1,580	810	548	1,226	-
Total Rural Services	1,580	810	548	1,226	-
Urban Services					
Wastewater Services	15,131	7,753	5,248	11,742	5.99
Water Services	4,915	2,518	1,705	3,814	1.95
Total Urban Services	20,046	10,271	6,953	15,556	7.94
Class of Service for Growth-Related Studies					
Municipal Wide	116	59	39	91	0.03
Rural	17	8	6	13	-
Urban	210	109	72	163	0.09
GRAND TOTAL RURAL AREA	11,241	5,760	3,899	8,724	3.74
GRAND TOTAL URBAN AREA	29,900	15,322	10,370	23,204	11.77