

Corporation of the County of Grey

By-Law 50XX-20

Revisions to By-law 4949-16 being a By-law to Establish Development Charges for the County of Grey (County-Wide Roads and Related Charges)

WHEREAS Subsection 2(1) of the *Development Charges Act, 1997 (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 needs for services arising from the development of the area to which the by-law applies;

AND WHEREAS the Council of the Corporation of the County of Grey (Council) enacted By-law 4949-16 on October 4, 2016 to impose such development charges within the County of Grey (By-law);

AND WHEREAS the Act permits municipalities to provide exemptions in respect of the payment of these development charges as well as make amendments to the By-law following a consultation process as prescribed in the Act;

AND WHEREAS Council considers it in the public interest to provide exemptions or deferrals in respect of the payment of development charges on lands used for certain purposes including rental housing, non-profit housing, detached additional dwelling units, developments that have been approved for an incentive through local community improvement plans, and redevelopment development charge credits, in order to encourage certain types of development throughout the County including, but not limited to, affordable housing;

AND WHEREAS the Province has recently amended the Development Charges Act and it is necessary to amend the By-law to align with some of the changes made to the Act;

AND WHEREAS Council have deemed it necessary by resolution 50XX-20 that staff proceed with amendments to the 2016 County-Wide Development Charges By-laws as per Staff Report FR-CW-21-20 which addresses the requirements for a scoped Development Charges Background Study;

AND WHEREAS Council held a public information meeting that was held in accordance with the Act on _____, 2020:

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE COUNTY OF GREY HEREBY ENACTS AS FOLLOWS:

1. That section 1 of By-law 4949-16 be amended by adding the following definitions:

- 'Life-lease units means Life-lease developments are where a tenant can either lease a unit within a development or lease land within a development for either the life of the tenant(s) or a specified period of time. The tenant could either lease the unit, or own the unit and lease the land upon which the unit is located.'
- 'Purpose built 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. For greater clarity, this does not include condominium apartment units or life-lease units.'
- 'Non-profit housing development means development of a building or structure intended for use as residential premise by,
 - a) A corporation without share capital to which the Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing;
 - b) A corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under the Act and whose primary object is to provide housing;
 - c) A non-profit housing co-operative that is in good standing under the Co-operative Corporations Act;
 - d) Any housing providers that are managed by the County in its capacity as a Service Manager under the Housing Services Act; or
 - e) The Grey County and Owen Sound Housing Corporation, the Owen Sound Housing Corporation, The Blue Mountains Attainable Housing Corporation, or any other housing corporation initiated by the Province, the County, and/or the local municipalities.'

2. That section 17 of By-law 4949-16 be deleted and replaced with the following:

Rules for Exemption Relating to the Creation of Additional Dwelling Units

17.0 This By-law does not apply with respect to approvals related to the residential development of land, buildings or structures that would have the affect only,

17.1 of permitting the enlargement of existing dwelling unit;

17.2 of creating a maximum of two additional dwelling units in, attached or detached to an existing single detached dwelling that is not attached to other buildings, where the total gross floor area of the additional dwelling unit or units is less than or equal to the gross floor area of the existing dwelling unit already in the building;

17.3 of creating a maximum of one additional dwelling unit within or attached to an existing semi-detached dwelling or row dwelling (each of which contains a single dwelling unit, that have one or two vertical walls, but no other parts, attached to the other buildings), where the total gross floor area of the additional dwelling unit is less than or equal to the gross floor area of the dwelling unit already in the building.

17.4 of creating the greater of one additional unit or 1% of the existing units in the building either within or attached to an existing rental residential building, each of which contains four or more existing dwelling units.

17.5 of creating a maximum of one additional dwelling unit within or attached to an existing residential building not in another class described in sections 17.2, 17.3 or 17.4, where the total 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 building.

17.6 of creating a maximum of two additional dwelling units either within, attached or detached to a proposed new single detached dwelling where the proposed new single detached dwelling would not be attached to other buildings and that are permitted to contain a second dwelling unit and/or have a detached second dwelling, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units. The proposed new detached dwelling must only contain two dwelling units. 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.

17.7 of creating a maximum of two additional dwelling units either within, attached or detached to a proposed new semi-detached dwelling or row dwelling where the proposed new residential buildings 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 or have a detached 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. The proposed new semi-detached dwelling or row dwelling must only contain two dwelling units. 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.

17.8 For greater clarity to section 17.6 and section 17.7, proposed new residential buildings that would be ancillary (e.g. detached structure) to a proposed new detached dwelling, semi-detached dwelling or row dwelling and that are permitted to contain a single dwelling unit are also exempt. 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. 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.

3. That section 18 of By-law 4949-16, which identifies categories of uses that are exempted from the payment of development charges, be amended by adding the following uses:
 - 3.1 Section 18.9 purpose built rental housing subject to entering into an agreement to the satisfaction of the County;
 - 3.2 Section 18.10 non-profit housing
 - 3.3 Section 18.11 developments that are constructed by development companies that meet the criteria of developing affordable housing as determined by the County and the Province under the Housing Services Act or have received funding through the National Housing Strategy.
 - 3.4 Section 18.12 developments that are approved to receive a grant or other incentive through a local Community Improvement Plan that encourages one or more of the five priority types of development identified in the County's Community Improvement Plan program, subject to entering into an agreement to the satisfaction of the County.
4. That section 20.4 of By-law 4949-16 be amended by adding the following sentences at the end of the section:
 - 4.1 A redevelopment credit will be applied to the redevelopment of an existing non-residential building to a residential use by an amount calculated by multiplying \$33.93 per square metre (indexed to the current rate as per Section 14) by the Gross Floor Area of the non-residential building, or portion thereof, that has been or will be demolished or converted. Sections 20.2 and 20.3 would apply to the calculation of the redevelopment credit.'
5. That section 23 of By-law 4949-16 by adding a new subsection 23.1 to identify the interest to be applied to any development charge deferral or to the freezing of development charges:
 - 5.1 Section 23.1 The County shall charge interest on a development charge deferral or to the freezing of development charge rates as identified in Section 24.1 and Section 24.2 respectively of the By-law at a rate as identified in the Development Charge Interest Policy.
6. That Section 24 of By-law 4949-16 be amended by changing the heading of the section to 'Front Ending Agreements, Deferral Agreements, Payment Plans and Freezing of Development Charge Rates' and by adding the following subsections:

6.1 Section 24.1 The County may enter into Development Charge Deferral Agreements in accordance with Section 27(1) of the Development Charges Act as well as in accordance with the deferral policies of the County in effect at the time. The County is also required to apply equal deferral payment plans for certain types of developments in accordance with Section 26.1 of the Development Charges Act. Interest will be applied in accordance with Section 23.1 of this By-law and in accordance with the deferral policies of Council to any deferred development charge payments except for payment plans required by Section 26.1 of the Development Charge Act.

6.2 Section 24.2 Freezing of development charge rates may apply to a development in accordance with Section 26.2 of the Act. If a development meets the criteria for a freeze of the development charge rate as per the Act, interest will be applied to the 'frozen' rate which will be compounded annually in accordance with Section 23.1 of this By-law and in accordance with the deferral and interest rate policies of Council.

7. This by-law shall come into force and effect on the day the by-law is enacted and passed.

ENACTED AND PASSED this xx day of xx, 2020.

WARDEN: Paul McQueen

CLERK: Heather Morrison

Corporation of the County of Grey By-Law 50XX-20

Revisions to By-law 4950-16 being a By-law to Establish Development Charges for the County of Grey (County-Wide General Services Charges)

WHEREAS Subsection 2(1) of the *Development Charges Act, 1997 (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 needs for services arising from the development of the area to which the by-law applies;

AND WHEREAS the Act permits municipalities to provide exemptions in respect of the payment of these development charges as well as make amendments to the By-law following a consultation process as prescribed in the Act;

AND WHEREAS the Council of the Corporation of the County of Grey (Council) enacted By-law 4950-16 on October 4, 2016 to impose such development charges within the County of Grey (By-law);

AND WHEREAS the Council of the Corporation of the County of Grey (Council) considers it in the public interest to provide exemptions or deferrals in respect of the payment of development charges on lands used for certain purposes including rental housing, non-profit housing, detached additional dwelling units, developments that have been approved for an incentive through local community improvement plans, and redevelopment development charge credits, in order to encourage certain types of development throughout the County including, but not limited to, affordable housing;

AND WHEREAS the Province has recently amended the Development Charges Act and it is necessary to amend the By-law to align with the changes made to the Act;

AND WHEREAS Council have deemed it necessary by resolution 50XX-20 that staff proceed with amendments to the 2016 County-Wide Development Charges By-laws as per Staff Report FR-CW-XX-20 which addresses the requirements for a scoped Development Charges Background Study;

AND WHEREAS Council held a public information meeting that was held in accordance with the Act on _____, 2020:

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF
THE CORPORATION OF THE COUNTY OF GREY HEREBY ENACTS THAT BY-LAW
4950-16 BE AMENDED AS FOLLOWS:

1. That section 1 of By-law 4950-16 be amended by adding the following definitions:

- 'Life-lease units means Life-lease developments are where a tenant can either lease a unit within a development or lease land within a development for either the life of the tenant(s) or a specified period of time. The tenant could either lease the unit, or own the unit and lease the land upon which the unit is located.'
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- 'Non-profit housing development means development of a building or structure intended for use as residential premise by,
 - a) A corporation without share capital to which the Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing;
 - b) A corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under the Act and whose primary object is to provide housing;
 - c) A non-profit housing co-operative that is in good standing under the Co-operative Corporations Act;
 - d) Any housing providers that are managed by the County in its capacity as a Service Manager under the Housing Services Act; or
 - e) The Grey County and Owen Sound Housing Corporation, the Owen Sound Housing Corporation, The Blue Mountains Attainable Housing Corporation, or any other housing corporation initiated by the Province, the County, and/or the local municipalities.'

2. That section 17 of By-law 4950-16 be deleted and replaced with the following:

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17.0 This By-law does not apply with respect to approvals related to the residential development of land, buildings or structures that would have the affect only,

17.1 of permitting the enlargement of existing dwelling unit;

17.2 of creating a maximum of two additional dwelling units in, attached or detached to an existing single detached dwelling that is not attached to other buildings, where the total gross floor area of the additional dwelling unit or units is less than or equal to the gross floor area of the existing dwelling unit already in the building;

17.3 of creating a maximum of one additional dwelling unit within or attached to an existing semi-detached dwelling or row dwelling (each of which contains a single dwelling unit, that have one or two vertical walls, but no other parts, attached to the other buildings), where the total gross floor area of the additional dwelling unit is less than or equal to the gross floor area of the dwelling unit already in the building.

17.4 of creating the greater of one additional unit or 1% of the existing units in the building either within or attached to an existing rental residential building, each of which contains four or more existing dwelling units.

17.5 of creating a maximum of one additional dwelling unit within or attached to an existing residential building not in another class described in sections 17.2, 17.3 or 17.4, where the total 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 building.

17.6 of creating a maximum of two additional dwelling units either within, attached or detached to a proposed new single detached dwelling where the proposed new single detached dwelling would not be attached to other buildings and that are permitted to contain a second dwelling unit and/or have a detached second dwelling, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units. The proposed new detached dwelling must only contain two dwelling units. 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.

17.7 of creating a maximum of two additional dwelling units either within, attached or detached to a proposed new semi-detached dwelling or row dwelling where the proposed new residential buildings 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 or have a detached 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. The proposed new semi-detached dwelling or row dwelling must only contain two dwelling units. 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.

17.8 For greater clarity to section 17.6 and section 17.7, proposed new residential buildings that would be ancillary (e.g. detached structure) to a proposed new detached dwelling, semi-detached dwelling or row dwelling and that are permitted to contain a single dwelling unit are also exempt. 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. 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.

3. That section 18 of By-law 4950-16, which identifies categories of uses that are exempted from the payment of development charges, be amended by adding the following uses:
 - 3.1 Section 18.9 purpose built rental housing subject to entering into an agreement to the satisfaction of the County;
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 - 3.3 Section 18.11 developments that are constructed by development companies that meet the criteria of developing affordable housing as determined by the County and the Province under the Housing Services Act or have received funding through the National Housing Strategy.
 - 3.4 Section 18.12 developments that are approved to receive a grant or other incentive through a local Community Improvement Plan that encourages one or more of the five priority types of development identified in the County's Community Improvement Plan program, subject to entering into an agreement to the satisfaction of the County.
4. That section 20.4 of By-law 4950-16 be amended by adding the following sentences at the end of the section:
 - 4.1 A redevelopment credit will be applied to the redevelopment of an existing non-residential building to a residential use by an amount calculated by multiplying \$33.93 per square metre (indexed to the current rate as per Section 14) by the Gross Floor Area of the non-residential building, or portion thereof, that has been or will be demolished or converted. Sections 20.2 and 20.3 would apply to the calculation of the redevelopment credit.'
5. That section 23 of By-law 4950-16 by adding a new subsection 23.1 to identify the interest to be applied to any development charge deferral or to the freezing of development charges:
 - 5.1 Section 23.1 The County shall charge interest on a development charge deferral or to the freezing of development charge rates as identified in Section 24.1 and Section 24.2 respectively of the By-law at a rate as identified in the Development Charge Interest Policy.
6. That Section 24 of By-law 4950-16 be amended by changing the heading of the section to 'Front Ending Agreements, Deferral Agreements, Payment Plans and Freezing of Development Charge Rates' and by adding the following subsections:
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23.1 of this By-law and in accordance with the deferral policies of Council to any deferred development charge payments except for payment plans required by Section 26.1 of the Development Charge Act.

6.2 Section 24.2 Freezing of development charge rates may apply to a development in accordance with Section 26.2 of the Act. If a development meets the criteria for a freeze of the development charge rate as per the Act, interest will be applied to the 'frozen' rate which will be compounded annually in accordance with Section 23.1 of this By-law and in accordance with the deferral and interest rate policies of Council.

7. This by-law shall come into force and effect on the day the by-law is enacted and passed.

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