

**THE CORPORATION OF THE
MUNICIPALITY OF TRENT LAKES**

BY-LAW NUMBER B2022-041

**A BY-LAW TO AMEND THE MUNICIPALITY OF
TRENT LAKES DEVELOPMENT CHARGES BY-
LAW B2019-041**

Whereas the Council of the Corporation of the Municipality of Trent Lakes (hereinafter referred to as "the Council") anticipates that the Corporation of the Municipality of Trent Lakes (hereinafter called "the Municipality") will experience additional development, including redevelopment throughout the Municipality in the next ten years and Council further anticipates that this development will increase the need for services;

And Whereas Section 19 of the Development Charges Act, 1997, S.O. 1997, c27 ("the Act") provides for amendments to be made to development charges by-laws;

And Whereas the Development Charges Act, 1997 (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 needs for services;

And Whereas a development charge background study has been completed in accordance with the Act;

And Whereas the Council of The Corporation of the Municipality of Trent Lakes has given notice of and held a public meeting on the 8th of March, 2022 in accordance with the Act and the regulations thereto;

And Whereas Council desires to ensure that the capital cost of meeting growth-related demands for, or burden on, municipal services does not place a financial burden on the Municipality or its existing taxpayers;

Now Therefore the Council of The Corporation of the Municipality of Trent Lakes hereby enacts as follows:

By-law B2019-041 is hereby amended as follows:

1. Subsection 2. n) is deleted and replaced with the following:
 - n) "Farm Building" means any part of a building which is not used for residential purposes and which building is located on 3 or more hectares of land and which building is used solely for farm and farm related activities carried out on the same farm and includes barns, implement sheds, seasonal roadside stands and silos but does not include processing or wholesale or retail facilities such as restaurants, dedicated farm shops, banquet facilities, hospitality and accommodation facilities, gift shops, services related to grooming, boarding or breeding of household pets, and marijuana and alcohol processing or production facilities.

2. Subsection 2. s) is deleted and replaced with the following:

- s) "institutional development" means development of a building or structure intended for use:
- i. as a long-term care home within the meaning of Subsection 2 (1) of the Long Term Care Homes Act, 2007;
 - ii. as a retirement home within the meaning of Subsection 2(1) of the Retirement Homes Act, 2010;
 - iii. By any institution of the following post-secondary institutions for the objects of the institution:
 1. a university in Ontario that receives direct, regular and ongoing operation funding from the Government of Ontario;
 2. a college or university federated or affiliated with a university in Ontario that receives direct, regular and ongoing operation funding from the Government of Ontario; or
 3. an Indigenous Institute prescribed for the purposes of section 6 of the Indigenous Institute Act, 2017.
 - iv. as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion; or
 - v. as a hospice to provide end of life care.

3. The following definitions are added to Section 2:

- z) "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.
- aa) "Non-profit housing development" means development of a building or structure intended for use as residential premises by:
- i. a corporation to which the Not-for-Profit Corporations Act, 2010 applies, that is in good standing under that Act and whose primary object is to provide housing;
 - ii. a corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing; or
 - iii. a non-profit housing co-operative that is in good standing under the Co-operative Corporations Act.
- bb) "parcel of land" means a lot or block within a registered plan of subdivision or draft plan of subdivision or any land that may be legally conveyed under the exemption provided in clause 50 (3) (b) or clause 50 (5) (a) of the *Planning Act*.

4. Section 5. b) i is deleted.

5. Section 14. Is deleted and replaced with the following:

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:

- a) the enlargement of an existing dwelling unit;
- b) 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;
- c) 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;
- d) 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
- e) the creation of a second dwelling unit in a proposed new Single Detached, Semi-Detached or Row Townhouse dwelling or in a building ancillary to such dwelling, 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.	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.
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.	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.
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.	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.

- f) For the purposes of Subsections 14. b), c), and d), an “existing residential building/dwelling” means:
- i. A residential building/dwelling containing at least one dwelling unit, that existed on a parcel of land as of April 16, 2019 and which was not exempt from the payment of development charges pursuant to Section 2(3)(b) of the Act; or
 - ii. The first residential building/dwelling, containing at least one dwelling unit, constructed on a vacant parcel of land after April 16, 2019 and for which development charges were paid
- g) In addition to the restrictions outlined in Subsection 14. e), 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.

6. The following Subsection is added to Section 18 of the by-law:
 - j) 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.

7. Section 20 is deleted and replaced with the following:
 - a) The date a building permit is issued in relation to a building or structure on land to which the Development Charge applies, less any amount paid pursuant to Section 21 after the enactment of this By-law.
 - b) Notwithstanding Subsection 20. a), development charges for rental housing and institutional developments are due and payable in 6 equal installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest, payable on the anniversary date each year thereafter.
 - c) Notwithstanding Subsection 20. a), development charges for non-profit housing developments are due and payable in 21 installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest, payable on the anniversary date each year thereafter.
 - d) Notwithstanding Subsection 20. a), where the development of land results from the approval of a Site Plan or Zoning By-law Amendment application received on or after January 1, 2020, and the approval of the application occurred within 2 years of building permit issuance, the Development Charges under Section 20. A) shall be calculated based on the rates set out in Schedule "B" on the date the planning application was made, including interest. Where both planning applications apply, Development Charges under Section 20. a) shall be calculated on the rates, including interest, set out in Schedule "B" on the date the later planning application was made. Notwithstanding the foregoing, the total charge payable, including interest shall not be greater than the charge that would otherwise be payable under Section 20. a).
 - e) Interest for the purposes of Subsections 20. b) and d) shall be determined as the Bank of Canada Prime Interest Rate plus 2% as at January 1st immediately prior to:
 - a. the date of building permit issuance for installment payments under Section 26.1 of the Act for rental housing and institutional development; or
 - b. the date a Site Plan or Zoning By-law Amendment application for an approval of development was made under subsection 41(4) or 34 of the *Planning Act* regarding the determination of the charge under Section 26.2 of the Act.
 - f) Interest for the purposes of Subsection 20. c) shall be 0%.

8. The following Subsection is added to Section 22 of the by-law:

d) No credit shall be given with respect to the redevelopment, conversion, demolition, or change of use of an existing park model trailer that was created after April 16, 2019 and for which development charges were not paid.

9. Schedule "A" is deleted and the attached Schedule "A" substitutes therefore.

10. Schedule "B" is deleted and the attached Schedule "B" substitutes therefore.

11. This By-law shall come into force and effect on April 5, 2022.

READ a first and second time this 5th day of April, 2022.

READ a third time and finally passed this 5th day of April, 2022.

Janet Clarkson, Mayor

Jessie Clark, Clerk

Schedule "A" to By-law No. 2022-041

Designated Service Categories for which Development Charges are imposed

1. Roads and Related
2. Fire Services
3. Parks and Recreation
4. Library Services
5. Growth-Related Studies

Schedule 'B' to By-law No. 2022-041 Schedule of Development Charges

Service/Class	RESIDENTIAL (\$)			NON-RESIDENTIAL (\$)		
	Single and Semi-Detached Dwelling	Multiples	Apartments	per sq.m. of Gross Floor Area		Per 500kW Nameplate Generating Capacity (Green Energy Developments)
				Excl. Aggregate Developments	Aggregate Developments	
Municipal Wide Services/Classes:						
Roads and Related	3,148	2,225	1,367	9.60	35.81	3,148
Fire Services	1,071	757	465	3.14	12.18	1,071
Parks and Recreation	285	201	124	0.31	1.72	-
Library Services	68	48	30	0.08	0.41	-
Growth-Related Studies	237	167	103	1.21	2.69	237
Total Municipal Wide Services/Classes	4,808	3,398	2,089	14.35	52.82	4,455