

Municipality of Lakeshore

By-law 56-2022

Being a By-law to Amend By-Law 89-2020, Respecting Development Charges

Whereas the Municipality of Lakeshore enacted By-law 89-2020 pursuant to the *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended (the "Act"), which Act authorizes Council to pass by-laws for the imposition of development charges against land;

And whereas the Municipality has undertaken a study pursuant to the Act which has provided updated definitions and an updated Schedule B to By-law 89-2020;

And whereas Council has before it a report entitled "Municipality of Lakeshore 2022 Development Charges Update Study" prepared by Watson & Associates Economists Ltd., dated March 30, 2022 (the "update study");

And whereas the update study and proposed amending by-law were made available to the public on March 30, 2022 and Council gave notice to the public pursuant to section 12 of the Act.

And whereas Council, on April 26, 2022 held a meeting open to the public, pursuant to section 12 of the Act, at which Council considered the study, and written and oral submissions from the public;

Now therefore the Council of the Municipality of Lakeshore enacts as follows:

1. By-law 89-2020 is hereby amended as follows:

A. Addition of Accessory to the definitions in Section 1.1 as follows:

Accessory: means a use, building, or structure that is normally incidental and/or subordinate and is exclusively devoted to a main use and/or a building and/or structure, and is located on the same lot therewith. Accessory has the same meaning as ancillary.

B. Revise the definition of Apartment Dwelling in Section 1.1 to include ancillary units. The refined definition would read as follows:

"apartment dwelling" means any residential dwelling unit within a building containing five or more dwelling units where access to each residential unit is obtained through a common entrance or entrances from the street level through a common entrance or entrances from the street level and the residential units are connected by an interior corridor. Apartment dwelling may also refer to a dwelling unit in a structure that is ancillary to a residential building;

C. Addition of Class to the definitions in Section 1.1 as follows:

"Class" means a grouping of services combined to create a single service for the purposes of this By-law and as provided in Section 7 of the Development Charges Act. Also referred to as class of service or classes of services.

D. Addition of Site to the definitions in Section 1.1 as follows:

"Site" means a parcel of land which can be legally conveyed pursuant to Section 50 of the Planning Act and includes a development having two or more lots consolidated under one identical ownership.

E. Insert Section 3.7.1 as follows:

Rules with Respect to Exemptions for Intensification of Existing Housing

(a) No Development Charge shall be imposed where the only effect of an action referred to in Section 3.4 of this By-law is to:

- i) permit an enlargement to an existing residential Dwelling Unit;
- ii) permit the creation of one or two additional Dwelling Units in an existing single detached dwelling or a prescribed ancillary residential dwelling structure to the existing residential building;
- iii) permit the creation of additional dwelling units equal to the greater of one Dwelling Unit or one percent of the existing Dwelling Units in existing Rental Housing or a prescribed ancillary residential dwelling structure to the existing residential building;
- iv) permit the creation of one additional dwelling unit in any other existing residential building already containing at least one Dwelling Unit or prescribed ancillary residential dwelling structure to the existing residential building; or
- v) permit the creation of a second dwelling unit in prescribed classes of proposed new residential buildings, including residential dwelling 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>
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(b) Notwithstanding 3.7.1(a) above, Development Charges shall be imposed if the total Gross Floor Area of the additional one or two units exceeds the Gross Floor Area of the existing Dwelling Unit.

(c) Notwithstanding 3.7.1(a) above, Development Charges shall be imposed if the additional Dwelling Unit(s) has a Gross Floor Area greater than:

i) in the case of a Semi-detached Dwelling Unit or Townhouse Dwelling Unit, the Gross Floor Area of the existing Dwelling Unit; and

ii) in the case of any other Residential Building, the Gross Floor Area of the smallest Dwelling Unit contained in the said residential Building.

(d) The exemption to Development Charges in 3.7.1(a) above shall only apply to the first instance of intensification in an existing or new dwelling.

(e) Subject to 3.7.1(b), 3.7.1(c), and 3.7.1(d) above, any exemption under 3.7.1(a) above shall apply to the smallest Dwelling Unit, as determined by applicable rates under this By-law.

F. Add item c) to Section 3.10 as follows:

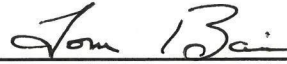
(c) Land vested in or leased to a university that receives regular and ongoing operating funds from the government for the purposes of postsecondary education is exempt from development charges imposed under the Development Charges Act, 1997 if the development in respect of which development charges would otherwise be payable is intended to be occupied and used by the university.

G. Schedule "B" is deleted and the attached Schedule "B" is substituted therefore.

2. This by-law shall come into force on the day it is enacted.

3. Except as amended by this by-law, all provisions of By-law 89-2020, as amended, are and shall remain in full force and effect.

Read and passed in open session on May 31, 2022.



**Mayor
Tom Bain**



**Clerk
Kristen Newman**

**Schedule "B"
to By-law 89-2020**

Service/Class of Service	Single and Semi-Detached Dwelling (per unit)	Other Multiples (per unit)	Apartments - 2 Bedrooms + (per unit)	Apartments - Bachelor and 1 Bedroom (per unit)	Special Care/Special Dwelling Units (per unit)	Non-residential (per sq.ft. of Gross Floor Area)	Wind Turbines & Communication Towers (per Turbine/Tower)	Solar Farm (per sq. ft.)
Services Related to a Highway	5,979	3,495	3,057	2,362	1,974	2.66	5,979	2.66
Public Works	566	331	289	224	187	0.25	0	0.00
Fire Protection Services	711	416	364	281	235	0.31	711	0.31
Policing Services	106	62	54	42	35	0.05	106	0.05
Parks and Recreation Services	3,754	2,194	1,919	1,483	1,240	0.17	0	0.00
Library Services	0	0	0	0	0	0.00	0	0.00
Growth Studies	460	269	235	182	152	0.20	460	0.20
Total Municipal Wide Services/Classes of Services	11,576	6,767	5,918	4,574	3,823	3.63	7,256	3.22
Wastewater Services	14,116	8,251	7,217	5,577	4,662	6.05	0	0.00
Water Services	4,222	2,468	2,159	1,668	1,394	1.82	0	0.00
Total Urban Services	18,338	10,719	9,376	7,245	6,056	7.87	0	0.00
GRAND TOTAL RURAL AREA	11,576	6,767	5,918	4,574	3,823	3.63	7,256	3.22
GRAND TOTAL URBAN AREA	29,914	17,486	15,294	11,819	9,879	11.50	7,256	3.22