

# Memorandum

<b>To</b>	Linda Cheyne
<b>From</b>	Daryl Abbs
<b>Date</b>	July 3, 2024
<b>Re:</b>	2024 Development Charges Amendments as per Bill 185

Fax  Courier  Mail  Email

## 1. Introduction

The Township of Guelph/Eramosa currently imposes Development Charges (D.C.) via the following by-laws:

- 24/2023 (Fire Protection Services);
- 25/2023 (Parks and Recreation Services);
- 26/2023 (Services Related to a Highway);
- 27/2023 (Wastewater Services); and
- 28/2023 (Water Services).

On April 10, 2024, the Province released proposed changes to the *Development Charges Act* (D.C.A.) via Bill 185: *Cutting Red Tape to Build More Homes Act, 2024*. The Bill received Royal Assent on June 6, 2024. This Bill reversed many of the key changes that were implemented through Bill 23: *More Homes Built Faster Act*. As such, the purpose of this memo is to provide for updates to the D.C. by-laws to align with the D.C.A. as amended by Bill 185.

## 2. Legislative Background

The following section provides details on the revisions to the D.C.A. as a result of Bill 185.

### Revised Definition of Capital Costs

Bill 185 reversed the capital cost amendments of Bill 23 by reinstating studies as an eligible capital cost. The following paragraphs were added to subsection 5(3) of the D.C.A.:

- 5. Costs to undertake studies in connection with any of the matters referred to in paragraphs 1 to 4.*



#### 6. *Costs of the development charge background study required under section 10.*

The amendment allows municipalities to fund studies, consistent with by-laws passed prior to Bill 23.

#### **Removal of Mandatory Phase-in**

Bill 23 required the phase-in of charges imposed in a D.C. by-law over a five-year term for any by-laws passed after January 1, 2022. Bill 185 removed this mandatory phase-in.

For site plan and zoning by-law amendment applications that were made prior to Bill 185 receiving Royal Assent, the charges payable will be the charges that were in place on the day the planning application was made (i.e., including the mandatory phase-in).

#### **Process for Minor Amendments to D.C. By-laws**

Section 19 of the D.C.A. requires that a municipality must follow sections 10 through 18 of the D.C.A. (with necessary modifications) when amending D.C. by-laws. Sections 10 through 18 of the D.C.A. generally requires the following:

- Completion of a D.C. background study, including the requirement to post the background study 60 days prior to passage of the D.C. by-law;
- Passage of a D.C. by-law within one year of the completion of the D.C. background study;
- A public meeting, including notice requirements; and
- The ability to appeal the by-law to the Ontario Land Tribunal.

Bill 185 allows municipalities to undertake minor amendments to D.C. by-laws for the following purposes without adherence to the requirements noted above (with the exception of the notice requirements):

1. To repeal a provision of the D.C. by-law specifying the date the by-law expires or to amend the provision to extend the expiry date (subject to the 10-year limitations provided in the D.C.A.);
2. To impose D.C.s for studies, including the D.C. background study; and
3. To remove the provisions related to the mandatory phase-in of D.C.s.

Minor amendments related to items 2 and 3 noted above may be undertaken only if the D.C. by-law being amended was passed after November 28, 2022, and before Bill 185 came into effect. Moreover, the amending by-law must be passed within six months of Bill 185 taking effect.



Notice requirements for these minor amending by-laws are similar to the typical notice requirements, with the exception of the requirement to identify the last day for appealing the by-law (as these provisions do not apply).

### **Reduction of D.C. Rate Freeze Timeframe**

Changes to the D.C.A. in 2020 provided for the requirement to freeze D.C.s imposed on developments subject to a site plan and/or a zoning by-law amendment application. The D.C. rate for these developments is “frozen” at the rates that were in effect at the time the site plan and/or zoning by-law amendment application was submitted (subject to applicable interest). Once the application is approved by the municipality, if the date the D.C. is payable is more than two years from the approval date, the D.C. rate freeze would no longer apply. Bill 185 reduced the two-year timeframe to 18 months. Note, this change is not subject to the minor amendment provisions introduced and must follow the full D.C. by-law amendment process.

### **Modernizing Public Notice Requirements**

The D.C.A. sets out the requirements for municipalities to give notice of public meetings and of by-law passage. These requirements are prescribed in sections 9 and 10 of O. Reg. 82/98 and include giving notice in a newspaper of sufficiently general circulation in the area to which the by-law would apply. The regulatory changes modernize the public notice requirements by allowing municipalities to provide notice on a municipal website if a local newspaper is not available. Note, this change is in effect as of July 1, 2024.

## **3. Changes to the Current D.C. By-laws**

The Township is undertaking two (2) distinct processes in amending the existing D.C. by-laws:

1. Minor Amendments (which do not require the detailed public process); and
2. Formal Amendment (requiring the detailed public process).

### **3.1 Minor Amendments**

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The minor amendments to the existing D.C. by-laws being undertaken by the Township include removing the phase-in section and the addition of growth studies into the D.C. calculations and by-laws.

#### **3.1.1 Removal of Phase-in**

The phase-in as per Bill 23 required that all D.C. by-laws passed after January 1, 2022 must be phased-in annually over the first five years the by-law was in force, as follows:

- Year 1 – 80% of the minimum charge;
  - Year 2 – 85% of the minimum charge;
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- Year 3 – 90% of the minimum charge;
- Year 4 – 95% of the minimum charge; and
- Year 5 to expiry – 100% of the minimum charge.

As noted above, Bill 185 removed this mandatory phase-in. As a result the Township is removing the phase-in from all D.C. by-laws.

### **3.1.2 Addition of Growth Studies**

The D.C.A. permits the inclusion of studies undertaken to facilitate the completion of the Township's capital works program. These studies have been included as a class of service referred to as Growth Studies, based on the eligible D.C. services to which the studies relate.

The Township has identified approximately \$140,000 of growth-related studies. These studies include a D.C. Background Study, and a Fire Master Plan. The Fire Master Plan includes a deduction of \$25,000 for the share of the study that is anticipated to benefit the existing community. The resultant net amount of \$115,000 has been included in the D.C. calculations. Note that no D.C. reserve fund adjustment has been applied as the Township utilized all remaining funds when growth-related studies were deemed ineligible by Bill 23.

The capital costs have been allocated 52% to residential development, and 48% to non-residential development based on the incremental growth in population to employment for the 10-year forecast period (2023 to 2033, consistent with the 2023 D.C. background study and by-law).

Based on the calculations provided herein, Growth Studies result in a D.C. of \$218 per residential single detached dwelling unit and \$0.07 per sq.ft. of non-residential gross floor area.

The Growth Studies capital sheet is presented in Table 3-1 and the D.C. calculations are provided in Tables 3-2 and 3-3.



**Table 3-1  
Growth Studies Capital Costs**

Prj.No	Increased Service Needs Attributable to Anticipated Development  2023-2033	Services to Which Study Relates	Timing (year)	Gross Capital Cost Estimate (2023\$)	Post Period Benefit	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share  52%	Non-Residential Share  48%
1	Development Charges Background Study	All D.C. Eligible services	2033	40,000	-	40,000	-		40,000	20,800	19,200
2	Fire Master Plan	Fire Services	2029	100,000	-	100,000	25,000		75,000	39,000	36,000
	<b>Total</b>			<b>140,000</b>	<b>-</b>	<b>140,000</b>	<b>25,000</b>	<b>-</b>	<b>115,000</b>	<b>59,800</b>	<b>55,200</b>

**Table 3-2  
Growth Studies D.C. Calculation**

Service/ Class of Service D.C. Calculations	Residential	Non-residential
Growth Studies D.C. Eligible Costs	\$59,800	\$55,200
Population/G.F.A. Growth (sq.ft.)	852	814,300
<b>Cost Per Capita/Non-Residential GFA (sq.ft.)</b>	<b>\$70.19</b>	<b>\$0.07</b>

**Table 3-3  
Growth Studies D.C. Calculation – by Residential Unit Type**

Residential Unit Type	Persons Per Unit	D.C. per Residential Unit
Single and Semi-Detached Dwelling	3.112	\$218
Other Multiples	2.084	\$146
Apartments - 2 Bedrooms or more	1.829	\$128
Apartments - Bachelor and 1 Bedroom	1.174	\$82
Special Care/Special Dwelling Units	1.100	\$77



Based on the changes noted above, the D.C. calculations have been revised to include growth studies. As a result, the total calculated Township-wide development charge (single/semi-detached unit) for full services has increased from \$34,050 to \$34,268 (2023 \$). In regard to the non-residential charges, the total Township-wide calculated development charge (per sq.ft.) for full-services has increased from \$13.67 to \$13.74 (2023 \$).

The summary below outlines the charges as calculated in the March 7, 2023 D.C. background study and the charges as amended July 2, 2024.

**Residential (Single Detached) Comparison (2023 \$)**

<b>Service/Class of Service</b>	<b>Calculated (Background Study March 7, 2023)</b>	<b>Calculated (Amendment July 3, 2024)</b>
<b>Township Wide Services/Classes:</b>		
Services Related to a Highway	886	886
Fire Protection Services	1,194	1,194
Parks and Recreation Services	14,707	14,707
Growth Studies	-	218
<b>Total Township Wide Services/Classes</b>	<b>16,787</b>	<b>17,005</b>
<b>Area Specific Services:</b>		
Wastewater Services	10,875	10,875
Water Services	6,388	6,388
<b>Total Area Specific Services</b>	<b>17,263</b>	<b>17,263</b>
<b>Grand Total - Urban Area</b>	<b>34,050</b>	<b>34,268</b>



### Non-Residential (per sq.ft.) Comparison (2023 \$)

Service/Class of Service	Calculated (Background Study March 7, 2023)	Calculated (Amendment July 3, 2024)
<b>Township Wide Services/Classes:</b>		
Services Related to a Highway	0.26	0.26
Fire Protection Services	0.36	0.36
Parks and Recreation Services	0.26	0.26
Growth Studies	-	0.07
<b>Total Township Wide Services/Classes</b>	<b>0.88</b>	<b>0.95</b>
<b>Area Specific Services:</b>		
Wastewater Services	8.06	8.06
Water Services	4.73	4.73
<b>Total Area Specific Services</b>	<b>12.79</b>	<b>12.79</b>
<b>Grand Total - Urban Area</b>	<b>13.67</b>	<b>13.74</b>

### 3.1.3 Amendments to the D.C. By-laws

All D.C. by-laws will be amended as follows:

- Revise the definition of capital cost to include studies as per the D.C.A.; and
- Repeal the mandatory phase-in section.

In addition to the above, By-law 25/2023 will be amended as follows:

- Add growth studies as a class of service; and
- Revise Schedule A and B to include growth studies.

The draft amending by-laws are included in Appendix A to this memo.

### 3.2 Formal Amendment

The second amendment the Township is undertaking to its D.C. by-laws is a formal amendment to reduce the D.C. rate-freeze timeframe from two (2) years to 18 months. As per the legislation, section 19 of the D.C.A. applies. Therefore a D.C. background study is required for this amendment. Note that as this change is reflective of a policy change only, this memo shall be utilized as the D.C. background study required for the public process. This memo will be posted on the Township's website to meet the



requirements of ensuring the study is available to the public at least 60 days prior to the by-law passage. A public meeting will also be held before the by-laws are passed. Council will consider the passage of the amending D.C. by-laws at least 60 days after July 3, 2024; when the background study is posted to the Township's website.

### **3.2.1 Requirements of Section 19 of the D.C.A.**

As noted above, Section 19 of the D.C.A. provides for the requirements to amend a D.C. by-law. Section 19 notes that "Sections 10 to 18 apply, with necessary modifications, to an amendment to a development charge by-law other than an amendment by, or pursuant to an order of, the Ontario Land Tribunal". As such, the following commentary is provided:

- **Section 10:** Requires a D.C. Background Study which identifies the growth forecast, capital costs, deductions, allocation between residential and non-residential benefit, and the associated D.C. calculations, level of service calculations, examination of the long-term operating and capital costs required, and preparation of an asset management plan. In addition, the study must be posted to the Township's website at least 60 days prior to the passing of the amending D.C. by-laws.
  - None of these items from the 2023 D.C. background study are being changed by this amendment. This memo will be considered the D.C. background study and form the basis for the amending by-laws. This memo will be posted on the Township's website 60 days prior to by-law passage.
- **Section 11:** Requires that a D.C. by-law may only be passed within one-year of the study.
  - The amendments are anticipated to occur within one year of this study.
- **Section 12:** Requires a public meeting to be undertaken.
  - A public meeting will be held regarding this amendment.
- **Sections 13 to 18:** Outlines the process for appeals
  - This amendment will be subject to appeal to the Ontario Land Tribunal.

Based on the above, the requirements of Section 19 of the D.C.A. will be met.

### **3.2.2 Amendments to the D.C. By-laws**

The D.C. by-laws, as amended will be further amended as follows:

- Refine the D.C. rate freeze timeframe from two years to 18-months for Site Plan and Zoning By-law Amendment applications.

The draft amending by-laws are included in Appendix B to this memo.





## 4. Recommendations

It is recommended that Council:

“Approve the memo dated July 3, 2024 RE: 2024 Development Charges Amendments as per Bill 185”

“Determine that no further public meeting is required”;

“Approve the amending D.C. by-laws as set out in Appendix A”; and

“Approve the amending D.C. by-laws as set out in Appendix B”.



# Appendices



# Appendix A

## Amending By-laws for Minor Amendments

**The Corporation of the Township of Guelph/Eramosa**  
**By-Law Number \_\_\_/2024**

**Being a By-Law of the Township of Guelph/Eramosa To Amend By-Law 24/2023**

**WHEREAS** the Development Charges Act, 1997 c. 27 (hereinafter called "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 need for services; and

**WHEREAS** the Act has been amended to allow for the recovery of growth-related studies and to remove the mandatory phase-in provisions by way of a streamlined by-law amendment process.

**NOW THEREFORE THE COUNCIL OF THE TOWNSHIP OF GUELPH/ERAMOSA ENACTS AS FOLLOWS:**

1. By-law 24/2023 is hereby amended as follows:
  - A. The Capital Cost Definition in Section 1 is deleted, and the following definition is substituted, therefore:

““Capital cost” means costs incurred or proposed to be incurred by the municipality or a local board thereof directly or by others on behalf of and as authorized by the municipality or local board;

    - i. to acquire land or an interest in land, including a leasehold interest;
    - ii. to improve land;
    - iii. to acquire, lease, construct or improve buildings and structures;
    - iv. to acquire, construct or improve facilities including:
      - a. furniture and equipment other than computer equipment;
      - b. materials acquired for circulation, reference or information purposes by a library board as defined in the Public Libraries Act; and

- c. rolling stock with an estimated useful life of seven years or more;
- v. to undertake studies in connection with any of the matters referred to in paragraphs (i) to (iv);
- vi. costs of the development charge background study required under section 10; and
- vii. interest on borrowing for those expenditures under clauses (i) to (iv) above that are growth-related.”

B. Repeal the Mandatory Phase-in Section 3.13.

- 2. This By-law shall come into force and effect at 12:01AM on July 9, 2024.
- 3. Except as amended by this By-law, all provisions of By-law 24/2023, are and shall remain in full force and effect.

**READ A FIRST AND SECOND TIME THIS 8<sup>th</sup> DAY OF JULY, 2024.**

**READ A THIRD TIME AND FINALLY PASSED THIS 8<sup>th</sup> DAY OF JULY, 2024.  
THE CORPORATION OF THE TOWNSHIP OF GUELPH/ERAMOSIA**

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Chris White, Mayor

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A. Amanda Knight, Clerk

**The Corporation of the Township of Guelph/Eramosa**  
**By-Law Number \_\_\_/2024**

**Being a By-Law of the Township of Guelph/Eramosa To Amend By-Law 25/2023**

**WHEREAS** the Development Charges Act, 1997 c. 27 (hereinafter called "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 need for services; and

**WHEREAS** the Act has been amended to allow for the recovery of growth-related studies and to remove the mandatory phase-in provisions by way of a streamlined by-law amendment process.

**NOW THEREFORE THE COUNCIL OF THE TOWNSHIP OF GUELPH/ERAMOSA ENACTS AS FOLLOWS:**

1. By-law 25/2023 is hereby amended as follows:

A. The title of the by-law is deleted and replaced with the following:

A By-law for the imposition of development charges and to repeal By-law 38/2018, as amended (Parks and Recreation and Growth Studies).

B. The Capital Cost Definition in Section 1 is deleted, and the following definition is substituted, therefore:

““Capital cost” means costs incurred or proposed to be incurred by the municipality or a local board thereof directly or by others on behalf of and as authorized by the municipality or local board;

- i. to acquire land or an interest in land, including a leasehold interest;
- ii. to improve land;
- iii. to acquire, lease, construct or improve buildings and structures;
- iv. to acquire, construct or improve facilities including:
  - a. furniture and equipment other than computer equipment;

- b. materials acquired for circulation, reference or information purposes by a library board as defined in the Public Libraries Act; and
      - c. rolling stock with an estimated useful life of seven years or more;
    - v. to undertake studies in connection with any of the matters referred to in paragraphs (i) to (iv);
    - vi. costs of the development charge background study required under section 10; and
    - vii. interest on borrowing for those expenditures under clauses (i) to (iv) above that are growth-related.”
  - C. The Designation of Services in Sections 2.1 and 2.2 are deleted, and substituted with the following:
    - “2.1 The categories of service/class of service for which development charges are imposed under this by-law are Parks and Recreation Services and Growth Studies;
    - 2.2 Components of the services/class of service designated in Subsection 2.1 are described in Schedule "A".”
  - D. Repeal the Mandatory Phase-in Section 3.13.
  - E. Schedule “A” is deleted, and the attached Schedule “A” is substituted, therefore.
  - F. Schedule “B” is deleted, and the attached Schedule “B” is substituted, therefore.
2. This By-law shall come into force and effect at 12:01AM on July 9, 2024.
3. Except as amended by this By-law, all provisions of By-law 25/2023, are and shall remain in full force and effect.

**READ A FIRST AND SECOND TIME THIS 8<sup>th</sup> DAY OF JULY, 2024.**

**READ A THIRD TIME AND FINALLY PASSED THIS 8<sup>th</sup> DAY OF JULY, 2024.**

**THE CORPORATION OF THE TOWNSHIP OF GUELPH/ERAMOSA**

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Chris White, Mayor

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A. Amanda Knight, Clerk



**SCHEDULE "A"**

**TO BY-LAW NO. 25/2023**

**DESIGNATED MUNICIPAL SERVICES UNDER THIS BY-LAW**

Parks and Recreation Services

Parkland Development

Parks Amenities

Park Trails

Park Vehicles

Recreation Facilities

Growth Studies

Services Related to a Highway

Fire Protection Services

Parks and Recreation Services

Water Services

Wastewater Services

# SCHEDULE "B"

## TO BY-LAW 25/2023

### SCHEDULE OF DEVELOPMENT CHARGES

Service/Class of Service	RESIDENTIAL					NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)
<b>Township Wide Services/Class of Service:</b>						
Parks and Recreation Services	14,707	9,849	8,644	5,548	5,198	0.26
Growth Studies	218	146	128	82	77	0.07

**The Corporation of the Township of Guelph/Eramosa**  
**By-Law Number \_\_\_/2024**

**Being a By-Law of the Township of Guelph/Eramosa To Amend By-Law 26/2023**

**WHEREAS** the Development Charges Act, 1997 c. 27 (hereinafter called "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 need for services; and

**WHEREAS** the Act has been amended to allow for the recovery of growth-related studies and to remove the mandatory phase-in provisions by way of a streamlined by-law amendment process.

**NOW THEREFORE THE COUNCIL OF THE TOWNSHIP OF GUELPH/ERAMOSA ENACTS AS FOLLOWS:**

1. By-law 26/2023 is hereby amended as follows:
  - A. The Capital Cost Definition in Section 1 is deleted, and the following definition is substituted, therefore:

““Capital cost” means costs incurred or proposed to be incurred by the municipality or a local board thereof directly or by others on behalf of and as authorized by the municipality or local board;

    - i. to acquire land or an interest in land, including a leasehold interest;
    - ii. to improve land;
    - iii. to acquire, lease, construct or improve buildings and structures;
    - iv. to acquire, construct or improve facilities including:
      - a. furniture and equipment other than computer equipment;
      - b. materials acquired for circulation, reference or information purposes by a library board as defined in the Public Libraries Act; and

- c. rolling stock with an estimated useful life of seven years or more;
- v. to undertake studies in connection with any of the matters referred to in paragraphs (i) to (iv);
- vi. costs of the development charge background study required under section 10; and
- vii. interest on borrowing for those expenditures under clauses (i) to (iv) above that are growth-related.”

B. Repeal the Mandatory Phase-in Section 3.13.

- 2. This By-law shall come into force and effect at 12:01AM on July 9, 2024.
- 3. Except as amended by this By-law, all provisions of By-law 26/2023, are and shall remain in full force and effect.

**READ A FIRST AND SECOND TIME THIS 8<sup>th</sup> DAY OF JULY, 2024.**

**READ A THIRD TIME AND FINALLY PASSED THIS 8<sup>th</sup> DAY OF JULY, 2024.  
THE CORPORATION OF THE TOWNSHIP OF GUELPH/ERAMOSIA**

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Chris White, Mayor

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A. Amanda Knight, Clerk

**The Corporation of the Township of Guelph/Eramosa**  
**By-Law Number \_\_\_/2024**

**Being a By-Law of the Township of Guelph/Eramosa To Amend By-Law 27/2023**

**WHEREAS** the Development Charges Act, 1997 c. 27 (hereinafter called "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 need for services; and

**WHEREAS** the Act has been amended to allow for the recovery of growth-related studies and to remove the mandatory phase-in provisions by way of a streamlined by-law amendment process.

**NOW THEREFORE THE COUNCIL OF THE TOWNSHIP OF GUELPH/ERAMOSA ENACTS AS FOLLOWS:**

1. By-law 27/2023 is hereby amended as follows:
  - A. The Capital Cost Definition in Section 1 is deleted, and the following definition is substituted, therefore:

““Capital cost” means costs incurred or proposed to be incurred by the municipality or a local board thereof directly or by others on behalf of and as authorized by the municipality or local board;

    - i. to acquire land or an interest in land, including a leasehold interest;
    - ii. to improve land;
    - iii. to acquire, lease, construct or improve buildings and structures;
    - iv. to acquire, construct or improve facilities including:
      - a. furniture and equipment other than computer equipment;
      - b. materials acquired for circulation, reference or information purposes by a library board as defined in the Public Libraries Act; and

- c. rolling stock with an estimated useful life of seven years or more;
- v. to undertake studies in connection with any of the matters referred to in paragraphs (i) to (iv);
- vi. costs of the development charge background study required under section 10; and
- vii. interest on borrowing for those expenditures under clauses (i) to (iv) above that are growth-related.”

B. Repeal the Mandatory Phase-in Section 3.13.

- 2. This By-law shall come into force and effect at 12:01AM on July 9, 2024.
- 3. Except as amended by this By-law, all provisions of By-law 27/2023, are and shall remain in full force and effect.

**READ A FIRST AND SECOND TIME THIS 8<sup>th</sup> DAY OF JULY, 2024.**

**READ A THIRD TIME AND FINALLY PASSED THIS 8<sup>th</sup> DAY OF JULY, 2024.  
THE CORPORATION OF THE TOWNSHIP OF GUELPH/ERAMOSIA**

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Chris White, Mayor

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A. Amanda Knight, Clerk

**The Corporation of the Township of Guelph/Eramosa**  
**By-Law Number \_\_\_/2024**

**Being a By-Law of the Township of Guelph/Eramosa To Amend By-Law 28/2023**

**WHEREAS** the Development Charges Act, 1997 c. 27 (hereinafter called "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 need for services; and

**WHEREAS** the Act has been amended to allow for the recovery of growth-related studies and to remove the mandatory phase-in provisions by way of a streamlined by-law amendment process.

**NOW THEREFORE THE COUNCIL OF THE TOWNSHIP OF GUELPH/ERAMOSA ENACTS AS FOLLOWS:**

1. By-law 28/2023 is hereby amended as follows:
  - A. The Capital Cost Definition in Section 1 is deleted, and the following definition is substituted, therefore:

““Capital cost” means costs incurred or proposed to be incurred by the municipality or a local board thereof directly or by others on behalf of and as authorized by the municipality or local board;

    - i. to acquire land or an interest in land, including a leasehold interest;
    - ii. to improve land;
    - iii. to acquire, lease, construct or improve buildings and structures;
    - iv. to acquire, construct or improve facilities including:
      - a. furniture and equipment other than computer equipment;
      - b. materials acquired for circulation, reference or information purposes by a library board as defined in the Public Libraries Act; and

- c. rolling stock with an estimated useful life of seven years or more;
- v. to undertake studies in connection with any of the matters referred to in paragraphs (i) to (iv);
- vi. costs of the development charge background study required under section 10; and
- vii. interest on borrowing for those expenditures under clauses (i) to (iv) above that are growth-related.”

B. Repeal the Mandatory Phase-in Section 3.13.

- 2. This By-law shall come into force and effect at 12:01AM on July 9, 2024.
- 3. Except as amended by this By-law, all provisions of By-law 28/2023, are and shall remain in full force and effect.

**READ A FIRST AND SECOND TIME THIS 8<sup>th</sup> DAY OF JULY, 2024.**

**READ A THIRD TIME AND FINALLY PASSED THIS 8<sup>th</sup> DAY OF JULY, 2024.  
THE CORPORATION OF THE TOWNSHIP OF GUELPH/ERAMOSIA**

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Chris White, Mayor

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A. Amanda Knight, Clerk





# Appendix B

## Amending By-laws for Formal Amendment

**The Corporation of the Township of Guelph/Eramosa**  
**By-Law Number \_\_\_/2024**

**Being a By-Law of the Township of Guelph/Eramosa To Amend By-Law 24/2023, as amended**

**WHEREAS** the Development Charges Act, 1997 c. 27 (hereinafter called "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 need for services;

**AND WHEREAS** a development charges background study has been completed in accordance with the Act;

**AND WHEREAS** the Council of the Township of Guelph/Eramosa has given notice and held a public meeting on the XX day of XX, 2024 in accordance with the Act and the regulations thereto;

**NOW THEREFORE THE COUNCIL OF THE TOWNSHIP OF GUELPH/ERAMOSA ENACTS AS FOLLOWS:**

1. By-law 24/2023, as amended is hereby amended as follows:
  - A. Section 3.17 is hereby repealed, and substituted with the following:

“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 the timing set out in the Act, the development charges under Sections 3.11 and 3.12 shall be calculated on the rates set out in Schedule "B" on the date of the planning application, including interest. Where both planning applications apply development charges under Sections 3.11 and 3.12 shall be calculated on the rates, including interest calculated in accordance with section 26.3 of the Act, payable on the anniversary date each year thereafter, set out in Schedule "B" on the date of the later planning application, including interest.”
2. This By-law shall come into force and effect at 12:01AM on xx xx, 2024.
3. Except as amended by this By-law, all provisions of By-law 24/2023, as amended are and shall remain in full force and effect.

**READ A FIRST AND SECOND TIME THIS xx<sup>th</sup> DAY OF xx, 2024.**

**READ A THIRD TIME AND FINALLY PASSED THIS xx<sup>th</sup> DAY OF xx, 2024.  
THE CORPORATION OF THE TOWNSHIP OF GUELPH/ERAMOSIA**

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Chris White, Mayor

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A. Amanda Knight, Clerk

**The Corporation of the Township of Guelph/Eramosa**  
**By-Law Number \_\_\_/2024**

**Being a By-Law of the Township of Guelph/Eramosa To Amend By-Law 25/2023, as amended**

**WHEREAS** the Development Charges Act, 1997 c. 27 (hereinafter called "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 need for services;

**AND WHEREAS** a development charges background study has been completed in accordance with the Act;

**AND WHEREAS** the Council of the Township of Guelph/Eramosa has given notice and held a public meeting on the XX day of XX, 2024 in accordance with the Act and the regulations thereto.

**NOW THEREFORE THE COUNCIL OF THE TOWNSHIP OF GUELPH/ERAMOSA ENACTS AS FOLLOWS:**

1. By-law 25/2023, as amended is hereby amended as follows:
  - A. Section 3.17 is hereby repealed, and substituted with the following:

“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 the timing set out in the Act, the development charges under Sections 3.11 and 3.12 shall be calculated on the rates set out in Schedule "B" on the date of the planning application, including interest. Where both planning applications apply development charges under Sections 3.11 and 3.12 shall be calculated on the rates, including interest calculated in accordance with section 26.3 of the Act, payable on the anniversary date each year thereafter, set out in Schedule "B" on the date of the later planning application, including interest.”
2. This By-law shall come into force and effect at 12:01AM on xx xx, 2024.
3. Except as amended by this By-law, all provisions of By-law 25/2023, as amended are and shall remain in full force and effect.

**READ A FIRST AND SECOND TIME THIS xx<sup>th</sup> DAY OF xx, 2024.**

**READ A THIRD TIME AND FINALLY PASSED THIS xx<sup>th</sup> DAY OF xx, 2024.  
THE CORPORATION OF THE TOWNSHIP OF GUELPH/ERAMOSIA**

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Chris White, Mayor

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A. Amanda Knight, Clerk

**The Corporation of the Township of Guelph/Eramosa**  
**By-Law Number \_\_\_/2024**

**Being a By-Law of the Township of Guelph/Eramosa To Amend By-Law 26/2023, as amended**

**WHEREAS** the Development Charges Act, 1997 c. 27 (hereinafter called "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 need for services;

**AND WHEREAS** a development charges background study has been completed in accordance with the Act;

**AND WHEREAS** the Council of the Township of Guelph/Eramosa has given notice and held a public meeting on the XX day of XX, 2024 in accordance with the Act and the regulations thereto.

**NOW THEREFORE THE COUNCIL OF THE TOWNSHIP OF GUELPH/ERAMOSIA ENACTS AS FOLLOWS:**

1. By-law 26/2023, as amended is hereby amended as follows:
  - A. Section 3.17 is hereby repealed, and substituted with the following:

“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 the timing set out in the Act, the development charges under Sections 3.11 and 3.12 shall be calculated on the rates set out in Schedule "B" on the date of the planning application, including interest. Where both planning applications apply development charges under Sections 3.11 and 3.12 shall be calculated on the rates, including interest calculated in accordance with section 26.3 of the Act, payable on the anniversary date each year thereafter, set out in Schedule "B" on the date of the later planning application, including interest.”
2. This By-law shall come into force and effect at 12:01AM on xx xx, 2024.
3. Except as amended by this By-law, all provisions of By-law 26/2023, as amended are and shall remain in full force and effect.

**READ A FIRST AND SECOND TIME THIS xx<sup>th</sup> DAY OF xx, 2024.**

**READ A THIRD TIME AND FINALLY PASSED THIS xx<sup>th</sup> DAY OF xx, 2024.  
THE CORPORATION OF THE TOWNSHIP OF GUELPH/ERAMOSIA**

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Chris White, Mayor

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A. Amanda Knight, Clerk

**The Corporation of the Township of Guelph/Eramosa**  
**By-Law Number \_\_\_/2024**

**Being a By-Law of the Township of Guelph/Eramosa To Amend By-Law 27/2023, as amended**

**WHEREAS** the Development Charges Act, 1997 c. 27 (hereinafter called "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 need for services;

**AND WHEREAS** a development charges background study has been completed in accordance with the Act;

**AND WHEREAS** the Council of the Township of Guelph/Eramosa has given notice and held a public meeting on the XX day of XX, 2024 in accordance with the Act and the regulations thereto.

**NOW THEREFORE THE COUNCIL OF THE TOWNSHIP OF GUELPH/ERAMOSIA ENACTS AS FOLLOWS:**

1. By-law 27/2023, as amended is hereby amended as follows:
  - A. Section 3.17 is hereby repealed, and substituted with the following:

“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 the timing set out in the Act, the development charges under Sections 3.11 and 3.12 shall be calculated on the rates set out in Schedule "B" on the date of the planning application, including interest. Where both planning applications apply development charges under Sections 3.11 and 3.12 shall be calculated on the rates, including interest calculated in accordance with section 26.3 of the Act, payable on the anniversary date each year thereafter, set out in Schedule "B" on the date of the later planning application, including interest.”
2. This By-law shall come into force and effect at 12:01AM on xx xx, 2024.
3. Except as amended by this By-law, all provisions of By-law 27/2023, as amended are and shall remain in full force and effect.



**READ A FIRST AND SECOND TIME THIS xx<sup>th</sup> DAY OF xx, 2024.**

**READ A THIRD TIME AND FINALLY PASSED THIS xx<sup>th</sup> DAY OF xx, 2024.  
THE CORPORATION OF THE TOWNSHIP OF GUELPH/ERAMOSIA**

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Chris White, Mayor

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A. Amanda Knight, Clerk

**The Corporation of the Township of Guelph/Eramosa**  
**By-Law Number \_\_\_/2024**

**Being a By-Law of the Township of Guelph/Eramosa To Amend By-Law 28/2023, as amended**

**WHEREAS** the Development Charges Act, 1997 c. 27 (hereinafter called "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 need for services;

**AND WHEREAS** a development charges background study has been completed in accordance with the Act;

**AND WHEREAS** the Council of the Township of Guelph/Eramosa has given notice and held a public meeting on the XX day of XX, 2024 in accordance with the Act and the regulations thereto.

**NOW THEREFORE THE COUNCIL OF THE TOWNSHIP OF GUELPH/ERAMOSIA ENACTS AS FOLLOWS:**

1. By-law 28/2023, as amended is hereby amended as follows:
  - A. Section 3.17 is hereby repealed, and substituted with the following:

“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 the timing set out in the Act, the development charges under Sections 3.11 and 3.12 shall be calculated on the rates set out in Schedule "B" on the date of the planning application, including interest. Where both planning applications apply development charges under Sections 3.11 and 3.12 shall be calculated on the rates, including interest calculated in accordance with section 26.3 of the Act, payable on the anniversary date each year thereafter, set out in Schedule "B" on the date of the later planning application, including interest.”
2. This By-law shall come into force and effect at 12:01AM on xx xx, 2024.
3. Except as amended by this By-law, all provisions of By-law 28/2023, as amended are and shall remain in full force and effect.

**READ A FIRST AND SECOND TIME THIS xx<sup>th</sup> DAY OF xx, 2024.**

**READ A THIRD TIME AND FINALLY PASSED THIS xx<sup>th</sup> DAY OF xx, 2024.  
THE CORPORATION OF THE TOWNSHIP OF GUELPH/ERAMOSIA**

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Chris White, Mayor

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A. Amanda Knight, Clerk