THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER -2022

A By-Law to impose City-Wide Development Charges.

Whereas subsection 2(1) of the *Development Charges Act*, 1997, SO 1997, c 27 ("**Act**"), as amended, 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 for which the By-Law applies;

And Whereas at the direction of Council of The Corporation of the City of Vaughan (the "**Council**"), Hemson Consulting Ltd. has prepared a City-Wide Development Charges Background Study entitled "2022 City-Wide Development Charges Background Study", dated March, 29, 2022 (the "**Background Study**"), which indicates that the development of any land within The Corporation of the City of Vaughan will increase the need for services as defined therein;

And Whereas as of April 12, 2022 Council made the Background Study and draft version of this By-Law available to the public in accordance with the Act;

And Whereas on May 10, 2022, Council held a public meeting at which all persons in attendance were provided with an opportunity to make representations relating to the draft By-Law in respect to the 2022 City-Wide Development Charges Background Study in accordance with the Act;

And Whereas notice of the public meeting was given on April 20, 2022 date in accordance with the Act and Ontario Regulation 82/98;

And Whereas on June 28, 2022, Council by resolution adopted the Background Study and determined that it was not necessary to hold any further public meetings in respect of this By-Law;

And Whereas Council passed a By-Law to impose and provide for payment of City-Wide Development Charges;

Now therefore the Council of the Corporation of the City of Vaughan enacts as follows:

Definitions

1. In this By-law:

(1) **"accessory use"** means the use of any building or structure that is naturally and normally,

(a) incidental;

(b) subordinate to; and

(c) devoted exclusively to the main use on the same lot; and for the purpose of this By-law, detached buildings or structures which are accessory uses shall not exceed 100 square metres of gross floor area.

(2) **"agreement"** means a contract between the City and an owner and any amendment thereto.

(3) **"agricultural use"** means lands, buildings, or structures, excluding any portion thereof used as a dwelling unit, used, designed, or intended for use for the purpose of a bona fide farming operation, including, but not limited to, animal husbandry, dairying, livestock, fallow, field crops, removal of sod, forestry, fruit farming, horticulture, market gardening, pasturage, poultry keeping, equestrian facilities, and any other activities customarily carried on in the field of agriculture; but does not include a commercial use or a marijuana operation.

(4) **"air supported structure"** means a structure consisting of a pliable membrane that achieves and maintains its shape and support by internal air pressure.

(5) **"apartment building"** means a residential use building, or the residential use portion of a mixed-use building, other than a townhouse containing four or more dwelling units each of which shall have access to above grade common halls, stairs, elevators, and yards.

(6) **"area specific development charge"** and **"special service area development charge"** mean a charge imposed with respect to growth-related net capital costs against a defined land area for specified services under the applicable By-law.

(7) **"atrium"** means a large open space extending through several floors in a building that is open to the ceiling.

(8) **"basement"** means a storey, the floor of which is at least 0.75 metres below finished grade, provided that not more than one half of its height from the floor of the underside of the floor joist is below the finished grade.

(9) **"building or structure"** means a permanent enclosed structure occupying an area greater than 10 square metres, consisting of a wall, roof, and/or floor, or any of them, or a structural system serving the function thereof, which includes, but is not limited to, air-supported structures or industrial tents.A canopy however shall not be considered a building or structure for the purpose of this By-law and shall not attract development charges.

(10) **"building permit"** means a permit issued under the *Building Code Act, 1992*, SO 1992, c 23 which permits the construction of a building or structure, or which permits the construction of the foundation of a building or structure.

(11) **"canopy"** means an overhanging, projection, or covering connected to a principal use on the lands, such as over a gas bar or outdoor storage.

(12) **"capital cost"** means costs incurred or proposed to be incurred by the City or a local board directly or by others on behalf of, and as authorized by, a municipality or local board under an agreement, required for the provision of services designated in the By-law within or outside the City,

(a) to acquire land or an interest in land, including a leasehold interest;

(b) to improve land;

(c) to acquire, lease, construct, or improve buildings and structures;

(d) to acquire, lease, construct, or improve facilities including:

(i) rolling stock with an estimated useful life of seven (7) years or more years;

(ii) furniture and equipment, other than computer equipment; and

(iii) materials acquired for circulation, reference, or information purposes by a library board as defined in the *Public Libraries Act*, RSO 1990, c P.44;

(e) to undertake studies in connection with any of the matters in clauses (a) to (d);

(f) for the development charge background study required before enactment of this By-law; and

(g) for interest on money borrowed to pay for costs described in any of the matters in clauses (a) to (d).

(13) **"cellar"** means the portion of a building below the lowest storey which has more than one-half of its height from the floor to the underside of the floor joists below the finished grade.

(14) **"City"** means the Corporation of the City of Vaughan.

(15) **"college"** means a board of governors of a college of applied arts and technology established under the *Ontario Colleges of Applied Arts and Technology Act, 2002*, SO 2002, c 8, Sched F.

(16) **"development"** means the construction, erection, or placing of one or more buildings or structures on land, or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof and includes redevelopment.

(17) **"development charge"** means a charge imposed with respect to growth-related net capital costs against land under this By-law.

(18) **“duplex”** means a building comprising, by horizontal division, two dwelling units, each of which has a separate entrance to grade.

(19) **“dwelling unit”** means one or more habitable rooms designed, occupied, or intended to be occupied as living quarters as a self-contained unit and shall, at a minimum, contain sanitary facilities, accommodation for sleeping and a kitchen.

(20) **“engineering services”** means services related to a highway, and may include water supply services, waste water services, and storm water drainage and control services.

(21) **“existing industrial building”** means an existing building or structure to be used, or designed or intended for,

(a) manufacturing, producing, processing, storing, or distributing something;

(b) research or development in connection with manufacturing, producing, or processing something;

(c) retail sales by a manufacturer, producer, or processor of something they manufactured, produced, or processed, if the retail sales are at the site where the manufacturing, production, or processing takes place; and

(d) office or administrative purposes, if they are:

(i) carried out with respect to manufacturing, producing, processing, storage, or distributing of something; and

(ii) in or attached to the building or structure used for that manufacturing, producing, processing, storage, or distribution.

(22) **“funeral home”** means a building or structure with facilities for the preparation of dead persons for burial or cremation, for the viewing of the body and for funeral services.

(23) **"future development"** means development which requires a subsequent planning approval, in addition to a building permit, which subsequent approval shall include a site plan approval or a plan of condominium approval.

(24) **"grade finished"** means the average elevation of the finished ground level at the wall(s).

(25) **"gross floor area"** means, in the case of a non-residential building or structure or the non-residential portion of a mixed-use building or structure, the aggregate of the areas of each floor, whether above or below grade, measured between the exterior faces of the exterior walls of the building or structure or from the centre line of a common wall separating a non-residential and residential use and,

(a) includes the floor area of a mezzanine and the space occupied by interior walls and partitions;

(b) excludes, in the case of a building or structure containing an atrium, the sum of the areas of the atrium at the level of each floor surrounding the atrium above the floor level of the atrium;

(c) excludes the area of any self-contained structural shelf and rack storage facility approved by the Building Materials Evaluation Commission under the *Building Code Act,1992,* SO 1992, c 23;

(d) excludes the sum of the areas of each floor used, or designed or intended for use for the parking of motor vehicles unless the building or structure, or any part thereof, is a retail motor vehicle establishment or a standalone motor vehicle storage facility or a commercial public parking structure;

(e) exclude the surface area of swimming pools or the playing surfaces of indoor sport fields including but not limited to hockey arenas, and basketball courts; and

(f) for the purposes of this definition, notwithstanding any other section of this By-law, the non-residential portion of a mixed-use building is deemed to include one-half of any area common to the residential and non-residential portions of such mixed-use building or structure.

(26) **"growth-related net capital cost"** means the portion of the net capital cost of services that is reasonably attributable to the need for such net capital costs that results or will result from development in all or a defined part of the City.

(27) **“heritage property”** means a property that contains cultural heritage value as defined under the *Ontario Heritage Act*, RSO 1990, c O.18.

(28) **“home occupation”** means an occupation permitted in a dwelling unit and which:

(a) is clearly secondary to the use of the dwelling unit;

(b) does not change the external character of the dwelling unit; and

(c) does not create or become a public nuisance, particularly in respect to noise, traffic, or parking.

(29) **“large apartment”** means a dwelling unit in an apartment building or plex or stacked townhouse that is 700 square feet or larger in size.

(30) **“live-work unit”** means a unit intended for both residential and non-residential uses concurrently.

(31) **“local board”** means a local board as defined in section 1 of the *Municipal Affairs Act*, RSO 1990, c M.46 other than a board as defined in subsection 1(1) of the *Education Act*, RSO 1990, c E.2.

(32) **“lot”** means a parcel of land which can be conveyed as a separate parcel pursuant to the provisions of the *Planning Act*, RSO 1990, c P.13.

(33) **“marijuana operation”** means the cultivation, growth, harvesting, processing, composting, destruction, packaging, storage and distribution of plants or parts of plants of the genus Cannabis (marijuana) with a license for sale as authorized under the *Cannabis Act*, SC 2018, c 16.

(34) **“mixed-use building”** means a building or structure containing a residential and non-residential use other than a home occupation.

(35) **"mezzanine"** means a mezzanine as prescribed in the *Building Code Act,1992,* SO 1992, c 23.

(36) **"multiple unit dwelling"** includes townhouses, and all other residential uses that are not included in the definition of apartment, single detached dwelling, or semi-detached dwelling.

(37) **"net area"** means the gross area of land less the area of lands conveyed or to be conveyed into public ownership for the purpose of open space, parks, woodlots, storm water management facilities, buffers and road widenings along Regional Roads, and Ontario Hydro utility corridors, and less the area of any wood lots in private ownership if zoned as such, but shall include the area of all road allowances dedicated to the City.

(38) **"net capital cost"** means the capital cost less capital grants, subsidies, and other contributions made to the City, or that Council anticipates will be made, including conveyances or payments under sections 42, 51, and 53 of the *Planning Act*, RSO 1990, c P.13 in respect of the capital cost.

(39) **"owner"** means the owner of the land or a person who has made under lawful authority an application for an approval of the development of the land upon which a development charge or an area specific development charge is imposed.

(40) **"place of worship"** means a building used for the gathering of a religious or faith-based organization for spiritual purposes.

(41) **"plex"** means a duplex, a semi-detached duplex, a triplex, or a semi-detached triplex.

(42) **"redevelopment"** means the construction, erection or placing of one or more buildings or structures on land where all or part of a building or structure has previously been demolished on such land or changing the use from a residential to non-residential use or from a non-residential to residential use or from one residential use to another form of residential use.

(43) **"retail motor vehicle establishment"** means a building or structure used or designed or intended to be used for the sale, rental or servicing of motor vehicles, or any other function associated with the sale, rental or servicing of motor vehicles including but not limited to

detailing, leasing and brokerage of motor vehicles, and short or long-term storage of customer motor vehicles. For a retail motor vehicle establishment, gross floor area includes the sum of the areas of each floor used or designed or intended for use for the parking or storage of motor vehicles, including customer and employee motor vehicles. An exemption may be granted to exclude the sum of the areas for customer and employee motor vehicles on terms and conditions to the satisfaction of the City.

(44) **"semi-detached duplex"** means one of a pair of attached duplexes, each duplex divided vertically from the other by a party wall,

(45) **"semi-detached dwelling"** means a building divided vertically into two dwelling units.

(46) **"semi-detached triplex"** means one of a pair of triplexes divided vertically one from the other by a party wall.

(47) **"services"** means services designated in this By-law.

(48) **"single detached dwelling"** mean a residential building consisting of one dwelling unit that is not attached to another structure above grade. For greater certainty, a residential building consisting of one dwelling unit that is attached to another structure by footings only shall be considered a single-family dwelling for the purposes of this By-law.

(49) **"small apartment"** means a dwelling unit in an apartment building, a plex or stacked townhouse that is less than 700 square feet in size.

(50) **"stacked townhouse"** means a building, other than a townhouse or apartment building, containing at least 3 dwelling units, each dwelling unit being separated from the other vertically and/or horizontally, and each dwelling unit having an entrance to grade shared with no more than 3 other units.

(51) **"standalone motor vehicle storage facility"** means a building or structure used or designed or intended for use for the storage or warehousing of motor vehicles that is separate from a retail motor vehicle establishment. For a standalone motor vehicle storage facility, gross floor area includes the sum of the areas of each floor used or designed or intended for use for the

parking or storage of motor vehicles, including customer and employee motor vehicles. An exemption may be granted to exclude the sum of the areas for customer and employee motor vehicles on terms and conditions to the satisfaction of the City.

(52) **"storey"** means the portion of a building other than the cellar or unfinished attic which lies between the surface of the floor and the surface of the next floor above, and if there is no floor above it, then the surface next above it, provided its height is not less than 2.3 metres.

(53) **"subdivision"** includes a condominium.

(54) "**temporary sales centre**" means a building or structure, including a trailer, that is designed or intended to be temporary, or intended to be removed from the land or demolished after use and which is used exclusively as an office or presentation centre, or both, for new building sales.

(55) **"triplex"** means a building comprising 3 dwelling units, each of which has a separate entrance to grade.

(56) **"university"** has the same meaning as defined in section 171.1 of the *Education Act*, RSO 1990, c E.2.

(57) **"use, commercial"** means the use of any land, building or structure for the purpose of buying and selling commodities or supplying services as distinguished from such uses as manufacturing or assembly of goods, warehousing, and construction.

(58) **"use, industrial"** means the use of any land, building or structure for construction, warehousing, manufacturing, processing, or assembly of materials to finished products or byproducts, including the storage of such materials and products.

(59) **"use, institutional"** means the use of any land, building or structure by any organization owned or operated for religious, educational, charitable, recreational, or governmental purposes, whether or not supported in whole or in part by public funds.

(60) **"use, non-residential"** means the use of any land, building or structure, or any part thereof, for use other than a residential use, and shall include commercial use, industrial use, and institutional use.

(61) **"use, residential"** means the use of any land, building or structure for a single detached dwelling, semi-detached dwelling, multiple unit dwelling, apartment, or any other type of dwelling unit.

Rules – Application, Exemptions and Exceptions

2.

(1) This By-law applies to all land and to all uses of any land, building or structure within the City whether or not the land, building or structure, or use thereof, is exempt from taxation under section 3 of the *Assessment Act*, RSO 1990, c A.31.

(2) Despite subsection 2(1), this By-law does not apply to any land, building or structure within the City owned by and used for the purposes of,

(a) a local board;

(b) a board of education as defined in section 1(1) of the *Education Act*, RSO 1990, c E.2;

(c) the City or any of its local boards including land leased by these entities from the Crown in the right of Canada or Ontario;

(d) lands, buildings or structures owned by Metrolinx and used for transit related purposes;

(e) any area municipality within the Regional Municipality of York;

(f) the Regional Municipality of York or any of its local boards;

(g) a public hospital receiving aid under the *Public Hospitals Act*, RSO 1990, c P.40; and

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

(3) Development charges for the services designated in Schedule A applicable to all lands in the City of Vaughan shall be imposed and calculated in the amounts specified in Schedule B and shall be collected in accordance with this By-law on development for residential use or non-residential use purposes.

(4) For determining development charges under this By-law, any residential use dwelling that is less than 700 square feet of total gross floor area shall be deemed a small apartment and pay the corresponding development charge set out in Schedule B.

(5) Development charges provided for in subsection 2(3) apply where the development requires,

(a) the passing of a zoning By-law or of an amendment thereto under section 34 of the *Planning Act*, RSO 1990, c P.13;

(b) the approval of a minor variance under section 45 of the *Planning Act*, RSO 1990, c P.13;

(c) a conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act,* R.S.O. 1990, c.P.13 applies;

(d) the approval of a plan of subdivision under section 51 of the *Planning Act*, RSO 1990, c P.13;

(e) a consent under section 53 of the *Planning Act*, RSO 1990, c P.13;

(f) the approval of a description under section 50 of the *Condominium Act*, *1998*, SO 1998, c19; or

(g) the issuing of a permit under the *Building Code Act*, 1992, SO 1992, c 23 in relation to a building or structure.

(6) The City shall not apply more than one development charge provided for in this By-law on land even though two or more of the actions described in subsection 2(5) are required before the land can be developed.

(7) Despite subsection 2(6), if two or more of the actions described in subsection 2(5) occur at different times and if the subsequent action or actions has the effect of increasing the need for services, a development charge shall be imposed, calculated, and collected pursuant to subsection 2(3) limited to the increase.

(8) Notwithstanding any other provisions of this By-law, a building or structure shall be exempt from the payment of development charges provided that it is for,

(a) a temporary use permitted under a zoning By-law enacted under section 39 of the *Planning Act*, RSO 1990, c P.13;

(b) an accessory use and, without restricting the generality of the foregoing, including a tent or canopy used on a temporary or seasonal basis;

(c) a home occupation;

(d) an agricultural use;

(e) a renovation of an existing building which does not alter, if a residential use, the number of units, or, if a non-residential use, the gross floor area thereof;

(f) a temporary sales centre;

(g) the relocation of a built heritage structure that is listed under section 27 of the Ontario Heritage Act or designated under Part IV or V of the *Ontario Heritage Act*, RSO 1990, c O.18;

(h) Land, buildings or structures used or to be used for the purposes of a cemetery or burial ground exempt from taxation under the Assessment Act or any successor thereto, including mausoleums and columbariums, but excluding funeral homes; or

(i) Buildings or structures owned by and used for the purpose of a conservation authority, unless such buildings or structures are used primarily for or in connection with (i) recreational purposes for which the conservation authority charges admission, or (ii) any commercial use.

(9) Subsection 2(3) shall not apply in respect of an action mentioned in subsection 2(5), if the only effect of the action is to,

(a) permit the enlargement of an existing dwelling unit; or

(b) permit the creation of additional dwelling units in certain existing residential buildings and ancillary structures to them as prescribed under s 2(3) of the Act.

(10) Notwithstanding any other provisions of this By-law, the creation of a second dwelling unit in certain proposed new residential buildings including structures ancillary to dwellings are exempt from development charges to the extent as prescribed under s 2(3.1) of the Act.

(11) If a development includes the enlargement of the gross floor area of an existing industrial building, the amount of the development charge that is payable in respect of the enlargement is determined in accordance with the following:

(a) if the gross floor area is enlarged by 50 per cent or less, the amount of the development charge in respect of the enlargement is zero. For the purpose of this subsection, the gross floor area of an existing industrial building shall be calculated as it existed prior to the first enlargement in respect of that building for which an exemption under section 4 of the *Development Charges Act*, 1997, SO 1997, c 27 is sought.

(b) if the gross floor area is enlarged by more than 50 per cent, the development charges are payable on the amount by which the enlargement exceeds 50 per cent of the gross floor area before the enlargement. For the purpose of this subsection, the gross floor area of an existing industrial building shall be calculated as it existed prior to the first enlargement in respect of that building for which an exemption under section 4 of the *Development Charges Act*, 1997, SO 1997, c 27 is sought.

(c) the exemption for industrial enlargement shall apply only to the enlargement of the gross floor area of an existing industrial building,

(i) where such enlargement is attached to the existing industrial building, the enlargement must not be attached to the existing industrial building by means only of a tunnel, bridge, passageway, shared below-grade connection, foundation, footing, shared connected roof, or parking facility;

(ii) where both the enlargement and existing industrial building are constructed on lands owned by the same beneficial owner; and

(iii) shall only apply to the enlargement or enlargements of the existing industrial building to a maximum of the aggregate of fifty per cent of the gross floor area of the existing industrial building while this by-law remains in force.

Place of Worship

(12) Despite subsection 2(3), development charges shall not be imposed in respect of the gross floor area of a place of worship to a maximum of 5,000 square feet (or 464.5 square metres) or in respect of that portion of the gross floor area of a place of worship which is used as an area for worship, whichever is greater.

Mixed Use

(13) Development charges applicable to a mixed-use building shall be the aggregate of the amount applicable to the residential use component and the amount applicable to the gross floor area of the non-residential use component.

(14) Live-work units will be assessed at the residential rate based on the assigned class and the non-residential rate for the gross floor area related to the non-residential use.

ADMINISTRATION

Development Charge Payment and Calculation Date

3.

(1) All development charges payable shall be paid by certified funds to the City Treasurer.

(2) Unless otherwise provided in this section or by an agreement, a development charge is calculated and payable, as the case may be, on the date a building permit is issued for development on land to which a development charge applies, and no building permit shall be issued until the development charge is paid in full.

(3) Unless otherwise provided by agreement, a residential use development pursuant to a plan of subdivision under section 51 of the *Planning Act*, RSO 1990, c P.13, shall pay the engineering services component of the development charge as identified on Schedule B immediately upon entering into the subdivision agreement, and the remainder of the development charge shall be payable pursuant to subsection 3(2) unless such a plan of subdivision includes blocks intended for future development, in which case development charges payable for such blocks shall be determined at building permit issuance. For the purpose of this subsection, the development charge component specified payable shall be calculated on the greater of the actual number of dwelling units proposed in the plan of subdivision or that permitted or proposed in the zoning by-law.

(4) For a non-residential use, the development charge payable shall be calculated on the basis of the gross floor area applied for pursuant to subsection 3(2).

(5) Unless otherwise provided by agreement, where section 26.1 of the Act applies to a development, development charges will be payable in instalments as provided by

section 26.1 of the Act with related interest calculated and payable in accordance with the City's "DC Interest Policy Under section 26.1 and section 26.2 of the Development Charges Act, 1997" as amended.

(6) Unless otherwise provided by agreement, where paragraph s 26.2(1)(a) or s 26.2(1)(b) of the Act applies to a development, the calculation day for development charges will be per section 26.2 of the Act with related interest calculated and payable in accordance with the City's "DC Interest Policy Under section 26.1 and section 26.2 of the Development Charges Act, 1997" as amended.

(7) If a use of any land, building or structure that constitutes development but does not require the issuing of a building permit but requires one or more of the actions listed in subsection 2(5), a development charge shall be payable and shall be calculated and collected on the earliest of any of the actions listed in subsection 2(5) required, or on a date set by agreement.

(8) Nothing in this By-Law shall prevent Council from requiring, as a condition of any approval pursuant to the *Planning Act,* RSO 1990, c P.13, that the owner(s) of land install such local services as Council may require in accordance with the City's policy in respect of local services.

Credits

4.

(1) Where the City permits the provision of services in lieu of the payment of all or any portion of a development charge, the City shall give a credit for an amount equal to the reasonable cost to the owner of providing the services, as determined by the City, provided such credit shall relate only to the portion of the development charge attributable to the services provided, unless otherwise agreed by the City.

(2) The City may by agreement permit an owner to provide services additional to or of a greater size or capacity than is required, and the City may give a credit for an amount up

to the reasonable cost to the owner of providing the services as determined by the City, provided that no such credit may be given for any part of the cost of work that relates to an increase in the level of service that exceeds the average level of service described in paragraph 4 of subsection 5(1) of the *Development Charges Act*, 1997, SO 1997, c 27.

Redevelopment Allowances

5.

(1) Unless otherwise provided, where development is to replace in whole or in part a building or structure that exists or has existed on the land 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, in order to facilitate the redevelopment, and a building permit is issued within 48 months from the date of issuance of the demolition permit, the development charge applicable to the redevelopment shall be reduced by a redevelopment allowance, without interest, in an amount equal to the total of,

(a) for a residential use, the development charge for the number and types of lawful dwelling units shown on the assessment roll for the lot;

(b) for a non-residential use, the development charge for the lawful gross floor area shown on a demolition permit, in the records of the City, or on constructed building plans certified as such by a registered professional engineer; and

(c) all at the development charge applicable to such dwelling units or gross floor area pursuant to subsection 2(3), provided that where such replacement is for a change in use from either residential to non-residential, or from non-residential to residential, only that portion of the development charge for the existing use which is attributable to the services comprising the charge for the proposed use shall apply. For further clarity, where there is a redevelopment that includes a change of use of all or part of a residential building or structure to a non-residential use, the amount of the reduction will be equal to the amount of the development charge under the service categories: (1) Development Related Studies, (2) Fire and Rescue Services, (3) Services Related to a Highway: Public Works - Buildings and

Fleet, and (4) Engineering Services for the number and type of units being converted to non-residential use.

(2) Despite subsection 5(1), no redevelopment allowances shall be made in excess of the development charges payable.

(3) Any building or structure for which a demolition permit is issued after this By-law comes into force and effect is considered by Council to have been the equivalent of derelict prior to the issuance of the demolition permit for the purposes of applying the Region of York Development Charges By-law.

GENERAL

Annual Adjustment

6.

(1) The development charges established pursuant to section 2 of this By-law shall be adjusted annually, without amendment to this By-law, as of the 1st day of July in each year, commencing on July 1, 2023, in accordance with the most recent change in the Statistics Canada Quarterly, Non-Residential Building Construction Price Index for Toronto (Table 18-10-0135-01 or successor).

General

Term

7.

(1) This By-law shall come into full force and effect on June 1, 2023.

(2) This By-law shall expire five years from the date that it comes into force and effect, unless repealed at an earlier date.

(3) Nothing in this By-law shall be construed so as to commit or require the City to authorize or proceed with any specific capital project at any specific time.

Transitional Provisions

8.

(1) If before the coming into force of this By-law an owner or previous owner has made a payment for services described in this By-law or provided services in lieu thereof as required under the City's Development Charges By-law 083-2018 as amended, the actual amount of such payment or the provision of services as determined by the City without interest shall be credited to the owner as if paid or provided under this By-law.

Schedules

9.

(1) Schedules A and B attached hereto and form a part of this By-law.

Repeal

10.

(1) By-law 083-2018 is hereby repealed effective on the date that this By-law comes into full force and effect.

Registration

11.

(1) A certified copy of this By-law may be registered in the By-law register in the York Region Land Registry Office and/or against the title to any land to which this By-law applies.

Severability

12,

(1) Should any section or part of a section of this By-law be determined by a court or tribunal of competent jurisdiction to be invalid or of no force and effect, that section or part shall be severable and the remainder of this By-law will continue to operate in full force and effect.

Headings

13.

(1) The headings inserted in this By-Law are for convenience of reference only and shall not affect the interpretation of this By-law.

Short Title

14.

(1) This By-law may be cited as the “City-Wide Development Charges By-Law, 2022”.

Enacted by City of Vaughan Council this 28th day of June , 2022.

_____

Hon. Maurizio Bevilacqua, Mayor

_____

Todd Coles, City Clerk

Authorized by Item No. 2 of Report No. 30

of the Committee of the Whole (2)

Adopted by Vaughan City Council on June 28, 2022

Schedule A: Services

Eligible general services (or soft services)

- Development Related Studies
- Library Services
- Fire and Rescue Services
- Community Services (which includes Parks and Recreation and Services related to proceedings under the Provincial Offences Act, including by-law enforcement services and municipally administered court services).
- Services Related to a Highway: Public Works - Buildings and Fleet

Engineering Services (or hard services)

- Services Related to a Highway (includes roads, structures, land requirements, sidewalks, streetlights, active transportation, and urban design)
- Water and Wastewater Services
- Storm drainage and control (mostly related road related infrastructure)
- Development-related studies

Schedule B

City of Vaughan City Wide Development Charges[1]
(Effective from June 1, 2023 to June 1, 2028)

Residential Use Development Charges

	Engineering Services[2]	***General Services[3]***	***Total Per Unit Development Charge[5]***
Single & Semi-Detached Dwellings	$55,975	$24,445	$80,420
Multiple Unit Dwellings	$46,051	$20,112	$66,163
Large Apartments	$34,784	$15,190	$49,974
Small Apartments	$25,069	$10,947	$36,016

Non-Residential Use Development Charges[4]

	Total Per Square Metre of GFA Development Charge
$252.66	

[1]All rates subject to normal indexing - rates shown are current as of June 1, 2023
[2]Engineering Services portion of Residential Development Charge paid at Subdivision Agreement execution
3Remainder General Services portion of Residential Development Charge paid at Building Permit issuance where there is a Subdivision Agreement
[4]Total Non-Residential Development Charges paid at Building Permit issuance
[5]Pursuant to section 26.1 of the Development Charges Act, 1992 instalment payments may be applied for eligible developments.