

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 21-029

BEING a by-law to amend Development Charges By-law 18-88.

WHEREAS Section 19 of the *Development Charges Act, 1997 S.O. 1997, c.27*, as amended (“the Act”) provides for amendments to be made to development charges by-laws;

AND WHEREAS the Council of the Corporation of the Municipality of Mississippi Mills (hereinafter called “the Council”) has determined that certain amendments should be made to the Development Charge By-law of the Corporation of the Municipality of Mississippi Mills, being By-law 18-88;

AND WHEREAS, in accordance with the Act, a development charges background study has been completed in respect of the proposed amendment;

AND WHEREAS the Council of the Corporation of the Municipality of Mississippi Mills has given notice and held a public meeting in accordance with the Act; and

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS ENACTS AS FOLLOWS:

1. By-law 18-88 is hereby amended as follows:

a. The following definitions are added to Section 1.1 of the By-law:

“institutional”, for the purposes of section 3.15, means development of a building or structure intended for use:

- (a) as a long-term care home within the meaning of Subsection 2 (1) of the *Long-Term Care Homes Act, 2007*;
- (b) as a retirement home within the meaning of Subsection 2(1) of the *Retirement Homes Act, 2010*.
- (c) By any institution of the following post-secondary institutions for the objects of the institution:

- (i) a university in Ontario that receives direct, regular and ongoing operation funding from the Government of Ontario;
- (ii) a college or university federated or affiliated with a university described in subclause (i); or
- (iii) an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institute Act, 2017*;
- (d) as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion; or
- (e) as a hospice to provide end of life care;

“non-profit housing development”, for the purposes of section 3.16, means development of a building or structure intended for use as residential premises by:

- (a) a corporation without share capital to which the *Corporations Act* applies, that is in good standing under that Act and whose primary objective is to provide housing;
- (b) a corporation without share capital to which the *Canada Not-for-profit Corporation Act* applies, that is in good standing under that Act and whose primary objective is to provide housing; or
- (c) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*;

“rental housing”, for the purposes of section 3.15, means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises;

- b. Section 2 is deleted and replaced with the following:

2. DESIGNATION OF SERVICES

- 2.1 The categories of services and classes of service for which development charges are imposed under this by-law are as follows:

Services

- (1) Services Related to a Highway;
- (2) Fire Protection Services;

- (3) Parks and Recreation Services;
- (4) Library Services;
- (5) Septage Treatment Services (within the Rural Serviced Area only);
- (6) Wastewater Services (within the Urban Serviced Area only);
and
- (7) Water Services (within the Urban Serviced Area only).

Classes of Service

- (1) Growth-Related Studies

2.2 The components of the services and classes designated in subsection 2.1 are described in Schedule A.

c. Section 3.3 is deleted and replaced with the following:

3.3 Notwithstanding clause 3.2 above, this by-law shall not apply to:

- (1) lands that are owned by and used for the purposes of the Municipality or a local board thereof;
- (2) lands that are owned by and used for the purposes of a board of education;
- (3) lands that are owned by and used for the purposes of the Corporation of the County of Lanark or a local board thereof;
or
- (4) 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.

d. Subsections 3.5, 3.6, and 3.7 are deleted and replaced with the following:

3.5 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to developments or portions of developments as follows:

- (1) the enlargement to an existing residential dwelling unit;

- (2) 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
- (3) 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;
- (4) 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
- (5) the creation of a second dwelling unit in prescribed classes of proposed new residential buildings, including 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.	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.

3.6 For the purposes of Subsection 3.5 “existing residential building/dwelling”, means:

- (1) A residential building/dwelling, containing at least one dwelling unit, that existed on a parcel of land as of April 20, 2021 and which was not exempt from the payment of development charges pursuant to Section 2(3)(b) of the Act; or
- (2) The first residential building/dwelling, containing at least one dwelling unit, constructed on a vacant parcel of land after April 20, 2021, and for which development charges were paid.

- 3.7 In addition to the restrictions outlined in Subsection 3.5(5), 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.
- e. Subsection 3.15 is deleted and replaced with the following:
- 3.15 Notwithstanding Subsection 3.14, Development Charges for rental housing and institutional developments are due and payable in 6 installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest as provided in the Municipality's Council approved Development Charge Interest Policy, payable on the anniversary date each year thereafter.
- f. The following subsections are added to Section 3
- 3.16 Notwithstanding Subsection 3.14, 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 as provided in the Municipality's Council approved Development Charge Interest Policy, payable on the anniversary date each year thereafter.
- 3.17 Where the development of land results from the approval of a Site Plan or Zoning Bylaw Amendment made on or after January 1, 2020, and the approval of the application occurred within 2 years of building permit issuance, the Development Charges under Subsections 3.14, 3.15 and 3.16 shall be calculated based on the rates set out in Schedule "B" on the date the planning application was made, including interest as provided in the Municipality's Council approved Development Charge Interest Policy. Where both planning applications apply Development Charges under Subsections 3.14, 3.15 and 3.16 shall be calculated based on the rates, including interest as provided in the Municipality's Council

approved Development Charge Interest Policy, set out in Schedule "B" on the date of the later planning application.

3.18 Despite Subsections 3.14, 3.15, 3.16, and 3.17, Council from time to time, and at any time, may enter into agreements providing for all or any part of a development charge to be paid before or after it would otherwise be payable, in accordance with section 27 of the Act.

g. Schedules A and B are deleted and replaced with the attached.

2. This By-law shall come into effect on the date of passage.

BY-LAW read, passed, signed and sealed in open Council this **20th day of April, 2021**.

Christa Lowry, Mayor

Cynthia Moyle, Acting Clerk

**Schedule "A" To
By-law 18-88
Components of Services Designated in Section 2.1**

Eligible Services

MUNICIPAL-WIDE SERVICES

1. Services Related to a Highway
2. Fire Protection Services
3. Parks and Recreation Services
4. Library Services
5. Child Care Services

URBAN SERVICED AREA SERVICES

6. Water Services
7. Wastewater Services

RURAL SERVICED AREA SERVICES

8. Septage Treatment Services

Classes of Service

9. Growth-Relates Studies
 - a. Services Related to a Highway
 - b. Fire Protection Services
 - c. Parks and Recreation Services
 - d. Library Services
 - e. Child Care Services
 - f. Water Services
 - g. Wastewater Services
 - h. Septage Treatment Services

Schedule “B” To By-law 18-88
Schedule of Development
Charges

Service	RESIDENTIAL					NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)
Municipal Wide Services:						
Services Related to a Highway	3,684	2,081	1,963	2,956	1,506	2.22
Fire Protection Services	90	51	48	72	37	0.05
Parks and Recreation Services	1,995	1,127	1,063	1,601	815	0.28
Library Services	1,230	695	655	987	503	0.17
Child Care Services	221	125	118	177	90	-
Total Municipal Wide Services	7,220	4,079	3,847	5,793	2,951	2.72
Rural Services						
Septage Services	77	43	41	62	31	0.05
Total Rural Services	77	43	41	62	31	0.05
Urban Services						
Wastewater Services	3,274	1,849	1,745	2,627	1,338	1.23
Water Services	4,454	2,516	2,373	3,573	1,821	1.03
Total Urban Services	7,728	4,365	4,118	6,200	3,159	2.26
Class of Service for Growth-Related Studies						
Municipal Wide	52	28	27	42	21	0.02
Rural	-	-	-	-	-	-
Urban	74	42	39	60	30	0.02
GRAND TOTAL RURAL AREA	7,349	4,150	3,915	5,897	3,003	2.79
GRAND TOTAL URBAN AREA	15,074	8,514	8,031	12,095	6,161	5.02