

The Corporation of the City of Richmond Hill

By-Law 34-21

A By-Law to Amend By-Law 47-19, being a By-law to Enact a City-Wide Development Charges By-Law for the City of Richmond Hill

Whereas the City of Richmond Hill (the "City") enacted By-law 47-19 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 City has undertaken a study pursuant to the Act which has provided updated Schedule A (Table A2) to By-law 47-19;

And Whereas the Council of the City of Richmond Hill ("Council") has before it a report entitled "City of Richmond Hill 2021 Development Charge Update Study" prepared by Watson & Associates Economists Ltd., dated April 9, 2021 (the "update study");

And Whereas the update study and proposed amending By-law were made available to the public on April 9, 2021 and Council gave notice to the public pursuant to Section 12 of the Act.

And Whereas Council, on May 5, 2021 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 Corporation Of The City Of Richmond Hill Enacts As Follows:

1. By-law 47-19 is hereby amended as follows:
 - A. By adding the following definition of "Ancillary Residential Building" as new item 1.(b.1) under the definitions listed in section 1 as follows:

(b.1) "Ancillary Residential Building" means a residential building that would be ancillary to a detached dwelling, semi-detached dwelling, or row dwelling and includes an accessory dwelling;
 - B. By adding the words ". Despite the foregoing, an apartment building includes stacked townhouse dwellings" after the word "vestibule" under the definition of "apartment building" contained in section 1(c) so that the definition of "apartment building" will read as follows:

1(c) "apartment building" means any residential building containing two or more dwelling units where the residential units are connected by an interior corridor whether or not any of the units have an independent entrance either directly or through a common vestibule. Despite the foregoing, stacked townhouse dwellings are considered the same as an apartment building for the purposes of the applicable development charge;
 - C. By adding the following definition of "back-to-back townhouse dwelling" as new item 1.(c.1) under the definitions listed in section 1 as follows:

(c.1) "back-to-back townhouse dwelling" means a building where each dwelling unit is divided vertically by common walls, including a common rear wall and

common side wall, and has an independent entrance to the dwelling unit from grade level;

- D. By adding the following definition of "class" as new item 1.(e.1) under the definitions listed in section 1 as follows:

(e.1) "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 Act;

- E. By adding the following definition of "hospice" as new item 1.(n.1) under the definitions listed in section 1 as follows:

(n.1) "hospice" means a building or portion of a mixed-use building designed and intended to provide palliative care and emotional support to the terminally ill in a home or homelike setting so that quality of life is maintained, and family members may be active participants in care;

- F. By adding the following definition of "industrial" as new item 1.(o.1) under the definitions listed in section 1 as follows:

(o.1) "industrial" means lands, buildings or structures used or designed or intended for use for manufacturing, processing, fabricating or assembly of raw goods, warehousing, or bulk storage of goods, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use, includes cannabis production facilities, but does not include the sale of commodities and the supplying of personal services, self-storage facilities, or mini-self-storage facilities, or as otherwise defined in the zoning by-law;

- G. By adding the following definition of "interest rate" as new item 1.(p.2) under the definitions listed in section 1 as follows:

(p.2) "interest rate" means the annual rate of interest calculated as per the City's Development Charges Interest Policy , as may be revised from time to time;

- H. H. By adding the following definition of "institutional development" as new item 1.(p.1) under the definitions listed in section 1 as follows:

(p.1) "institutional development" means development of a building or structure intended for use:

- (i) as a long-term care home within the meaning of subsection 2 (1) of the Long-Term Care Homes Act, 2007;
- (ii) as a retirement home within the meaning of subsection 2 (1) of the Retirement Homes Act, 2010;
- (iii) by any of the following post-secondary institutions for the objects of the institution:
 - 1. a university in Ontario that receives direct, regular, and ongoing operating funding from the Government of Ontario,
 - 2. a college or university federated or affiliated with a university described in sub-clause (1), or

3. an Indigenous Institute prescribed for the purposes of section 6 of the Indigenous Institutes Act, 2017;
 - (iv) as a memorial home, clubhouse, or athletic grounds by an Ontario branch of the Royal Canadian Legion; or
 - (v) as a hospice to provide end of life care.
- I. By replacing the following definition of “low density multiple building” as it is identified in section 1.(t) with the following definition:
- (t) “other multiple dwelling” means all dwellings other than single detached dwellings, semi-detached dwellings, apartment building, ancillary residential dwellings, and includes but is not limited to: row dwellings, back-to-back townhouse dwellings, and the residential portion of the live work unit.
- J. By adding the following definition of “non-profit housing development” as new item 1.(u.1) under the definitions in section 1 as follows:
- (u.1) “non-profit housing development” means development of a building or structure intended for use as residential premises by,
- (i) a corporation without share capital to which the Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing;
 - (ii) a corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing; or
 - (iii) a non-profit housing co-operative that is in good standing under the Co-operative Corporations Act, or any successor legislation.
- K. By adding the following definition of “rental housing” as new item 1.(dd.1) under the definitions listed in section 1 as follows:
- (dd.1) “rental housing” means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises;
- L. By adding the words “or more” before the words “vertical walls” within the definition of “row dwelling” identified as item 1.(gg) under the definitions listed in section 1 such that the revised definition will read as follows:
- (gg) “row dwelling” means a dwelling unit in a residential building consisting of more than two dwelling units having one or more vertical walls, but no other parts, attached to another dwelling.
- M. By adding the following definition of “stacked townhouse dwelling” as new item 1.(jj.1) under the definitions listed in section 1 as follows:
- (jj.1) “stacked townhouse dwelling” means a building containing two or more dwelling units where each dwelling unit is separated horizontally and/or vertically from another dwelling unit by a common wall or floor;

- N. By adding the following definition of “zoning by-law” as new items 1.(nn) under the definitions listed in section 1 as follows:

(nn) "zoning by-law" means the current Zoning By-Laws of the City of Richmond Hill, or any successor thereof.

- O. Replace Section titled “Designation of Services”, and Sections 10 and 11 with the following: by adding the words “/ Class of Services” after the words “Designation of Services” to the header listed above Section 2 so as to read as follows:

Designation of Services/Class of Services

- P. By: (i) adding the words “/classes of services” after the words “categories of services” in section 2; (ii) by deleting the words “Facilities & Fleet” in subsection 2(b); (iii) by deleting the word “Indoor” and replacing it with the words “Parks and” in subsection 2(d); (iv) by deleting 2(e) Outdoor Recreation Services; (v) by renumbering 2(f) Library Services to 2(e) Library Services; (vi) by deleting 2(g) Administration; and by (vii) by adding a new subsection 2(f) Growth Studies, such that the revised Section 2 shall read as follows:

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

- (a) Engineering
- (b) Public Works
- (c) Fire Protection Services
- (d) Parks and Recreation Services
- (e) Library Services
- (f) Growth Studies

- Q. Q. By adding the words “/Classes of Services” after the words “Schedule of Services” to the header listed above Section 7 so as to read as follows:

Schedule of Services/Classes of Services for Development Charges

- R. By replacing Section 7 subsection (a) with the following:

- (a) “The services/classes of services for which the development charge is imposed, as designated in Section 2 of this By-law, and the amount of the development charge payable with respect to any of the approvals mentioned in subsections (1) to (g) of Section 4 of this By-law shall be calculated in accordance with Schedules “B-1”, “B-2”, “C-1” and “C-2” to this By-law, subject to any exemptions, reductions, credits and other qualifications provided in this By-law.

- S. By deleting subsection 9(b) and replacing it with the following:

- (b) Notwithstanding subsection (a), development charges for rental housing and institutional developments are due and payable in 6 equal annual payments commencing with the first instalment payable on the date of occupancy, and each subsequent instalment, including interest as provided in the City’s Council approved development charges interest policy, as may be revised from time to time.

T. By adding new subsections (c), (d) and (e) under Section 9 as follows:

- (c) Notwithstanding subsection (a), development charges for non-profit housing developments are due and payable in 21 equal annual payments commencing with the first instalment payable on the date of occupancy, and each subsequent instalment, including interest as provided in the City's Council approved development charges interest policy, as may be revised from time to time.
- (d) 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 two years of building permit issuance, the development charges under Sections 8 and 9 shall be calculated on the rates set out in Schedules "B-1", "B-2", "C-1" and "C-2" on the date of the planning application, including interest. Where both planning applications apply development charges under Sections 8 and 9 shall be calculated on the rates in effect on the day of the later planning application, including interest as provided in the City's Council approved Development Charges Interest Policy, as may be revised from time to time.
- (e) Notwithstanding subsection (a) an owner and the City may enter into an agreement respecting the timing of the payment of a development charge, or a portion thereof, and the terms of such agreement shall then prevail over the provisions of this By-law.

U. By adding a new subsection 10(a)(iii) as follows:

- (a) (iii) of creating 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.

V. By removing subsection 16(f), as it no longer applies based on the change to the *Development Charges Act, 1997*.

W. By replacing Section 20 with the following:

Schedule "A" – "Designated Municipal Services/Classes of Services Under this By-law

Schedule "B-1" – City-Wide Residential Development Charges by Unit Type

Schedule "B-2" – City-Wide Residential Growth Studies – Parking Development Charges by Unit Type Effective Until September 18, 2022.

Schedule "C-1" – City-Wide Non-Residential Development Charges by Square Metre of Gross Floor Area by Retail Uses and Non-Retail Uses

Schedule "C-2" – City-Wide Non-Residential Growth Studies – Parking Development Charges by Square Metre of Gross Floor Area by Retail Uses and Non-Retail Uses Effective Until September 18, 2022.

Schedule "D" – Calculation of Development Charges Credits provided to Derelict Buildings.

- X. By replacing Schedule "A" to By-law 47-19 with Schedule "A" to this amending by-law 34-21;
- Y. By replacing Schedule "B" to By-law 47-19 with Schedule "B-1" to this amending By-law 34-21;
- Z. By adding Schedule "B-1" to By-law 47-19 through this amending By-law 34-21;

- AA. By replacing Schedule "C" to By-law 47-19 with Schedule "C-1" to this amending By-law 34-21;

- BB. By adding Schedule "C-1" to By-law 47-19 through this amending By-law 34-21.

PASSED THIS 23rd DAY OF JUNE, 2021.

Joe DiPaola
Acting Mayor

Stephen M.A. Huycke
City Clerk

SCHEDULE "A" TO BY-LAW 47-19
DESIGNATED MUNICIPAL SERVICES AND CLASSES OF SERVICES UNDER THIS
BY-LAW

City-Wide Services

Fire Protection Services

- Fire Facilities
- Fire Vehicles
- Small Equipment and Gear

Park and Recreation Services

- Outdoor Recreation and Park Development, Amenities and Trails
- Parks and Recreation Vehicles and Equipment
- Indoor Recreation Facilities

Library Services

- Library Facilities
- Library Materials

City-Wide Classes of Services

Engineering

- Services Related to a Highway
- Water Services
- Wastewater Services
- Stormwater Services

Public Works

- Facilities
 - Services Related to a Highway
 - Water Services
 - Wastewater Services
 - Stormwater Services
 - Parks and Recreation Services
 - Fire Projection Services
- Vehicles
 - Services Related to a Highway
 - Water Services
 - Wastewater Services
 - Stormwater Services

Growth Studies

- Engineering
- Public Works
- Fire Protection Services
- Library Services

Growth Studies

- Parking Services

SCHEDULE B-1, TO BY-LAW 47-19
CITY-WIDE DEVELOPMENT CHARGES
RESIDENTIAL DEVELOPMENT CHARGES BY UNIT TYPE

Service/Classes of Services	RESIDENTIAL			
	Single and Semi-Detached Dwelling	Other Multiples	Apartments & Stacked Townhouses - Large \geq 700 sq.ft.	Apartments & Stacked Townhouses - Small $<$ 700 sq.ft.
City-Wide Services/Classes:				
Engineering	7,498	6,089	4,925	2,882
Public Works	856	694	562	330
Fire Protection Services	456	371	300	175
Parks and Recreation	9,283	7,649	6,519	4,465
Library Services	1,336	1,101	938	643
Growth Studies	365	301	256	176
Total City-Wide Services/Classes	19,794	16,205	13,500	8,670

NOTE:

All charges are subject to adjustment in accordance with the terms of Section 8 of this by-law.

Additional development charges applicable to other services/classes of services and to specific areas may be imposed pursuant to other development charge by-laws.

SCHEDULE B-2, TO BY-LAW 47-19
CITY-WIDE DEVELOPMENT CHARGES – GROWTH STUDIES - PARKING
RESIDENTIAL DEVELOPMENT CHARGES BY UNIT TYPE
EFFECTIVE TO SEPTEMBER 18, 2022

Service/Classes of Services	RESIDENTIAL			
	Single and Semi-Detached Dwelling	Other Multiples	Apartments & Stacked Townhouses - Large \geq 700 sq.ft.	Apartments & Stacked Townhouses - Small $<$ 700 sq.ft.
City-Wide Services/Classes:				
Growth Studies - Parking	6	5	4	3
Total City-Wide Services/Classes	6	5	4	3

NOTE:

All charges are subject to adjustment in accordance with the terms of Section 8 of this by-law.

Additional development charges applicable to other services/classes of services and to specific areas may be imposed pursuant to other development charge by-laws.

SCHEDULE C-1, TO BY-LAW 47-19
CITY-WIDE DEVELOPMENT CHARGES
NON-RESIDENTIAL RESIDENTIAL DEVELOPMENT CHARGES BY
SQUARE METRE (AND SQUARE FEET) OF GROSS FLOOR AREA
BY REATIL USE AND NON-RETAIL USE

Service/Classes of Services	NON-RESIDENTIAL			
	Retail (per sq.m. of Gross Floor Area)	Non-Retail (per sq.m. of Gross Floor Area)	Retail (per sq.ft. of Gross Floor Area)	Non-Retail (per sq.ft. of Gross Floor Area)
City-Wide Services/Classes:				
Engineering	60.12	43.76	5.59	4.07
Public Works	6.30	4.63	0.59	0.43
Fire Protection Services	3.12	2.15	0.29	0.20
Parks and Recreation	12.30	9.13	1.14	0.85
Library Services	1.77	1.32	0.16	0.12
Growth Studies	2.19	1.63	0.20	0.15
Total City-Wide Services/Classes	85.79	62.62	7.97	5.82

NOTE:

All charges are subject to adjustment in accordance with the terms of Section 8 of this by-law.

Additional development charges applicable to other services/classes of services and to specific areas may be imposed pursuant to other development charge by-laws.

SCHEDULE C-2, TO BY-LAW 47-19
 CITY-WIDE DEVELOPMENT CHARGES – GROWTH STUDIES - PARKING
 NON-RESIDENTIAL RESIDENTIAL DEVELOPMENT CHARGES BY
 SQUARE METRE (AND SQUARE FEET) OF GROSS FLOOR AREA
 BY REATIL USE AND NON-RETAIL USE
 EFFECTIVE TO SEPTEMBER 18, 2022

Service/Classes of Services	NON-RESIDENTIAL			
	Retail (per sq.m. of Gross Floor Area)	Non-Retail (per sq.m. of Gross Floor Area)	Retail (per sq.ft. of Gross Floor Area)	Non-Retail (per sq.ft. of Gross Floor Area)
City-Wide Services/Classes:				
Growth Studies - Parking	0.04	0.03	0.00	0.00
Total City-Wide Services/Classes	0.04	0.03	0.00	0.00

NOTE:

All charges are subject to adjustment in accordance with the terms of Section 8 of this by-law.

Additional development charges applicable to other services/classes of services and to specific areas may be imposed pursuant to other development charge by-laws.