

Staff Report

Report To: Council
Report From: Kerri Mighton, Director of Finance/Treasurer
Meeting Date: March 18, 2025
Subject: Development Charges Bylaw Extension

Recommendations:

THAT in consideration of staff report 'Development Charges Bylaw Extension', Council directs staff to bring forward a bylaw to amend Development Charges Bylaw No. 31-2020 to repeal sections 7 and 7.1.

Highlights:

- The Municipality's current Development Charges bylaw expires April 28, 2025.
- Bill 185: *Cutting Red Tape to Build More Homes Act*, establishes a process to remove the expiry date.
- An updated Development Charges Background Study is underway, however it will not be completed before the current bylaw is set to expire.

Previous Report/Authority:

None.

Analysis:

On April 28, 2020, the Municipality of West Grey's Development Charge (DC) Bylaw 31-2020 came into force under the *Development Charges Act* (DCA). The bylaw imposes DCs on residential and non-residential uses. The Municipality has retained Watson & Associates Economists Ltd. (Watson) to undertake a DC background study and prepare a new DC bylaw. The expiry date of the current bylaw is April 28, 2025.

On June 6, 2024, the Province revised the DCA under Bill 185: *Cutting Red Tape to Build More Homes Act*. A summary of the changes currently in effect from Bill 185 are outlined below.

- Establishing a process for minor amendments to DC bylaws to remove the expiry date (further discussed below).
- A reduction of time for the DC rate freeze related to site plan and zoning bylaw amendment planning applications; and
- Modernizing public notice requirements.

Typically, section 19 of the DCA requires that a municipality must follow sections 10 through 18 of the Act (with necessary modifications) when amending a DC bylaw. These sections generally require the following:

- Completion of a DC background study, including the requirement to post the background study 60 days prior to passage of the DC bylaw;
- Passage of a DC bylaw within one year of the completion of the DC background study;
- A public meeting, including notice requirements; and
- The ability to appeal the bylaw to the OLT.

However, with the changes from Bill 185, municipalities have the ability to undertake a minor amendment to its DC bylaw to repeal the provision specifying the date the bylaw expires or to amend the provision to extend the expiry date (subject to the 10-year law term limitations provided in the DCA) without adherence to the requirements noted in sections 10 through 18 of the DCA.

Notice of bylaw passage requirements for this minor amendment are similar to the notice requirements in the DCA, with the exception of the requirement to identify the last day for appealing the bylaw (as these provisions do not apply).

In alignment with the legislative changes under Bill 185, it is recommended that the Municipality undertake a minor amendment to the DC bylaw to remove the expiry date. This will ensure the continued ability to collect DCs under the current bylaw while allowing the necessary time to complete updates to the DC background study and draft DC bylaw. An amending bylaw is included in the agenda for Council's consideration.

Financial Implications:

Removing the expiry date of the DC bylaw will ensure that DC can still be collected at the current rates until a new DC background study and bylaw are completed.

Climate and Environmental Implications:

None.

Communication Plan:

Notice will be given in accordance with the DCA.

Consultation:

None.

Attachments:

None.

Recommended by:

Kerri Mighton, Director of Finance/Treasurer

Submission approved by:

Michele Harris, Chief Administrative Officer

For more information on this report, please contact Kerri Mighton, Director of Finance/Treasurer at kmighton@westgrey.com or 519-369-2200 ext. 223.