

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2019)-20372

A by-law for the imposition of Development Charges and to repeal By-law Number (2014) – 19692

WHEREAS the City of Guelph will experience growth through development and re-development;

AND WHEREAS development and redevelopment require the provision of physical and other services by the City of Guelph;

AND WHEREAS Council desires to ensure that the capital cost of meeting growth-related demands for, or burden on, municipal services does not place an undue financial burden on the City of Guelph or its taxpayers;

AND WHEREAS subsection 2(1) of the *Development Charges Act, 1997* (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 needs for services arising from development of the area to which the by-law applies;

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

AND WHEREAS Council has given notice of and held public meetings on the 21st day of January, 2019 in accordance with the Act and the regulations made under it;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:

1. INTERPRETATION

In this By-law, the following items shall have the corresponding meanings:

"Act" means the *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended, or any successor thereto;

"Accessory Apartment" see the definition of "Dwelling Unit";

"Accessory Use" means a use that is subordinate, incidental and exclusively devoted to another use located on the same lot;

"Apartment" see the definition of "Dwelling Unit";

"Back-to-Back Townhouse Dwelling" see the definition of "Dwelling Unit";

"Board of Education" has the same meaning as "board" as set out in the *Education Act*, RSO 1990, c E.2, as amended, or any successor thereof;

"Building" means any structure or building as defined in the *Building Code* (O. Reg. 332/12 made under the *Building Code Act*, as amended, or any successor thereto) but does not include a vehicle;

"Building Code Act" means the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended, or any successor thereto;

"Capital Costs" means costs incurred or proposed to be incurred by the City or a Local Board thereof directly or by others on behalf of, and as authorized by, the City or Local Board,

- (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, construct or improve facilities including,
 - (i) furniture and equipment other than computer equipment,
 - (ii) materials acquired for circulation, reference or information purposes by a library board as defined in the *Public Libraries Act*, R.S.O. 1990, c. P.44, as amended, or any successor thereto, and
 - (iii) rolling stock with an estimated useful life of seven years or more, and
- (e) to undertake studies in connection with any of the matters referred to in clauses (a) to (d) above, including the development charge background study,

required for the provision of Services designated in this By-law within or outside the City, including interest on borrowing for those expenditures under clauses (a) to (e) above that are growth-related;

“City” means The Corporation of the City of Guelph or the geographic area of the municipality, as the context requires;

“Computer Establishment” means a building or structure used or designed or intended for use as a computer establishment as this term is defined in the Zoning By-Law and located in the B.1 (Industrial) Zone, B.2 (Industrial) Zone, or B.5 (Corporate Business Park) Zone or in any specialized B.1, B.2 or B.5 Zone under the Zoning By-Law;

“Council” means the Council of The Corporation of the City of Guelph;

“Development” means the construction, erection, or placing of one (1) 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 increasing the size or usability thereof or any development requiring any of the actions described in section 3.4(a), and includes Redevelopment;

“Development Charge” means a charge imposed with respect to this By-law;

“Discounted Services” means those Services described in section 2.1(b);

“Dwelling Unit” means a room or group of rooms occupied or designed to be occupied exclusively as an independent and separate self-contained housekeeping unit including a house;

- (a) “Accessory Apartment” means a Dwelling Unit located within and subordinate to an existing Single Detached Dwelling, Semi-Detached Dwelling, Townhouse and a Multiple Attached Dwelling;
- (b) “Apartment Building” means a Building consisting of three (3) or more Dwelling Units, where access to each unit is obtained through a common entrance or entrances from the street level and subsequently through a common hall or halls, and “Apartment” means a Dwelling Unit in an Apartment Building;
- (c) “Garden Suite” means a Dwelling Unit which may be designed to be portable, and which is located on the same lot of, and fully detached from, an existing Dwelling Unit, such Garden Suite is clearly ancillary to the existing dwelling and shall be independently serviced with municipal water and sanitary services;
- (d) “Link Dwelling” means two (2) Single Detached Dwellings sharing a common foundation wall below ground level, but does not include a Semi-Detached Dwelling;
- (e) “Semi-Detached Dwelling” means a Building that is divided vertically into two (2) separate Dwelling Units;
- (f) “Single Detached Dwelling” means a free-standing, separate, detached Building consisting of one (1) Dwelling Unit;
- (g) “Townhouse” means a Building that is divided vertically into three (3) or more separate Dwelling Units and includes a row house;
 - a. “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

- the outside accessed through the front yard, side yard or exterior side yard and does not have a rear yard;
- b. "Cluster Townhouse" means a Townhouse situated on a Lot in such a way that at least one (1) Dwelling Unit does not have legal frontage on a public street;
- c. "On-Street Townhouse" means a Townhouse where each Dwelling Unit is located on a separate lot and has legal frontage on a public street;

"Existing Industrial Building" means a Building used for or in connection with,

- (a) manufacturing, producing, processing, storing or distributing something;
- (b) research or development in connection with manufacturing, producing or processing something if the research or development is at the site where the manufacturing, production or processing takes place;
- (c) retail sales by a manufacturer, producer or processor of something they manufactured, if the retail sales are at the site where the manufacturing, production or processing takes place;
- (d) storage by a manufacturer, producer or processor of something they manufactured, , if the storage is at the site where the manufacturing, production, or processing takes place;
- (e) office or administrative purposes, if they are,
 - (i) carried out with respect to manufacturing, producing, processing, storage or the distributing of something; and
 - (ii) in or attached to the building or structure used for that manufacturing, producing, or processing, storage or distribution;

provided that: (A) such industrial Building or Buildings existed on a lot in the City of Guelph on March 1, 1998, or are industrial Building or Buildings constructed and occupied pursuant to site plan approval under section 41 of the Planning Act subsequent to March 1, 1998, for which full Development Charges were paid; and (B) an Existing Industrial Building shall not include a Retail Warehouse;

"Garden Suite" see the definition of "Dwelling Unit";

"Grade" means the average level of finished ground adjoining a Building or structure at all exterior walls;

"Gross Floor Area" means:

- (a) in the case of a Non-Residential Use Building, the total area of all Building floors above or below Grade measured between the outside surfaces of the exterior walls or between the outside surfaces of exterior walls, and includes the floor area of a Mezzanine; or
- (b) in the case of a mixed-use Building including both Residential Uses and Non-Residential Uses, the total area of the non-residential portion thereof including all building floors above or below Grade measured between the outside surfaces of the exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing a Non-Residential Use and a Residential Use, and includes the floor area of a Mezzanine;

"Live/Work Unit" means a Building or part of a Building which contains both a Dwelling Unit and a Non-Residential Use which share a common wall or floor, and allows for direct access between the Dwelling Unit and Non-Residential Use;

"Lodging House" means a Residential Use Building that is used or designed to provide five (5) or more Lodging Units, which may share common areas of the Building but do not appear to function as a single housekeeping unit, for hire or gain directly or indirectly to persons.

"Lodging Unit" means a room or suite of rooms in a Building designed or intended to be used for sleeping and living accommodation which is not normally accessible to all residents of the Building, and which does not have the exclusive use of both a kitchen and a bathroom, and does not include an Apartment, Accessory Apartment, or a room or suite of rooms within a Special Care/Special Dwelling;

“Local Board” has the same definition as “local board” as defined in the Act;

“Mezzanine” means a storey that forms a partial level of a building, such as a balcony

“Multiple Attached Dwelling” shall mean a Building other than a Single Detached Unit, Semi-Detached Unit, Apartment Building, Stacked Townhouse and Special Care/Special Dwelling/Lodging Unit

“Non-Discounted Services” means those Services described in section 2.1(a);

“Non-Residential Use” means land, Buildings or structures of any kind whatsoever used or designed or intended for a use other than a Residential Use;

“Owner” means the owner of land or a person who has made application for an approval for the Development of land for which a Development Charge may be imposed;

“Parking Structure” means a Building intended primarily for the temporary parking of vehicles as an Accessory Use to a Non-Residential Use or a Building intended to provide parking as a commercial enterprise.

“Place of Worship” means that part of a Building or structure that is exempt from taxation as a place of worship under the *Assessment Act*, R.S.O. 1990, c. A.31, as amended, or any successor thereto;

“Planning Act” means the *Planning Act*, R.S.O. 1990, c. P.13, as amended, or any successor thereto;

“Prescribed” means prescribed pursuant to the regulations made under the Act;

“Redevelopment” means the construction, erection or placing of one or more Buildings on land where all or part of a Building has previously been demolished on such land, or changing the use of a Building from a Residential Use to a Non-Residential Use or from a Non-Residential Use to a Residential Use, or changing a Building from one form of Residential Use to another form of Residential Use or from one form of Non-Residential Use to another form of Non-Residential Use and including any development or redevelopment requiring any of the actions described in section 3.4(a);

“Research Establishment means land, Building or Buildings which is/are used for scientific research, tests or investigations, data collection and manipulation or technical development of information, products or devices for scientific application;

“Residential Use” means land, Buildings or structures of any kind whatsoever used or designed or intended for use as living accommodations for one or more individuals, but does not include land, Buildings, or structures used or designed or intended for use as Short Term Accommodation;

“Retail Warehouse” means a Building used exclusively for the storage and/or distribution of goods destined for a retail or commercial market, and also includes self-storage facilities.

“Semi Detached Unit” see the definition of “Dwelling Unit”

“Service” means a service designated in section 2.1, and “Services” shall have a corresponding meaning;

“Short Term Accommodation” means a Building used or designed or intended for use as a hotel or bed and breakfast as these terms are defined in the Zoning By-Law;

“Single Detached Unit” see the definition of Dwelling Unit

“Special Care/Special Dwelling” means a Residential Use Building containing two (2) or more rooms or suites of rooms designed or intended to be used for sleeping and living accommodation that have a common entrance from street level:

- a. Where the occupants have the right to use, in common, halls, stairs, yards, common rooms and accessory buildings;
- b. Which may or may not have exclusive sanitary and/or culinary facilities;
- c. That is designed to accommodate persons with specific needs, including, but not limited to, independent permanent living arrangements; and

- d. Where support services such as meal preparation, grocery shopping, laundry, housekeeping, nursing, respite care and attendant services may be provided at various levels,

and includes, but is not limited to, retirement houses, nursing homes, group homes (including correctional group homes) and hospices;

"Stacked Townhouse" means one (1) Building or Structure containing two (2) Townhouses divided horizontally; one atop the other; in a building that is divided vertically into three (3) or more separate Dwelling Units.

"Townhouse" see the definition of "Dwelling Unit";

"University" means the University of Guelph established by *An Act to incorporate the University of Guelph*, S.O., 1964, c. 120, as amended, or any successor thereto;

"University Related Purposes" means those objects and purposes set out in section 3 of *An Act to incorporate the University of Guelph*, S.O. 1964, c. 120, as amended, or any successor thereto;

"Zoning By-Law" means City of Guelph By-law Number (1995)-14864, as amended, or any successor thereof.

2. DESIGNATION OF SERVICES

- 2.1 The two (2) categories of Services for which Development Charges are imposed under this By-law are as follows:

(a) Non-Discounted Services:

- i. Water Services;
- ii. Wastewater Services;
- iii. Stormwater Services;
- iv. Services related to a Highway and related (Facility and Vehicle/Equipment) Services;
- v. Fire Protection Services;
- vi. Police Services; and
- vii. Transit Services

(b) Discounted Services:

- i. Library Services;
- ii. Indoor Recreation Services;
- iii. Outdoor Recreation Services;
- iv. Administration;
- v. Ambulance Services;
- vi. Provincial Offences Act Services;
- vii. Health Services;
- viii. Municipal Parking; and
- ix. Waste Diversion Services

- 2.2 The components of the Services designated in section 2.1 are described in Schedule A.

3. APPLICATION OF BY-LAW RULES

- 3.1 Development Charges shall be payable in the amounts set out in this By-law where:

- (a) the lands are located in the area described in section 3.2; and
- (b) the Development requires any of the approvals set out in section 3.4(a).

Area to Which By-law Applies

- 3.2 Subject to section 3.3, this By-law applies to all lands in the City.

- 3.3 This By-law shall not apply to lands that are owned by and used for the purposes of:

- (a) the City or a Local Board thereof;
- (b) a Board of Education; or

- (c) a municipality, or a Local Board of the County of Wellington.

Approvals for Development

- 3.4 (a) Development Charges shall be imposed in accordance with this By-law on all Development which requires:
- (i) the passing of a Zoning By-Law or of an amendment to a Zoning By-Law under section 34 of the *Planning Act*;
 - (ii) the approval of a minor variance under section 45 of the *Planning Act*;
 - (iii) a conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act* applies;
 - (iv) the approval of a plan of subdivision under section 51 of the *Planning Act*;
 - (v) a consent under section 53 of the *Planning Act*;
 - (vi) the approval of a description under section 9 of the *Condominium Act, 1998*, SO 1998, c 19, as amended, or any successor thereto; or
 - (vii) the issuing of a permit under the *Building Code Act* in relation to a building or structure.
- (b) Despite section 3.4(a) of this By-law, Development Charges shall not be imposed on Development that requires one of the actions described in section 3.4(a) if the only effect of the action is to:
- (i) permit the enlargement of an existing Dwelling Unit;
 - (ii) permit the creation of up to two (2) additional Dwelling Units as Prescribed under section 2(3) of the Act, subject to the Prescribed restrictions, in Prescribed classes of existing residential buildings; or
 - (iii) permit the creation of a second dwelling, subject to the Prescribed restrictions, in Prescribed classes of new residential buildings.
- (c) No more than one (1) Development Charge for each Service shall be imposed upon any Development to which this By-law applies even though two (2) or more of the actions described in section 3.4(a) are required for the Development.
- (c) Despite section 3.4(c), if two (2) or more of the actions described in section 3.4(a) occur at different times, additional Development Charges shall be imposed if the subsequent action has the effect of increasing the need for Services.

Exemptions

- 3.5.1 Notwithstanding the provisions of this By-law, Development Charges shall not be imposed with respect to:
- (a) Development of land, buildings or structures for University Related Purposes within the University defined area as set out in Schedule C;
 - (b) land, buildings or structures outside the defined area as set out in Schedule C, which are now owned directly or indirectly by the University or on behalf of the University or which may be acquired by the University and which are developed or occupied for University Related Purposes, provided that, where only a part of such land, buildings or structures are so developed, then only that part shall be exempt from the Development Charges specified under this By-law;
 - (c) Development for a Place of Worship or for the purposes of a cemetery or burial site exempt from taxation under the Assessment Act;
 - (d) Development by a college established under the *Ontario Colleges of Applied Arts and Technology Act, 2002*, S.O. 2002, c.8, Sched. F, as amended, or any successor thereto;
 - (e) Development for temporary Non-Residential Uses permitted pursuant to section 39 of the *Planning Act*;
 - (f) Development, solely for the purposes of creating or adding an Accessory Use or accessory structure not exceeding 10 square metres of Gross Floor Area;

- (g) Development of or by a hospital receiving aid under the *Public Hospitals Act*, R.S.O. 1990, c. P.40, as amended, or any successor thereto;
- (h) The exempt portion of an enlargement of the Gross Floor Area of an Existing Industrial Building in accordance with section 4 of the Act, subject to section 3.5.2 of this By-law;
- (i) Development of a Parking Structure.

3.5.2 For the purposes of the exemption for the enlargement of Existing Industrial Buildings set out in section 3.5.1(h) of this By-law, the following provisions shall apply:

- (a) there shall be an exemption from the payment of Development Charges for one or more enlargements of an Existing Industrial Building, up to a maximum of fifty per cent (50%) of the Gross Floor Area before the first enlargement for which an exemption from the payment of Development Charges was granted pursuant to the Act or under this section of the By-law or any predecessor hereto;
- (b) Development Charges shall be imposed in the amounts set out in this By-law with respect to the amount of floor area of an enlargement that results in the Gross Floor Area of the industrial building being increased by greater than fifty per cent (50%) of the Gross Floor Area of the Existing Industrial Building; and,
- (d) for greater clarity, Research Establishments and Computer Establishments are not industrial uses of land, buildings or structures under this By-law and do not qualify for the exemption under section 3.5.1(h).

Amount of Charges

Residential

- 3.6 Where a Development Charge is imposed for Development of a Residential Use, the amount of the Development Charges shall be as set out in the appropriate "Residential" column of Schedule B, for the Residential Uses, including any Dwelling Unit(s) accessory to a Non-Residential Use and, in the case of a mixed use building or structure, on the Residential Uses in the mixed use building or structure, including the residential component of a Live/Work Unit, according to the type of residential unit and calculated with respect to each of the Services according to the type of Residential Use.

Non-Residential

- 3.7 Where a Development Charge is imposed for Development of a Non-Residential Use, the amount of the Development Charge shall be as set out in the "Non-Residential" column of Schedule B for the Non-Residential Uses, and in the case of a mixed-use building, on the non-residential component of the mixed-use building, including the non-residential component of a Live/Work unit, according to the type and gross floor area of the non-residential component.

Reduction of Development Charges for Redevelopment

- 3.8 Despite any other provisions of this By-law, where a Building or structure existing on land within 48 months prior to the date that a Development Charge becomes payable for a Redevelopment on the same land was, or is to be, demolished, in whole or in part, or converted from one principal use to another principal use on the same land, the Development Charge otherwise payable with respect to such Redevelopment shall be reduced by the following amounts:
- (a) in the case of a Residential Use Building or in the case of Residential Uses in a mixed-use Building, an amount calculated by multiplying the applicable Development Charge under section 3.6 by the number, according to type, of Dwelling Units that have been or will be destroyed, demolished or converted to another principal use; and
 - (b) in the case of a Non-Residential Use Building or in the case of the Non-Residential Uses in a mixed-use Building, an amount calculated by multiplying the applicable Development Charge under sections 3.7 by the Gross Floor Area that has been or will be demolished or converted to another principal use;

provided that such amounts shall not exceed, in total, the amount of the Development Charge otherwise payable with respect to the Redevelopment. For greater certainty, any amount of the reductions set out above that exceed the amount of the Development Charge otherwise payable with respect to the Redevelopment shall be reduced to zero and shall not be transferred to any other Development or Redevelopment.

- 3.9 For the purposes of determining the 48-month period referred to in section 3.8, the date that a Building is deemed to be demolished shall be the earlier of:
- (a) the date such building or structure was demolished, destroyed or rendered uninhabitable; or
 - (b) if the former building or structure was demolished pursuant to a demolition permit issued before it was destroyed or became uninhabitable, the date the demolition permit was issued.
- 3.10 The reduction of Development Charges referred to in section 3.8 does not apply where the demolished Building, or any part thereof, when originally constructed was exempt from the payment of Development Charges pursuant to this By-law, or any predecessor thereto.

Time of Payment of Development Charges

- 3.11 Development Charges imposed under this By-law are calculated, payable, and collected upon issuance of a building permit for the Development.
- 3.12 Despite section 3.11, 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.

Transition, Time of Payment:

- 3.13 (a) If, at the time of issuance of a building permit or permits in regard to a lot or block on a plan of subdivision for which payments have been made to the City pursuant to a previous By-law, and:
- (i) the type of Dwelling Unit for which the building permit or permits are being issued is different from that used for the calculation and payment under that By-law; and
 - (ii) there has been no change in the zoning affecting such lot or block; and
 - (iii) the Development Charges for the type of Dwelling Unit for which the building permit or permits are being issued were lesser at the time that payments were made pursuant to the previous By-law than for the type of Dwelling Unit used to calculate the payment,

an additional payment to the City is required for the Services paid for pursuant to the previous By-law, which additional payment, in regard to such different unit types, shall be the difference between the Development Charges for those Services in respect to the type of Dwelling Unit for which the building permit or permits are being issued, calculated as at the date of issuance of the building permit or permits, and the payment for those Services previously collected in regard thereto, adjusted in accordance with section 5 of this By-law.

- (b) If, at the time of issuance of a building permit or permits in regard to a lot or block on a plan of subdivision for which payments have been made pursuant to a previous By-law, and:
- (i) the total number of Dwelling Units of a particular type for which the building permit or permits have been or are being issued is greater, on a cumulative basis, than that used for the calculation and payment under the previous By-law; and
 - (ii) there has been no change in the zoning affecting such lot or block,

an additional payment to the City is required for the Services paid for pursuant to the previous By-law, which additional payment shall be calculated on the basis of the number of additional Dwelling Units at the rate for those Services prevailing at the date of issuance of the building permit or permits for such Dwelling Units.

- (c) If, at the time of issuance of a building permit or permits in regard to a lot or block on a plan of subdivision for which payments have been made pursuant to a previous By-law, and:
- (i) the type of Dwelling Unit for which the building permit or permits are being issued is different than that used for the calculation and payment under the previous By-law; and
 - (ii) there has been no change in the zoning affecting such lot or block; and
 - (iii) the payment made for the type of Dwelling Unit for which building permits or permits are being issued were greater at the time that payments were made pursuant to the previous By-law than for the type of Dwelling Unit used to calculate the payment,

a refund shall be paid by the City for the Services paid for pursuant to the previous By-law in regard to such different unit types, which refund shall be the difference between the payment previously collected by the City for the Services, adjusted in accordance with section 5 of this By-law to the date of issuance of the building permit or permits, and the Development Charges for those Services in respect to the type of Dwelling Unit for which building permits are being issued, calculated as at the date of issuance of the building permit or permits.

- (d) If, at the time of issuance of a building permit or permits in regard to a lot or block on a plan of subdivision for which payments have been made pursuant to a previous By-law, and
- (i) the total number of Dwelling Units of a particular type for which the building permit or permits have been or are being issued is less, on a cumulative basis, than that used for the calculation and payment under the previous By-law, and
 - (ii) there has been no change in the zoning affecting such lot or block,

a refund shall be paid by the City for the Services paid for pursuant to section 3.11 of the previous By-law, which refund shall be calculated on the basis of the number of fewer Dwelling Units at the rate for those Services prevailing at the date of issuance of the building permit or permits for such Dwelling Units.

- 3.14 Despite sections 3.13 (c) and (d), a refund shall not exceed the amount of the payment actually made to the City for the Services under a previous By-law.

4. PAYMENT BY SERVICES

- 4.1 Despite the payment required under section 3.11, Council may agree in accordance with the Act to allow a person to perform work that relates to a Service to which this By-law relates, and shall give the person a credit towards the Development Charge in accordance with that agreement.
- 4.2 The amount of the credit referred to in section 4.1 is the reasonable cost of doing the work as agreed by the City and the person to be given the credit.
- 4.3 Despite sections 4.1 and 4.2, no 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 as calculated pursuant to the Act.
- 4.4 Any credit referred to in section 4.1 shall be given at such time, and in relation to such Service or Services as set out in the agreement, and as permitted under the Act.
- 4.5 Credits referred to in section 4.1 may be transferable by the City, subject to the terms of the agreement and as permitted under the Act.

5. INDEXING

Development Charges pursuant to this By-law shall be adjusted annually, without amendment to this By-law, commencing on the first anniversary date of this By-law coming into effect and on each anniversary date thereafter, in accordance with the index prescribed in the applicable regulation made under the Act.

6. **SCHEDULES**

The following schedules shall form part of this By-law:

- Schedule A - Components of Services Designated in Section 2.1
- Schedule B - Residential and Non-Residential Development Charges
- Schedule C - University of Guelph "Defined Areas"

7. **CONFLICTS**

- 7.1 Where the City and an Owner or former Owner have entered into an agreement with respect to a Development Charge or to provide a credit for the performance of work that relates to a Service to which this By-law or a previous By-law relates, for any land or Development within the area to which this By-law applies, and a conflict exists between the provisions of this By-law and such agreement, the provisions of the agreement shall prevail to the extent that there is a conflict.
- 7.2 Notwithstanding section 7.1, where a Development which is the subject of an agreement to which section 7.1 applies is subsequently the subject of one or more of the actions described in section 3.4(a), an additional Development Charge in respect of the Development permitted by the action shall be calculated, payable and collected in accordance with the provisions of this By-law if the Development has the effect of increasing the need for Services, unless such agreement provides otherwise.

8. **SEVERABILITY**

If, for any reason, any provision of this By-law is held to be invalid, it is hereby declared to be the intention of Council that all the remainder of this By-law shall continue in full force and effect until repealed, re-enacted, amended or modified.

9. **DATE BY-LAW IN FORCE**

This By-law shall come into effect at 12:01 A.M. on **March 2, 2019**.

10. **DATE BY-LAW EXPIRES**

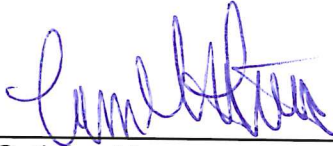
This By-law will expire at 12:01 A.M. on **March 2, 2024** unless it is repealed by Council at an earlier date.

11. **EXISTING BY-LAW REPEALED**

By-law Number (2014)-19692 is hereby repealed as of the date and time of this By-law coming into effect.

PASSED this ELEVENTH day of February, 2019




Cam Guthrie - Mayor


Dylan McMahon - Deputy Clerk

By-law Number (2019)-20372
SCHEDULE A
COMPONENTS OF SERVICES DESIGNATED IN SECTION 2.1

Non-discounted Services (100% Eligible)

Water Services

Treatment Plants and Storage
Distribution Systems

Wastewater Services

Treatment Plant
Sewers

Stormwater Services

Services related to a Highway and related (Facility and Vehicle/Equipment)
Services

Services Related to a Highway and Traffic Signals
Public Works Rolling Stock

Fire Protection Services

Fire Stations
Fire Vehicles
Small Equipment and Gear

Police Services

Police Detachments
Small Equipment and Gear

Transit Services

Transit Vehicles
Transit Facilities
Other Transit Infrastructure

Discounted Services (90% Eligible)

Library Services

Public Library Space
Library Materials

Indoor Recreation Services

Recreation Facilities
Recreation Vehicles and Equipment

Outdoor Recreation Services

Parkland Development, Amenities, Amenity Buildings, Trails
Parks Vehicles and Equipment

Administration

Studies

Ambulance Services

Ambulance Facilities
Vehicle Equipment

Provincial Offences Act Services

Facility Space

Health Services

Facility Space

By-law Number (2019)-20372
SCHEDULE A
COMPONENTS OF SERVICES DESIGNATED IN SECTION 2.1

Municipal Parking Services
Municipal Parking Spaces

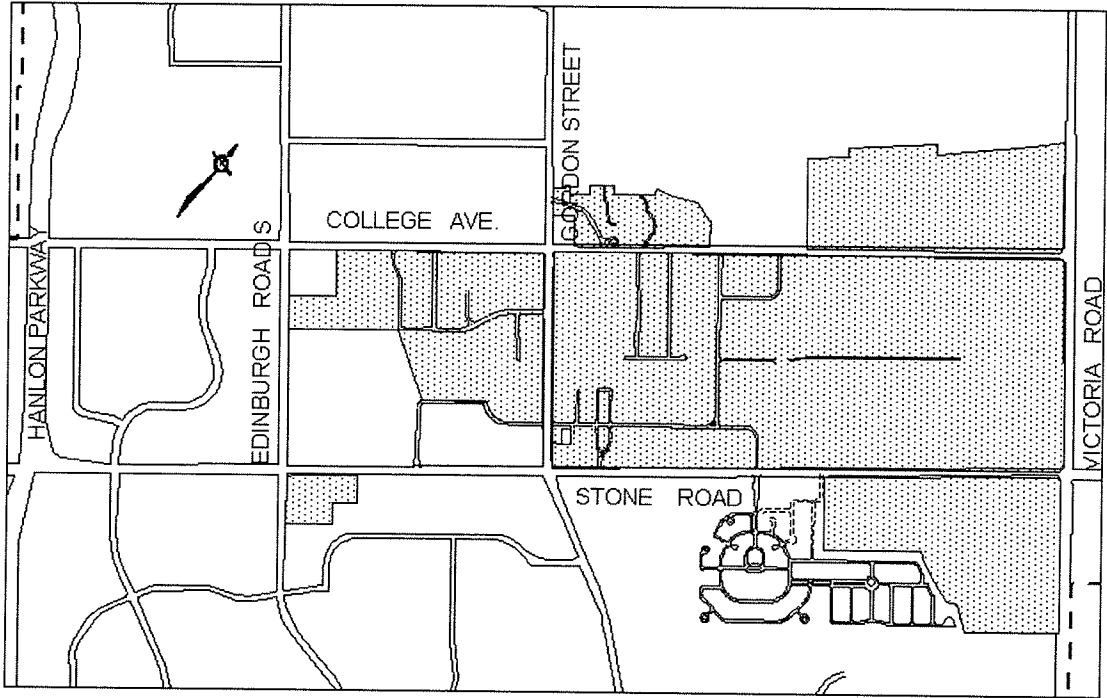
Waste Diversion
Facility Space
Vehicle Equipment

By-law Number (2019)-20372
SCHEDULE B

Service	Single and Semi-Detached Dwelling	Apartments - 2 Bedrooms +	RESIDENTIAL			NON-RESIDENTIAL (per sq.ft. of Gross Floor Area)
			Apartments - Bachelor and 1 Bedroom	Multiple Unit Dwellings	Special Care/Special Dwelling Units	
Municipal Wide Services:						
Services Related to a Highway	6,249	3,468	2,479	4,604	2,063	2.84
Fire Protection Services	316	175	125	233	104	0.15
Police Services	662	367	263	488	219	0.30
Transit Services	2,750	1,526	1,091	2,026	908	1.32
Parking Services	1,160	644	460	855	383	0.56
Outdoor Recreation Services	3,357	1,863	1,332	2,473	1,108	0.18
Indoor Recreation Services	4,393	2,438	1,743	3,237	1,450	0.24
Library Services	967	537	384	712	319	0.05
Administration	762	423	302	561	252	0.37
Health	235	130	93	173	78	0.03
Provincial Offences Act	7	4	3	5	2	0.00
Ambulance	111	62	44	82	37	0.05
Waste Diversion	495	275	196	365	163	0.11
Total Municipal Wide Services	21,464	11,912	8,515	15,814	7,086	6.20
Urban Services						
Stormwater Drainage and Control Services	225	125	89	166	74	0.10
Wastewater Services	6,516	3,616	2,585	4,801	2,151	2.95
Water Services	6,893	3,825	2,735	5,079	2,276	3.12
Total Urban Services	13,634	7,566	5,409	10,046	4,501	6.17
GRAND TOTAL MUNICIPAL WIDE	21,464	11,912	8,515	15,814	7,086	6.20
GRAND TOTAL URBAN SERVICED AREA	35,098	19,478	13,924	25,860	11,587	12.37

By-law Number (2019)-20372
SCHEDULE C

UNIVERSITY OF GUELPH
"DEFINED AREAS"



 **DEFINED AREA**