

Authority: Executive Committee Item 43.1,  
as adopted by City of Toronto Council on July 8, 9, 10 and 11, 2014

**CITY OF TORONTO**

**BY-LAW No. 691-2014**

**To amend City of Toronto Municipal Code Chapter 415, Development of Land,  
respecting development charges.**

Whereas the *Development Charges Act, 1997*, S.O. 1997, c.27 (the "Act"), authorizes Council to pass by-laws for the imposition of development charges against land; and

Whereas Council desires to ensure that the capital cost of meeting development related demands for, or the burden on, City services does not place an undue financial burden on the City or its existing taxpayers while, at the same time, ensuring new development contributes no more than the net capital cost attributable to providing the historic level of services and meeting the requirements of subsection 5(1) of the Act; and

Whereas Council on October 8, 9, 10 and 11, 2013, enacted City of Toronto By-law No. 1347-2013 to impose development charges against land; and

Whereas Section 19 of the Act provides for amendments to a development charge by-law; and

Whereas it has been determined that a technical amendment is required to amend the provisions of By-law No. 1347-2013 relating to the payment and calculation of development charges; and

Whereas the Executive Committee at its meeting on July 2, 2014, had before it the Development Charges Background Study and the Development Charges Background Study Addendum Report, prepared by Hemson Consulting Ltd. and dated June 17, 2013, and September 13, 2013 respectively ("the Study"), and a report dated June 17, 2014 from the City Solicitor and Deputy City Manager and Chief Financial Officer ("the Report"); and

Whereas the Study and the proposed development charge by-law amendment were made available to the public at least two weeks prior to the public meeting and Council gave more than twenty days notice to the public and a meeting pursuant to section 12 of the Act was held on July 2, 2014, before the Executive Committee, prior to and at which the Study and the proposed development charge by-law were made available to the public and Committee heard comments and representations from all persons who applied to be heard; and

Whereas Council at its meeting held on July 8, 9, 10 and 11, 2014, considered the Study and the Report;

The Council of the City of Toronto enacts:

1. Municipal Code Chapter 415, Development of Land, is amended as follows:
  - (a) By deleting the definition of "building permit" in Section 415-1 and replacing it with the following definition of "building permit":

"BUILDING PERMIT - A permit issued pursuant to the *Building Code Act* that permits the construction, alteration or change in use of a building or structure above grade which is described in its respective building permit application."

(b) By deleting Section 415-8A and replacing it with the following Section 415-8A:

"A. Development charges applicable to development shall be calculated, payable and collected as of the date a building permit is issued in respect of the building or structure for which the owner has made a building permit application, unless the development charge is to be paid or has been paid at a different time under Subsection C or under an agreement entered into between the City and the owner under subsection 27(1) of the Act."

(c) By adding the following paragraph 415-8K to Section 415-8:

"K. Where an owner makes a building permit application for a building or structure that is built, in whole or in part, above, on top of or attached to another building or structure including a podium or parking structure, whether above or below grade, development charges are due and payable upon issuance of the building permit for such building or structure, and not at the time of issuance of the building permit for the underlying or supporting building or structure."

Enacted and passed on July 11, 2014.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)