

By-law Number 2024-047

of the Regional Municipality of Durham

Being a by-law to amend By-law #04-2023 to provide the Commissioner of Finance/Regional Treasurer with the authority to execute Affordable Residential Unit Development Charge (DC) exemption agreements, Attainable Residential Unit DC exemption agreements and any agreement related to the prescribed deferred payment of DCs for rental housing development and institutional development in a form and content satisfactory to the Regional Solicitor.

Whereas effective June 1, 2024, qualifying affordable and attainable residential units are exempt from DCs and the developer must enter into agreements with municipalities to manage the exemption pursuant to s. 4.1 of the *Development Charges Act, 1997*, S.O. 1997, c. 27.

Whereas rental housing development and institutional development shall pay development charges in six annual instalments beginning on the earlier of the date the building is first occupied or the date of issuance of a permit authorizing occupancy of the building, and continuing on each of the following five anniversary dates of that date necessitating the need to execute agreements pursuant to s. 26.1 of the *Development Charges Act, 1997*, S.O. 1997, c. 27

Whereas section 23.1(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25 as amended, provides for a municipality to delegate its powers, duties under this or any other Act to a person or body subject to certain restrictions.

Whereas the Council of the Regional Municipality of Durham has deemed it desirable and efficient to delegate certain powers pursuant to the provisions of the *Municipal Act, 2001* and the restrictions and provisions of this By-law.

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

1. That the table in Schedule “A” to By-law #04-2023 be amended under Category 2. Finance by adding thereto the following Sections identified as Section 2.23 and Section 2.24:

#	Delegation of Authority	Delegate	Delegation Process	Document	Reporting Existing/ Proposed
2.23	The authority to execute affordable and attainable residential unit development charge exemption agreements in accordance with Section 4.1 of the	Commissioner of Finance	Recommended by Legal Services.	Legal Agreement	

	Development Charges Act.				
2.24	The authority to execute development charge deferral agreements for rental housing and institutional developments in accordance with Section 26.1 of the Development Charges Act.	Commissioner of Finance	Recommended by Legal Services.	Legal Agreement	

This By-law Read and Passed on the 23rd day of October, 2024.

J. Henry, Regional Chair and CEO

A. Harras, Regional Clerk