

BY-LAW NUMBER 24-2013

OF

THE REGIONAL MUNICIPALITY OF DURHAM

a by-law to amend By-law No. 86-2001

WHEREAS Section 19 of the *Development Charges Act*, 1997, S.O. 1997, c.27, (the "Act"), provides for amendments to development charge by-laws;

AND WHEREAS the Council of The Regional Municipality of Durham requires certain amendments to By-law No. 86-2001;

AND WHEREAS in accordance with the Act, a development charge background study has been completed in support of the proposed amendments to By-law No. 86-2001;

AND WHEREAS the Council of The Regional Municipality of Durham has given notice and held a public meeting on the 15th day of May, 2013, in accordance with the Act;

AND WHEREAS the Council of The Regional Municipality of Durham has permitted any person who attended the public meeting to make representations in respect of the proposed amendment;

AND WHEREAS the Council of The Regional Municipality of Durham has determined that a further public meeting is not necessary pursuant to Section 12(3) of the Act;

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF DURHAM HEREBY ENACTS AS FOLLOWS:

1. The definition of "duplex" found in section 1(i) of By-law No. 86-2001 is hereby amended by deleting the words "each of which has a separate entrance to grade" following the words "two dwelling units". Therefore, Section 1(i) of By-law No. 86-2001 is hereby amended to read as follows:
 - (i) "duplex" means a building comprising, by horizontal division, two dwelling units;
2. The definition of "low density multiples" found in section 1(n) of By-law No. 86-2001 be replaced with "medium density multiples" and be amended to read as follows:
 - (n) "medium density multiples" includes plexes, townhouses, stacked townhouses and all other residential uses that are not included in the definition of "apartment building", "apartment", "garden suites", "mobile homes", "retirement residence units", "single detached", "single detached dwelling" or "semi-detached dwelling";
3. The definition of "semi-detached dwelling" found in section 1(v) of By-law No. 86-2001 is hereby amended by adding the words "above or below ground" following the word "vertically". Therefore, Section 1(v) of By-law No. 86-2001 is hereby amended to read as follows:
 - (v) "semi-detached dwelling" means a building divided vertically (above or below ground) into and comprising 2 dwelling units;
4. The definition of "triplex" found in section 1(bb) of By-law No. 86-2001 is hereby amended by deleting the words "each of which has a separate entrance to grade" following the words "3 dwelling units". Therefore, Section 1(bb) of By-law No. 86-2001 is hereby amended to read as follows:
 - (bb) "triplex" means a building comprising 3 dwelling units;

5. Section 5(1) (f) be amended to read as follows:
 - (f) the approval of a description under section 9 of the *Condominium Act, 1998*,
or
6. Section 12 of By-law 86-2001 is hereby amended by renumbering 12 (2) to 12 (4) and adding the following after Section 12 (1):
 - (2) The ten year period referred to in subsection 12(1) of this by-law shall be calculated from the date of the issuance of the first demolition permit.
 - (3) Development charges shall not be reduced under this section where the building or structure that is to be demolished or has been demolished or converted from one principal use to another was, or would have been, exempt from development charges under this by-law.
7. Schedule "B" of By-law 86-2001 be amended to replace the category name "LOW DENSITY MULTIPLES" with "MEDIUM DENSITY MULTIPLES" and replace "SINGLE DETACHED" with "SINGLE DETACHED AND SEMI-DETACHED".
8. This By-law shall come into force on July 1, 2013.

BY-LAW read and passed this 15th day of May, 2013

R. Anderson, Regional Chair and CEO

D. Bowen, Regional Clerk