



Development Charges Amendment Report

Municipality of South Huron

December 19, 2024

Watson & Associates Economists Ltd.
905-272-3600
info@watsonecon.ca

December 19, 2024

Mike Rolph
Chief Building Official
Municipality of South Huron
322 Main Street South
Exeter, Ontario
N0M 1S6

Dear Mike Rolph:

Re: Development Charges By-law 17-2020, as Amended

The Municipality of South Huron (Municipality) adopted By-law 17-2020 to impose development charges (D.C.) on March 16, 2020. By-law 17-2020 came into effect on March 17, 2020, and will expire on March 17, 2025. By-law 17-2020 was amended through By-law 68-2020 on December 7, 2020, to revise the charge for wastewater services. In 2020 when By-law 17-2020 was initially passed, the *Development Charges Act, 1997*, as amended (D.C.A.) mandated a maximum term of five years for D.C. by-laws. The purpose of this letter report is to provide the basis for the proposed amendment to the Municipality's D.C. by-law (By-law 17-2020, as amended) to remove the expiration date.

The Province amended the D.C.A. through the *More Homes Built Faster Act, 2022* (Bill 23), which received Royal Assent on November 28, 2022, to extend the maximum term of D.C. by-laws from 5 years to 10 years, among other changes. More recently, on June, 6, 2024, Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*) received Royal Assent.

The *Cutting Red Tape to Build More Homes Act, 2024* (Bill 185) amended the D.C.A.'s requirements for amending D.C. by-laws, among other things. Specifically, subsection 19 (1.1) of the D.C.A. allows for amendments to be made to a D.C. by-law to repeal a provision specifying the date on which a by-law expires without following subsection 19 (1) of the D.C.A. (subsection 19 (1) of the D.C.A. requires sections 10 to 18 to be followed when making an amendment to a D.C. by-law). As such an amendment for this purpose does not require the preparation of a background study or a public meeting of Council. Furthermore, the amending by-law cannot be appealed to the Ontario Land Tribunal under section 14 of the D.C.A. The clerk of the Municipality is however, still required to give notice of by-law passage in accordance with subsections 13 (2) to (4) of the D.C.A.



As the Municipality is currently undertaking a Water and Wastewater Master Plan which will provide input into the 2025 D.C. study and the anticipated adoption of a new by-law, we would recommend amending By-law 17-2020, as amended by By-law 68-2020, to remove the expiration date as allowed through Bill 185. This will provide the Municipality enough time to complete the Water and Wastewater Master Plan, obtain Council's approval, and embrace its recommendations in the D.C. study process before adopting its next by-law.

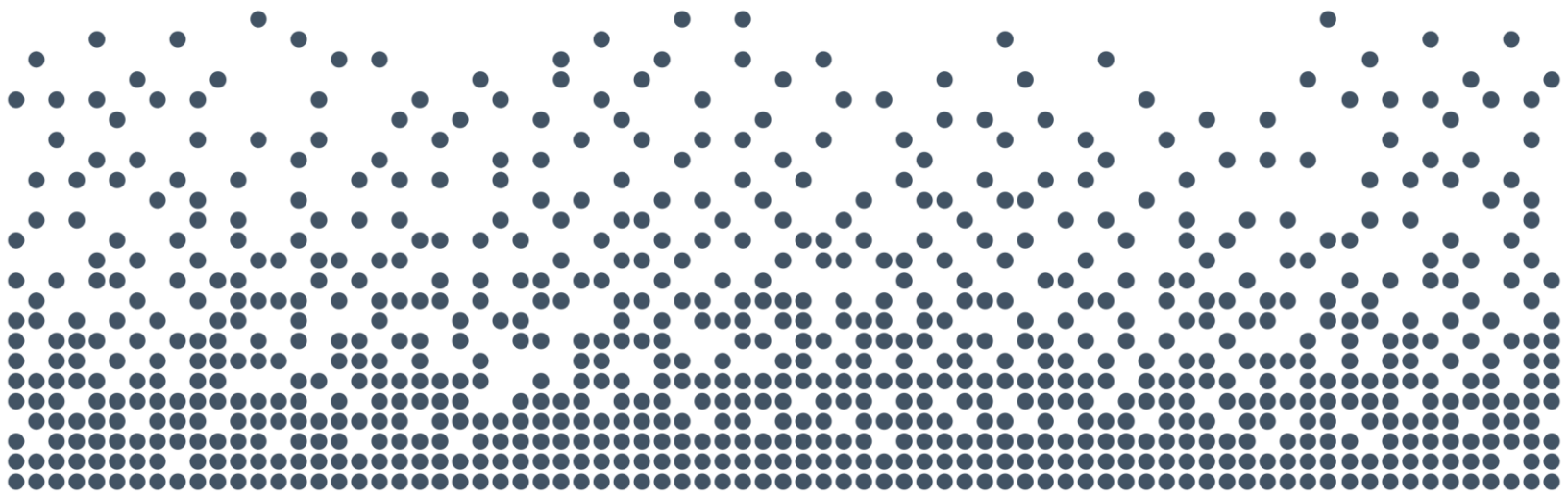
The purpose of this letter report is to provide the basis for the proposed amendment to the Municipality's D.C. by-law (By-law 17-2020, as amended) to remove the expiration date.

The draft amending by-law is provided in Appendix A

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Nancy Neale
Manager



Appendix A

Draft Amending By-Law



The Corporation of the Municipality of South Huron By-law No. ___-2025

Being a By-law to amend Development Charges By-Law 17-2020, as amended by By-law 68-2020, for the Municipality of South Huron

WHEREAS subsection 2 (1) of the *Development Charges Act, 1997* (the “Act”), S.O. 1997, c.27, as amended, 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 Section 19 of the Act provides for amendments to be made to development charges by-laws; and

WHEREAS subsection 19 (1.1) of the Act permits a municipality to amend a development charges by-law without following the process otherwise required for by-law amendments under subsection 19 (1) of the Act; and

WHEREAS the Council of the Corporation of the Municipality of South Huron (the “Council”) enacted and passed By-law 17-2020 on March 16, 2020, and amended the by-law on December 7, 2020 by enacting By-law 68-2020; and

WHEREAS on January 13, 2025, Council approved Report _____ thereby indicating that it intends to repeal section 12 of By-law 17-2020 which specifies that By-law 17-2020, as amended, will expire on March 17, 2025.

NOW THEREFORE the council of the corporation of the Municipality of South Huron hereby enacts as follows:

1. By-law 17-2020, as amended, is hereby amended as follows:
 - a. Section 12 of the By-law is deleted.
2. This By-law shall come into effect on the day it is passed.



Read a first, second, third time and passed in open Council this 13th day of January 2025.

George Finch, Mayor

Alex Wolfe, Clerk