

THE CORPORATION OF THE COUNTY OF PRINCE EDWARD

BY-LAW NO.

Being a By-law to amend By-law Number 2149-2008

WHEREAS Council enacted By-law 2149-2008 on March 10, 2008 to impose and collect development charges as set out in that By-law in accordance with the provisions of the Development Charges Act, 1997, S.O. 1997, c.27 as amended;

AND WHEREAS Council considers it desirable to amend By-law 2149-2008 to reduce the amount of development charges payable for affordable housing in the County of Prince Edward;

NOW THEREFORE the Council of the Corporation of the County of Prince Edward hereby enacts as follows:

1. By-law Number 2149-2008 is hereby amended by adding immediately following Section 3.14 of that By-law a new Section 3.14.1 (1) as follows:

3.14.1 (1) - In this Section "Affordable Housing Unit" means any single detached dwelling with more than two bedrooms for which the purchase price is at least 25% less than the average purchase for a single detached dwelling in the County of Prince Edward.

- (2) In determining the average purchase price for a single detached dwelling in the County of Prince Edward for the purposes of subparagraph 1 above, the average purchase price for a single detached dwelling will be calculated for the calendar year next preceding the calendar year in which the completed application for the building permit for the dwelling unit in question is received and shall be determined by the Chief Building Official on the basis of information compiled by the Quinte Real Estate Board or its successor.
- (3) The development charge payable for a single detached dwelling unit with more than two bedrooms that qualifies as an Affordable Housing Unit in accordance with the definition as set out in subparagraph 1 above shall be equal to the development charge otherwise payable pursuant to this By-law for a single detached dwelling unit that contains two bedrooms or less.
- (4) Despite the provisions of subparagraph 3 above, the development charge

required by this By-law for a single detached dwelling unit with more than two bedrooms shall be paid prior to the issuance of the building permit in accordance with the provisions of this By-law.

- (5) The person to whom the building permit was issued may upon completion of the initial sale of a single detached dwelling unit with more than two bedrooms apply to the Chief Building Official for a reduction of the Development Charge payable to the rate set out in Section 3.14.1 (3) above and shall provide such documentary evidence as is satisfactory to the Chief Building Official that the building qualifies as an Affordable Housing Unit as defined in subparagraph 1 above.
 - (6) Satisfactory documentary evidence that the building qualifies as an Affordable Housing Unit shall include, but not be limited to:
 - (a) a copy of a Land Transfer Tax Affidavit duly executed in accordance with Section 5 (1.2) of the Land Transfer Tax Act; or
 - (b) a statement forming part of the electronic document as required by Section 5 (1.1) of the Land Transfer Tax Act.
 - (7) Upon receiving an application for reduction of the Development Charge in accordance with subparagraph 5 of this By-law, and upon being satisfied that the building qualifies as an Affordable Housing Unit as defined in subparagraph 1 above, the Chief Building Official may refund to the person to whom the building permit was originally issued a sum equal to the difference between the Development Charge that was originally paid upon the issuance of the building permit and the Development Charge that would be payable for a single detached dwelling unit that contains two bedrooms or less as provided for in this By-law.
2. This By-law shall come into force and take effect on the date of its passing by Council.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS
DAY OF _____, 2009.**

MAYOR

CLERK