

THE REGIONAL MUNICIPALITY OF HALTON

BY-LAW NO. 51-16

A BY LAW-TO AMEND BY-LAW NO. 48-12 AS AMENDED BY BY-LAW NO. 3-16, BEING A BY-LAW TO ESTABLISH WATER, WASTEWATER, ROADS AND GENERAL SERVICES DEVELOPMENT CHARGES FOR THE REGIONAL MUNICIPALITY OF HALTON (BUILT BOUNDARY AND GREENFIELD AREAS) AND TO REPEAL BY-LAW NO. 62-08 AND BY-LAW NO. 77-09, WITH RESPECT TO DEVELOPMENT CHARGES FOR RESIDENTIAL CATEGORIES.

WHEREAS on April 18, 2012, Council of The Regional Municipality of Halton enacted By-law No. 48-12 being a by-law to establish water, wastewater and general services development charges for The Regional Municipality of Halton (Built Boundary and Greenfield Areas) and to repeal By-law No. 62-08 and By-law No. 77-09 ("By-law No. 48-12");

AND WHEREAS By-law No. 48-12 imposed development charges for four categories of residential development;

AND WHEREAS the Hamilton Halton Home Builders' Association appealed to the Ontario Municipal Board the imposition of development charges for only four categories of residential development;

AND WHEREAS the Ontario Municipal Board in a Decision dated May 5, 2015 allowed the appeal of the Hamilton Halton Home Builders' Association and directed that The Regional Municipality of Halton to amend By-law No. 48-12 by using six categories of residential development;

AND WHEREAS The Regional Municipality of Halton sought leave to appeal to the Divisional Court from the Decision of the Ontario Municipal Board dated May 5, 2015, that allowed the appeal of the Hamilton Halton Home Builders' Association and directed that The Regional Municipality of Halton amend By-law No. 48-12 by using six categories of residential development;

AND WHEREAS by Order dated December 3, 2015, the Divisional Court allowed the motion for leave to appeal by The Regional Municipality of Halton;

AND WHEREAS on June 7, 2016, the Divisional Court dismissed the appeal by The Regional Municipality of Halton.

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

1. THAT By-law No. 48-12 as amended is further amended by:

(a) adding subsection 1(g.1) as follows:

“**bedroom**” means a habitable room of at least seven square metres (7 m²), including a den, study, loft, or other similar area, but does not include a living room, dining room, kitchen or other space;

and

(b) deleting Schedule “B-1” and Schedule “B-2” respectively in DC By-law No. 48-12 and substituting a new Schedule “B-1” and Schedule “B-2” respectively as attached hereto as Schedule “ONE” and Schedule “TWO” respectively to this amending by-law.

2. THAT except as amended by By-law No. 3-16 and this By-law, By-law No. 48-12 remains in full force and effect.
3. THAT a certified copy of this By-law may be registered in the Land Registry Office for the Land Titles Division of Halton (No. 20) as against the title to any land to which this By-law applies.
4. THAT By-law No. 48-12 is deemed by section 17 of the *Development Charges Act, 1997*, S. O. 1997, c. 27, as amended, to come into force by this By-law on September 5, 2012.
5. THAT the short title of this By-law is “A By-law to Amend By-law No. 48-12 with regards to the categories of residential development”.

READ and PASSED this 13th day of July, 2016.

REGIONAL CHAIR

REGIONAL CLERK

SCHEDULE "ONE"
To By-law No. 51-16

SCHEDULE "B-1"
THE REGIONAL MUNICIPALITY OF HALTON

**BUILT BOUNDARY URBAN AND RURAL RESIDENTIAL DEVELOPMENT CHARGES
PER DWELLING UNIT***

	Single and Semi Detached Dwelling	Multiple Dwelling (3 or More Bedrooms)	Multiple Dwelling (Less Than 3 Bedrooms)	Apartment Dwelling (2 Or More Bedrooms)	Apartment Dwelling (Less Than 2 Bedrooms)	Special Care/ Special Need and Accessory Dwellings
Region-Wide Charges (Urban and Rural)						
Roads	13,437.60	10,676.26	7,734.98	7,461.73	5,390.65	4,256.79
Growth Studies	222.94	170.59	129.21	122.22	92.73	72.77
Police	307.22	235.08	178.06	168.42	127.79	100.27
Emergency Medical Services	66.34	50.76	38.45	36.37	27.59	21.65
Services For Seniors	200.06	153.08	115.95	109.68	83.22	65.30
Facilities	68.40	52.34	39.64	37.50	28.45	22.33
Social Housing	386.59	295.81	224.06	211.93	160.81	126.18
Sub-Total	\$ 14,689.15	\$ 11,633.92	\$ 8,460.35	\$ 8,147.85	\$ 5,911.24	\$ 4,665.29
Specific Urban Charges						
Water	\$ 4,710.69	\$ 3,730.52	\$ 2,702.77	\$ 2,622.40	\$ 1,894.53	\$ 1,495.93
Wastewater	6,382.80	5,054.71	3,662.15	3,553.25	2,567.01	2,026.93
Sub-Total	\$ 11,093.49	\$ 8,785.23	\$ 6,364.92	\$ 6,175.65	\$ 4,461.54	\$ 3,522.86
Total Urban Charges	\$ 25,782.64	\$ 20,419.15	\$ 14,825.27	\$ 14,323.50	\$ 10,372.78	\$ 8,188.15
Total Rural Charges	\$ 14,689.15	\$ 11,633.92	\$ 8,460.35	\$ 8,147.85	\$ 5,911.24	\$ 4,665.29

* Residential development charges are subject to indexing in accordance with section 19 of By-law 48-12, as amended.

SCHEDULE "TWO"
To By-law No. 51-16

SCHEDULE "B-2"
THE REGIONAL MUNICIPALITY OF HALTON

**GREENFIELD URBAN AND RURAL RESIDENTIAL DEVELOPMENT CHARGES
PER DWELLING UNIT***

	Single and Semi Detached Dwelling	Multiple Dwelling (3 or More Bedrooms)	Multiple Dwelling (Less Than 3 Bedrooms)	Apartment Dwelling (2 Or More Bedrooms)	Apartment Dwelling (Less Than 2 Bedrooms)	Special Care/ Special Need and Accessory Dwellings
Region-Wide Charges (Urban and Rural)						
Roads	13,437.60	10,676.26	7,734.98	7,461.73	5,390.65	4,256.79
Growth Studies	222.94	170.59	129.21	122.22	92.73	72.77
Police	307.22	235.08	178.06	168.42	127.79	100.27
Emergency Medical Services	66.34	50.76	38.45	36.37	27.59	21.65
Services For Seniors Facilities	200.06 68.40	153.08 52.34	115.95 39.64	109.68 37.50	83.22 28.45	65.30 22.33
Social Housing	386.59	295.81	224.06	211.93	160.81	126.18
Sub-Total	\$ 14,689.15	\$ 11,633.92	\$ 8,460.35	\$ 8,147.85	\$ 5,911.24	\$ 4,665.29
Specific Urban Charges						
Water	\$ 9,884.68	\$ 7,876.26	\$ 5,706.37	\$ 5,487.84	\$ 3,964.63	\$ 3,131.67
Wastewater	10,304.23	8,210.56	5,948.58	5,720.76	4,132.91	3,264.59
Sub-Total	\$ 20,188.91	\$ 16,086.82	\$ 11,654.95	\$ 11,208.60	\$ 8,097.54	\$ 6,396.26
Total Urban Charges	\$ 34,878.06	\$ 27,720.74	\$ 20,115.30	\$ 19,356.45	\$ 14,008.78	\$ 11,061.55
Total Rural Charges	\$ 14,689.15	\$ 11,633.92	\$ 8,460.35	\$ 8,147.85	\$ 5,911.24	\$ 4,665.29

* Residential development charges are subject to indexing in accordance with section 19 of By-law 48-12 as amended.