

THE REGIONAL MUNICIPALITY OF HALTON

BY-LAW NO. 48-12

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.

WHEREAS subsection 2(1) of the **Act** 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 the development of the area to which the by-law applies;

AND WHEREAS **Council** has before it the **Study**;

AND WHEREAS the **Study** and the proposed development charges by-law were made available to the public, **Council** gave notice to the public and held a meeting open to the public, through its Administration and Finance Committee, pursuant to section 12 of the **Act** on February 22, 2012, and **Council**, through its Administration and Finance Committee, considered the **Study**, received written submissions and heard comments and representations concerning the **Study** from all persons who applied to be heard;

AND WHEREAS at a meeting open to the public held on April 18, 2012, **Council** adopted the recommendations in Report No. CS-19-12, thereby updating its capital budget and forecast where appropriate and thereby indicating that it intends that the increase in the need for services to service the anticipated development will be met;

AND WHEREAS at a meeting open to the public held on April 18, 2012, **Council** adopted the recommendations in Report No. CS-19-12 thereby expressing its intention that development-related post 2031 capacity identified in the **Study** shall be paid for by development charges or other similar charges;

AND WHEREAS at a meeting open to the public held on April 18, 2012, **Council** approved the **Study** and adopted the recommendations in Report No. CS-19-12 thereby determining that no further public meetings were required under section 12 of the **Act**.

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

## Definitions

1. THAT in this By-law:

- (a) “**accessory commercial building**” means a building that is naturally or normally incidental to or subordinate in purpose and is exclusively devoted to the principal commercial use on the lot;
- (b) “**accessory dwelling**” means a dwelling unit that is naturally or normally incidental to or subordinate in purpose and is exclusively devoted to a single detached dwelling or a semi-detached dwelling;
- (c) “**Act**” means the *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended or successor legislation;
- (d) “**agricultural development**” means a *bona fide* farming operation, including greenhouses which are not connected to Regional water services or wastewater services, sod farms and farms for the breeding and boarding of horses, and includes, but is not limited to, barns, silos and other ancillary buildings to such agricultural development but excluding any component thereof that is a residential use, a commercial use or a retail development;
- (e) “**air-supported structure**” means a structure consisting of a pliable membrane that achieves and maintains its shape and support by internal air pressure;
- (f) “**apartment dwelling**” means a building containing more than one dwelling unit where the units are connected by an interior corridor. Despite the foregoing, an apartment dwelling includes those stacked townhouse dwellings or back-to-back townhouse dwellings that are developed on a block approved for development at a minimum density of sixty (60) units per net hectare pursuant to plans and drawings approved under section 41 of the *Planning Act*;
- (g) “**back-to-back townhouse dwelling**” means a building containing four or more dwelling units separated vertically by a common wall, including a rear common wall, that do not have rear yards;
- (g.1) “**bedroom**” means a habitable room of at least seven square metres (7 m<sup>2</sup>), including a den, study, loft, or other similar area, but does not include a living room, dining room, kitchen or other space; (*By-law No. 51-16*)

- (h) “**board of education**” means an English-language district school board, an English-language separate district school board, a French-language district school board and a French-language separate district school board;
- (i) “**building**” means a permanent enclosed structure occupying an area greater than ten square metres (10 m<sup>2</sup>) and despite the foregoing includes, but is not limited to:
  - (i) an above-grade storage tank;
  - (ii) an air-supported structure;
  - (iii) an industrial tent;
  - (iv) a roof-like structure over a gas-bar or service station; and
  - (v) an area attached to and ancillary to a retail development delineated by one or more walls or part walls, a roof-like structure or any of them;
- (j) “**Built Boundary**” means that part of the Region shown as Built Boundary on Schedule “A” to this By-law and includes that part of the Region shown as Natural Heritage System that is within the Built Boundary area shown on Schedule “A” to this By-law;
- (k) “**charitable dwelling**” means a part of a residential building or a part of the residential portion of a mixed-use building maintained and operated by a corporation approved under the *Charitable Institutions Act*, R.S.O. 1990, c. C.9, as amended or successor legislation for persons requiring residential, specialized or group care and charitable dwelling includes a children’s residence under the *Child and Family Services Act*, R.S.O. 1990, c. C.11, as amended or successor legislation, a home or a joint home under the *Homes for the Aged and Rest Homes Act*, R.S.O. 1990, c. H.13, as amended or successor legislation, an institution under the *Mental Hospitals Act*, R.S.O. 1990, c.M.8, as amended or successor legislation, a nursing home under the *Nursing Homes Act*, R.S.O. 1990, c. N.7, as amended or successor legislation, and a home for special care under the *Homes for Special Care Act*, R.S.O. 1990, c. H.12, as amended or successor legislation;
- (l) “**commercial use**” means land, buildings or portions thereof used, designed or intended for a non-residential use that is not a retail development or industrial use, and whether a use is an industrial use shall be determined by having regard for the

classification of the lands in question pursuant to the *Assessment Act*, R.S.O. 1990, c. A.31, as amended or successor legislation;

- (m) *Deleted – By-law No. 3-16*
- (n) “**correctional group home**” means a residential building or the residential portion of a mixed-use building containing a single housekeeping unit supervised on a twenty-four (24) hour basis on site by agency staff on a shift rotation basis, and funded wholly or in part by any government or its agency, or by public subscription or donation, or by any combination thereof, and licensed, approved or supervised by the Ministry of Correctional Services as a detention or correctional facility under any general or special act as amended or successor legislation. A correctional group home may contain an office provided that the office is used only for the operation of the correctional group home in which it is located;
- (o) “**Council**” means the Council of the Region;
- (p) “**development**” means the construction, erection or placing of one or more buildings on land or the making of an addition or alteration to a building that has the effect of increasing the size or usability thereof, and includes redevelopment;
- (q) “**dwelling unit**” means either (i) a room or suite of rooms used, designed or intended for use by one or more persons living together, in which culinary and sanitary facilities are provided for the exclusive use of such person or persons, or (ii) in the case of a special care/special need dwelling, either (1) a room or suite of rooms used, designed or intended for use by one person with or without exclusive sanitary and/or culinary facilities, or (2) a room or suite of rooms used, designed or intended for use by more than one person with no more than two persons sharing a bedroom and with sanitary facilities directly connected and accessible to each room, or (3) every seven square metres (7 m<sup>2</sup>) of area within a room or suite of rooms used, designed or intended for use by more than one person as a bedroom;
- (r) “**garden suite**” means a building containing one (1) dwelling unit where the garden suite is detached from and ancillary to an existing single detached dwelling or semi-detached dwelling on the lands and such building is designed to be portable;
- (s) “**grade**” means the average level of proposed finished ground adjoining a building at all exterior walls;

- (t) **“Greenfield”** means that part of the Region shown as Greenfield on Schedule “A” to this By-law and includes that part of the Region shown as Natural Heritage System that is within the Greenfield area shown on Schedule “A” to this By-law;
- (u) **“group home”** means a residential building or the residential portion of a mixed-use building containing a single housekeeping unit which may or may not be supervised on a twenty-four (24) hour basis on site by agency staff on a shift rotation basis, and funded wholly or in part by any government or its agency, or by public subscription or donation, or by any combination thereof and licensed, approved or supervised by the Province of Ontario for the accommodation of persons under any general or special act as amended or successor legislation;
- (v) **“high density apartment”** means an apartment dwelling of a minimum of four (4) storeys or containing more than one hundred thirty (130) dwelling units per net hectare pursuant to plans and drawings approved under Section 41 of the *Planning Act*;
- (w) **“local municipality”** means The Corporation of the City of Burlington, the Town of Oakville, the Town of Milton or the Town of Halton Hills;
- (x) **“lot”** means a lot, block or parcel of land capable of being legally and separately conveyed;
- (y) **“mezzanine”** means an intermediate floor assembly between the floor and ceiling of any room or storey and includes an interior balcony;
- (z) **“mixed-use”** means the use, design or intended use of the same land or building for a combination of non-residential development and residential development;
- (aa) **“multiple dwelling”** means a building containing more than one dwelling unit or one or more dwelling units above the first storey of a building containing a non-residential use but a multiple dwelling does not include an accessory dwelling, a single detached dwelling, a semi-detached dwelling, an apartment dwelling, or a special care/special need dwelling;
- (bb) **“Natural Heritage System”** means that part of the Region shown as Natural Heritage System on Schedule “A” to this By-law and areas identified as Natural Heritage System on Schedule “A” to this By-law reflect part of the Region’s Natural Heritage System. The Natural Heritage System is shown on Schedule “A” to this By-law for illustrative purposes only and does not impact the

categorization of the land to which the Natural Heritage System overlay is shown as either Rural Area, Greenfield Area or Built Boundary for the purposes of this By-law;

- (cc) “**net hectare**” means the total land area of a lot after conveyance or dedication of public road allowances, park and school sites and other lands for public use;
- (dd) “**non-residential development**” means land, buildings or portions thereof used, designed or intended for a non-residential use;
- (ee) “**non-residential use**” means the use of land, buildings or portions thereof for any purpose other than for a residential use;
- (ff) “**non-retail development**” means any non-residential development which is not a retail development;
- (gg) “**nursing home**” means a residential building or the residential portion of a mixed-use building licensed as a nursing home by the Province of Ontario;
- (hh) “**owner**” means the owner of land or a person who has made application for an approval for the development of land;
- (ii) “**place of worship**” means any building or part thereof that is exempt from taxation as a place of worship pursuant to paragraph 3 of section 3 of the *Assessment Act*, R.S.O. 1990, c. A.31, as amended or successor legislation;
- (jj) “**Planning Act**” means the *Planning Act*, R.S.O. 1990, c. P.13, as amended or successor legislation;
- (kk) “**redevelopment**” means the construction, erection or placing of one or more buildings on land where all or part of a building on such land has previously been demolished, or changing the use of all or part of a building from a residential purpose to a non-residential purpose or from a non-residential purpose to a residential purpose, or changing all or part of a building from one form of residential development to another form of residential development or from one form of non-residential development to another form of non-residential development;
- (ll) “**Region**” refers to the geographic area of the Regional Municipality of Halton or the corporation of The Regional Municipality of Halton, as the context requires;

- (mm) “**Regulation**” means O. Reg. 82/98, as amended or successor regulation;
- (nn) “**residential development**” means land, buildings or portions thereof used, designed or intended for residential use and includes only a single detached dwelling, a semi-detached dwelling, a multiple dwelling, an apartment dwelling, a garden suite, a special care/special need dwelling, an accessory dwelling and the residential portion of a mixed-use building;
- (oo) “**residential use**” means the use of land, buildings or portions thereof as living accommodation for one or more persons;
- (pp) “**restricted flow**” means a restriction on the demand for water or the discharge of wastewater of three and twenty-two one-hundredths cubic metres (3.22 m<sup>3</sup>) per hectare per day imposed on lands described in Schedules “D-1” and “D-2” to this By-law;
- (qq) “**retail development**” means land, buildings or portions thereof used, designed or intended for use for the purpose of offering foods, wares, merchandise, substances, articles or things for sale directly to the public or providing services or entertainment to the public. Retail development excludes freestanding bank kiosks and includes, but is not limited to:
- (1) land, buildings or portions thereof used, designed or intended for use for the rental of wares, merchandise, substances, articles or things;
  - (2) offices and storage in connection with, related to or ancillary to retail use; and
  - (3) conventional restaurants; fast food restaurants; catering establishments; bars and taverns; beer and wine-making stores; concert halls/theatres/cinemas/movie houses/drive-in theatres; dinner theatres; casinos; amusement and theme parks; amusement arcades; bowling alleys; fitness/recreation sport centres; hotels/motels/bed and breakfast facilities/rooming and boarding houses; gas stations and service stations; speciality automotive shops/auto repairs/collision services/car or truck washes; auto dealerships; shopping centres and plazas, including more than two attached stores under one ownership; department/discount stores; banks and similar financial institutions, including credit unions; insurance brokerages; investment advisory services; warehouse clubs and retail warehouses;

- (rr) “**retirement home or lodge**” means a residential building or the residential portion of a mixed-use building which provides accommodation primarily for retired persons or couples where each private bedroom or living accommodation has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and common lounges, recreation rooms and medical care facilities may also be provided;
- (ss) “**roads services**” includes, but is not limited to, road construction, widening, rehabilitation, resurfacing and reconstruction, grade separations, intersections, signalization, signage, bridges, overpasses, interchanges, and noise attenuation barriers;
- (tt) “**Rural Area**” means that part of the Region shown as Rural on Schedule “A” to this By-law and includes that part of the Region shown as Natural Heritage System within the Rural Area shown on Schedule “A” to this By-law;
- (uu) “**seasonal structure**” means a building placed or constructed on land and used, designed or intended for use for a non-residential purpose during a single season of the year where such building is designed to be easily demolished or removed from the land at the end of the season;
- (vv) “**semi-detached dwelling**” means a building divided vertically into two dwelling units each of which has a separate entrance and access to grade;
- (ww) “**services**” means services designated in this By-law or in an agreement under section 44 of the Act;
- (xx) “**single detached dwelling**” means a completely detached building containing only one (1) dwelling unit;
- (yy) “**special care/special need dwelling**” means a building:
- (i) containing two or more dwelling units which units have a common entrance from street level;
  - (ii) where the occupants have the right to use in common with other occupants halls, stairs, yards, common rooms and accessory buildings;
  - (iii) that is designed to accommodate persons with specific needs, including but not limited to, independent permanent living arrangements; and

- (iv) where support services, such as meal preparation, grocery shopping, laundry, housekeeping, nursing, respite care and attendant services are provided at various levels;

and includes, but is not limited to, retirement homes or lodges, charitable dwellings, group homes (including correctional group homes) and hospices;

- (zz) “**stacked townhouse dwelling**” means a building containing two or more dwelling units where each dwelling unit is separated horizontally and/or vertically from another dwelling unit by a common wall;
- (aaa) “**storey**” means that portion of a building between the surface of a floor and the floor, ceiling or roof immediately above it with the first storey being that with the floor closest to grade and having its ceiling more than six feet (6 ft.) (one and eighty three hundredths metres 1.83 m.) above grade;
- (bbb) “**Study**” means the report entitled “2012 Development Charges Background Study for Water, Wastewater, Roads & General Services Development Charges” dated November 30, 2011, and any amendments thereafter;
- (ccc) “**temporary building**” means a building used, designed or intended for use for a non-residential purpose, other than a seasonal structure and a temporary venue, or for a residential purpose, other than a garden suite, that is constructed or placed upon land and which is demolished or removed from the land within three (3) years of building permit issuance, and includes, but is not limited to, sales trailers, office trailers and industrial tents provided they meet the criteria in this definition;
- (ddd) “**temporary venue**” means a building that is placed or constructed on land and is used, designed or intended for use for a particular event where the event has a duration of one (1) week or less and the building is erected immediately before beginning of the event and is demolished or removed from the land immediately following the end of the event;
- (eee) “**total floor area**”:
  - (i) includes the sum of the total areas of the floors in a building whether at, above or below grade, measured:
    - (1) between the exterior faces of the exterior walls of the building;

- (2) from the centre line of a common wall separating two uses; or
- (3) from the outside edge of a floor where the outside edge of the floor does not meet an exterior or common wall; and
- (ii) includes the area of a mezzanine;
- (iii) excludes those areas used exclusively for parking garages or structures; and
- (iv) where a building has only one wall or does not have any walls, the total floor area shall be the total of the area directly beneath any roof-like structure of the building;
- (fff) “**wastewater services**” means all facilities, buildings, services and things related to sanitary services, including but not limited to, all works for the collection, transmission, treatment and disposal of sewage; and
- (ggg) “**water services**” means all facilities, buildings, services and things related to the provision of water, including but not limited to, all works for the collection, production, treatment, storage, supply, transmission and distribution of water.

## Rules

- 2. THAT for the purpose of complying with section 6 of the Act:
  - (a) the area to which this By-law applies shall be the area described in section 4 of this By-law;
  - (b) the rules developed under paragraph 9 of subsection 5(1) of the Act for determining if development charges are payable under this By-law in any particular case and for determining the amount of the charges shall be as set forth in sections 7 through 21, inclusive, of this By-law;
  - (c) the rules for exemptions, relief, credits and adjustments shall be as set forth in sections 22 through 32, inclusive, of this By-law;
  - (d) the indexing of charges shall be in accordance with section 19 of this By-law;
  - (e) there shall be no phasing-in;

- (f) there shall only be a demolition credit transitional policy in accordance with section 30 of this By-law;
- (g) in addition to the rules set out in the Act and this By-law, the rules for the calculation of the development charge payable under this By-law for the lands described in Schedules “D-1” and “D-2” to this By-law are set out in Schedule “E” to this By-law; and
- (h) except as set out in the Act and this By-law, there are no other credits, exemptions, relief or adjustments in respect of any land in the area to which this By-law applies.

**Schedules**

- 3. THAT the following Schedules to this By-law form an integral part of this By-law:

Schedule “A”	Map of the Regional Municipality of Halton;
Schedule “B-1”	Built Boundary Residential Development Charges;
Schedule “B-2”	Greenfield Residential Development Charges;
Schedule “C-1”	Built Boundary Non-Residential Development Charges;
Schedule “C-2”	Greenfield Non-Residential Development Charges;
Schedule “D-1” and “D-2”	Descriptions of Lands to which Schedule “E” Applies; and
Schedule “E”	Rules Applicable to the Lands described in Schedules “D-1” and “D-2”.

**Lands Affected**

- 4. THAT this By-law applies to all lands in the geographic area of the Region, being all of the lands shown on Schedule “A” to this By-law. For greater certainty, the lands described in Schedule “D-1” and “D-2” are lands also shown on Schedule “A”.
- 5. THAT the boundaries on Schedule “A” to this By-law are fixed when they are formed by a combination of such well defined features such as roads, railways, electrical transmission lines, municipal and property boundaries, original township lot or concession lines, streams and topographic features.

6. THAT where:
  - (a) the boundaries on Schedule "A" to this By-law are not fixed in accordance with the Section 5 of this By-law, the boundary shall be determined by the Region's Director of Planning Services and Chief Planning Officer; and
  - (b) a parcel of land is within two or more areas shown on Schedule "A" to this By-law, the development charges applicable to the area in which each part of the parcel is located shall be applied.

### **Other Development Charges**

7. THAT the development of land in the Region may be subject to one or more development charges by-laws of the Region and the development charges under this By-law are in addition to any other development charges that may be applicable to such development.

### **Designation of Services**

8. THAT it is hereby declared by Council that all development of land within the area to which this By-law applies will increase the need for services.
9. THAT the development charges under this By-law applicable to a development shall apply without regard to the services required or used by a particular development.
10. THAT development charges under this By-law shall be imposed for the following categories of services to pay for the increased capital costs required because of increased needs for services arising from development:
  - (a) water services;
  - (b) wastewater services;
  - (c) roads services;
  - (d) growth studies;
  - (e) police services;
  - (f) emergency medical services;
  - (g) social housing;
  - (h) services for seniors; and *(By-law No. 3-16)*

- (i) facilities. (*By-law No. 3-16*)
- (j) Deleted – *By-law No. 3-16*

### **Approvals for Development**

- 11. THAT development charges under this By-law shall be imposed against all lands or buildings within the area to which this By-law applies if the development of such lands or buildings requires any of the following:
  - (a) the passing of a zoning by-law or of an amendment thereto under section 34 of the *Planning Act*;
  - (b) the approval of a minor variance under section 45 of the *Planning Act*;
  - (c) a conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act* applies;
  - (d) the approval of a plan of subdivision under section 51 of the *Planning Act*;
  - (e) a consent under section 53 of the *Planning Act*;
  - (f) the approval of a description under section 50 of the *Condominium Act*, R.S.O, 1990, c. C.26, as amended or section 9 of the *Condominium Act*, 1998, S.O. 1998, c. 19, as amended or successor legislation; or
  - (g) the issuance of a permit under the *Building Code Act*, 1992, S.O. 1992, c. 23, as amended or successor legislation, in relation to a building.
- 12. THAT no more than one development charge under this By-law for each service designated in section 10 of this By-law shall be imposed upon any lands or buildings to which this By-law applies even though two or more of the actions described in section 11 of this By-law are required before the lands or buildings can be developed.
- 13. THAT notwithstanding sections 12 and 20 of this By-law, if
  - (a) two or more of the actions described in section 11 of this By-law occur at different times, or
  - (b) a second or subsequent building permit is issued

resulting in increased, additional or different development, then additional development charges under this By-law shall be imposed in respect of such increased, additional or different development permitted by such action or permit.

14. THAT where a development requires an approval described in section 11 of this By-law after the issuance of a building permit and no development charges have been paid, then development charges under this By-law shall be paid prior to the granting of the approval required under section 11 of this By-law.
15. THAT nothing in this By-law prevents Council from requiring, in an agreement under section 51 of the *Planning Act* or as a condition of consent or an agreement respecting same under section 53 of the *Planning Act*, that the owner, at his or her own expense, shall install such local services related to or within the area to which a plan of subdivision relates, as Council may require, in accordance with the Region's applicable local services policies in effect at the time.

#### **Calculation of Development Charges under this By-law**

16. THAT the development charges under this By-law with respect to the development of any land or buildings shall be calculated as follows:
  - (a) in the case of residential development, including a dwelling unit accessory to a non-residential development, or the residential portion of a mixed-use development, based upon the number and type of dwelling units; or
  - (b) in the case of non-residential development, or the non-residential portion of a mixed-use development, based upon the total floor area of such development.

#### **Amount of Charge - Residential**

17. THAT, subject to section 7 of this By-law, for development for residential purposes, development charges shall be imposed on all residential development, including a dwelling unit accessory to a non-residential development and the residential component of a mixed-use building, according to the number and type of dwelling units on lands within that part of the Region shown on Schedule "A" to this By-law as:
  - (a) Built Boundary - the development charges payable shall be the Total Urban Charges shown on Schedule "B-1" to this By-law;
  - (b) Greenfield Area - the development charges payable shall be the Total Urban Charges shown on Schedule "B-2" to this By-law; and

- (c) Rural - the development charges payable shall be as follows:
  - (i) the Total Rural Charges shown on Schedule “B-1” to this By-law;
  - (ii) where at the time a building permit is issued for the development, a connection of the building to:
    - (1) Built Boundary water services is proposed, the Specific Urban Charge for water services shown on Schedule “B-1” to this By-law shall be payable; and
    - (2) Greenfield water services is proposed, the Specific Urban Charge for water services shown on Schedule “B-2” to this By-law shall be payable; and
  - (iii) at the time a building permit is issued for the development, a connection of the building to:
    - (1) Built Boundary wastewater services is proposed, the Specific Urban Charge for wastewater services shown on Schedule “B-1” to this By-law shall be payable; and
    - (2) Greenbelt wastewater services is proposed, the Specific Urban Charge for wastewater services shown on Schedule “B-2” to this By-law shall be payable.
- (d) Despite subsections (a), (b) and (c) above from and after April 1, 2014:
  - (i) the Total Urban Charges shown on Schedules “B-1” and “B-2” to this By-law shall be exclusive of the charge for Services for Seniors; and
  - (ii) the Total Rural Charges shown on Schedule “B-1” and “B-2” to this By-law shall be exclusive of the charge for Services for Seniors.

**Amount of Charge - Non-Residential**

- 18. THAT, subject to section 7 of this By-law, for development for non-residential purposes, development charges shall be imposed on all non-residential development, and, in the case of a mixed-use building, on the non-residential component of the mixed-use building, according

to the total floor area of the non-residential component on lands within that part of the Region shown on Schedule “A” to this By-law as:

- (a) Built Boundary - the development charges payable shall be the Total Urban Charges shown on Schedule “C-1” to this By-law;
- (b) Greenfield Area - the development charges payable shall be the Total Urban Charges shown on Schedule “C-2” to this By-law; and
- (c) Rural - the development charges payable shall be as follows:
  - (i) the Total Rural charges shown on Schedule “C-1” to this By-law;
  - (ii) where at the time a building permit is issued for the development, a connection of the building to:
    - (1) Built Boundary water services is proposed, the Specific Urban Charge for water services shown on Schedule “C-1” to this By-law shall be payable; and
    - (2) Greenfield water services is proposed, the Specific Urban Charge for water services shown on Schedule “C-2” to this By-law shall be payable; and
  - (iii) at the time a building permit is issued for the development, a connection of the building to:
    - (1) Built Boundary wastewater services is proposed, the Specific Urban Charge for wastewater services shown on Schedule “C-1” to this By-law shall be payable; and
    - (2) Greenbelt wastewater services is proposed, the Specific Urban Charge for wastewater services shown on Schedule “C-2” to this By-law shall be payable.

### **Indexing of Development Charges**

19. THAT the development charges set out in Schedules “B-1”, “B-2”, “C-1” and “C-2” of this By-law shall be adjusted without amendment to this By-law on April 1<sup>st</sup> of each year, commencing April 1st, 2013, in accordance with the Statistics Canada Quarterly, *Construction Price Statistics* (catalogue number 62-007).

## Timing of Calculation and Payment

20. (1) THAT subject to subsections (2) to (9), inclusive, the development charges under this By-law shall be calculated as of, and shall be payable on, the date a building permit is issued in relation to a building on land to which the development charges under this By-law apply.
- (2) THAT despite subsection (1), in the case of residential development, the water services, wastewater services and roads services components of the development charges under this By-law shall be payable with respect to an approval of a plan of subdivision under section 51 of the *Planning Act* or a consent under section 53 of the *Planning Act* at the time of execution of the subdivision agreement or an agreement entered into as a condition of a consent.
- (3) THAT despite subsection (2), in the case of a high density apartment, the water services, wastewater services and roads services components of the development charges under this By-law shall be payable on the date a building permit is issued in relation to the high density apartment on lands to which the development charges under this By-law apply.
- (4) THAT, subject to any applicable exemptions, relief or adjustments in this By-law, development charges payable under this By-law shall be calculated as follows:
- (a) in the case of residential development, including a dwelling unit accessory to a non-residential development, or the residential portion of a mixed-use development, based upon:
- (i) the proposed number and type of dwelling units; and
- (ii) with respect to blocks intended for future development, the maximum number of dwelling units permitted under the then applicable zoning;
- (b) in the case of non-residential development, or the non-residential portion of a mixed-use development, based upon the total floor area proposed to be constructed.
- (5) THAT, if at the time of issuance of a building permit or permits for any residential development for which payments have been made pursuant to subsection (2), the total number and/or type of dwelling units for which building permits have been and are

being issued is greater than that used for the calculation and payment referred to in subsection (2), an additional payment shall be required and shall be calculated by multiplying the applicable development charges for those services shown in Schedule "B-1" or "B-2" to this By-law, as may be appropriate, subject to the adjustments in section 19 of this By-law, by the difference between the number and type of dwelling units for which building permits have been and are being issued and the number and type of dwelling units for which payments have been made pursuant to subsection (2) and this subsection.

- (6) THAT subject to subsection (8), if following the issuance of all building permits for all development in a subdivision and for all development in a block within that subdivision that had been intended for future development and for which payments have been made pursuant to subsections (2) and (4), the total number and/or type of dwelling units for which building permits have been issued is less than that used for the calculation and payment referred to in subsection (2), a refund shall become payable by the Region to the person who originally made the payment referred to in subsection (2), which refund shall be calculated by multiplying the amounts of the development charges in effect at the time such payments were made by the difference between the number and type of dwelling units for which payments were made pursuant to subsection (2) and the number and type of dwelling units for which building permits were issued.
- (7) THAT subsections (5) and (6) shall apply with necessary modifications to a development for which development charges have been paid pursuant to a condition of consent or pursuant to an agreement respecting same.
- (8) THAT any refunds payable pursuant to subsections (6) and (7) shall be calculated and paid without interest.
- (9) THAT notwithstanding subsections (1) to (7), inclusive, the Region may require and, where so required, an owner shall enter into an agreement, including the provision of security for the owner's obligations under the agreement, pursuant to section 27 of the Act. The terms of such agreement shall then prevail over the provisions of this By-law.

### **Payment by Money or the Provision of Services**

21. THAT payment of development charges under this By-law shall be by certified cheque or bank draft.

## **Rules with Respect to Exemptions for Intensification of Existing Housing**

22. (1) THAT development charges shall not be imposed with respect to approvals related to the residential development of land or buildings that would have the effect only of:
- (a) permitting the enlargement of an existing dwelling unit;
  - (b) creating one (1) or two (2) additional dwelling units in an existing single detached dwelling;
  - (c) creating one (1) additional dwelling unit in an existing semi-detached dwelling; or
  - (d) creating one (1) additional dwelling unit in any other existing residential building.
- (2) THAT notwithstanding clauses (1)(b) to (d), inclusive, development charges under this By-law shall be imposed with respect to the creation of one (1) or two (2) additional dwelling units if the total floor area of the additional one (1) or two (2) dwelling units exceeds the total floor area of the existing dwelling unit in clauses (1)(b) or (1)(c) or the smallest existing dwelling unit in clause (1)(d).

## **Rules with Respect to Industrial Expansion Exemptions**

23. (1) THAT if a development includes the enlargement of the total floor area of an existing industrial building, the amount of the development charges under this By-law that is payable is the following:
- (a) if the total floor area is enlarged by fifty percent (50%) or less, the amount of the development charges under this By-law in respect of the enlargement is zero; or
  - (b) if the total floor area is enlarged by more than fifty percent (50%), development charges under this By-law are payable on the amount by which the enlargement exceeds fifty percent (50%) of the total floor area before the enlargement.
- (2) THAT, for the purpose of this section, the term “existing industrial building” shall have the same meaning as that term has in the Regulation.

- (3) THAT for the purpose of interpreting the definition of “existing industrial building” contained in the Regulation, regard shall be had to the classification of the lands in question pursuant to the *Assessment Act*, R.S.O. 1990, c. A.31 as amended or successor legislation and in particular:
  - (a) whether the lands fall within a tax class such that taxes on the lands are payable at the industrial tax rate; and
  - (b) whether more than fifty percent (50%) of the total floor area of the building has an industrial property code for assessment purposes.
- (4) THAT despite subsection (3), self-service storage facilities and retail warehouses, are not considered to be industrial buildings.
- (5) THAT for greater certainty in applying the exemption in this section, the total floor area of an existing industrial building is enlarged where there is a *bona fide* increase in the size of the existing industrial building, the enlarged area is attached to the existing industrial building, there is a direct means of ingress and egress from the existing industrial building to and from the enlarged area for persons, goods and equipment and the existing industrial building and the enlarged area are used for or in connection with an industrial purpose as set out in subsection 1(1) of the Regulation. Without limiting the generality of the foregoing, the exemption in this section shall not apply where the enlarged area is attached to the existing industrial building by means only of a tunnel, bridge, canopy, corridor or other passage-way, or through a shared below-grade connection such as a service tunnel, foundation, footing or a parking facility.

#### **Rules with Respect to Commercial Expansion**

24. THAT no development charges shall be payable under this By-law for:
  - (a) the expansion of an existing building on the same lot that is used for or contains a commercial use provided the expansion must be incidental to or subordinate in purpose and exclusively devoted to the commercial use in the existing building or an accessory commercial building; and
  - (b) the expansion of the existing building on the lot or the accessory commercial building that is:
    - (i) the first 3,000 sq. ft. (278.7 sq. m.) of the expansion of the existing building on the lot or the accessory commercial building;

- (ii) at least six months must have elapsed since the last building permit has been issued for a building containing a commercial use on the lot; and
- (iii) the owner provides proof satisfactory to the Region's Commissioner of Corporate Services and Treasurer or designate that the existing commercial building(s) is (or are) being used for a commercial use on the date an application is made for a building permit for the building expansion or the accessory commercial building.

### **Lot Coverage Relief**

25. THAT where there is a non-residential development, the development charges payable pursuant to this By-law shall be calculated in accordance with the following:
- (a) for the portion of the total floor area of such development that is less than or equal to one (1.0) times the area of the lot, one hundred percent (100%) of the non-residential development charges payable pursuant to this By-law are applicable to that portion;
  - (b) for the portion of the total floor area of such development that is greater than one (1.0) times the area of the lot and less than or equal to one and a half (1.5) times the area of the lot, fifty percent (50%) of the non-residential development charges payable pursuant to this By-law are applicable to that portion;
  - (c) for the portion of the total floor area of such development that is greater than one and a half (1.5) times the area of the lot, twenty-five percent (25%) of the non-residential development charges payable pursuant to this By-law are applicable to that portion; and
  - (d) for the purposes of this section, where a building or buildings exist on the lot on the date of building permit issuance, the lot coverage shall be calculated as if no building(s) existed on the lot on that date.

### **Exemptions for Certain Buildings**

26. (1) THAT the following are exempt from the payment of development charges under this By-law:
- (a) by reason of section 3 of the Act:

- (i) land and buildings owned by and used for the purposes of any local municipality, the Region or any local board unless such buildings or parts thereof are used, designed or intended for use primarily for or in connection with any commercial use or retail development or both; and
  - (ii) land and buildings owned by and used for the purposes of a board of education unless such buildings or parts thereof are used, designed or intended for use primarily for or in connection with any commercial use or retail development or both; and
- (b) by this By-law:
- (i) land and buildings used as hospitals governed by the *Public Hospitals Act*, R.S.O. 1990, c. P.40, as amended or successor legislation unless such buildings or parts thereof are used, designed or intended for use primarily for or in connection with any commercial use or retail development or both;
  - (ii) land and buildings owned by and used for the purposes of a conservation authority unless such buildings or parts thereof are used primarily for or in connection with (1) recreational purposes for which the conservation authority charges an admission and/or fee, or (2) any commercial use or retail development or both;
  - (iii) land and buildings used exclusively as a place of worship;
  - (iv) seasonal structures; and
  - (v) temporary venues.
- (2) THAT for the purposes of this section only, “local board” means a municipal service board, a municipal services corporation, transportation commission, public library board, board of health, police services board, planning board, or any other board, commission, committee, body or local authority established or exercising any power under any act with respect to the affairs or purposes of one or more local municipalities or the Region, but excluding a board of education, a conservation authority, any municipal services corporation that is not deemed to be a local board under O. Reg. 599/06 made under the *Municipal Act*,

2001, S.O. 2001, c. 25, as amended or successor legislation and any corporation created under the *Electricity Act, 1998*, S.O. 1998, c. 15, Schedule A, as amended or successor legislation.

### **Agricultural Development**

27. THAT agricultural development shall be exempt from the payment of development charges under this By-law.

### **Rules with Respect to Temporary Buildings**

28. THAT notwithstanding any other provision of this By-law, a temporary building shall be exempt at the time the building permit is issued for such building from the payment of development charges under this By-law provided that:

- (a) prior to the issuance of the building permit for the temporary building, the owner shall have:
  - (i) entered into an agreement with the Region under section 27 of the Act in a form and having a content satisfactory to the Region's Commissioner of Corporate Services and Treasurer or designate agreeing to pay the development charges otherwise payable under this By-law in respect of the temporary building if, within three (3) years of building permit issuance or any extension permitted in writing by the Region's Commissioner of Corporate Services and Treasurer or designate, the owner has not provided to the Region evidence, to the satisfaction of the Region's Commissioner of Corporate Services and Treasurer or designate, that the temporary building was demolished or removed from the lands within three (3) years of building permit issuance or any extension herein provided; and
  - (ii) provided to the Region securities in the form of a certified cheque, bank draft or a letter of credit acceptable to the Region's Commissioner of Corporate Services and Treasurer or designate in the full amount of the development charges otherwise payable under this By-law as security for the owner's obligations under the agreement described in clause (a)(i) and subsection (c);
- (b) within three (3) years of building permit issuance or any extension granted in accordance with the provisions in clause (a)(i), the owner shall provide to the Region evidence, to the

satisfaction of the Region's Commissioner of Corporate Services and Treasurer or designate, that the temporary building was demolished or removed from the lands within three (3) years of building permit issuance or any extension herein provided, whereupon the Region shall return the securities provided pursuant to clause (a)(ii) without interest;

- (c) if the owner does not provide satisfactory evidence of the demolition or removal of the temporary building in accordance with subsection (b), the temporary building shall be deemed conclusively not to be a temporary building for the purposes of this By-law and the Region shall, without prior notification to the owner, draw upon the securities provided pursuant to clause (a)(ii) and transfer the amount so drawn into the appropriate development charges reserve funds; and
- (d) the timely provision of satisfactory evidence of the demolition or removal of the temporary building in accordance with subsection (b) shall be solely the owner's responsibility.

#### **Rules with Respect to Garden Suites**

29. THAT notwithstanding any other provisions of this By-law, a garden suite shall be exempt at the time a building permit is issued for the garden suite from the payment of development charges under this By-law provided that:
- (a) a by-law has been passed by the applicable local municipality under sections 39 and 39.1 of the *Planning Act* authorizing the temporary use of the garden suite;
  - (b) prior to the issuance of the building permit for the garden suite, the owner shall have entered into an agreement with the Region under section 27 of the Act in a form and having a content satisfactory to the Region's Commissioner of Corporate Services and Treasurer or designate, to be registered on title to the lands under section 34 of this By-law as a charge, agreeing to pay the development charges otherwise payable under this By-law in respect of the garden suite if the garden suite is not removed from the lands within sixty (60) days of the expiry of the by-law, including any extensions thereof, described in subsection (a) or if, before that date, the lands on which the garden suite is situate are sold provided the development charges shall not be payable upon such sale if the purchaser has entered into an agreement with the Region under this subsection and the by-law, including any extensions thereof, described in subsection (a) has not expired;

- (c) within ninety (90) days of the expiry of the by-law, including any extensions thereof, described in subsection (a), the owner shall provide to the Region evidence, to the satisfaction of the Region's Commissioner of Corporate Services and Treasurer or designate, that the garden suite was removed from the lands within sixty (60) days of the expiry of the by-law, including any extensions thereof, described in subsection (a), whereupon the Region shall provide to the owner a release of the agreement described in subsection (b) and apply to the land registrar to delete from title to the lands any notice of the agreement registered against title to the lands under section 36 of this By-law;
- (d) if the owner does not provide satisfactory evidence of the removal of the garden suite in accordance with subsection (c), the garden suite shall be deemed conclusively not to be a garden suite for the purposes of this By-law and the Region may, without prior notification to the owner, add the development charges payable under this By-law to the tax roll for the lands to be collected in the same manner as taxes;
- (e) for the purpose of subsection (d), the development charges payable under this By-law shall be the development charges payable under this By-law for an accessory dwelling on the date the building permit was issued for the garden suite; and
- (f) the timely provision of satisfactory evidence of the removal of the garden suite in accordance with subsection (c) shall be solely the owner's responsibility.

### **Rules with Respect to Redevelopment - Demolitions**

30. THAT in the case of a demolition of all or part of a building:

- (a) a credit shall be allowed against the development charges otherwise payable pursuant to this By-law, provided that where a demolition permit has been issued and has not been revoked:
  - (i) before August 18, 2008, a building permit has been issued for the redevelopment within ten (10) years from the date the demolition permit was issued; and
  - (ii) from and after August 18, 2008, a building permit has been issued for the redevelopment within five (5) years from the date the demolition permit was issued;
- (b) the credit shall be calculated based on the portion of the building used for a residential purpose that has been demolished by

multiplying the number and type of dwelling units demolished, or in the case of a building used for a non-residential purpose that has been demolished by multiplying the non-residential total floor area demolished, by the relevant development charges under this By-law in effect on the date when the development charges are payable pursuant to this By-law with respect to the redevelopment;

- (c) no credit shall be allowed where the demolished building or part thereof would have been exempt pursuant to this By-law;
- (d) where the amount of any credit pursuant to this section exceeds, in total, the amount of the development charges otherwise payable under this By-law with respect to the redevelopment, the excess credit shall be reduced to zero and shall not be carried forward unless the carrying forward of such excess credit is expressly permitted by a phasing plan for the redevelopment that is acceptable to the Region's Commissioner of Corporate Services and Treasurer or designate; and
- (e) despite Subsection 30(a) above, where the building cannot be demolished until the new building has been erected, the owner shall notify the Region in writing and pay the applicable development charges for the new building in full and if the existing building is demolished not later than twelve (12) months from the date a building permit is issued for the new building, the Region shall provide a refund calculated in accordance with this section to the owner without interest. If more than twelve (12) months is required to demolish the existing building, the owner shall make a written request to the Region and the Region's Commissioner of Corporate Services and Treasurer or designate may extend the time in which the existing building must be demolished in his or her sole and absolute discretion and upon such terms and conditions as he or she considers necessary or desirable and such decision shall be made prior to the issuance of the first building permit for the new building.

### **Rules with Respect to Redevelopment - Conversions**

31. THAT in the case of a conversion of all or part of a building:
- (a) a credit shall be allowed against the development charges otherwise payable under this By-law;
  - (b) the credit shall be calculated based on the portion of the building that is being converted by multiplying the number and type of dwelling units being converted or the non-residential total floor

area being converted by the relevant development charges under this By-law in effect on the date when the development charges are payable pursuant to this By-law with respect to the redevelopment;

- (c) no credit shall be allowed where the building or part thereof prior to conversion would have been exempt pursuant to this By-law; and
- (d) where the amount of any credit pursuant to this section exceeds, in total, the amount of the development charges otherwise payable under this By-law with respect to the redevelopment, the excess credit shall be reduced to zero and shall not be carried forward unless the carrying forward of such excess credit is expressly permitted by a phasing plan for the redevelopment that is acceptable to the Region's Commissioner of Corporate Services and Treasurer or designate.
- (e) Despite subsections (a) to (d) above, where the conversion is from a non-residential, non-retail development to a retail development:
  - (i) an exemption of the incremental development charge amount will be provided if the total non-retail floor area being converted to a retail development is less than or equal to three thousand square feet (3,000 ft.<sup>2</sup>) (two hundred and seventy eight and seven tenths square meters (278.7 m<sup>2</sup>)), inclusive;
  - (ii) the exemption contained in this subsection is provided on a one time basis only even if the conversion from non-retail to retail is less than three thousand square feet (3,000 ft.<sup>2</sup>) (two hundred and seventy-eight and seven tenths square meters (278.7 m<sup>2</sup>));
  - (iii) if the conversion from non-retail to retail is greater than three thousand square feet (3,000 ft.<sup>2</sup>) (two hundred and seventy-eight and seven tenths square meters (278.7 m<sup>2</sup>)) subsections (a) to (d) above apply but subsection e(i) does not apply to the entire floor area being converted.

### **Exemptions, Relief, Credits and Adjustments Not Cumulative**

32. THAT only one (1) of the applicable exemption(s), relief, credit(s) or adjustment(s) set out in sections 22 to 31, inclusive, of this By-law shall be applicable to a development or redevelopment. Where the circumstances of a development or redevelopment are such that more

than one (1) type of exemption, relief, credit or adjustment could apply, only one (1) type of exemption, relief, credit or adjustment shall apply and it shall be the exemption, relief, credit or adjustment that results in the lowest development charges being payable under this By-law.

### **Interest**

33. THAT the Region shall pay interest on a refund under subsections 18(3) and 25(2) and section 36 of the Act at a rate equal to the Bank of Canada rate on the date this By-law comes into force.

### **Front Ending Agreements**

34. THAT the Region may enter into one or more agreements under section 44 of the Act.

### **Repeals**

35. THAT:
- (a) By-law No. 62-08, being a by-law to establish water, wastewater, roads and general services development charges for The Regional Municipality of Halton and to amend Development Charges By-law Nos. 102-03, 57-04, and 99-04 as amended and to repeal Development Charges By-law No. 100-04; and
  - (b) By-law No. 77-09, being a by-law to amend By-law 62-08 with respect to indexing,

are hereby repealed effective on the date this By-law comes into force and effect.

### **Registrations**

36. THAT a certified copy of this By-law and a copy or notice of any agreement authorized by this By-law may be registered in the Land Registry Office (No. 20) as against title to any land to which this By-law or any such agreement applies.

### **Date By-law Effective**

37. THAT this By-law comes into force and effect on September 5, 2012.

**Headings for Reference Only**

38. THAT the headings inserted in this By-law are for convenience of reference only and shall not affect the construction or interpretation of this By-law.

**Severability**

39. THAT if, for any reason, any provision, section, subsection, paragraph or clause of this By-law is held invalid, it is hereby declared to be the intention of Council that all the remainder of this By-law shall continue in full force and effect until repealed, re-enacted or amended, in whole or in part or dealt with in any other way.

**Short Title**

40. THAT the short title of this By-law is the “Halton Built Boundary and Greenfield Area Water, Wastewater, Roads and General Services Development Charges By-law, 2012”.

READ and PASSED this 18th day of April, 2012.

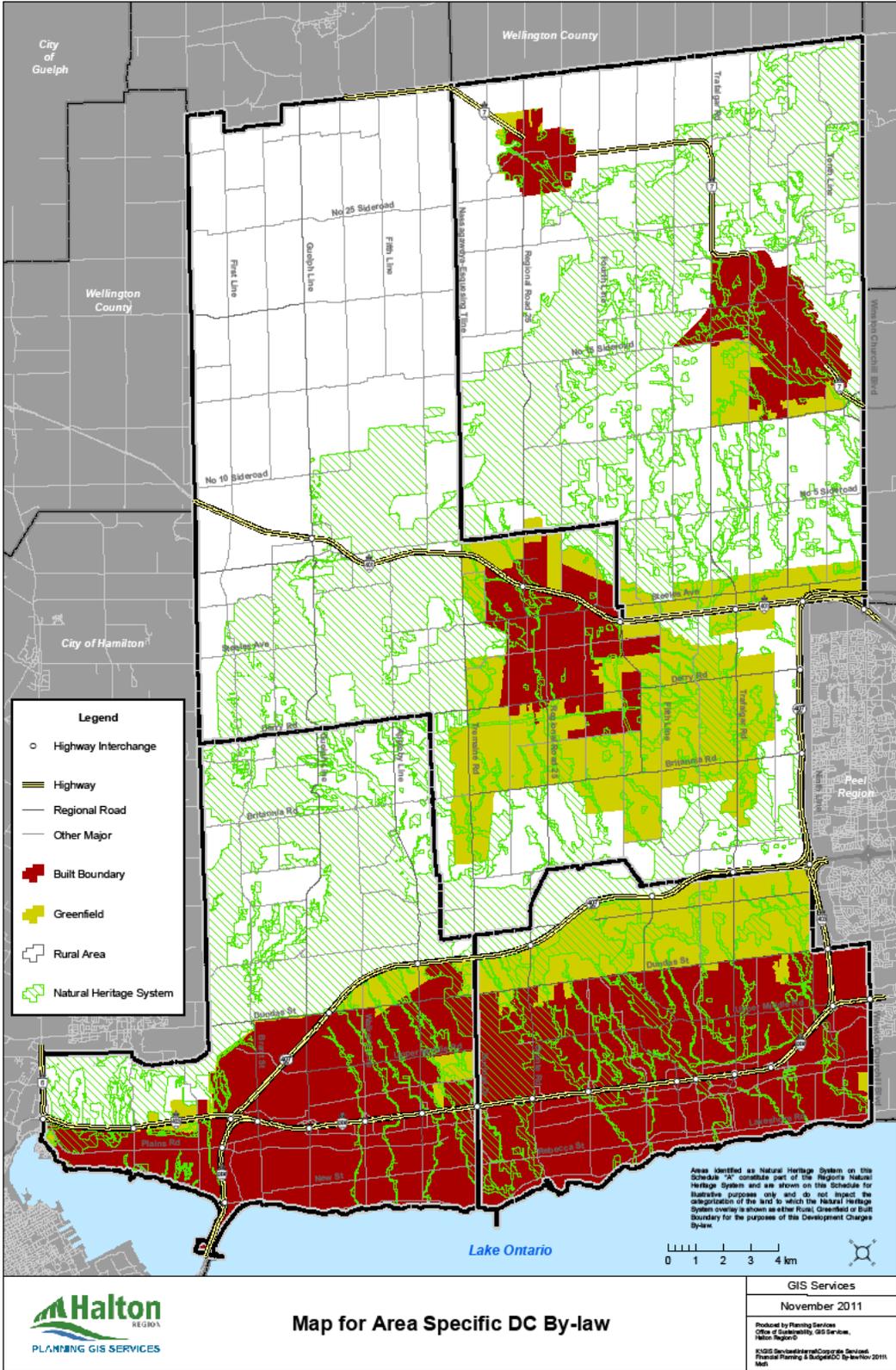
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REGIONAL CHAIR

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REGIONAL CLERK

# SCHEDULE "A" TO BY-LAW 48-12



**THE REGIONAL MUNICIPALITY OF HALTON**

**SCHEDULE "B-1" TO BY-LAW NO. 48-12**

*(By-law No. 51-16, incorporating previous amendment from By-law No. 3-16).*

**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
<b>Region-Wide Charges (Urban and Rural)</b>						
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
<b>Sub-Total</b>	<b>\$ 14,689.15</b>	<b>\$ 11,633.92</b>	<b>\$ 8,460.35</b>	<b>\$ 8,147.85</b>	<b>\$ 5,911.24</b>	<b>\$ 4,665.29</b>
<b>Specific Urban Charges</b>						
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
<b>Sub-Total</b>	<b>\$ 11,093.49</b>	<b>\$ 8,785.23</b>	<b>\$ 6,364.92</b>	<b>\$ 6,175.65</b>	<b>\$ 4,461.54</b>	<b>\$ 3,522.86</b>
<b>Total Urban Charges</b>	<b>\$ 25,782.64</b>	<b>\$ 20,419.15</b>	<b>\$ 14,825.27</b>	<b>\$ 14,323.50</b>	<b>\$ 10,372.78</b>	<b>\$ 8,188.15</b>
<b>Total Rural Charges</b>	<b>\$ 14,689.15</b>	<b>\$ 11,633.92</b>	<b>\$ 8,460.35</b>	<b>\$ 8,147.85</b>	<b>\$ 5,911.24</b>	<b>\$ 4,665.29</b>

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

**THE REGIONAL MUNICIPALITY OF HALTON**

**SCHEDULE "B-2" TO BY-LAW NO. 48-12**

*(By-law No. 51-16, incorporating previous amendment from By-law No. 3-16).*

**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
<b>Region-Wide Charges (Urban and Rural)</b>						
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
<b>Sub-Total</b>	<b>\$ 14,689.15</b>	<b>\$ 11,633.92</b>	<b>\$ 8,460.35</b>	<b>\$ 8,147.85</b>	<b>\$ 5,911.24</b>	<b>\$ 4,665.29</b>
<b>Specific Urban Charges</b>						
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
<b>Sub-Total</b>	<b>\$ 20,188.91</b>	<b>\$ 16,086.82</b>	<b>\$ 11,654.95</b>	<b>\$ 11,208.60</b>	<b>\$ 8,097.54</b>	<b>\$ 6,396.26</b>
<b>Total Urban Charges</b>	<b>\$ 34,878.06</b>	<b>\$ 27,720.74</b>	<b>\$ 20,115.30</b>	<b>\$ 19,356.45</b>	<b>\$ 14,008.78</b>	<b>\$ 11,061.55</b>
<b>Total Rural Charges</b>	<b>\$ 14,689.15</b>	<b>\$ 11,633.92</b>	<b>\$ 8,460.35</b>	<b>\$ 8,147.85</b>	<b>\$ 5,911.24</b>	<b>\$ 4,665.29</b>

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

**THE REGIONAL MUNICIPALITY OF HALTON**

**SCHEDULE "C-1" TO BY-LAW NO. 48-12**

*(By-law No. 3-16)*

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**BUILT BOUNDARY URBAN AND RURAL NON-RESIDENTIAL DEVELOPMENT CHARGES\***

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**PER SQUARE FOOT OF TOTAL FLOOR AREA**

	<u>Retail</u>	<u>Non-Retail</u>
<b>Region-Wide Charges (Urban and Rural):</b>		
<b>General Services:</b>		
Growth Studies	\$ 0.11	\$ 0.11
Police	0.16	0.16
Emergency Medical Services	0.01	0.01
Facilities	0.01	0.01
<b>Sub-Total</b>	<b>\$ 0.29</b>	<b>\$ 0.29</b>
<b>Roads:</b>	<b>17.35</b>	<b>4.78</b>
<b>Total</b>	<b>\$ 17.64</b>	<b>\$ 5.07</b>
<b>Specific Urban Charges:</b>		
Water	\$ 1.70	\$ 1.70
Wastewater	2.65	2.65
<b>Total</b>	<b>\$ 4.35</b>	<b>\$ 4.35</b>
<b>Total Urban Charges</b>	<b>\$ 21.99</b>	<b>\$ 9.42</b>
<b>Total Rural Charges</b>	<b>\$ 17.64</b>	<b>\$ 5.07</b>

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**PER SQUARE METRE OF TOTAL FLOOR AREA**

	<u>Retail</u>	<u>Non-Retail</u>
<b>Region-Wide Charges (Urban and Rural):</b>		
<b>General Services:</b>		
Growth Studies	\$ 1.18	\$ 1.18
Police	1.72	1.72
Emergency Medical Services	0.11	0.11
Facilities	0.11	0.11
<b>Sub-Total</b>	<b>\$ 3.12</b>	<b>\$ 3.12</b>
<b>Roads:</b>	<b>\$ 186.75</b>	<b>\$ 51.45</b>
<b>Total</b>	<b>\$ 189.88</b>	<b>\$ 54.57</b>
<b>Specific Urban Charges:</b>		
Water	\$ 18.30	\$ 18.30
Wastewater	28.52	28.52
<b>Total</b>	<b>\$ 46.82</b>	<b>\$ 46.82</b>
<b>Total Urban Charges</b>	<b>\$ 236.70</b>	<b>\$ 101.39</b>
<b>Total Rural Charges</b>	<b>\$ 189.88</b>	<b>\$ 54.57</b>

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\* Subject to indexing in accordance with section 19 of By-Law 48-12 as amended.

**THE REGIONAL MUNICIPALITY OF HALTON**

**SCHEDULE "C-2" TO BY-LAW NO. 48-12**

*(By-law No. 3-16)*

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**GREENFIELD URBAN AND RURAL NON-RESIDENTIAL DEVELOPMENT CHARGES\***

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**PER SQUARE FOOT OF TOTAL FLOOR AREA**

	<u>Retail</u>	<u>Non-Retail</u>
<b>Region-Wide Charges (Urban and Rural):</b>		
<b>General Services:</b>		
Growth Studies	\$ 0.11	\$ 0.11
Police	0.16	0.16
Emergency Medical Services	0.01	0.01
Facilities	0.01	0.01
<b>Sub-Total</b>	<b>\$ 0.29</b>	<b>\$ 0.29</b>
<b>Roads:</b>	<b>17.35</b>	<b>4.78</b>
<b>Total</b>	<b>\$ 17.64</b>	<b>\$ 5.07</b>
<b>Specific Urban Charges:</b>		
Water	\$ 3.43	\$ 3.43
Wastewater	3.90	3.90
<b>Total</b>	<b>\$ 7.33</b>	<b>\$ 7.33</b>
<b>Total Urban Charges</b>	<b>\$ 24.97</b>	<b>\$ 12.40</b>
<b>Total Rural Charges</b>	<b>\$ 17.64</b>	<b>\$ 5.07</b>

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**PER SQUARE METRE OF TOTAL FLOOR AREA**

	<u>Retail</u>	<u>Non-Retail</u>
<b>Region-Wide Charges (Urban and Rural):</b>		
<b>General Services:</b>		
Growth Studies	\$ 1.18	\$ 1.18
Police	1.72	1.72
Emergency Medical Services	0.11	0.11
Facilities	0.11	0.11
<b>Sub-Total</b>	<b>\$ 3.12</b>	<b>\$ 3.12</b>
<b>Roads:</b>	<b>186.75</b>	<b>51.45</b>
<b>Total</b>	<b>\$ 189.88</b>	<b>\$ 54.57</b>
<b>Specific Urban Charges:</b>		
Water	\$ 36.92	\$ 36.92
Wastewater	41.98	41.98
<b>Total</b>	<b>\$ 78.90</b>	<b>\$ 78.90</b>
<b>Total Urban Charges</b>	<b>\$ 268.78</b>	<b>\$ 133.47</b>
<b>Total Rural Charges</b>	<b>\$ 189.88</b>	<b>\$ 54.57</b>

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\* Subject to indexing in accordance with section 19 of By-Law 48-12 as amended.

**THE REGIONAL MUNICIPALITY OF HALTON  
SCHEDULE “D-1”  
TO BY-LAW NO. 48-12**

**Schedule “E” applies to all or part of the following lands:**

Parcel D-1.1	Blocks 8, 9, 10, Plan M-537
Parcel D-1.2	Block 12, Plan M-537
Parcel D-1.3	Block 13, Plan M-530
Parcel D-1.4	Block 32, Plan 5-537
Parcel D-1.5	Block 34, Plan M-537
Parcel D-1.6	Block 35, Plan M-537
Parcel D-1.7	Block 36, Plan M-537
Parcel D-1.8	Block 37, Plan M-537
Parcel D-1.9	Block 38, Plan M-537
Parcel D-1.10	Block 39, Plan M-537
Parcel D-1.11	Block 12, Plan M-530 and Parts 3 & 4, 20R-9270
Parcel D-1.12	Block 14, Plan M-530
Parcel D-1.13	Block 20, Plan M-530
Parcel D-1.14	Part E1/2 Lot 4, Conc. 2 (Parts 1, 2, 3 & 6, 20R-9733)
Parcel D-1.15	Part Lots 2 & 3, Conc. 3 (Parts 9, 10, 14 & 15, 20R-13631, and Parts 2, 12, 13, 14, 15, 17 & 18, 20R-10272)
Parcel D-1.16	Parts 8, 11, 12 & 13, 20R-13631

**THE REGIONAL MUNICIPALITY OF HALTON  
SCHEDULE "D-2"  
TO BY-LAW NO. 48-12**

**Schedule "E" applies to all or part of the following lands:**

Parcel D-2.1	Part Lots 2 & 3, Conc.3 (Parts 1, 3 and 10 20R-12697)
Parcel D-2.2	Block 7, Plan M-537
Parcel D-2.3	Blocks 5 & 6, Plan M-537
Parcel D-2.4	Blocks 17 to 29, inclusive, Plan M-537
Parcel D-2.5	Block 16, Plan M-537
Parcel D-2.6	Blocks 1 to 4, inclusive, Plan M-537
Parcel D-2.7	Part Lot 4, Conc. 3 (2700 Highpoint Dr.)
Parcel D-2.8	Blocks 1 to 8, inclusive, Plan M-530
Parcel D-2.9	Block 11, Plan M-530
Parcel D-2.10	Part Lot 5, Conc. 3 (8645 Regional Rd. #25)
Parcel D-2.11	Blocks 5 to 9, inclusive, Plan M-562
Parcel D-2.12	Block 42, Plan M-537
Parcel D-2.13	Block 15, Plan M-537
Parcel D-2.14	Block 9, Plan M-530

**THE REGIONAL MUNICIPALITY OF HALTON  
SCHEDULE "E"  
TO BY-LAW NO. 48-12**

**Rules Applicable to the Lands described in Schedule "D-1" and "D-2"**

Where the development or redevelopment of the lands described in Schedules "D-1" and "D-2" to this By-law requires a building permit or sections 13 or 14 of this By-law or section 3 of this Schedule "E" applies, the following are additional rules for the calculation of the water and wastewater development charges payable under this By-law for the lands described in those Schedules:

1. For the development of lands described in Schedules "D-1" and "D-2" to this By-law that are occupied by one or more buildings:
  - (a) if the water services and wastewater services components of the development charge imposed by By-law No. 65-99, By-law No. 117-99, By-law No. 102-03, By-law 62-08 or this By-law have been paid, then no further water and wastewater development charges are payable under this By-law for any change in the use of the existing building provided that, subject to the exemptions in the Act and this By-law, any addition to the existing building or any new building erected on the lands shall pay the charge imposed by this By-law; or
  - (b) if the lands are subject to a restricted flow and if the development of the lands or any change in use of any existing building on the lands impose a water or wastewater demand (including the demand imposed by any existing building on the lands) in excess of the restricted flow, then the water and wastewater development charges under this By-law shall be imposed as follows:
    - (i) where there has been a change in use, the charge shall be imposed on the total floor area of the existing building; or
    - (ii) where there has been an addition to such building or an additional building has been constructed on the lands, the charge shall be imposed on the aggregate total floor area of the existing building and the total floor area of the addition or of any additional building,

provided that where the charge is imposed a credit shall be recognized in respect of the existing portion of any existing building (in the case of clause 1(b)(i)) or the aggregate total floor area of the existing building and the total floor area of the addition or of any additional building (in the case of clause 1(b)(ii)) of twenty-four and seven-tenths percent (24.7%) in the case of an industrial development and a credit of fifteen and eleven one-hundredths percent (15.11%) in the case of a commercial development of the charge imposed under this By-law and provided that the total demand for water services and wastewater services shall be determined through a

water usage report using Sentence 8.2.1.3(2) and Table 8.2.1.3.B from O. Reg. 350/06; or

- (c) if the lands are subject to a restricted flow and if the development of the lands or any change in use of any existing building on the lands does not impose a water or wastewater demand that is greater than the restricted flow, then no water and wastewater development charges are payable under this By-law. The total demand for water services and wastewater services shall be determined through a water usage report using Sentence 8.2.1.3(2) and Table 8.2.1.3.B from O. Reg. 350/06.
2. For the development of lands described in Schedule “D-I” to this By-law that are vacant:
- (a) if the development does not impose a water or wastewater demand that is greater than the restricted flow, then no water or wastewater development charge is payable under this By-law; or
  - (b) if the development imposes a water or wastewater demand in excess of the restricted flow, then the water and wastewater development charges under this By-law shall be imposed and a credit shall be recognized of twenty-four and seven-tenths percent (24.7%) in the case of an industrial development and a credit of fifteen and eleven one-hundredths percent (15.11%) in the case of a commercial development of the charge imposed under this By-law;
  - (c) provided that the total demand for water services and wastewater services shall be determined through a water usage report using Sentence 8.2.1.3(2) and Table 8.2.1.3.B from O. Reg. 350/06.
3. If a development of the lands described in Schedules “D-1” and “D-2” this By-law does not require a building permit but does require one or more of the approvals described in section 11 of this By-law, including without limiting the generality of the foregoing, the issuing of any other permit under the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended or successor legislation, then, notwithstanding section 20 of this By-law, the water and wastewater development charges shall nonetheless be payable in respect of any development permitted by such approval where such development imposes an increased demand for water services or wastewater services.