

THE REGIONAL MUNICIPALITY OF HALTON

BY-LAW NO. 3-16

A BY-LAW TO AMEND BY-LAW NO. 48-12, 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 CONSERVATION HALTON.

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 certain capital costs incurred by Conservation Halton on behalf of The Regional Municipality of Halton;

AND WHEREAS the Hamilton Halton Home Builders' Association appealed the imposition of development charges for certain capital costs incurred by Conservation Halton on behalf of The Regional Municipality of Halton to the Ontario Municipal Board;

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 The Regional Municipality of Halton to amend By-law No. 48-12 by removing from the By-law the development charges for certain capital costs incurred by Conservation Halton on behalf of The Regional Municipality of Halton;

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 The Regional Municipality of Halton to amend By-law No. 48-12 by removing the development charges for certain capital costs incurred by Conservation Halton on behalf of The Regional Municipality of Halton;

AND WHEREAS by an Order dated December 3, 2015 the Divisional Court dismissed the motion for leave to 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 is amended by:
  - (a) deleting subsection 1(m);
  - (b) deleting subsection 10(j);
  - (c) deleting the semi-colon and the word “and” from subsection 10(i);
  - (d) adding a period to the end of subsection 10(i);
  - (e) adding the word “and” to the end of subsection 10(h);
  - (f) deleting Schedule “B-1” and Schedule “B-2” respectively in DC By-law 48-12 and substituting a new Schedule “B-1” and Schedule “B-2” respectively as attached as Schedule “ONE” and Schedule “TWO” respectively to this amending by-law; and
  - (g) deleting Schedule “C-1” and Schedule “C-2” respectively in DC By-law 48-12 and substituting a new Schedule “C-1” and Schedule “C-2” respectively as attached as Schedule “THREE” and Schedule “FOUR” respectively to this By-law.
2. THAT except as amended by 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 Titles Office (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 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 Conservation Halton Development Charges”.

READ and PASSED this 17th day of February, 2016.

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REGIONAL CHAIR

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REGIONAL CLERK

Report No. LPS29-16

**SCHEDULE "ONE"**  
**To By-law No. 3-16**

**SCHEDULE "B-1"**

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

	Single and Semi Detached Dwelling	Multiple Dwelling	Apartment Dwelling	Special Care/ Special Need and Accessory Dwelling
<b>Region-Wide (Urban and Rural):</b>				
<b>General Services:</b>				
Growth Studies	\$ 222.94	\$ 161.54	\$ 111.41	\$ 72.77
Police	\$ 307.22	\$ 222.60	\$ 153.52	\$ 100.27
Emergency Medical Services	\$ 66.34	\$ 48.07	\$ 33.15	\$ 21.66
Services For Seniors Facilities	\$ 200.06	\$ 144.96	\$ 99.97	\$ 65.30
Social Housing	\$ 68.40	\$ 49.56	\$ 34.18	\$ 22.33
<b>Sub-Total</b>	<b>\$ 386.59</b>	<b>\$ 280.11</b>	<b>\$ 193.19</b>	<b>\$ 126.18</b>
<b>Roads:</b>	<b>\$ 13,437.60</b>	<b>\$ 9,858.29</b>	<b>\$ 6,742.34</b>	<b>\$ 4,256.79</b>
<b>Total (Urban and Rural)</b>	<b>\$ 14,689.15</b>	<b>\$ 10,765.13</b>	<b>\$ 7,367.76</b>	<b>\$ 4,665.29</b>
<b>Specific Urban Charges:</b>				
Water	\$ 4,710.69	\$ 3,444.70	\$ 2,369.57	\$ 1,495.93
Wastewater	\$ 6,382.80	\$ 4,667.44	\$ 3,210.88	\$ 2,028.93
<b>Total</b>	<b>\$ 11,093.49</b>	<b>\$ 8,112.14</b>	<b>\$ 5,580.25</b>	<b>\$ 3,522.86</b>
<b>Total Urban Charges</b>	<b>\$ 25,782.64</b>	<b>\$ 18,877.27</b>	<b>\$ 12,948.01</b>	<b>\$ 8,188.15</b>
<b>Total Rural Charges</b>	<b>\$ 14,689.15</b>	<b>\$ 10,765.13</b>	<b>\$ 7,367.76</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.

**SCHEDULE "TWO"  
To By-law No. 3-16**

**SCHEDULE "B-2"**

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

	Single and Semi Detached Dwelling	Multiple Dwelling	Apartment Dwelling	Special Care/ Special Need and Accessory Dwelling
<b>Region-Wide (Urban and Rural):</b>				
<b>General Services:</b>				
Growth Studies	\$ 222.94	\$ 161.54	\$ 111.41	\$ 72.77
Police	\$ 307.22	\$ 222.60	\$ 153.52	\$ 100.27
Emergency Medical Services	\$ 66.34	\$ 48.07	\$ 33.15	\$ 21.65
Services For Seniors	\$ 200.06	\$ 144.96	\$ 99.97	\$ 65.30
Facilities	\$ 68.40	\$ 49.56	\$ 34.18	\$ 22.33
Social Housing	\$ 386.59	\$ 280.11	\$ 193.19	\$ 126.18
<b>Sub-Total</b>	<b>\$ 1,251.55</b>	<b>\$ 906.84</b>	<b>\$ 625.42</b>	<b>\$ 408.50</b>
<b>Roads:</b>	<b>\$ 13,437.60</b>	<b>\$ 9,858.29</b>	<b>\$ 6,742.34</b>	<b>\$ 4,256.79</b>
<b>Total (Urban and Rural)</b>	<b>\$ 14,689.15</b>	<b>\$ 10,765.13</b>	<b>\$ 7,367.76</b>	<b>\$ 4,665.29</b>
<b>Specific Urban Charges:</b>				
Water	\$ 9,884.68	\$ 7,272.82	\$ 4,958.75	\$ 3,131.67
Wastewater	\$ 10,304.23	\$ 7,581.50	\$ 5,169.22	\$ 3,264.59
<b>Total</b>	<b>\$ 20,188.91</b>	<b>\$ 14,854.32</b>	<b>\$ 10,127.97</b>	<b>\$ 6,396.26</b>
<b>Total Urban Charges</b>	<b>\$ 34,878.06</b>	<b>\$ 25,619.45</b>	<b>\$ 17,495.73</b>	<b>\$ 11,061.55</b>
<b>Total Rural Charges</b>	<b>\$ 14,689.15</b>	<b>\$ 10,765.13</b>	<b>\$ 7,367.76</b>	<b>\$ 4,665.29</b>

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**SCHEDULE "THREE"  
To By-law No. 3-16**

**SCHEDULE "C-1"**

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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>		
	17.35	4.78
<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>		
	\$ 186.75	\$ 51.45
<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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**SCHEDULE "FOUR"  
To By-law No. 3-16**

**SCHEDULE "C-2"**

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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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