

THE REGIONAL MUNICIPALITY OF HALTON

BY-LAW NO. 77-09

A BY-LAW TO AMEND 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.

WHEREAS by By-law No. 62-08, passed on May 28, 2008, the Council of the Regional Municipality of Halton (hereinafter referred to as "Council") established water, wastewater, roads and general services development charges for the Regional Municipality of Halton (HUSP/NON-HUSP);

AND WHEREAS section 17 of By-law No. 62-08 provides for the automatic, annual adjustment of the development charges under the By-law on April 1st of each year in accordance with the Statistics Canada Quarterly, Construction Price Statistics (catalogue number 62-007) (hereinafter referred to as the "Index");

AND WHEREAS the Index has been exhibiting volatility such that an annual adjustment may not accurately reflect economic conditions prevailing at the time of the adjustment;

AND WHEREAS Subsection 19(1) of the *Development Charges Act, 1997*, S. O. 1997, c. 27, as amended (hereinafter referred to as the "Act") permits Council to amend a development charges by-law;

AND WHEREAS Council had before it a report entitled Halton Development Charge Background Study Related to Indexing of Development Charges dated May 13, 2009 (hereinafter referred to as the "Study");

AND WHEREAS the Study and the proposed by-law to amend By-law No. 62-08 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 May 27, 2009 and Council and its Administration and Finance Committee received written submissions and heard comments and representations from all persons who applied to be heard;

AND WHEREAS at a meeting open to the public held on June 24, 2009, Council approved the Study and determined 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:

1. THAT 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 (HUSP/NON-HUSP), be and is hereby amended as follows:
 - (a) That section 17 be deleted and the following substituted therefore:
 - “17. 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 July 1st, 2009 and October 1st, 2009, in accordance with the Statistics Canada Quarterly, Construction Price Statistics (catalogue number 62-007). Commencing April 1st, 2010 and in each year thereafter, 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 an annual basis, in accordance with the Statistics Canada Quarterly, Construction Price Statistics (catalogue number 62-007).”
2. THAT all other terms and conditions of By-law No. 62-08 shall continue in full force and effect.
3. THAT a certified copy of this By-law may be registered in the Land Titles Office as against any land to which By-law No. 62-08, as amended, applies.
4. THAT this By-law comes into force on the day it is passed.

READ and PASSED this 24th day of June, 2009.

REGIONAL CHAIR

REGIONAL CLERK