

BY-LAW NO. XX-2018

**A BY-LAW TO AMEND BY-LAW 60-2015
BEING A BY-LAW TO IMPOSE DEVELOPMENT CHARGES**

Passed the xxth day of xx, 2018.

WHEREAS the City of Windsor enacted By-law 60-2015 pursuant to the *Development Charges Act, 1997*, S.O. 1997, c. 27 (the "Act"), which Act authorizes Council to pass by-laws for the imposition of development charges against land;

AND WHEREAS the City has identified development-related capital infrastructure to meet the needs of anticipated development in the Sandwich South Planning District;

AND WHEREAS these development-related capital costs were not known, or fully known, at the time of the City's last development charges background study;

AND WHEREAS Section 19 of the *Act* provides for amendments to a development charges by-law;

AND WHEREAS Council of The Corporation of the City of Windsor (Council) had before it a report entitled "Development Charges Amendment Background Study for the Sandwich South Planning District" prepared by Hemson Consulting Ltd., dated May 24, 2018 (the "amendment study");

AND WHEREAS the amendment study was made available to the public and Council gave notice to the public and Council held a meeting pursuant to section 12 of the Act on June 18, 2018, prior to which the amendment study and the proposed development charge by-law amendment were made available to the public in accordance with the *Act* and Council heard comments and representations from all persons who applied to be heard (the "public meeting");

AND WHEREAS Council of The Corporation of the City of Windsor at its meeting held on July 23, 2018 approved the Study and determined that no further public meeting was required under Section 12 of the *Act*;

AND WHEREAS by resolution adopted by Council of The Corporation of the City of Windsor on July 23, 2018, Council has indicated that it intends to ensure that the increase in the need for services attributable to the anticipated development, including any capital costs, will be met, by updating its capital budget and forecast where appropriate;

AND WHEREAS by resolution adopted by Council of The Corporation of the City of Windsor on July 23, 2018, Council has indicated its intent that the future excess capacity identified in the amendment study, dated May 24, 2018, prepared by Hemson Consulting Limited, shall be paid for by development charges or other similar charges;

NOW THEREFORE the Council of The Corporation of the City of Windsor enacts as follows:

1. That s.1 of By-law 60-2015, be amended as follows:

(a) By adding the following definition:

"Sandwich South Planning District" means the geographic area defined as the Sandwich South Planning District as set out in Schedule A of the City's Official Plan, and as shown on Schedule F.1 attached hereto;

(b) By deleting the definition of "development charges background study" and substituting the following therefor:

"development charges background study" means the Development Charges Background Study prepared by Hemson Consulting Ltd. dated April 10, 2015 and the Development Charges Amendment Background Study for the Sandwich South Planning District prepared by Hemson Consulting Ltd. dated May 24, 2018".

2. That s.2 of By-law 60-2015 be amended by deleting the section and substituting the following therefor:

2. "The categories of service for which development charges are established and imposed under this by-law are as described on Schedules B through F".

3. That s.3 of By-law 60-2015 be amended by adding s.3.(3) as follows:

3.(3) Despite the provisions of s.3(1), development in the Sandwich South Planning District, as shown on Schedule F.1, with the exception of the lands defined as Airport Land and Solar Farm, is subject to the development charge rates shown on Schedule F.2."

4. That s.6 of By-law 60-2015 be amended by adding the following subsection:

6.(1)(a1) Despite the provisions of subsection 6(1)(a), the amount of the development charge in the Sandwich South Planning District shall be as shown in Schedule F.2 of this by-law, and

5. That s.7 of By-law 60-2015 be amended by adding the following subsection:

7.(1)(a1) Despite subsection 7(1)(a), the amount of the development charge in the Sandwich South Planning District shall be as shown on Schedule F.2 of this by-law, and

6. That s.16 is amended by deleting s.16 and substituting the following therefor:

16(1) "Schedules "A", "A.1", "A.2", "A.3", "B", "C", "D", "E", "F.1" and "F.2" attached hereto together with all notations, references and other information shown thereon form part of this by-law.

7. This by-law shall come into force and take effect on July 23, 2018.

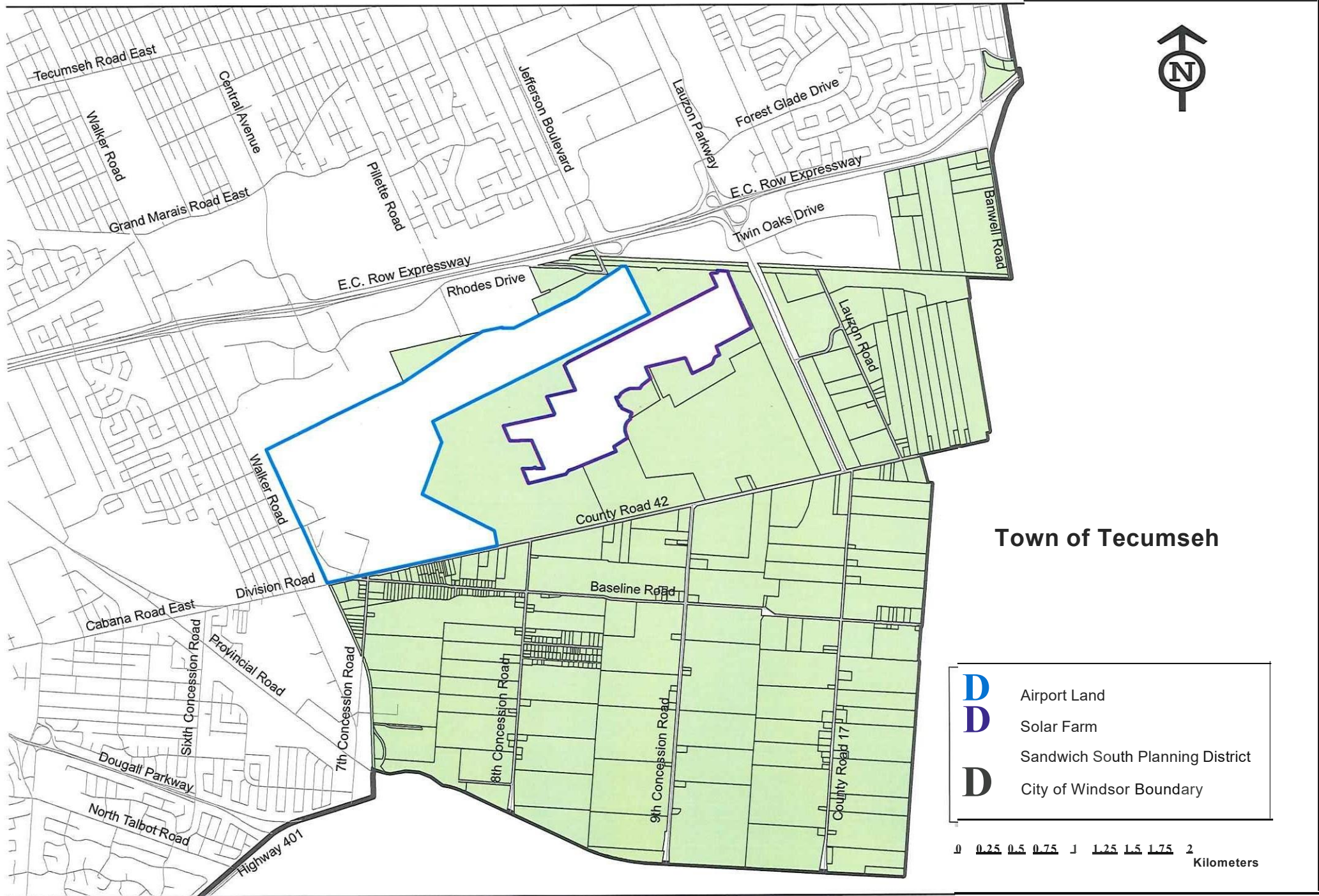
8. Except as amended by this By-law, all provisions of By-law 60-2015, shall remain in full force and effect.

Drew Dilkens, MAYOR

CLERK

First Reading , 2018
Second Reading , 2018
Third Reading , 2018

Schedule F.1 to By-law XX-2018 - Sandwich South Planning District



SCHEDULE "F.2"
TOBY-LAW XX-2018

BEING A BY-LAW TO IMPOSE
DEVELOPMENT CHARGES
RATES IN EFFECT FROM AUGUST 1, 2018 TO MAY 31 2019

SANDWICH SOUTH PLANNING DISTRICT

Service	Residential Charae Bv Unit Tvne			Non-Residential Charae Per Sauare Metre of GFA			
	Single Detached	Semis, Rows & Other Multiples	Apartments	Industrial(1)		Non-Industrial	
	\$/unit	\$/unit	\$/unit	\$/sq.m	\$/sq.ft	\$/sq.m	\$/sq.ft
General Government	\$102	\$73	\$50	\$0.00	\$0.00	\$0.38	\$0.04
Library Board	\$134	\$95	\$64	\$0.00	\$0.00	\$0.00	\$0.00
Fire Services	\$182	\$129	\$87	\$0.00	\$0.00	\$0.60	\$0.05
Police	\$171	\$121	\$82	\$0.00	\$0.00	\$0.60	\$0.05
Indoor Recreation	\$620	\$440	\$296	\$0.00	\$0.00	\$0.00	\$0.00
Park Development	\$531	\$377	\$254	\$0.00	\$0.00	\$0.00	\$0.00
Public Works and Fleet	\$107	\$76	\$52	\$0.00	\$0.00	\$0.38	\$0.04
Parking	\$97	\$69	\$46	\$0.00	\$0.00	\$0.33	\$0.03
Transit	\$162	\$114	\$77	\$0.00	\$0.00	\$0.54	\$0.05
Sub-Total General Services Charge^{1,1}	\$2,106	\$1,494	\$1,008	\$0.00	\$0.00	\$2.83	\$0.26
Roads And Related	\$25,147	\$16,934	\$12,065	\$0.00	\$0.00	\$101.90	\$9.47
Sanitary Sewer	\$1,865	\$1,256	\$895	\$0.00	\$0.00	\$7.55	\$0.70
Pollution Control ¹²¹	\$1,072	\$762	\$512	\$0.00	\$0.00	\$5.44	\$0.51
Storm Sewer & Municipal Drains	\$8,584	\$5,781	\$4,118	\$0.00	\$0.00	\$34.79	\$3.23
Water	\$2,052	\$1,382	\$984	\$0.00	\$0.00	\$8.31	\$0.77
Sub-Total Engineered Services Charge	\$38,720	\$26,116	\$18,674	\$0.00	\$0.00	\$167.99	\$14.68
TOTAL DEVELOPMENT CHARGE	\$40,826	\$27,609	\$19,682	\$0.00	\$0.00	\$160.82	\$14.94

Note:

(1) As per section 12(e) of this by-law Industrial land uses are exempt from the payment of these charges.

(2) General Services and Pollution Control charges applicable to the Sandwich South Planning District are consistent with the City-wide charges shown in Schedule B of this by-law.