

THE CORPORATION OF THE CITY OF WELLAND

BY-LAW NUMBER 2011 - 124

BEING A BY-LAW TO AMEND BY-LAW 2009-93 BEING A BY-LAW TO ESTABLISH DEVELOPMENT CHARGES FOR THE CITY OF WELLAND FOR DESIGNATED SERVICES IN ACCORDANCE WITH THE DEVELOPMENT CHARGES ACT, 1997

WHEREAS Section 2 of the Development Charges Act, 1997 enables a Municipality to 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 the Council of the Corporation of the City of Welland held the required Public Meeting in accordance with Section 12 of the Development Charges Act, 1997, on May 5, 2009;

AND WHEREAS the Council of the Corporation of the City of Welland has accepted a Report, entitled Development Charge Background Study, dated April 17, 2009 with Addenda dated May 5, 2009, May 29, 2009 and June 15, 2009, prepared by Watson & Associates Economists Ltd.;

AND WHEREAS the Council of the Corporation of the City of Welland passed By-law 2099-93 being a By-law to establish Development Charges for the City of Welland for Designated Services in Accordance with the Development Charges Act, 1997, on June 16, 2009;

AND WHEREAS 1454417 Ontario Ltd., Lea Silvestri Investments Ltd., Triple-F Developments Inc., Sterling Realty (Niagara) Inc. and 2090572 Ontario Inc. appealed By-law 2099-93 to the Ontario Municipal Board;

AND WHEREAS the Ontario Municipal Board held a Mediation session on February 10 and 11, 2011 where Vincent Policella Masonry Contractor Limited was included as an Appellant and where a settlement was reached among all parties with the exception of 2090572 Ontario Inc.;

AND WHEREAS the Ontario Municipal Board convened a Hearing on February 11, 2011 to acknowledge the execution of Minutes of Settlement;

AND WHEREAS, on consent, the appeals by 1454417 Ontario Ltd., Lea Silvestri Investments Ltd., Triple-F Development Inc., Sterling Realty (Niagara) Inc. and Vincent Policella Masonry Contractor Limited were withdrawn;

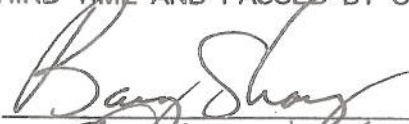
AND WHEREAS the Ontario Municipal Board, on August 22, 2011, issued an Order that Council for the City of Welland is directed to amend By-law 2009-93;

AND WHEREAS the Council of the Corporation of the City of Welland has accepted Modifications to the 2009 Development Charge Background Study (Revised as of June 19, 2009 pursuant to the Ontario Municipal Board Mediation Session and Hearing of February 10 and 11, 2011;

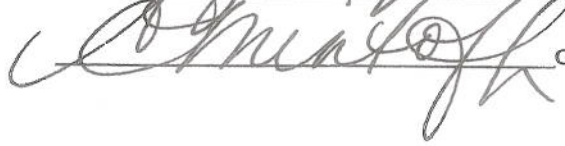
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF WELLAND ENACTS AS FOLLOWS:

1. That Schedules "A" and "B" to By-law 2009-93 are hereby amended by deleting same and replacing with Schedules "A" and "B" attached hereto to this By-law.

READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS
30TH DAY OF AUGUST, 2011.



MAYOR



CLERK

SCHEDULE "A"

TO BY-LAW 2011-124 OF THE CITY OF WELLAND

EFFECTIVE AUGUST 1, 2009 – DECEMBER 31, 2009

CITY OF WELLAND DEVELOPMENT CHARGES						
	(BY TYPE OF RESIDENTIAL USE - PER DWELLING UNIT)					NON-RESIDENTIAL (PER SQ.FT. OF GFA) *
	SINGLE/SEMI/DUPLEX DWELLINGS/ MODEL HOMES	LOW DENSITY MULTIPLE DWELLINGS	BACHELOR AND ONE BEDROOM APARTMENT	TWO OR MORE BEDROOM APARTMENTS	RETIREMENT HOME OR LODGE/ SPECIAL CARE/SPECIAL NEEDS *	
CITY WATER SERVICE AND SANITARY SEWER						
Administration (Development-related Studies)	\$217	\$181	\$94	\$145	\$108	\$0.29
Fire Facilities and Equipment	\$169	\$141	\$72	\$111	\$160	\$0.43
Roads	\$1,955	\$1,637	\$842	\$1,293	\$577	\$1.57
Public Works	\$73	\$61	\$31	\$48	\$160	\$0.43
Transit Vehicles	\$129	\$107	\$55	\$84	\$94	\$0.25
Recreation	\$316	\$265	\$134	\$209	\$900	\$0.27
Library Facility	\$343	\$289	\$148	\$228	\$133	\$0.04
Water Distribution	\$805	\$508	\$261	\$402	\$136	\$0.37
Sanitary Sewerage	\$339	\$284	\$147	\$225	\$203	\$0.55
Stormwater Management	\$1,000	\$845	\$438	\$595	\$0	\$0.00
	\$5,146	\$4,317	\$2,222	\$3,340	\$2,471	\$4.20
ST. ANDREW'S TERRACE SUBDIVISION (SEE NOTE 1)						
Administration (Development-related Studies)	\$217	\$181				\$0.29
Fire Facilities and Equipment	\$169	\$141				\$0.43
Roads	\$417	\$350				\$1.57
Public Works	\$73	\$61				\$0.43
Transit Vehicles	\$129	\$107				\$0.25
Recreation	\$316	\$265				\$0.27
Library Facility	\$343	\$289				\$0.04
Water Distribution	\$805	\$508				\$0.37
Sanitary Sewerage	\$339	\$284				\$0.55
Stormwater Management	\$1,000	\$845				\$0.00
	\$3,608	\$3,030				\$4.20

NOTES:

1. Should the existing private roads become public (assumed by the City of Welland) full Development Charges shall apply - Plan 59M-269 and Plan 59M-373

* COMMENCING JANUARY 1, 2010, DEVELOPMENT CHARGES WILL BE ADJUSTED ANNUALLY, EFFECTIVE JANUARY 1ST, BASED UPON STATISTICS CANADA QUARTERLY, "CONSTRUCTION PRICE STATISTICS" (CATALOGUE NO. 63-007)

SCHEDULE "A" - CONTINUED

TO BY-LAW 2011-124 OF THE CITY OF WELLAND

EFFECTIVE JANUARY 1, 2010 – DECEMBER 31, 2010

CITY OF WELLAND DEVELOPMENT CHARGES						
(BY TYPE OF RESIDENTIAL USE - PER DWELLING UNIT)						
	SINGLE/SEMI/DUPLEX DWELLINGS/ MODEL HOMES **	LOW DENSITY MULTIPLE DWELLINGS **	BACHELOR AND ONE BEDROOM APARTMENT **	TWO OR MORE BEDROOM APARTMENTS **	RETIREMENT HOME OR LODGE/ SPECIAL CARE/ SPECIAL NEEDS *	NON-RESIDENTIAL (PER SQ.FT. OF GFA) *
CITY WATER SERVICE AND SANITARY SEWER						
Administration (Development-related Studies)	\$280	\$218	\$123	\$188	\$108	\$0.29
Fire Facilities and Equipment	\$416	\$324	\$183	\$279	\$160	\$0.43
Roads	\$1,766	\$1,360	\$774	\$1,179	\$675	\$1.83
Public Works	\$417	\$325	\$184	\$280	\$160	\$0.43
Transit Vehicles	\$245	\$191	\$108	\$164	\$94	\$0.25
Recreation	\$2,082	\$1,625	\$918	\$1,390	\$802	\$0.01
Library Facility	\$346	\$270	\$152	\$232	\$133	\$0.04
Water Distribution	\$354	\$276	\$156	\$238	\$138	\$0.37
Sanitary Sewerage	\$529	\$412	\$233	\$355	\$203	\$0.55
	\$6,425	\$5,010	\$2,831	\$4,313	\$2,471	\$4.20
ST. ANDREW'S TERRACE SUBDIVISION (SEE NOTE 1)						
Administration (Development-related Studies)	\$280	\$218				\$0.29
Fire Facilities and Equipment	\$416	\$324				\$0.43
Roads	\$575	\$449				\$1.83
Public Works	\$417	\$325				\$0.43
Transit Vehicles	\$245	\$191				\$0.25
Recreation	\$2,082	\$1,625				\$0.01
Library Facility	\$346	\$270				\$0.04
Water Distribution	\$354	\$276				\$0.37
Sanitary Sewerage	\$529	\$412				\$0.55
	\$5,244	\$4,090				\$4.20

NOTES:

1. Should the existing private roads become public (assumed by the City of Welland) full Development Charges shall apply - Plan 59M-269 and Plan 59M-373

* COMMENCING JANUARY 1, 2010, DEVELOPMENT CHARGES WILL BE ADJUSTED ANNUALLY, EFFECTIVE JANUARY 1ST, BASED UPON STATISTICS CANADA QUARTERLY, "CONSTRUCTION PRICE STATISTICS" (CATALOGUE NO. 62-007)

** COMMENCING JANUARY 1, 2011, DEVELOPMENT CHARGES WILL BE ADJUSTED ANNUALLY, EFFECTIVE JANUARY 1ST, BASED UPON STATISTICS CANADA QUARTERLY, "CONSTRUCTION PRICE STATISTICS" (CATALOGUE NO. 62-007)

SCHEDULE "B"

TO BY-LAW 2011-124 OF THE CITY OF WELLAND

EFFECTIVE AUGUST 1, 2009 – DECEMBER 31, 2009

	CITY OF WELLAND DEVELOPMENT CHARGES					
	(BY TYPE OF RESIDENTIAL USE - PER DWELLING UNIT)					
	SINGLE/SEMI/PLEX DWELLINGS/ MODEL HOMES	LOW DENSITY MULTIPLE DWELLINGS	BACHELOR AND ONE BEDROOM APARTMENT	TWO OR MORE BEDROOM APARTMENTS	RETIREMENT HOME OR LODGE/ SPECIAL CARE/SPECIAL NEEDS*	NON-RESIDENTIAL (PER SQ.FT. OF GFA)*
NO SANITARY SEWERS OR WATER SERVICE						
Administration (Development-related Studies)	\$217	\$181	\$94	\$145	\$100	\$0.29
Fire Facilities and Equipment	\$169	\$141	\$72	\$111	\$160	\$0.43
Roads	\$1,955	\$1,637	\$842	\$1,293	\$577	\$1.57
Public Works	\$73	\$61	\$31	\$48	\$160	\$0.43
Transit Vehicles	\$129	\$107	\$55	\$84	\$94	\$0.25
Recreation	\$316	\$265	\$134	\$209	\$900	\$0.27
Library Facility	\$343	\$288	\$143	\$228	\$133	\$0.04
Water Distribution	\$0	\$0	\$0	\$0	\$0	\$0.00
Sanitary Sewerage	\$0	\$0	\$0	\$0	\$0	\$0.00
Stormwater Management	\$0	\$0	\$0	\$0	\$0	\$0.00
	\$3,202	\$2,680	\$1,376	\$2,118	\$2,132	\$3.28
WATER SERVICE AVAILABLE, NO SANITARY SEWERS						
Administration (Development-related Studies)	\$217	\$181	\$94	\$145	\$108	\$0.29
Fire Facilities and Equipment	\$169	\$141	\$72	\$111	\$160	\$0.43
Roads	\$1,955	\$1,637	\$842	\$1,293	\$677	\$1.57
Public Works	\$73	\$61	\$31	\$48	\$160	\$0.43
Transit Vehicles	\$129	\$107	\$55	\$84	\$94	\$0.25
Recreation	\$316	\$265	\$134	\$209	\$900	\$0.27
Library Facility	\$343	\$288	\$148	\$228	\$133	\$0.04
Water Distribution	\$606	\$508	\$261	\$402	\$136	\$0.37
Sanitary Sewerage	\$0	\$0	\$0	\$0	\$0	\$0.00
Stormwater Management	\$0	\$0	\$0	\$0	\$0	\$0.00
	\$3,807	\$3,188	\$1,637	\$2,520	\$2,266	\$3.55
SANITARY SEWERS AVAILABLE, NO WATER SERVICE						
Administration (Development-related Studies)	\$217	\$181	\$94	\$145	\$100	\$0.29
Fire Facilities and Equipment	\$169	\$141	\$72	\$111	\$160	\$0.43
Roads	\$1,955	\$1,637	\$842	\$1,293	\$577	\$1.57
Public Works	\$73	\$61	\$31	\$48	\$160	\$0.43
Transit Vehicles	\$129	\$107	\$55	\$84	\$94	\$0.25
Recreation	\$316	\$265	\$134	\$209	\$900	\$0.27
Library Facility	\$343	\$288	\$143	\$228	\$133	\$0.04
Water Distribution	\$0	\$0	\$0	\$0	\$0	\$0.00
Sanitary Sewerage	\$339	\$284	\$147	\$225	\$203	\$0.55
Stormwater Management	\$0	\$0	\$0	\$0	\$0	\$0.00
	\$3,541	\$2,964	\$1,523	\$2,343	\$2,335	\$3.83

* COMMENCING JANUARY 1, 2010, DEVELOPMENT CHARGES WILL BE ADJUSTED ANNUALLY, EFFECTIVE JANUARY 1ST, BASED UPON STATISTICS CANADA QUARTERLY, "CONSTRUCTION PRICE STATISTICS" (CATALOGUE NO. 62-007)

SCHEDULE "B" - CONTINUED

TO BY-LAW 2011-124 OF THE CITY OF WELLAND

EFFECTIVE JANUARY 1, 2010 - DECEMBER 31, 2010

CITY OF WELLAND DEVELOPMENT CHARGES						
	(BY TYPE OF RESIDENTIAL USE - PER DWELLING UNIT)					NON-RESIDENTIAL (PER SQ.FT. OF GFA) *
	SINGLE/SEMI/DOUPLE DWELLINGS/ MODEL HOMES **	LOW DENSITY MULTIPLE DWELLINGS **	BACHELOR AND ONE BEDROOM APARTMENT **	TWO OR MORE BEDROOM APARTMENTS **	RETIREMENT HOME OR LODGE/ SPECIAL CARE/SPECIAL NEEDS *	
NO SANITARY SEWERS OR WATER SERVICE						
Administration (Development-related Studies)	\$280	\$218	\$123	\$188	\$108	\$0.29
Fire Facilities and Equipment	\$416	\$324	\$183	\$279	\$160	\$0.43
Roads	\$1,756	\$1,369	\$774	\$1,179	\$675	\$1.83
Public Works	\$417	\$325	\$184	\$250	\$160	\$0.43
Transit Vehicles	\$245	\$191	\$108	\$164	\$94	\$0.25
Recreation	\$2,082	\$1,825	\$918	\$1,398	\$802	\$0.01
Library Facility	\$346	\$270	\$152	\$232	\$133	\$0.04
Water Distribution	\$0	\$0	\$0	\$0	\$0	\$0.00
Sanitary Sewerage	\$0	\$0	\$0	\$0	\$0	\$0.00
	\$5,542	\$4,322	\$2,442	\$3,720	\$2,132	\$3.28
WATER SERVICE AVAILABLE, NO SANITARY SEWERS						
Administration (Development-related Studies)	\$280	\$218	\$123	\$188	\$108	\$0.29
Fire Facilities and Equipment	\$416	\$324	\$183	\$279	\$160	\$0.43
Roads	\$1,756	\$1,369	\$774	\$1,179	\$675	\$1.83
Public Works	\$417	\$325	\$184	\$280	\$160	\$0.43
Transit Vehicles	\$245	\$191	\$108	\$164	\$94	\$0.25
Recreation	\$2,062	\$1,825	\$916	\$1,398	\$802	\$0.01
Library Facility	\$346	\$270	\$152	\$232	\$133	\$0.04
Water Distribution	\$354	\$276	\$156	\$238	\$136	\$0.37
Sanitary Sewerage	\$0	\$0	\$0	\$0	\$0	\$0.00
	\$5,898	\$4,598	\$2,598	\$3,958	\$2,268	\$3.65
SANITARY SEWERS AVAILABLE, NO WATER SERVICE						
Administration (Development-related Studies)	\$280	\$218	\$123	\$188	\$108	\$0.29
Fire Facilities and Equipment	\$416	\$324	\$183	\$279	\$160	\$0.43
Roads	\$1,756	\$1,369	\$774	\$1,179	\$675	\$1.83
Public Works	\$417	\$325	\$184	\$280	\$160	\$0.43
Transit Vehicles	\$245	\$191	\$108	\$164	\$94	\$0.25
Recreation	\$2,082	\$1,825	\$918	\$1,398	\$802	\$0.01
Library Facility	\$346	\$270	\$152	\$232	\$133	\$0.04
Water Distribution	\$0	\$0	\$0	\$0	\$0	\$0.00
Sanitary Sewerage	\$529	\$412	\$233	\$355	\$203	\$0.56
	\$6,071	\$4,734	\$2,675	\$4,075	\$2,335	\$3.83

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