

**CORPORATION OF THE TOWN OF AMHERSTBURG  
BY-LAW NO. 2015-61**

**By-law to Amend Development Charges By-law 2014-101,  
Extension of the timeline for the exemption on non-residential Development  
Charges Amendment By-law**

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**WHEREAS** the Town of Amherstburg will experience growth through development and re-development;

**AND WHEREAS** development and re-development requires the provision of physical and social services by the Town of Amherstburg;

**AND WHEREAS** Council desires to ensure that the capital cost of meeting growth-related demands for or burden on municipal services does not place an excessive financial burden on the Town of Amherstburg or its existing taxpayers while at the same time ensuring new taxpayers contribute no more than the net capital cost attributable to providing the current level of municipal services;

**AND WHEREAS** subsection 2(1) of the *Development Charges Act, 1997* (the "Act"), as amended, 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;

**AND WHEREAS** Council of the Town of Amherstburg enacted the Town of Amherstburg Development Charges By-law No. 2014-101 on October 3, 2014;

**AND WHEREAS** the Council of the Corporation of the Town of Amherstburg has given notice in accordance with Section 12 of the *Development Charges Act, 1997*, as amended, of its intention to pass a by-law to amend By-law 2014-101 to modify the timeline regarding the implementation of non-residential development charges;

**AND WHEREAS** the Council of the Town of Amherstburg has heard all persons who applied to be heard no matter whether in objection to, or in support of, the amendment to By-law 2014-101;

**AND WHEREAS** Council of the Town of Amherstburg has before it a Development Charges Background Study, dated May 27, 2015, in which certain recommendations were made relating to the timeline for the implementation of non-residential development charges in By-law 2014-101;

**AND WHEREAS** Council of the Town of Amherstburg on June 15, 2015, determined that no additional public meeting was required;

**NOW THEREFORE** the Council of the Corporation of the Town of Amherstburg enacts as follows:

1. THAT Section 3.11 APPLICATION OF BY-LAW RULES- NON-RESIDENTIAL is hereby deleted in its entirety and replaced with the following:

Non-Residential

- 3.11(a) The development charges described in Schedule "B" to this By-law shall be imposed on non-residential uses of lands, buildings or structures, and, in the case of a mixed use building or structure, on the non-residential uses in the mixed use building or structure, and calculated with respect to each of the services according to the total floor area of the non-residential use. Refer to subsequent schedules for exceptions.

- (b) The following percentage of each service for non-residential uses, as provided in Schedule "B", shall be imposed:

Service	NON-RESIDENTIAL	
	Year 1 November 2014 - December 2015	Years 2 to 5 December 2015 - November 2019
<b>Municipal Wide Services</b>		
Transportation Services	0%	100%
Fire Protection Services	0%	100%
Police Services	0%	100%
Parks and Recreation Services	0%	100%
Administration – Studies	0%	100%
<b>Urban Services</b>		
Wastewater	0%	100%
Water	0%	100%

2. THAT By-law 2014-101 is hereby amended to give the effect to the foregoing, but that By-law 2014-101 shall in all other respects remain in full force and effect.
3. THAT this By-law shall come into force and effect on the date of enactment.
4. THAT this By-law may be cited as "By-law 2015-61, By-law to Amend Development Charges By-law 2014-101, Extension of the timeline for the exemption on non-residential Development Charges Amendment By-law."

Read a first, second and third time and finally passed this 15<sup>th</sup> day of June, 2015.

  
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 MAYOR – ALDO DICARLO

  
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 CLERK – PAULA PARKER