



The Corporation of the Township of Hamilton

By-law Number 2015 - 40

BEING A BY-LAW TO AMEND THE DEVELOPMENT CHARGES BY-LAW 2014-41

WHEREAS the Council of the Corporation of the Township of Hamilton (hereinafter referred to as "the Council") wishes to amend the current Development Charges By-law 2014-41;

AND WHEREAS the Development Charges Act, 1997 permits Council to pass by-laws for the imposition of development charges if development or re-development of land within the Township of Hamilton is for uses which would increase the need for municipal services and one or more of the actions set out in subsection 2(2) of the Development Charges Act, 1997 are required for such development or re-development;

AND WHEREAS Council retained the services of **Clark Consulting Services** to prepare an amending By-law with respect to the Development Charges By-law;

AND WHEREAS Council, pursuant to Section 12 of the Act, held a public information meeting on **July 7th, 2015**; placed an advertisement in a local paper on June 10 regarding the July 7 public meeting and received a presentation by the consultant at the May 12 Committee of the Whole meeting.

AND WHEREAS Council has considered the comments of people at the said public meetings and comments subsequently received;

AND WHEREAS Council has complied with the pre-enactment requirements set out in Sections 10, 11 and 12 of the Act;

NOW THEREFORE this By-law is **Enacted** as a By-law of the Corporation of the Township of Hamilton as follows:

1. That Section 1 is hereby amended to add the following definitions:
 - a. "solar PV installation" means any solar energy system comprised of one or more solar panels and associated control or conversion electronics that converts sunlight into electricity. A solar PV installation may be connected to the electricity grid in circuits at a substation to provide electricity off-site for sale to an electrical utility or other intermediary;
 - b. "telecommunications tower" means any tower, apparatus, structure or other thing that is used or is capable of being used for telecommunications or for any operation directly connected with telecommunications, and includes a transmission facility as defined in the Telecommunications Act.
 - c. "wind turbine" means any wind energy system, comprising one or more turbines, that converts energy into electricity, with a combined nameplate generating capacity greater than 100 kilowatts and consists of a wind turbine, a tower and associated control or conversion electronics. A wind turbine energy system may be connected to the electricity grid in circuits at a substation to provide electricity off-site for sale to an electrical utility or other intermediary.

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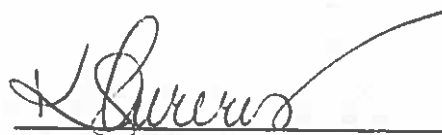
2. That Section 3 is hereby amended by the addition of the following sub-sections:
 - a. Solar PV Installations with a nameplate generation capacity of less than 100 kW shall be exempt from this by-law;
 - b. Wind Turbines with a nameplate generation capacity of less than 100 kW shall be exempt from this by-law;
 - c. Telecommunication Towers of less than 30 metres in height shall be exempt from this by-law.
3. That By-law 2014-41 is amended to add Schedule "D" as outlined on Schedule "A" attached hereto and by this reference forming part of this by-law.
4. This By-law, known as Development Charges Amending By-law 2015, shall come into force and effect on the date of adoption.
5. This By-law shall continue in force and effect until By-law 2014-41 expires, unless it is repealed at an earlier date.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED

THIS 7th DAY OF July, 2015.



Mark Lovshin, MAYOR



K. Surerus, MUNICIPAL CLERK

SCHEDULE "A"

TO THE CORPORATION OF THE TOWNSHIP OF HAMILTON

DEVELOPMENT CHARGES AMENDING BY-LAW 2015-40

(amending By-law 2014-41 the Development Charges By-law)

GREEN ENERGY DEVELOPMENTS

Solar PV Installations Development Charge (Installations of less than 100 kW are exempt)

Municipal Service	Development Charge per 500 kW	Percentage of Total Development Charge
Road Construction	\$2,857.00	63.14%
Road Equipment	\$976.00	21.57%
Fire Protection	\$692.00	15.29%
TOTAL	\$4,525.00	100.00%

Wind Turbine Systems Development Charge (Turbines of less than 100 kW are exempt)

Municipal Service	Development Charge per turbine	Percentage of Total Development Charge
Road Construction	\$2,857.00	63.14%
Road Equipment	\$976.00	21.57%
Fire Protection	\$692.00	15.29%
TOTAL	\$4,525.00	100.00%

Telecommunication Towers (Towers of less than 30 metres in height are exempt)

Municipal Service	Development Charge Per tower	Percentage of Total Development Charge
Road Construction	\$2,857.00	63.14%
Road Equipment	\$976.00	21.57%
Fire Protection	\$692.00	15.29%
TOTAL	\$4,525.00	100.00%