

## COMMUNITY AND CORPORATE AFFAIRS COMMITTEE AGENDA

**Meeting #:** CCA-10-2018  
**Date:** Monday, November 12, 2018, 3:00 p.m.  
**Location:** Halton Hills Town Hall, Council Chambers  
1 Halton Hills Drive  
**Members:** Mayor R. Bonnette, Councillor C. Somerville, Councillor J. Fogal,  
Councillor T. Brown, Councillor D. Kentner, Councillor A. Lawlor,  
Councillor J. Hurst

### Pages

1. CALL TO ORDER
2. DISCLOSURE OF PECUNIARY INTEREST
3. COMMITTEE DELEGATIONS/PRESENTATIONS
4. REPORTS & MEMORANDUMS FROM OFFICIALS

Vet Reports to be considered by the Community and Corporate Affairs Committee

Reports will be automatically held when there is a presentation or delegation on the matter.

- |    |  |    |
|----|--|----|
| a. | <u>REPORT NO. CORPSERV-2018-0047</u><br>CORPORATE SERVICES REPORT NO. CORPSERV-2018-0047 dated October 29, 2018 regarding Waiver of Development Charges- Bob Rumball Canadian Center of Excellence for the Deaf. | 3  |
| b. | <u>REPORT NO. FIRE 2018-0002</u><br>FIRE SERVICES REPORT NO. FIRE-2018-0002 dated November 1, 2018 regarding Update of the Town of Halton Hills Municipal Emergency Response Plan.                               | 7  |
| c. | <u>REPORT NO. RP-2018-0027</u><br>RECREATION & PARKS REPORT NO. RP-2018-0027 dated October 26, 2018 regarding Proposed Interim Amendments to Parkland Dedication Requirements for Medium and High Density Sites. | 11 |

**5. CLOSED SESSION**

Committee to Convene into Closed Session if necessary.

**6. RECONVENE INTO OPEN SESSION**

Motion to approve items pertaining to Closed Session.

**7. ADJOURNMENT**

## REPORT

**REPORT TO:** Community and Corporate Affairs Committee

**REPORT FROM:** Elizabeth Van Ravens, Tax Analyst  
Wendy O'Donnell, Deputy Treasurer and Manager of Revenue and Taxation

**DATE:** October 29, 2018

**REPORT NO.:** CORPSERV-2018-0047

**RE:** Waiver of Development Charges- Bob Rumball Canadian Center of Excellence for the Deaf

### RECOMMENDATION:

THAT Report No. CORPSERV-2018-0047 dated October 29, 2018 regarding the Waiver of Development Charges- Bob Rumball Canadian Center of Excellence for the Deaf be received;

AND FURTHER THAT Council approve the waiver of Town development charges for The Range operated by the Bob Rumball Canadian Centre of Excellence for the Deaf, as allowed under By-Law 2017-0049 section 3 (3) in the amount of \$4,725.34;

AND FURTHER THAT the Town contact the Region of Halton on behalf of the Bob Rumball Canadian Centre of Excellence for the Deaf, requesting they consider a grant in lieu of the Region's development charges amounting to \$22,869.36.

### BACKGROUND:

The Bob Rumball Canadian Centre of Excellence for the Deaf (BRCCED) is a registered charity that provides better futures for deaf, deaf-blind, and hard of hearing children and adults with additional special needs. It offers a variety of care and support services including:

- Children and adult group homes;
- Adult programs, e.g., providing activities, sports and community outings, computer use, motor and life skills development, employment readiness and volunteer opportunities;

- Respite care and parent relief, e.g., providing deaf individuals with special needs the chance to meet new friends and become involved in new activities in a signing environment.

The Centre is located at 7801 No. 5 Side Road and Highway 25. It serves the area from Burlington to Guelph, and from Cambridge-Kitchener-Waterloo to Orangeville.

### **COMMENTS:**

The Range is a driving range and golf centre; it is owned and operated by the Bob Rumball Canadian Centre of Excellence. The Range provides a unique working environment for the residents and clients of the BRCCED while providing a sense of responsibility and self-worth that ultimately makes a significant contribution to the community.

The majority of the staff employed at The Range are clients and residents of the BRCCED. Various job responsibilities include maintaining the grounds around the clubhouse, tee decks and putting and chipping greens, picking up balls, serving customers and stocking the shelves inside the clubhouse.

Any profits from The Range are used to augment services delivered to clients of the BRCCED.

In 2003, the Centre purchased a school portable from the Dufferin-Peel Catholic School Board. The portable was converted to a retail store where they sell golf balls and other golf services. Stairs and a deck were built around the portable. For unknown reasons, a permit application was not completed. Inspection staff recently paid a visit to the site to clear deficiencies.

The portable is 77.3 square meters with a 49.0 square meter deck and stairs. The portable conversion to retail results in development charges in the total amount of \$29,000.79, broken out as follows:

Town	\$ 4,725.34
Region	\$22,869.36
Public School Board	\$ 923.74
Catholic School Board	\$ 482.35

The Town's Development Charges By-Law No. 2017-0049 section 3 (3) allows for charities, non-profit, and not-for-profit organizations to apply to Council to seek relief from development charges if they meet the following criteria:

- (a) the building must be used for the exclusive or intended use of the organization;
- (b) the organization must have a valid registration number;
- (c) the organization must have been in existence for a period of at least three (3) years immediately prior to the application;
- (d) the organization must be willing to sign an undertaking under seal agreeing that it will pay the development charges if the property ownership is transferred to a non-charitable organization with three (3) years of the date of the building permit issuance, unless the transfer is part of the agreed upon business or purpose of the organization; and
- (e) the use of the building must be directly related to the core business or purpose of the organization.

The Range has requested that Council provide relief from the Town's development charges for their retail outlet. The school boards do not provide a waiver under their current by-laws. The Region also does not have a clause in their development charges by-law to exempt charitable organizations. The applicant has asked that Town Council contact Regional Council, requesting they consider a grant in lieu of the Region's development charges of \$22,869.36.

#### **RELATIONSHIP TO STRATEGIC PLAN:**

This report supports Council priorities related to the effective, efficient and economical delivery of the Town's existing services, and establishing sustainable financing, asset management and master plans to acquire, operate, maintain, renew and replace infrastructure.

#### **FINANCIAL IMPACT:**

The waiver of development charge fees for the Town will impact the Town's DC Reserves in the amount of \$4,725.34.

#### **CONSULTATION:**

Staff has worked with the applicant and the Region to establish an equitable solution.

#### **PUBLIC ENGAGEMENT:**

This report is an administrative matter and is not applicable.

#### **SUSTAINABILITY IMPLICATIONS:**

The Town is committed to implementing our Community Sustainability Strategy, Imagine Halton Hills. Doing so will lead to a higher quality of life.

The recommendation outlined in this report is not applicable to the Strategy's implementation.

**COMMUNICATIONS:**

Recommendations will be communicated to the applicant.

**CONCLUSION:**

Staff is recommending that Council approve the waiver of Town development charges for The Range, a charitable golf driving range and golf centre operated by the Bob Rumball Canadian Centre of Excellence for the Deaf, as per the Town's Development Charges By-Law 2017-0049 section 3 (3) in the amount of \$4,725.34. Staff is also recommending that the Region of Halton be contacted on behalf of the Bob Rumball Canadian Centre of Excellence for the Deaf, requesting that they consider a grant in lieu of the Region's development charges amounting to \$22,869.36.

Reviewed and Approved by,

A handwritten signature in black ink that reads "Wendy O'Donnell". The signature is written in a cursive, flowing style.

Wendy O'Donnell, Manager of Finance

A handwritten signature in black ink that reads "Jane Diamanti". The signature is written in a cursive, flowing style.

Jane Diamanti, Commissioner of Corporate Services

A handwritten signature in black ink that reads "Brent Marshall". The signature is written in a cursive, flowing style.

Brent Marshall, CAO

## REPORT

**REPORT TO:** Chair & Members of the Community and Corporate Affairs Committee

**REPORT FROM:** Harry Olivieri, Commissioner and Fire Chief,  
Community Emergency Management Coordinator

**DATE:** November 1, 2018

**REPORT NO.:** FIRE 2018-0002

**RE:** Update of the Town of Halton Hills Municipal Emergency Response Plan

### RECOMMENDATION:

THAT Report No. FIRE 2018-0002 dated November 1, 2018 regarding Update of the Town of Halton Hills Municipal Emergency Response Plan be received;

AND FURTHER THAT the Town of Halton Hills Community and Corporate Affairs Committee support the adoption of the revised Town of Halton Hills Municipal Emergency Response Plan dated November 1, 2018 and proposed by-law (see Appendix A);

AND FURTHER THAT the Town of Halton Hills Fire Department Community Emergency Management Coordinator (CEMC) continue with the given responsibility to update and provide revisions to the Appendices of the Municipal Emergency Response Plan as applicable.

### BACKGROUND:

The Emergency Management & Civil Protection Act R.S.O. 1990 enables municipalities to invoke planning measures to mitigate emergencies caused or created by forces of nature, an accident, an intentional act or otherwise that constitutes a danger of major proportions threatening public safety, public health, the environment, property, critical infrastructure and economic stability.

The first Town of Halton Hills Emergency Response Plan (ERP) was created in 1986. The ERP has been revised several times since with the most recent adopted in January 2011 through By-law 2011-0038. The plan has gone through annual reviews to ensure it continues to address the needs of the community.

## **COMMENTS:**

During the post incident review of the November 2017 Emergency Exercise one of the action items directed the Community Emergency Management Coordinator (CEMC) to ensure all Emergency Response Binders of the Emergency Control Group (ECG) & Emergency Support Group (ESG) be updated appropriately where necessary.

While conducting this task a complete review of the ERP and its Appendices was also undertaken. It was found that changes in the Corporations organizational structure needed to be reflected in the Plan to ensure responsibilities are appropriately allocated. Examples of these changes include such items as “Director of Engineering, Public Works and Building Services” changed to “Commissioner of Transportation and Public Works” and “Director of Finance and Treasurer” changed to “Commissioner of Corporate Services” to name a few.

Another change included the removal of three Regional staff positions from the ECG; Director of Emergency Medical Services, Commissioner of Social and Community Services and, Commissioner and Medical Officer of Health. This change was made at the request of the Regional CEMC as they are already members of the Regional Emergency Control Group. The Halton Hills ERP is written so that should there be a need for their assistance in our Emergency Operation Centre a request can be made for their services.

Staff has made the appropriate changes to titles and responsibilities in the November 2018 ERP. No other changes were made to the operational components of the Plan. In addition, Appendices of the ERP were also updated to ensure similar updates are incorporated. Such an example would be in “Appendix B – Contact List”. Title changes and contact information were appropriately updated to ensure the appropriate staff can be contacted in the event that the ECG or ESG members need to be assembled.

Due to the aforementioned changes to the ERP the Emergency Management & Civil Protection Act requires that Council pass a By-law adopting the updated Plan. Appendices of the plan may be updated by the CEMC and/or Town staff as necessary without the approval of Council.

## **RELATIONSHIP TO STRATEGIC PLAN:**

The contents of this report support the Strategic Direction under H; “Provide Sustainable Infrastructure and Services – Goal – to maintain and enhance community infrastructure and services that support our quality of life” and, Strategic Objective H 3; “To maintain adequate fire and emergency management services

## **FINANCIAL IMPACT:**

There is no financial impact on the budget.

## **CONSULTATION:**

The CEMC the Emergency Management Ontario District Officer and Regional CEMC were consulted throughout the process of revising the updates to the Municipal Emergency Response Plan. At the time of our 2018 review the Emergency



Management Ontario District Officer was supportive of the proposed amendments and that we were forwarding the updated plan to Council for approval.

**PUBLIC ENGAGEMENT:**

There is no public engagement impacts to this report.

**SUSTAINABILITY IMPLICATIONS:**

The Town is committed to implementing our Community Sustainability Strategy, Imagine Halton Hills. Doing so will lead to a higher quality of life. The relationship between this report and the Strategy is summarized below:

This initiative aligns with the Town's Sustainability Strategy Pillar; "Social Well-being." Having a strategy to advise and protect the community should an emergency occur, assists in maintaining a safe community.

**COMMUNICATIONS:**

With Committee & Council approval a copy of the revised Municipal Emergency Response Plan will be forwarded to Emergency Management Ontario, Regional Municipality of Halton, City of Burlington, Town of Milton and Town of Oakville for information purposes.

**CONCLUSION:**

The purpose of providing an updated plan is to allow the Municipality the avenue to consistently address the changing needs of the Corporation and emergency planning. The revised Municipal Emergency Response Plan meets the requirements of the Emergency Management and Civil Protection Act R.S.O. 1990 as amended and provides Council and staff with a plan for the efficient deployment of services and personnel to effectively respond to emergency situations within the Town of Halton Hills, enhancing our service capabilities and protecting our citizens.

Reviewed and Approved by,

A handwritten signature in black ink, appearing to read 'H. Olivieri', with a stylized flourish at the end.

Harry Olivieri, Chief & Commissioner of Fire Services

A handwritten signature in black ink, appearing to read 'Brent Marshall', with a stylized flourish at the end.

Brent Marshall, CAO



**BY-LAW NO. 2018- xxxx**

A By-law to adopt a revised Municipal Emergency Response Plan  
for the Town of Halton Hills

**WHEREAS** the Emergency Management and Civil Protection Act, RSO 1990, Chapter E-9, Subsection 3(1) as amended, provides that the Council of a municipality shall pass a by-law adopting an Emergency Response Plan governing the provision of necessary services during an emergency and the procedure under and the manner in which employees of the municipality and other persons will respond to the emergency;

**AND WHEREAS** the Town's Emergency Plan passed under the authority of By-law 2011-0038 requires update;

**AND WHEREAS** it is considered desirable to adopt a peace time Emergency Response Plan in preparation for a possible disaster;

**AND WHEREAS** on November 12, 2018, Council for the Town of Halton Hills adopted Report No. FIRE-2018-0002, dated November 1, 2018, in which certain recommendations were made relating to Update of the Halton Hills Municipal Emergency Response Plan.

**NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:**

1. The Corporation of the Town of Halton Hills Revised Emergency Response Plan dated November 1, 2018, a copy of which is attached hereto as Schedule "A" and forms part of this by-law, is hereby declared to be in force upon the enactment of this by-law.
2. The Appendices of the Emergency Response Plan may be updated by the Community Emergency Management Coordinator and/or Town staff as appropriate without the approval of Council and the updating and distribution of the Appendices are the duty of the Community Emergency Management Coordinator.
3. By-law 2011-0038 of the Town, as amended, is hereby repealed.

**BY-LAW** read and passed by the Council for the Town of Halton Hills this xx day of November, 2018.

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MAYOR – RICK BONNETTE

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CLERK – SUZANNE JONES

## **REPORT**

**REPORT TO:** Chair and Members of the Community and Corporate Affairs Committee

**REPORT FROM:** Kevin Okimi, Manager of Parks and Open Space

**DATE:** October 26, 2018

**REPORT NO.:** RP-2018-0027

**RE:** Proposed Interim Amendments to Parkland Dedication Requirements for Medium and High Density Sites

### **RECOMMENDATION:**

THAT Report No. RP-2018-0027, dated October 26, 2018, with respect to the Proposed Interim Amendments to Parkland Dedication Requirements for Medium and High Density Sites, be received;

AND FURTHER THAT the Community Affairs Committee recommend that Council approve the proposed amendments to the Parkland Dedication Bylaw 2002-0152 as contained within Appendix A of Report RP-2018-0027;

AND FURTHER THAT the staff be directed to prepare an amending bylaw as contained within Appendix B of Report RP-2018-0027 to update the Parkland Dedication Bylaw 2002-0152, in order to implement a cap of \$11,000 per unit for medium and high density developments as outlined in Report RP-2018-0027 until December 31, 2019;

AND FURTHER THAT staff report back on the recommendations of the consultant review of the Medium/High Density Parkland Dedication Policies regarding any further recommended changes to policies and procedures.

### **BACKGROUND:**

The Planning Act and the Town's Official Plan include provisions for Municipalities to require Parkland Dedication or Cash-in-Lieu of Parkland where appropriate, when development occurs in a Municipality. The requirements are detailed in the Town's Official Plan and Parkland Dedication Bylaw (2002-0152).

The Official Plan and Parkland Dedication bylaw outline a standard of 1 ha per 300 units for parkland dedication for Medium and High Density residential developments, or an alternative standard of 1 ha per 500 units if Cash-in-Lieu of Parkland is to be paid.

During staff's review of recent medium and high density planning applications, issues emerged with respect to the CIL of Parkland amounts and processes. The amount calculated was found to be significantly higher than historic amounts. As a result of this, staff retained a consultant to undertake a comprehensive review of the procedures and processes.

## **COMMENTS:**

The purpose of this report is to seek Council direction for staff to prepare an amending interim bylaw to the Parkland Dedication Bylaw, based on the preliminary result of the consultant's review.

The CIL of Parkland for the recent high and medium density developments have been calculated based on the appraisals obtained by Town staff, resulting in CIL of parkland amounts as high as \$35,000/unit. In some cases, the equivalent land required would be equal to the total size of the development parcel. Staff note that this amount calculated is considerably higher than any other CIL of parkland payments made by other medium and high density developments historically. The highest per unit CIL of parkland required in the past for Medium/High density (MD/HD) projects has been \$9,324 per unit in 2018 for a Medium Density Townhouse Development in Acton. Consent applications have paid CIL of Parkland amounts from \$10,000 to \$16,000 per unit.

## **Preliminary Consultant Findings:**

In order to confirm a fair and defensible CIL approach, the Town retained the Planning Partnership/N. Barry Lyon Consultants to review the Town's Medium/High Density Parkland Dedication requirements. This work is not finalized, however given there are various medium and high density projects under review by the Town where this issue will be encountered, staff are recommending that Council consider implementing an interim amending bylaw until the broader practices and policies can be finalized. The review includes review of other municipal practices, and a financial analysis of different development scenarios modeled after local developments. This review would allow staff and Council to better understand the implications of the CIL of Parkland amount on the viability of medium and high density projects. The preliminary information received from the consultant suggests that projects with heritage factors and brownfield/servicing issues are more sensitive to the impacts of municipal fees including CIL of Parkland, as these project costs impact industry standard profitability thresholds. Further, Council should consider capping as an incentive to encourage development in key areas such as Downtown, or CIP areas where complex projects are more common. The consultant recommends on a preliminary basis that the cap should be in the range of 25% of the total land area/value which they believe is supportable.

The consultant and staff also reviewed rates in other municipalities. The rates range from as low as \$4,050 per unit (cap) to the full amount. Where caps have been used, the municipalities who have updated their rates most recently have implemented a range from \$6,000 to \$10,000 per unit, or 20% to 25% of the total area depending on

local market conditions. It is noted however, that there is no consistent standard across municipalities with regards to what cap amount is implemented; it is primarily based on Council's desire to incentivize developments in key areas.

#### Parkland Supply / CIL of Parkland Reserve:

Council should be aware that based on the current Official Plan standards for parkland supply, the Town would have a projected deficit of parkland by 2031, even after the parkland planned in Vision Georgetown area is acquired. While these standards are also under review through the Parkland Acquisition Phase 2 Study, the deficit would likely remain at least 55 ha (136 acres) by 2031 even if Council were to adopt newer standards which are being considered. A large portion of the Downtown core also has a deficit of parkland, as there is no parkland which is accessible without crossing Main Street. The balance in the Parkland Reserve (as of September 2018) was \$4.9 million.

#### Staff Recommendation:

Based on the preliminary consultant findings and internal review, staff recommends that an interim amending bylaw be implemented that would institute a cap on CIL of Parkland of \$11,000 per unit for medium and high density developments in the following areas, as shown on the applicable Town of Halton Hills Official Plan Schedules:

- i. Downtown Georgetown
- ii. Downtown Acton
- iii. Brownfield Sub-Areas as identified in the Town of Halton Hills Community Improvement Plan;
- iv. Georgetown Community Node;
- v. Go Station Area; and
- vi. Civic Centre District.

Staff also recommends that this cap be applied to the Brownfield Sub-Areas as identified in the Town of Halton Hills Community Improvement Plan.

Should Council wish to apply this cap to other medium and high density properties outside of the areas noted above, an amendment would be required to the Parkland Dedication Bylaw to designate additional areas, and include them in the areas where the cap would apply.

The rationale for this recommendation is as follows:

- The cap would provide an incentive to development in the priority infill areas identified by the Town through the Official Plan and Secondary Plans;
- The cap would provide an incentive for high priority sites with significant Heritage features and complex servicing requirements within the priority areas by providing some relief of the CIL of parkland amount;

- The cap would provide an incentive for Brownfield sites that would not otherwise be eligible for CIP reduction for Brownfields because of lack of parkland in the area;
- The proposed cap is generally consistent with recent caps implemented in other municipalities and with the consultants preliminary recommendation (25% cap);
- The proposed cap is generally consistent with the maximum per unit for HD/MD paid in Town for other projects, particularly when inflation and local market conditions are considered;
- The proposed cap represents a lower rate per unit than Single Family Consent applications (lower occupancy in MD/HD units).

Staff recommends that the cap be approved only until December 31, 2019 pending the outcomes of the final consultant review. Staff would review and update the per unit caps based on general land value trends annually.

Staff will report back to Council once the consultant work is finalized, regarding any other proposed changes to policies and procedures regarding Parkland Dedication that arise out of the overall review by the consultant. These changes may require further amendments to the bylaw and/or the Official Plan Parkland policies.

The By-law amendment was developed working with the Town's legal counsel for major development files, Thomson, Rogers. A copy of the existing By-law with changes noted is included as Appendix A. The draft of the amending by-law is included as Appendix B.

## **RELATIONSHIP TO STRATEGIC PLAN:**

This report relates to the following Corporate Strategic Plan objectives

- A.1. To promote an adequate supply of housing and range of housing choices to meet the needs of present and future residents, including affordable, accessible and seniors housing.
- A.7 To establish a greenspace network for the recreational use of residents that complements the Natural Heritage System.
- A.8 To recognize that a healthy community is made up of an interconnected system of open spaces and natural heritage features.
- G.10 To promote intensification and affordable housing in appropriate locations within the Town.
- G.11 To ensure the efficient use of urban land and infrastructure in existing communities and new growth areas.

**FINANCIAL IMPACT:**

If Council approves the interim by-law cap amounts, the amount of cash-in-lieu of parkland collected will be reduced from the maximum that could be collected under the Planning Act, the Official Plan, and the current Parkland Dedication Bylaw. However, it would remain consistent with the amounts typically collected in Town in the past for medium density developments.

**CONSULTATION:**

Staff from the CAO's office and Planning and Sustainability Department, as well as the Town's Legal Counsel were involved in preparing this report.

**PUBLIC ENGAGEMENT:**

No specific public consultation has taken place at this time regarding these proposed amendments.

**SUSTAINABILITY IMPLICATIONS:**

The Town is committed to implementing our Community Sustainability Strategy, Imagine Halton Hills. Doing so will lead to a higher quality of life.

The report's recommendations are not applicable to the Strategy's implementation.

**COMMUNICATIONS:**

If Council supports the recommendations of this report, staff will advise representatives of any Developments affected by this change of the updates to the by-law.

**CONCLUSION:**

This report is provided to Council to receive direction on proposed interim amendments to the Parkland Dedication Bylaw, arising from issues emerging from recent medium and high density developments. Staff recommends a cap of \$11,000 per unit until December 31, 2019 be implemented.

Reviewed and Approved by,

A handwritten signature in black ink, appearing to read "Kevin Okimi".

Kevin Okimi, Manager of Parks & Open Space

A handwritten signature in black ink, appearing to read "Warren Harris".

Warren Harris, Commissioner of Recreation and Parks

A handwritten signature in black ink, appearing to read "Brent Marshall".

Brent Marshall, CAO



**THE CORPORATION OF THE TOWN OF HALTON HILLS**

**BY-LAW NO. 2002-0152**

A By-law Respecting the Conveyance of Land or Payment of  
Cash-in-lieu of Parkland for Public Park Purpose.

**WHEREAS** Section 42 of the Planning Act, authorized the enactment of by-laws requiring the conveyance of land to a municipality for public park or other public recreational purposes, as a condition of development or redevelopment of land within the municipality;

**AND WHEREAS** Sections 42(3) and 51.1(2) of the Planning Act further authorize an alternative method of calculating the parkland conveyance provided that there are Official Plan policies in effect with respect to the use of such alternative requirements;

**AND WHEREAS** Sections 42(6) and 51.1(3) of the Planning Act further authorize the payment of money in lieu of the conveyance of land;

**AND WHEREAS** Policies in section 7.2 of the Official Plan for the Town of Halton Hills, establish the provisions regarding the parkland dedication requirements, as referred to in the Planning Act;

**AND WHEREAS** Council now deems it necessary to amend certain regulations as contained in By-law 96-039 as amended;

**NOW, THEREFORE, THE COUNCIL FOR THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:**

1. In this By-law:

a) “Development” shall mean:

Amended by  
By-law  
2017-0013

(i) The construction, erection of placing of one or more buildings or structures on land; or

Amended by  
By-law  
2017-0013

(ii) The making of an addition or alternation to a building or structure, that has the effect of increasing the size or usability thereof; or

Amended by  
By-law  
2017-0013

(iii) The laying out and establishment of a commercial parking lot, as defined in the Comprehensive Zoning By-law; or

Amended by  
By-law  
2017-0013

(iv) The laying out and establishment of sites for the location of *three or more trailers as defined in s. 164(4) of the Municipal Act, 2001*, or

Amended by  
By-law  
2017-0013

(v) The laying out and establishment of sites for the location of three or more mobile homes, as defined in s. 46(1) of the Planning Act; or

Amended by  
By-law  
2017-0013

(vi) The laying out and establishment of a site for outdoor storage use, as defined in the Comprehensive Zoning By-law.

Amended by  
By-law  
2017-0013

b) “Buildable Area” shall-mean the net area of a site which is available for building once all applicable setbacks have been applied in accordance with the Comprehensive Zoning By-law

c)

“Town” shall mean the Corporation of the Town of Halton Hills;

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- d) “Official Plan” shall mean the Official Plan for the Town of Halton Hills, as amended from time to time;

Amended by  
By-law  
2017-0013

- e) “Comprehensive Zoning By-law” shall mean the Comprehensive Zoning By-law of the Town of Halton Hills, as amended from time to time.

2. *This By-law shall be applied as follows:*

- a) This By-law applies to all land within the corporate boundaries of the Town of Halton Hills, excepting only those lands set out in paragraph (b) hereof.

Amended by By-  
law 2017-0013

- b) This By-law shall not apply to Development within the Town that is undertaken by the following entities or for the following purposes:

Amended by By-  
law 2017-0013

- (i) The Town of Halton Hills or local board, as defined in the Municipal Act, 2001,

Amended by By-  
law 2017-0013

- (ii) The Regional Municipality of Halton or local board, as defined in the Municipal Act, 2001,

Amended by By-  
law 2017-0013

- (iii) Halton Hills Hydro;

- (iv) The Halton Board of Education;

Amended by By-  
law 2017-0013

- (v) The Halton Roman Catholic Separate School Board;

- (vi) Hospitals as defined under the Public Hospitals Act;

- (vii) The Province of Ontario;

- (viii) The Government of Canada;

Amended by By-  
law 2017-0013

- (ix) Places of worship, and cemeteries associated therewith, which are exempt from the Assessment Act,

- (x) Non-residential farm buildings used for a bona fide agricultural purpose, or

- (xi) deleted

Amended by By-  
law 2017-0013

- (xii) Expansions to industrial or commercial buildings or structures which expansions are equal to or less than 25% (twenty-five percent) of a site's Buildable Area.

3. As a condition of development of land, the owner, of such lands, shall convey to the Town lands for parkland or other public recreational purposes. The area of the land to be conveyed shall be based on the following standards:

- a) In the case of land proposed for residential development within a Low Density Residential Area designation within the Official Plan, the conveyance of land equal to 5% (five percent) of the land proposed for development or redevelopment.

Amended by By-  
law 2017-0013

- b) In the case of land proposed for residential development within all other Urban Living Area designations and wherever residential uses are permitted uses in the Community Area designations in the Urban Areas in the Official Plan, the conveyance of land equal to that obtained by the application of the parkland standard of 1 hectare per 300 dwelling units;

- c) In the case of land for commercial or industrial uses, the conveyance of land equal to 2% (two percent) of the land proposed for development or redevelopment;

- d) In the case of an expansion to an industrial or commercial building or structure which expansion is greater than 25% (twenty-five percent) of a site's Buildable Area, the conveyance of land equal to 2% (two percent) of that proportion of the site obtained by dividing the building expansion area by the Buildable Area;

- e) In the case of land proposed for other than residential, commercial or industrial uses, the conveyance of land equal to 5% (five Percent) of the land proposed for development or redevelopment.

4. Notwithstanding Section 3 of this By-law, the Town may require the payment of money in an amount equal to the value of the lands, as established pursuant to section 6 of this By-law, required to be conveyed pursuant to section 3 of this By-law, or such combination of the conveyance of land and monetary payment as, directed by the Commissioner of Recreation and Parks.

Amended by By-law 2017-0013

Amended by By-law 2017-0013

- a) Notwithstanding the preceding section, where section 3(b) would otherwise apply, and where the Town elects to require the payment of money in lieu of part or all of the otherwise required parkland dedication, such payment shall be calculated using a rate of one hectare for each 500 dwelling units proposed, which value shall be established pursuant to section 6 of this by-law.

Amended by By-law 2017-0013

- b) For greater certainty, where a condition of approval requiring the payment of cash in lieu of parkland has been imposed under either s. 51.1 or s. 42 of the Planning Act, the imposition of such a condition shall be deemed to constitute arrangements for a payment in lieu that are satisfactory to Council having been made, as of the date on which the condition was imposed for the purposes of s. 42(6.0.3) of the Planning Act. ~~In such circumstances, notwithstanding the preceding subsection, the cash in lieu payment shall be calculated using a rate of one hectare for each 300 dwelling units.~~

- c) Notwithstanding section 6, a payment in lieu of parkland dedication pursuant to section 4(a) with respect to a development within any of the following areas, as shown on the applicable Town of Halton Hills Official Plan Schedules, shall be capped at an amount equal to \$11,000 per unit:
- i. Downtown Georgetown
  - ii. Downtown Acton
  - iii. Georgetown Community Node;
  - iv. Go Station Area; and
  - v. Civic Centre District.
- d) It is further enacted that the \$11,000 per unit cap set out above shall also apply to any payment in lieu of parkland dedication pursuant to section 4(a) with respect to a medium or high density development within the the Brownfield Sub-Areas as identified in the Town of Halton Hills Community Improvement Plan.
- e) It is further enacted that the caps referenced in c and d will remain in force until December 31, 2019, after which time the full calculated value shall apply.

5. The conveyance of land for public park or other public recreational purposes are required by Section 3 of this By-law, or the payment of cash-in-lieu of parkland dedication pursuant to Section 4 of this By-law, shall be required as a condition of the following development approvals:

- a) The approval of a site plan under Section 41 of the Planning Act;
- b) The approval of a plan of subdivision under Section 51 of the Planning Act;
- c) The approval of a consent under Section 53 of the Planning Act;
- d) The approval of a description under Section 50 of the Condominium Act, R.S.O. 1990, Chapter c.76; or,
- e) The issuance of a development control permit pursuant to Section 44(2) of the Niagara Escarpment Planning and Development Act.

6. The value of the land shall be determined as of

- a) The day before the day of issuance of the building permit in respect to the development; or, where more than one building permit is required for the development, as of the day before the issuance of the first building permit;
- b) The day before the issuance of draft approval for a plan of subdivision; or,
- c) The day before the granting of a consent.

Amended by By-law 2017-0013

7. An appraisal of land value may be carried out under the direction of the Commissioner of Recreation and Parks of the Town and shall be determined in accordance with generally accepted appraisal principles.

8. The payments required to be made under this By-law shall be made:

- a) Prior to the issuance of a building permit for the land to be developed or redeveloped;
- b) Prior to the release of a plan of subdivision or condominium for registration;
- c) Prior to the release of conditions for a consent;
- d) Prior to the execution of a site plan agreement; or,
- e) Otherwise in accordance with the terms of an agreement entered into between the owner of the land and the Town.

9. Where previously, land has been conveyed to the Town for public park or other public recreational purposes, or a cash-in-lieu payment has been provided under this By-law or under an agreement pursuant to the provisions of the Planning Act, (or predecessor thereto), such previous conveyance or payment, shall be reconciled as a credit with respect to the amount of money or land which may be required in connection with the development, or further development of the subject lands.

10. Notwithstanding Section 3 and 4 of this By-law, no conveyance of land, or payment of money, shall be required where:

Amended by By-law 2017-0013

a) The renovation or expansion of an existing residential building does not result in the creation of an additional dwelling unit; or,

Amended by By-law 2017-0013

b) The lands are being restored to a safe condition where an existing building was destroyed by fire, Acts of God, or other causes beyond the control of the owner, and where no increase in the number of residential dwelling units, in the case of a residential building, or gross floor area, in the case of a non-residential building, results.

11. Any monies received by the Town pursuant to Section 4 of this By-law, shall be used in accordance with the provisions of the Official Plan.

12. Upon the passing of this By-law, Town of Halton Hills By-law #96-039 is hereby repealed.

13. That in all other respects By-law 2002-0152 be and is hereby confirmed.

**BY-LAW** read and passed by the Council for the Town of Halton Hills this 2nd day of December, 2002.

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MAYOR – Kathy Gastle

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DEPUTY CLERK – Charlotte Jones



## **THE CORPORATION OF THE TOWN OF HALTON HILLS**

### **BY-LAW NO. 2018-0xxx**

A By-law to amend By-law 2002-0152 Respecting the  
Conveyance of Land or Payment of Cash-in-lieu of Parkland for  
Public Park Purpose.

**WHEREAS** Section 42 of the Planning Act, authorized the enactment of by-laws requiring the conveyance of land to a municipality for public park or other public recreational purposes, as a condition of development or redevelopment of land within the municipality;

**AND WHEREAS** Sections 42(3) and 51.1(2) of the Planning Act further authorize an alternative method of calculating the parkland conveyance provided that there are Official Plan policies in effect with respect to the use of such alternative requirements;

**AND WHEREAS** Sections 42(6) and 51.1(3) of the Planning Act further authorize the payment of money in lieu of the conveyance of land;

**AND WHEREAS** Policies in section 7.2 of the Official Plan for the Town of Halton Hills establish the provisions regarding the parkland dedication requirements, as referred to in the Planning Act;

**AND WHEREAS** Council now deems it necessary to amend certain regulations as contained in By-law 2002-0152 as amended;

**NOW, THEREFORE, THE COUNCIL FOR THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:**

#### **Content :**

1. That Part 4 (b) be amended by deleting the last sentence of the clause.
2. That Part 4 be amended by adding
  - “(c) Notwithstanding section 6, a payment in lieu of parkland dedication pursuant to section 4(a) with respect to a development within any of the following areas, as shown on the applicable Town of Halton Hills Official Plan Schedules, shall be capped at an amount equal to \$11,000 per unit:
    - i. Downtown Georgetown
    - ii. Downtown Acton
    - iii. Georgetown Community Node;
    - iv. Go Station Area; and
    - v. Civic Centre District.
  - (d) It is further enacted that the \$11,000 per unit cap set out above shall also apply to any payment in lieu of parkland dedication pursuant to section 4(a) with respect to a medium or high density development within the the Brownfield Sub-Areas as identified in the Town of Halton Hills Community Improvement Plan.
  - (e) It is further enacted that the caps referenced in c and d will remain in force until December 31, 2019, after which time the full calculated value shall apply.”

3. That in all other respects By-law 2002-0152 be and is hereby confirmed.
4. Upon the passing of this By-law, Town of Halton Hills By-law #2002-0152 is hereby amended.

**BY-LAW** read and passed by the Council for the Town of Halton Hills this xx day of November , 2018.

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MAYOR – Rick Bonnette

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CLERK – Suzanne Jones