



## **REPORT**

**REPORT TO:** Mayor Bonnette and Members of Council

**REPORT FROM:** Niloo Hodjati, Secretary-Treasurer, Committee of Adjustment & Consent Official

**DATE:** May 26, 2021

**REPORT NO.:** PD-2021-0029

**RE:** Options Report for a request to waive a Consent application fee (D10CON21.002H – Brown, 11737 Fourth Line, Bruce Trail Conservancy)

### **RECOMMENDATION:**

**THAT** Report PD-2021-0029, dated May 26, 2021, regarding an 'Options Report for a request to waive a Consent application fee (D10CON21.002H – Brown, 11737 Fourth Line, Bruce Trail Conservancy), be received;

**AND FURTHER THAT**, Council select one of the following two options regarding the disposition of this matter:

- A.** That Council waive the Consent application fee of \$10,404.00 for 11737 Fourth Line, Town of Halton Hills (Esquesing), owned by Lloyd Brown & Mary Leone Brown;

**OR,**

- B.** That the request for a waiver of the Consent application fee for 11737 Fourth Line, Town of Halton Hills (Esquesing), owned by Lloyd Brown & Mary Leone Brown be refused;

**AND FURTHER THAT**, if Council chooses Option "A", the Consent application fee of \$10,404.00 be funded from the Tax Rate Stabilization reserve.

### **BACKGROUND:**

On March 4, 2021, the Town received a Consent application for 11737 Fourth Line (Esquesing), from the property owners (Lloyd Brown and Mary Leone Brown) and their agent (the Bruce Trail Conservancy). At the time of submission, the Bruce Trail

Conservancy paid the required \$10,404.00 application fee. However, the Bruce Trail Conservancy has since requested that the Town waive the application fee.

As per provision 3(c) of the 2021 Halton Hills Municipal Rates and Service Charges for Planning & Development, planning application fees may be appealed to Council. As the required application fee was already submitted by the Bruce Trail Conservancy, the application has been processed and any waiver will be provided as a refund.

#### **COMMENTS:**

The subject Consent application is proposing to create a new lot at 11737 Fourth Line; see SCHEDULE 1 – LOCATION MAP. The new lot ( $\pm 1.4$  ha) is intended to be created to secure a Bruce Trail Conservancy corridor (Bruce Trail Optimum Route) to form part of the overall Bruce Trail network; see SCHEDULE 2 – LAND DIVISION SKETCH.

In the fee waiver request letter the Bruce Trail Conservancy has noted that they are a charitable organization, that they advance the objectives of ‘healthy and active communities’, that they meet the Town’s ‘environment-first philosophy’, and that the costs to sever and secure the trail will almost exceed the purchase price of the land they are seeking to obtain; see SCHEDULE 3 – FEE WAIVER REQUEST LETTER.

If Council chooses Option A, the Town’s portion of the application fee would be funded from the Tax Rate Stabilization reserve, and a refund would be provided to the Bruce Trail Conservancy. If Council chooses option B, no refund will be provided.

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

As this is an Options Report, there is no direct relationship to the Strategic Plan arising from this report.

#### **FINANCIAL IMPACT:**

Should Council choose Option A to waive the Consent application fee, the \$10,404.00 would be funded from the Town’s Tax Rate Stabilization reserve. As part of the consultation process for this report, Finance staff have indicated that the sustainability of the reserve will continue to be closely monitored and reported to Council through the quarterly reserve fund update.

#### **CONSULTATION:**

Planning staff have consulted with Finance staff in the preparation of this report.

#### **PUBLIC ENGAGEMENT:**

There is no public engagement required with a fee waiver request. However, property owners in the vicinity of the subject site have been sent a Notice of Received Application as part of Consent application processing.

#### **SUSTAINABILITY IMPLICATIONS:**

There are no sustainability implications associated with this options report.

**COMMUNICATIONS:**

A copy of this report and Council's decision will be provided to the Bruce Trail Conservancy.

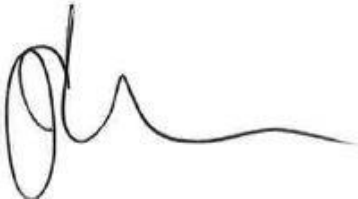
**CONCLUSION:**

In accordance with the Town's approved fee by-law, The Bruce Trail Conservancy has appealed to Council requesting a waiver of the Consent application fee. This report presents Council with two options for consideration: to either waive the Consent application fee and fund the required fee from the Tax Rate Stabilization reserve; or, to refuse the request for a waiver of the application fee. Staff are requesting Council's direction as to which option to pursue.

Reviewed and Approved by,

A handwritten signature in black ink, appearing to read 'Jeff Markowiak', written in a cursive style.

Jeff Markowiak, Director of Development Review

A handwritten signature in black ink, appearing to read 'John Linhardt', written in a cursive style.

John Linhardt, Commissioner of Planning and Development

A handwritten signature in black ink, appearing to read 'Chris Mills', written in a cursive style.

Chris Mills, Acting Chief Administrative Officer