

**Appendix 6 to  
Report CORPSERV-2022-0018**

**Community Benefits Charges Strategy**



# Community Benefits Charge Strategy

Town of Halton Hills

April 15, 2022

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## List of Acronyms and Abbreviations

<b>Acronym</b>	<b>Full Description of Acronym</b>
B.U.A.	Built-Up Area
C.B.C.	Community Benefits Charge
C-I-L	Cash-in-lieu
D.C.	Development charge
D.C.A.	Development Charges Act, 1997, as amended
D.G.A.	Designated Greenfield Area
G.M.S.	Growth Management Strategy
N.F.P.O.W.	No fixed place of work
OLT	Ontario Land Tribunal
O. Reg.	Ontario Regulation
P.P.U.	Persons per unit
sq.ft.	square foot
sq.m	square metre



# Executive Summary



# Executive Summary

1. The report provided herein represents the Community Benefits Charge (C.B.C.) Strategy for the Town of Halton Hills required by the *Planning Act*, as amended. This report has been prepared in accordance with the methodology required under the *Planning Act*. The contents include the following:
  - Chapter 1 – Overview of the legislative requirements of the Act;
  - Chapter 2 – Summary of the residential and non-residential growth forecasts for the Town;
  - Chapter 3 – Approach to calculating the C.B.C.;
  - Chapter 4 – Review of eligible capital costs;
  - Chapter 5 – Calculation of the C.B.C.;
  - Chapter 6 – C.B.C. policy recommendations and rules; and
  - Chapter 7 – By-law implementation.
  
2. The *Planning Act* is the statutory basis to recover these charges. C.B.C.s can be imposed to recover the costs for:
  - land for parks or other public recreational purposes in excess of lands conveyed or funded by cash-in-lieu of parkland payments under sections 42 and 51 of the *Planning Act*;
  - capital costs for services under subsection 2 (4) of the D.C.A. that are ineligible for recovery under a Development Charges (D.C.) by-law; and
  - capital costs for municipal services ineligible for inclusion in a D.C. by-law.

In accordance with the *Planning Act*, capital costs included under a development charges by-law or parkland funded through a cash-in-lieu (C.I.L.) of parkland by-law cannot be recovered from C.B.C.s. Furthermore, the act places restrictions on the application of the charges, i.e., a C.B.C. may not be imposed with respect to:

- development or redevelopment of fewer than 10 residential units, and in respect of buildings or structures with fewer than five storeys;
- a building or structure intended for use as a long-term care home;
- a building or structure intended for use as a retirement home;
- a building or structure intended for use by a university, college, or an Indigenous Institute;





- a building or structure intended for use as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion;
  - a building or structure intended for use as a hospice to provide end-of-life care; or
  - not-for-profit housing.
3. O. Reg. 509/20 specifies that a maximum charge of 4% of the value of land at the time of building permit issuance may be imposed. A municipality must undertake a C.B.C. strategy and follow the required public procedure to enact and C.B.C. by-law. The C.B.C. by-law is appealable to the Ontario Land Tribunal (OLT).
  4. The methodology is detailed in Chapter 4; a simplified summary is provided below.
    - 1) Identify amount, type and location of eligible growth.
    - 2) Identify servicing needs to accommodate growth.
    - 3) Identify capital costs to provide services to meet the needs.
    - 4) Deduct:
      - Excess capacity;
      - Grants, subsidies and other contributions; and
      - Benefit to existing development.
    - 5) Net costs are then allocated between eligible and ineligible development types.
    - 6) Net costs compared to 4% of land value to inform the amount of the charge i.e. rationalize if the maximum C.B.C. rate can be imposed.
  5. The Town is undertaking a C.B.C. public process and anticipates passing a new by-law on July 4, 2022. A public meeting has been set for May 2, 2022 to consult with the general public and receive input on the matter.
  6. The growth forecast (Chapter 2) on which the Town-wide C.B.C. is based, projects 56% of the population in apartments will live in C.B.C.-eligible units. As C.B.C.-eligible development is anticipated to occur in the Georgetown Built Boundary, a land value of \$6.6 million was used based on the benchmark study to arrive at an estimated land value of \$133.6 million.



Residential High Density	Gross Residential Population Growth	% of Gross Population in High-Density Units
Eligible High Density	2,633	56%
Ineligible High Density	2,104	44%
<b>Total Residential High-Density Forecast</b>	<b>4,737</b>	<b>100%</b>

7. The study considered needs relating to municipal parking, which is in the Town’s existing D.C. by-law and is no longer eligible to be funded under the *Development Charges Act*. The study also considered costs relating to various growth-related studies, corporate services and information technology projects. In addition, the study considered the potential to fund parkland needs in excess of those anticipated to be conveyed under the *Planning Act*. The Town recently undertook a review of its parkland dedication by-law which informs the needs herein (see Appendix B).

In total the gross capital costs for inclusion in the C.B.C. calculation totals \$67.5 million.

8. Table ES-1 summarizes the calculation of the C.B.C. This table indicates narrowing the inclusion of capital costs to be funded by the C.B.C. to Parkland Acquisition and C.B.C. Strategy costs. Moreover, this table indicates a charge of 4.5% of land value would be necessary to fund the increase in need for services. As the *Planning Act* prescribes a maximum rate of 4% of land value, the maximum rate is proposed for Council’s consideration.



Table ES-1  
Summary of Growth-Related Capital Costs

Description	Gross Capital Cost Estimate (2022\$)	Growth-Related Capital Cost	
		Net Residential Share	C.B.C. Eligible Share
Municipal Parking	\$274,354	\$192,889	\$18,112
Growth-Related Studies	\$544,000	\$116,146	\$10,906
Corporate Services/Information Technology	\$482,800	\$102,999	\$9,671
Parkland Acquisition	\$66,110,771	\$62,794,497	\$5,896,292
C.B.C. Strategy	\$78,000	\$78,000	\$78,000
<b>Total Capital Costs</b>	<b>\$67,489,925</b>	<b>\$63,284,532</b>	<b>\$6,012,981</b>
<b>Total Capital Costs for C.B.C. Recovery</b>			<b>\$5,974,292</b>
Anticipated C.B.C. Residential Dwelling Units (2022-2036)			1,608
Density Assumption (units per hectare)			79.04
Land Area for Residential Dwelling Unit Forecast (hectares)			20.34
Estimated Average Land Value (\$/hectare)			\$6,565,195
Total Estimated Land Value			\$133,563,181
Maximum Prescribed Value (4% of land value)			\$5,342,527
<b>Total C.B.C. Required to Fund Needs (% of land value)</b>			<b>4.5%</b>
<b>Total C.B.C. Proposed (% of land value)</b>			<b>4.0%</b>

9. Considerations by Council – This Strategy represents the service needs arising from growth over the forecast periods and the costs that can be recovered from C.B.C.s.

Council will consider the findings and recommendations provided in the report and, in conjunction with public input, approve such policies and rate it deems appropriate. These directions will refine the draft C.B.C. by-law which is appended in Appendix C. These decisions may include:

- adopting the charges and policies recommended herein; and
- considering additional exemptions to the by-law.



# Report



# Chapter 1

## Introduction



# 1. Introduction

## 1.1 Purpose of this Document

---

This strategy report has been prepared pursuant to the requirements of the *Planning Act*, 1990, (section 37) and, accordingly, recommends the imposition of a Community Benefits Charge (C.B.C.) and associated policies for the Town of Halton Hills (the “Town”).

The Town retained Watson & Associates Economists Ltd. (Watson), to undertake the C.B.C. strategy process. Watson worked with Town staff preparing the C.B.C. analysis and policy recommendations contained within this strategy.

The C.B.C. strategy report, containing the proposed C.B.C. by-law, will be distributed to members of the public to provide interested parties the background information on the legislation, the recommendations contained herein, and an outline of the basis for these recommendations.

This report has been prepared, in the first instance, to meet the statutory requirements applicable to the Town’s C.B.C. strategy, as summarized in Chapter 3. It also addresses the requirement for “rules” (contained in Chapter 6) and the proposed by-law to be made available as part of the approval process (included as Appendix C).

In addition, the report is designed to set out sufficient background on the legislation (Chapter 3) and the policies underlying the proposed by-law, to make the exercise understandable to those who are involved.

Finally, the report addresses post-adoption implementation requirements (Chapter 7) which are critical to the successful application of the new policy.

The chapters in the strategy report are supported by Appendices containing the data required to explain and substantiate the calculation of the charge. A full discussion of the statutory requirements for the preparation of a strategy and calculation to support the C.B.C. rate is provided herein.



## 1.2 Legislative Context

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### 1.2.1 Bill 197 - COVID-19 Economic Recovery Act, 2020

The *COVID-19 Economic Recovery Act* received Royal Assent on July 21, 2020. Schedule 17 of the Act amends the *Planning Act* with respect to the provisions of community benefits and parkland dedication. These amendments were proclaimed and came into effect on September 18, 2020. Municipalities with agreements for community benefits have two years after the date of proclamation (i.e., September 18, 2022) to transition to the new rules under s.37 of the *Planning Act*. Eligible municipalities also have the ability to impose a C.B.C. under this authority.

Single-tier and lower-tier municipalities may adopt a by-law to impose a C.B.C. against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment in the area to which the by-law applies. The capital costs included in a C.B.C. may include:

- land for parks or other public recreational purposes in excess of lands conveyed or funded by cash-in-lieu of parkland payments under sections 42 and 51 of the *Planning Act*;
- capital costs for services under subsection 2 (4) of the D.C.A. that are ineligible for recovery under a D.C. by-law; and
- capital costs for municipal services ineligible for inclusion in a D.C. by-law.

There are restrictions on the application of the charges. A C.B.C. may be imposed only with respect to development or redevelopment that requires:

- the passing of a zoning by-law or of an amendment to a zoning by-law under section 34;
- the approval of a minor variance under section 45;
- a conveyance of land to which a by-law passed under subsection 50 (7) applies;
- the approval of a plan of subdivision under section 51;
- a consent under section 53;
- the approval of a description under section 9 of the *Condominium Act, 1998*; or
- the issuing of a permit under the *Building Code Act, 1992* in relation to a building or structure.



As discussed later, the regulations limit the charge relative to the value of land at the time of building permit issuance thus, imposing the charge at the time of development requiring the issuance of a building permit would be prudent.

The *Planning Act* limits the imposition of the C.B.C. to certain types of development. Under subsection 37 (3), a C.B.C. may not be imposed with respect to:

- development or redevelopment of fewer than 10 residential units, and in respect of buildings or structures with fewer than five storeys;
- a building or structure intended for use as a long-term care home;
- a building or structure intended for use as a retirement home;
- a building or structure intended for use by a university, college, or an Indigenous Institute;
- a building or structure intended for use as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion;
- a building or structure intended for use as a hospice to provide end-of-life care; or
- not-for-profit housing.

Before adopting a C.B.C. by-law a municipality must prepare a C.B.C. Strategy that identifies the facilities, services and matters that will be funded with the charges. The municipality must consult with such persons and public bodies as the municipality considers appropriate while preparing the Strategy. Further, Ontario Regulation 509/20 specifies the methodology that must be followed in the Strategy. This includes:

1. An estimate of the anticipated amount, type and location of development and redevelopment with respect to which community benefits charges will be imposed;
2. Estimates of the increase in the need for facilities, services and matters attributable to the anticipated development and redevelopment to which the C.B.C. by-law would relate;
3. For the facilities, services and matters included above, an identification of excess capacity and estimates of the benefit existing development;
4. Estimates of the capital costs necessary to provide the facilities, services and matters; and





5. Identification of any capital grants, subsidies and other contributions made to the municipality or that the council of the municipality anticipates will be made in respect of the capital costs.

Once the by-law is passed the municipality must give notice of passage and the by-law may be appealed to the Ontario Land Tribunal (OLT) within 40 days of by-law passage.

The amount of the charge can not exceed an amount equal to the prescribed percentage of the value of the land on the date of building permit issuance. At present, the prescribed value is set by regulation at 4% of land value. Moreover, if the landowner is of the view that the amount of the C.B.C. exceeds the prescribed value, the landowner may pay the charge under protest. In this circumstance there is an obligation of the landowner and municipality to provide appraisals, and for the municipality to maintain a registry of at least three land appraisers.

A municipality may allow the landowner to provide in-kind contributions towards the facilities, services or matters in lieu of paying a C.B.C.

Revenue collected under a C.B.C. by-law must be maintained in a special account and used for the purposes that the charge was imposed. A municipality must report on the activity of the special account annually.

### **1.3 Current Policies**

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Historically, the Town has not imposed charges related to community benefits under the prior *Planning Act* section 37 provisions.

### **1.4 Summary of the Process**

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Prior to passing a C.B.C. by-law, the *Planning Act*, subsection 37 (10) requires the Town to consult with the public and such persons and public bodies as the Town considers appropriate. As such, a public meeting of Council has been set for May 2, 2022, to present the strategy to the public and members of Council allow for feedback on the strategy. The meeting is also being held to present the strategy's purpose, approach, and proposed C.B.C. by-law.



Figure 1-1 provides an outline of the schedule to be followed with respect to the C.B.C. strategy and by-law adoption and implementation process.

Figure 1-1  
Town of Halton Hills  
Schedule of Key Dates in the C.B.C. Strategy Process

Item	Date
1. Data collection, land valuation analysis, growth forecast development, capital needs assessment	May 2021 to September 2021
2. Presentation of approach, study process, and preliminary growth projections to Development Industry Stakeholders	September 15, 2021
3. Preparation of C.B.C. calculations presentation to Town Staff and Senior Management Team	September 2021 to February 2022
4. Council Workshop	February 22, 2022
5. Presentation of draft calculations to Development Industry Stakeholders	March 8, 2022
6. Release of C.B.C. Strategy Report and proposed by-law	April 15, 2022
7. Meeting of Council advertisement placed in newspaper(s)	April 7, 2022
8. Public meeting of Council to present the C.B.C. Strategy and proposed by-law	May 2, 2022
9. Council considers adoption of C.B.C. strategy and passage of by-law	July 4, 2022
10. Notice given of by-law passage	No later than 20 days after passage
11. Last day for by-law appeal	40 days after passage



# Chapter 2

## Anticipated Development in the Town of Halton Hills



## 2. Anticipated Development

### 2.1 Requirement of the Act

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Chapter 3 provides the methodology for calculating a C.B.C. as per the *Planning Act*. Figure 3-1 presents this methodology schematically. It is noted in the first box of the schematic that in order to determine the C.B.C. that may be imposed, it is a requirement of subsection 37 (9) of the *Planning Act* and O. Reg. 509/20 that “the anticipated amount, type and location of development and redevelopment, for which a C.B.C. can be imposed, must be estimated.”

The growth forecast contained in this chapter (with supplemental tables in Appendix A) provides for the anticipated development for which the Town will be required to provide services over a 14-year (mid-2022 to mid-2036) time horizon.

### 2.2 Basis of Population, Household and Employment Forecast

---

The C.B.C. growth forecast has been derived by Watson. In preparing the growth forecast, the following information sources were consulted to assess the residential and non-residential development potential for the Town over the forecast period, including:

- Region of Halton Official Plan Amendment 38, 2009;
- Region of Halton Best Planning Estimates of Population, Occupied Dwelling Units and Employment, 2011 to 2031, June 2011;
- Region of Halton Integrated Growth Management Study, Regional Urban Structure Discussion Paper, June 2020;
- 2006, 2011 and 2016 population, household, and employment Census data;
- Historical residential building permit data over the 2011 to 2021 July year-to-date period;
- Residential and non-residential supply opportunities as identified by the Town of Halton Hills staff; and
- Discussions with Town staff regarding anticipated residential and non-residential development in the Town of Halton Hills.

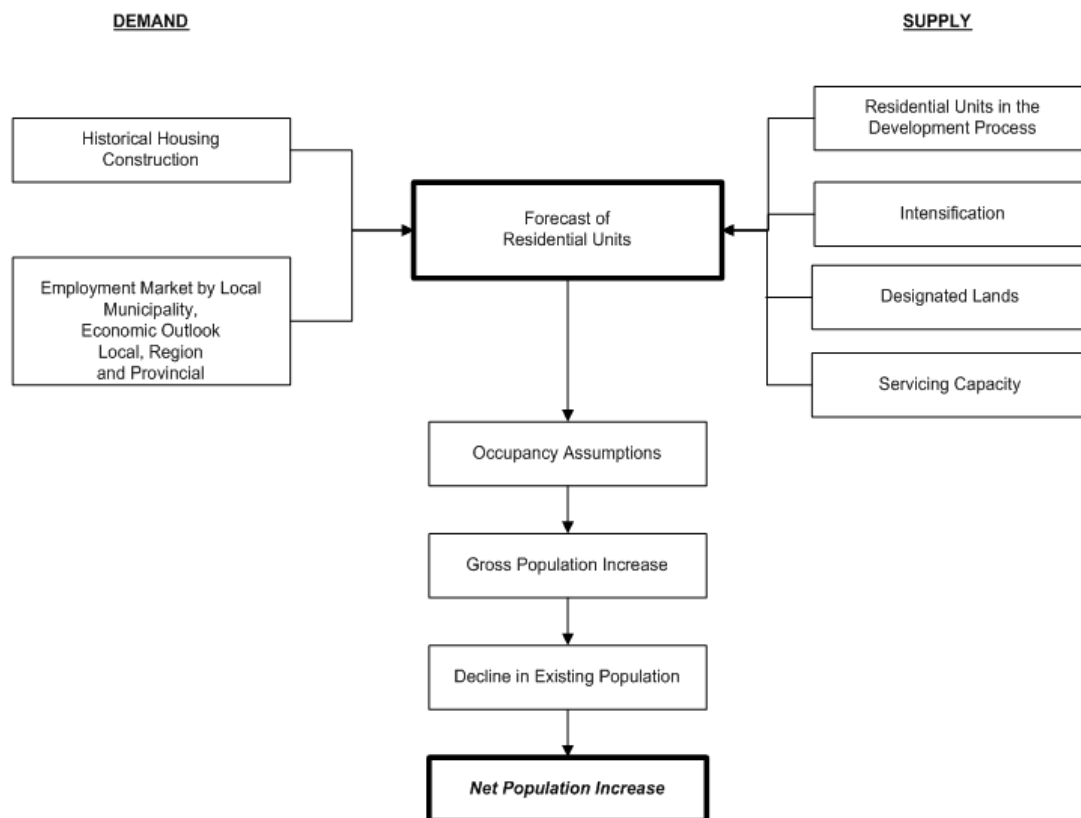


## 2.3 Summary of Growth Forecast

A detailed analysis of the residential and non-residential growth forecasts is provided in Appendix A and the methodology employed is illustrated in Figure 2-1. The discussion provided herein summarizes the anticipated growth for the Town and describes the basis for the forecast. The results of the residential growth forecast analysis are summarized in Table 2-1 below, and Schedule 1 in Appendix A.

As identified in Table 2-1 and Schedule 1, the Town's population is anticipated to reach approximately 91,890 by mid-2036, resulting in an increase of approximately 27,880 persons, over the 14-year forecast period.<sup>[1]</sup>

Figure 2-1  
Household and Population Forecast Model



<sup>[1]</sup> The population figures used in the calculation of the 2022 C.B.C. exclude the net Census undercount, which is estimated at approximately 3.0%.



**Table 2-1  
Town of Halton Hills  
Residential Growth Forecast Summary**

	Year	Population (Including Census Undercount) <sup>[1]</sup>	Excluding Census Undercount			Housing Units					Persons Per Unit (P.P.U.): Total Population/ Total Households
			Population	Institutional Population	Population Excluding Institutional Population	Singles & Semi- Detached	Multiple Dwellings <sup>[2]</sup>	Apartments <sup>[3]</sup>	Other	Total Households	
Historical	Mid 2006	56,940	55,289	999	54,290	14,735	1,945	2,040	100	18,820	2.938
	Mid 2011	60,770	59,008	1,063	57,945	15,835	2,394	1,999	33	20,261	2.912
	Mid 2016	62,990	61,161	961	60,200	16,360	2,590	2,110	30	21,090	2.900
Forecast	Mid 2022	65,910	64,001	1,015	62,986	17,097	2,763	2,674	30	22,564	2.836
	Mid 2036	94,630	91,885	1,446	90,439	21,098	6,706	5,567	30	33,401	2.751
Incremental	<b>Mid 2006 - Mid 2011</b>	<b>3,830</b>	<b>3,719</b>	<b>64</b>	<b>3,655</b>	<b>1,100</b>	<b>449</b>	<b>-41</b>	<b>-67</b>	<b>1,441</b>	
	<b>Mid 2011 - Mid 2016</b>	<b>2,220</b>	<b>2,153</b>	<b>-102</b>	<b>2,255</b>	<b>525</b>	<b>196</b>	<b>111</b>	<b>-3</b>	<b>829</b>	
	<b>Mid 2016 - Mid 2022</b>	<b>2,920</b>	<b>2,840</b>	<b>54</b>	<b>2,786</b>	<b>737</b>	<b>173</b>	<b>564</b>	<b>0</b>	<b>1,474</b>	
	<b>Mid 2022 - Mid 2036</b>	<b>28,720</b>	<b>27,884</b>	<b>431</b>	<b>27,453</b>	<b>4,001</b>	<b>3,943</b>	<b>2,893</b>	<b>0</b>	<b>10,837</b>	

[1] Census undercount estimated at approximately 3.0%.

[2] Includes townhouses and apartments in duplexes.

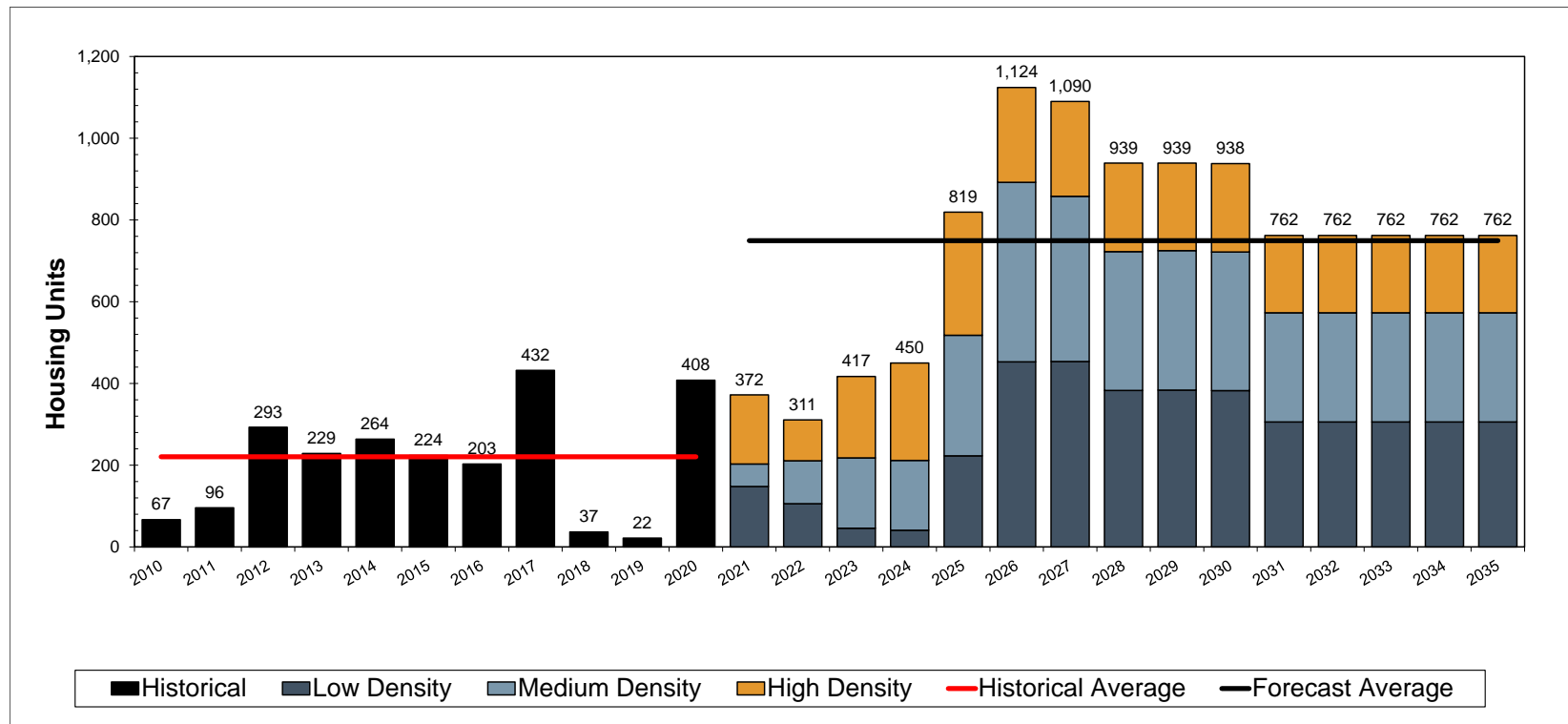
[3] Includes bachelor, 1-bedroom, and 2-bedroom+ apartment units.

Note: Population including the Census undercount has been rounded.

Source: Short-term forecast derived by Watson & Associates Economists Ltd. from information provided by the Town of Halton Hills, long-term forecast derived from Region of Halton Integrated Growth Management Study (2018), Regional Official Plan Amendment 38 (2009), and Best Planning Estimates of Population, Occupied Dwelling Units and Employment, 2011-2031 (2011) forecast for the Town of Halton Hills.



Figure 2-2  
Town of Halton Hills  
Annual Housing Forecast<sup>[1]</sup>



[1] Growth forecast represents calendar year.

Source: Historical housing activity derived from Town of Halton Hills building permit data, 2011 to 2020.



Provided below is a summary of the key assumptions and findings regarding the Town of Halton Hills C.B.C. growth forecast:

## 1. Unit Mix (Appendix A – Schedules 1 and 5)

- The housing unit mix for the Town was derived from a detailed review of historical development activity (as per Schedule 5), as well as active residential development applications and discussions with Town staff regarding anticipated development trends for Halton Hills.
- Based on the above indicators, the mid-2022 to mid-2036 household growth forecast for the Town is comprised of a unit mix of 37% low density units (single detached and semi-detached), 36% medium density (multiples except apartments) and 27% high density (accessory units, bachelor, 1-bedroom and 2-bedroom apartments) units.

## 2. C.B.C.-Eligible Units

- Subsection 37 (4) of the *Planning Act* establishes the criteria for a development to be C.B.C. eligible. A C.B.C. may be imposed if:
  - Development of a proposed building or structure has five or more storeys at or above ground and has 10 or more residential units;
  - Redevelopment of an existing building or structure that will have five or more storeys at or above ground after redevelopment and proposes to add 10 or more residential units to an existing building or structure; or
  - Such types of development or redevelopment as prescribed. 2020, c. 18, Sched. 17, section 1.
- The C.B.C.-eligible unit forecast is derived based on the established criteria above and a detailed review of historical Census housing trends, historical development activity (as per Schedule 5), active residential development applications and discussions with Town staff regarding anticipated C.B.C.-eligible developments.
- Based on the above indicators, the Town is forecast to accommodate 1,608 C.B.C.-eligible household units over the 14-year forecast period. This translates to 56% of all high-density units, including accessory units, being C.B.C. eligible from mid-2022 to mid-2036. Table 2-2 and Schedule





2 summarizes the anticipated amount, type, and location of development for the Town by development location.

3. Geographic Location of C.B.C.-Eligible Residential Development (Appendix A – Schedule 2)

- Schedule 2 summarizes the anticipated amount, type, and location of C.B.C.-eligible development by area for the Town.
- In accordance with forecast demand and available land supply, the amount and percentage of forecast C.B.C.-eligible housing growth between mid-2022 and mid-2036 by development location is summarized in Table 2-2.

Table 2-2  
Town of Halton Hills  
Residential High-Density Growth by Development Area

Development Location	Total High-Density Housing Growth, mid-2022 to mid-2036 <sup>[1]</sup>	C.B.C.-Eligible Share	C.B.C.-Eligible Housing Growth, mid-2022 to mid-2036	C.B.C. Housing Growth Shares by Location, mid-2022 to mid-2036
Vision Georgetown	1,016	0%	0	0
Georgetown Designated Greenfield Area (Excludes Vision Georgetown)	27	0%	0	0
Georgetown Built Boundary	1,850	87%	1,608	100%
Acton	0	0%	0	0
Hamlets and Other Rural Lands	128	0%	0	0
<b>Total Town of Halton Hills</b>	<b>2,893</b>	<b>56%</b>	<b>1,608</b>	<b>100%</b>

<sup>[1]</sup> High density includes accessory apartments, bachelor, 1-bedroom and 2-bedroom+ apartments.

Source: Watson & Associates Economists Ltd.



#### 4. Planning Period

- A 14-year planning horizon has been used, recognizing that there are a number of planning initiatives underway that will identify growth outside the planning horizon which have not yet been endorsed within an Official Plan.

#### 5. Population in New Units (Appendix A – Schedules 3 and 4)

- The number of housing units to be constructed by mid-2036 in the Town over the forecast period is presented in Figure 2-2. Over the mid-2022 to mid-2036 forecast period, the Town is anticipated to average 774 new housing units per year.
- Institutional population<sup>[1]</sup> is anticipated to increase by approximately 430 people between mid-2022 to mid-2036.
- Population in new units is derived from Schedules 3 and 4 which incorporate historical development activity, anticipated units (see unit mix discussion) and average persons per unit (P.P.U.) by dwelling type for new units.
- Schedule 6a summarizes the average P.P.U. assumed for new housing units by age and type of dwelling based on Statistics Canada 2016 custom Census data for the Town of Halton Hills. Due to data limitations, high density P.P.U. data was derived from Halton Region, which includes the Town of Halton Hills, and is outlined in Schedule 6b. 15-year average P.P.U.s by dwelling type are as follows
  - Low density: 3.505
  - Medium density: 2.354
  - High density:<sup>[2]</sup> 1.637

#### 6. Existing Units and Population Change (Appendix A – Schedules 3 and 4)

- Existing households for mid-2022 are based on the 2016 Census households, plus estimated residential units constructed between mid-

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<sup>[1]</sup> Institutional population largely includes special care facilities such as nursing home or residences for senior citizens. A P.P.U. of 1.100 depicts 1-bedroom and 2-or-more-bedroom units in collective households.

<sup>[2]</sup> Includes accessory units, bachelor, 1-bedroom and 2-or-more-bedroom apartments.



2016 and end of year 2021, assuming a six-month lag between construction and occupancy (see Schedule 3).

- The decline in average occupancy levels for existing housing units is calculated in Schedules 3 and 4, by aging the existing population over the forecast period. The forecast population decline in existing households over the mid-2022 to mid-2036 forecast period is approximately 590.

## 7. Employment (Appendix A – Schedule 7)

- The employment projections provided herein are largely based on the activity rate method, which is defined as the number of jobs in the Town divided by the number of residents. Key employment sectors include primary, industrial, commercial/population-related, institutional, and work at home, which are considered individually below.
- 2016 employment data<sup>[1]</sup> (place of work) for the Town is outlined in Schedule 7. The 2016 employment base is comprised of the following sectors:
  - 4385 primary (2%);
  - 2,575 work at home employment (12%);
  - 5,710 industrial (28%);
  - 8,325 commercial/population related (41%); and
  - 3,435 institutional (17%).
- In accordance with the 2016 Statistics Canada Census, the Town's 2016 employment base by usual place of work, including work at home, is 20,430. An additional 2,770 employees have been identified for the Town in 2016 that have no fixed place of work (N.F.P.O.W.).<sup>[2]</sup>
- Total employment, including work at home and N.F.P.O.W. for the Town is anticipated to reach approximately 42,000 by mid-2036. This represents an employment increase of approximately 15,320 for the 14-year forecast period.

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<sup>[1]</sup> 2016 employment is based on Statistics Canada 2016 Place of Work Employment dataset by Watson & Associates Economists Ltd.

<sup>[2]</sup> No fixed place of work is defined by Statistics Canada as "persons who do not go from home to the same workplace location at the beginning of each shift. Such persons include building and landscape contractors, travelling salespersons, independent truck drivers, etc."



- Schedule 7, Appendix A, summarizes the employment forecast, excluding work at home employment and N.F.P.O.W. employment, which is the basis for the C.B.C. employment forecast. The impact on municipal services from work at home employees has already been included in the population forecast. The need for municipal services related to N.F.P.O.W. employees has largely been included in the employment forecast by usual place of work (i.e., employment and gross floor area generated from N.F.P.O.W. construction employment).
- Total employment for the Town (excluding work at home and N.F.P.O.W. employment) is anticipated to reach approximately 32,870 by mid-2036. This represents an employment increase of approximately 11,780 for the 14-year forecast period.

Based upon the above information, the following summaries are provided for use in the calculations presented in chapter 4, as follows:

- Of the services to be provided, most service costs will be allocated a 70% residential share (Table 2-3).
- Of the residential portion of the costs, 17% of the population is forecast to reside in high-density residential units (Table 2-4).
- Of those who reside in high density residential units, 56% are forecast to reside in units to which the C.B.C. may be imposed (Table 2-5).

Table 2-3

Residential and Non-Residential Growth Share Based on Incremental Growth in Population and Employment Over the Mid-2022 to Mid-2036 Forecast Period

Residential Population and Non-Residential Employment Growth	Population/ Employment Growth	Residential/ Non- Residential Growth %
Residential Net Population Growth	27,884	70%
Employment Growth (net of Work at Home & N.F.P.O.W.)	11,777	30%
<b>Total Population &amp; Employment Growth</b>	<b>39,661</b>	<b>100%</b>



Table 2-4  
Low/Medium-Density Growth and High-Density Growth Share  
Over the Mid-2022 to Mid-2036 Forecast Period

Residential Density	Gross Residential Population Growth	% of Gross Population in New Units
Low/Medium Density	23,304	83%
High Density	4,737	17%
<b>Total Residential Forecast</b>	<b>28,041</b>	<b>100%</b>

Table 2-5  
Eligible and Ineligible High-Density Growth Share  
Over the Mid-2022 to Mid-2036 Forecast Period

Residential High Density	Gross Residential Population Growth	% of Gross Population in High-Density Units
Eligible High Density	2,633	56%
Ineligible High Density	2,104	44%
<b>Total Residential High Density Forecast</b>	<b>4,737</b>	<b>100%</b>

## 2.4 Land Valuation

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As the C.B.C. rate is applied against the value of land the day before a building permit is issued, average land values are required to be assessed in various locations throughout the Town where the anticipated development and redevelopment is anticipated. These land values assist in calculating the eligible C.B.C. rate, which can not exceed the maximum 4% prescribed rate.

Table 2-2 demonstrates that the forecast C.B.C.-eligible high-density development will be located within the Georgetown Built Boundary area of the Town. Average land values for this area were estimated based on the Town's historical cash-in-lieu parkland

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appraisals of \$6.6 million per hectare. Based on an assumed density of 79 units per hectare this development would produce an equivalent land valuation of \$133.6 million (1,608 units / 79.04 units per hectare = 20.34 hectares x \$6.57 million/hectare).



# Chapter 3

## Approach to the Calculation

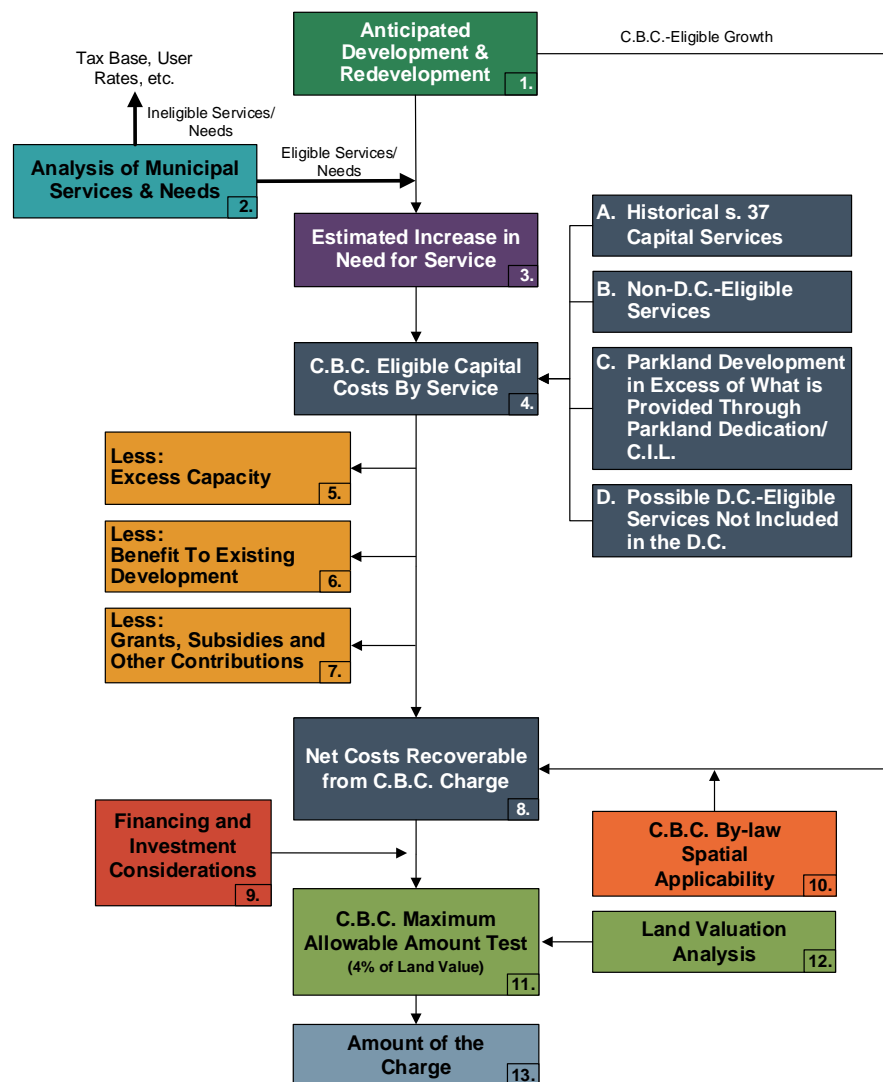


# 3. The Approach to the Calculation of the Charge

## 3.1 Introduction

This chapter addresses the requirements of subsection 37 (9) of the *Planning Act* and sections 2 and 3 of O. Reg. 509/20 with respect to the establishment of the need for service which underpins the C.B.C. calculation. These requirements are illustrated schematically in Figure 3-1.

Figure 3-1  
The Process of Calculating a Community Benefits Charge under the *Planning Act*







## 3.2 Anticipated Development and Redevelopment

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The anticipated development and redevelopment forecast is provided in chapter 2 (with supplemental tables in Appendix A). This chapter provides for the anticipated overall growth within the Town over a 14-year (mid-2022 to mid-2036) time horizon and then estimates the residential units eligible to be considered as per subsection 37 (4) of the *Planning Act*.

## 3.3 Services Potentially Involved

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As per subsection 37 (5) of the *Planning Act*, a C.B.C. may be imposed for services that do not conflict with services or projects provided under a municipality's D.C. by-law or parkland dedication by-law. Hence, the service provided under the C.B.C. would be defined as follows:

- (a) land for parks or other public recreational purposes in excess of lands conveyed or funded by cash-in-lieu of parkland payments under sections 42 and 51 of the *Planning Act*,
- (b) capital costs for services under subsection 2 (4) of the D.C.A. that are ineligible for recovery under a D.C. by-law; and
- (c) capital costs for municipal services ineligible for inclusion in a D.C. by-law.

Examples of services not provided by a D.C. or Parkland Dedication by-law include (but are not limited to) capital facilities and equipment for municipal parking, airports, municipal administration building expansions, museums, arts centres, public art, heritage preservation, landfill, public realm improvements, community gardens, space for non-profits, etc.

## 3.4 Increase in the Need for Service

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The C.B.C. calculation commences with an estimate of “the increase in the need for service attributable to the anticipated development,” for eligible services to be covered by the by-law. There must be some form of link or attribution between the anticipated development and the estimated increase in the need for service. While the need could



potentially be expressed generally in terms of units of capacity, a project-specific expression of need would appear to be most appropriate.

### 3.5 Capital Forecast

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Subsection 37 (2) of the *Planning Act* provides that, “The council of a local municipality may by by-law impose community benefits charges against land to pay for the capital costs of facilities, services and matters.” The Act does not define what capital costs may be included within the charge. The Act provides that the C.B.C. charge could include capital costs for eligible D.C. services that are not intended to be funded under a municipal D.C. by-law. This provision suggests that capital costs may be defined in an equivalent manner as the *Development Charges Act* (D.C.A.). Hence, based on this relationship with the D.C.A., capital costs may include:

- (a) costs to acquire land or an interest therein (including a leasehold interest);
- (b) costs to improve land;
- (c) costs to acquire, lease, construct or improve buildings and structures;
- (d) costs to acquire, lease or improve facilities, including rolling stock (with a useful life of 7 or more years), furniture and equipment (other than computer equipment), materials acquired for library circulation, reference, or information purposes;
- (e) interest on money borrowed to pay for the above-referenced costs;
- (f) costs to undertake studies in connection with the above-referenced matters; and
- (g) costs of the C.B.C. Strategy study.

### 3.6 Deductions

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The section 2 of O. Reg. 509/20 potentially requires that three deductions be made to the capital costs estimates. These relate to:

- excess capacity;
- benefit to existing development; and



- anticipated grants, subsidies, and other contributions.

The requirements behind each of these reductions are addressed below.

### **3.6.1 Reduction for Excess Capacity**

Subsection 2 (c) of O. Reg. 509/20 requires the identification of the excess capacity that exists in relation to the facilities, services and matters referred to in clause 2 (b) suggesting the need for a potential deduction to the capital. “Excess capacity” is undefined, but in this case, the excess capacity must be able to meet some or all of the increase in need for service, in order to potentially represent a deduction. The deduction of excess capacity from the future increase in the need for the service would normally occur as part of the conceptual planning and feasibility work associated with justifying and sizing new facilities, e.g., if a new landfill site to accommodate increased solid waste generated by the new growth is not required because sufficient excess capacity is already available, then a landfill site expansion would not be included as an increase in need, in the first instance.

### **3.6.2 Reduction for Benefit to Existing Development**

Subsection 2 (c) of O. Reg. 509/20 of the D.C.A. provides that the capital estimates identify extent to which an increase in a facility, service or matter referred to in clause 2 (b) of the regulation would benefit existing development. The general guidelines used to consider benefit to existing development included:

- the repair or unexpanded replacement of existing assets;
- the elimination of a chronic servicing problem not created by growth; and
- providing services where none previously existed (for example, extending garbage pickup to the rural area which previously did not receive the municipal services).

Where existing development has an adequate service level which will not be tangibly increased by an increase in service, no benefit would appear to be involved. For example, where expanding existing garbage collection vehicles for future development simply replicates what existing residents are receiving, the existing developments receive very limited (or no) benefit as a result.



In the case of services such as cultural facilities, the service is typically provided on a municipal-wide system basis. For example, facilities of the same type may provide different services (i.e., visual art vs. performance art), different programs (i.e., art classes vs. acting classes), and different time availability for the same service (i.e., art classes available on Wednesdays in one facility and Thursdays in another). As a result, residents will travel to different facilities to access the services they want at the times they wish to use them, and facility location generally does not correlate directly with residence location. Even where it does, displacing users from an existing facility to a new facility frees up capacity for use by others and generally results in only a very limited benefit to existing development. Further, where an increase in demand is not met for a number of years, a negative service impact to existing development is involved for a portion of the planning period.

### **3.6.3 Reduction for Anticipated Grants, Subsidies and Other Contributions**

This step involves reducing the capital costs by capital grants, subsidies, and other contributions made or anticipated by Council and in accordance with various rules such as the attribution between the share related to new vs. existing development. That is, some grants and contributions may not specifically be applicable to growth or where Council targets fundraising as a measure to offset impacts on taxes.

Although specific grants, subsidies and/or other contributions may not be currently identified and reduced in the calculations, due diligence will be undertaken by municipal staff during the annual budget process to net off any future identified funding from these other sources.

## **3.7 Municipal-wide vs. Area Rating**

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This step involves determining whether all the subject costs are to be recovered on a uniform municipal-wide basis or whether some or all are to be recovered on an area-specific basis. There is no mandatory requirement to consider area rating of services (i.e., providing charges for specific areas and services); however, the legislation does not prohibit area rating. There may be instances where Council may consider varying rates to align with other policies or possible incentives in the development area.



Through the C.B.C. strategy process, discussions with municipal staff took place related to structuring the charge on a municipal-wide vs. area specific basis. As the services being provided in the strategy are not restricted to one specific area and are anticipated to be used by all residents within the municipality, the charges have been provided on a municipal-wide basis. Although the charges are to be calculated and imposed on a municipal-wide basis, consideration of location of the projects will take place through the annual budget process.

### **3.8 Land Valuation Analysis**

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To facilitate the rate calculation provided in section 3.9, an estimate of the market value of the land related to the anticipated applicable development/redevelopment presented in section 3.2, needs to be undertaken. It is noted that the land values may vary based on a number of factors including location, zoning density, parcel size, etc., however, these values should estimate the land value the day before building permit issuance. This data may be available from municipal resources, or the municipality may consider engaging the assistance of a professional land appraiser.

### **3.9 Calculation of the Community Benefit Charge**

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Subsection 37 (32) of the *Planning Act* provides that the amount of the *Planning Act* provides that the maximum charge which can be imposed is prescribed by the regulations. O. Reg. 509/20, section 3, provides that the maximum charge is to be 4%.

To calculate the rate, the net capital cost (as provided by netting the deductions set out in section 3.6 from the capital presented in section 3.5) are divided by the land values related to the anticipated applicable development/redevelopment. This calculation produces a percentage of the capital cost relative to the land value of development. This rate can not exceed the maximum prescribed rate of 4% of land value.

Alternatively, a municipality may choose to impose a rate on another basis. For example, the charge could be calculated on a per dwelling unit basis similar to a development charge (D.C.). This calculation would be facilitated by dividing the net capital cost by the forecast incremental gross population growth to arrive at a C.B.C. per capita. This rate would then be applied to the person per unit occupancy assumptions for high-density residential dwelling units to determine the charge. Moreover, the



charge could be denominated based on land area, where the net capital costs would be divided by the amount of land anticipated to be occupied by the forecast residential dwelling units constructed over the forecast period.



# Chapter 4

## C.B.C.-Eligible Cost Analysis



## 4. C.B.C.-Eligible Cost Analysis

### 4.1 Introduction

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This chapter outlines the basis for calculating eligible costs to be recovered through a C.B.C. by-law, which are to be applied on a uniform municipal-wide basis. In each case, the required calculation process set out in O. Reg. 509/20 subsections 2 (a) through 2 (f) to the *Planning Act* and described in Chapter 3 was followed in determining C.B.C.-eligible costs.

The Town undertook a review of its Parkland Dedication By-law and D.C. Background Study at the same time as the preparation of the C.B.C. Strategy. The intent was to appropriately include in the C.B.C. Strategy any growth-related costs that would not be recovered through the other two mechanisms. Specifically, this Strategy includes:

- Municipal Parking Services that were identified to meet the increase in need for service of development within the Town's 2017 D.C. Background Study, which are no longer eligible for inclusion in a D.C. by-law; and
- Anticipated capital costs of parkland acquisition beyond those anticipated under the provisions of the *Planning Act*.

In addition, the Strategy also considered the increase in need for services related to:

- Various studies relating to affordable housing, and economic development and tourism; and
- Corporate services information technology.

### 4.2 Allocation of Costs to C.B.C.-eligible Development

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To determine the C.B.C.-eligible capital costs for the Town, the gross capital costs were estimated based on multiple information sources provided by Town staff. These sources include the Town's 2022 Capital Budget and Forecast, as well as a letter report entitled "Parkland Dedication and Payment-in-Lieu of Parkland By-law Review" dated January 20, 2022, prepared by Watson. Having estimated the capital costs for each project, deductions related to excess capacity, benefit to existing development, and grants, subsidies, or other contributions were assessed. The resultant net growth-





related costs were then allocated to the C.B.C.-eligible share of the anticipated development based on the following:

- Net capital costs for most services except Parkland Acquisition were apportioned between residential (70%) and non-residential development (30%) based on the incremental population and employment growth over the forecast period (Table 2-3). The net capital costs for Parkland Acquisition were allocated 95% residential development and 5% non-residential development, reflective of the increase in need for service from these types of development. This allocation approach between residential and non-residential development is consistent with the Town's practice within its D.C. background study.
- The net capital costs associated with residential development were subsequently allocated between low-density and medium-density development types (83%) and high-density development (17%) over the forecast period, based on the respective population growth forecast for these dwelling unit types (Table 2-4).
- Finally, the net capital costs assigned to high-density development were apportioned to the C.B.C.-eligible development, i.e., buildings with a minimum of five storeys and at least 10 residential dwelling units. As summarized in Table 2-5, this type of development accounts for 56% of all high-density residential dwelling units over the forecast period.

Based on the foregoing, for services allocated between the total population and employment growth over the forecast period, the net capital cost share attributable to C.B.C.-eligible development is 7%. For Parkland Acquisition services, the cost share attributable to C.B.C.-eligible development is approximately 9%. The costs related to undertaking the C.B.C. Strategy Study are 100% attributable to the C.B.C.-eligible development.

### **4.3 C.B.C.-eligible Cost Analysis**

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This section provides for the evaluation of development-related capital requirements over a 2022 to 2036 planning horizon. The capital cost related to the increase in need for service are summarized in Table 4-1 and as follows:

- Municipal Parking – Amendments to the D.C.A. made municipal parking no longer an eligible service. The Town's 2017 D.C. Background Study included



Municipal Parking capital costs for D.C. recovery. The Town had incurred costs for anticipated funding from D.C.s; however, with the amendments, these committed excess capacity capital costs have been included in these calculations. The outstanding interfund loan reflect the interim financing for previously eligible D.C. capital costs only, as such these amounts have been included as 100% growth related.

- The Town’s Capital Budget and Forecast identify study costs for an Economic Development and Tourism Strategy Update and Affordable Housing Plan (and update). These studies will inform the needs of both the existing and future growth within the Town, as such the costs have been allocated to future development on the basis of the incremental population growth over the forecast period (i.e., 30% growth related).
- Corporate Services/Information Technology – The Town’s Capital Budget and Forecast identify information technology projects and strategic studies that inform growth in municipal operations over the forecast period. These needs address both improvements to existing operations, as well as provide capacity for future growth. As such, the costs have been allocated to future development on the basis of the incremental population growth over the forecast period (i.e., 30% growth related).
- Parkland Acquisition – The “Parkland Dedication and Payment-in-Lieu of Parkland By-law Review” (included in Appendix B) identified additional parkland needs over the forecast period of approximately 61 hectares (33 hectares of local parks and 28 hectares of non-local parks). Accounting for Vision Georgetown Secondary Plan Area parkland conveyances, approximately 41 hectares of parkland acquisition needs would be required from other conveyances or cash-in-lieu of parkland contributions under the *Planning Act*. Applying the Town’s Parkland Dedication By-law, it is estimated that the shortfall in parkland needs will equate to capital cost of \$66.1 million to \$114.1 million. The range reflects the assumptions for location of non-local parklands and whether these would be located within the urban area or future expansion areas of the Town, the former with a higher estimated land value. For the purposes of this Strategy, the lower cost estimate has been applied. The costs have been



included as 100% growth related reflecting the Town's standard for parkland relative to anticipated population growth.

- C.B.C. Strategy – The requirement to complete a C.B.C. Strategy as part of adopting a by-law is prescribed by the *Planning Act*. As such, the calculations contain capital costs estimates for consulting costs to complete the current C.B.C. Strategy as well as a review in 5 years. The capital costs are included as 100% growth-related and attributable solely the C.B.C.-eligible share of development.

Based on the calculations and allocations to C.B.C.-eligible high-density growth, the Town has identified \$6.0 million in eligible net growth-related costs to be included within the C.B.C. calculations.



**Table 4-1  
Capital Costs to be Recovered through Community Benefit Charges**

Prj.No	Town Project No.	Increased Service Needs Attributable to Anticipated Development  2022-2036	Timing (year)	Gross Capital Cost Estimate (2022\$)	Less:			Net Growth-Related Cost	Total Non-Residential Share	Total Residential Share	Low/Medium Density Residential	Total High Density Residential	Potential C.B.C. Recoverable Cost	
					Benefit to Existing Development	Excess Capacity	Grants, Subsidies and Other Contributions Attributable to New Development						Ineligible High Density Residential	Eligible High Density Residential
1		<b>Municipal Parking</b> Interfund Loan		274,354	-	-	-	274,354	81,465	192,889	160,304	32,585	14,473	18,112
2	1100-10-2201	<b>General Studies</b> Economic Development and Tourism Strategy Update	2026	80,000	55,700	-	-	24,300	7,215	17,085	14,198	2,886	1,282	1,604
3	1100-10-2202	Economic Development and Tourism Strategy Update	2031	80,000	55,700	-	-	24,300	7,215	17,085	14,198	2,886	1,282	1,604
4		Affordable Housing	2021	284,000	197,800	-	-	86,200	25,596	60,604	50,366	10,238	4,547	5,691
5		Affordable Housing Plan	2022	50,000	34,800	-	-	15,200	4,513	10,687	8,881	1,805	802	1,003
6		Affordable Housing Plan Update	2027	50,000	34,800	-	-	15,200	4,513	10,687	8,881	1,805	802	1,003
7	2300-05-2104	<b>Corporate Services/Information Technology</b> BI - Implement BI Technologies	2025	50,000	34,800	-	-	15,200	4,513	10,687	8,881	1,805	802	1,003
8	2300-10-2103	BI - Pilot BI Technologies	2024	10,000	7,000	-	-	3,000	891	2,109	1,753	356	158	198
9	2300-10-2002	BI reporting & Dashboarding Strategy	2023	25,000	17,400	-	-	7,600	2,257	5,343	4,441	903	401	502
10	2300-10-1909	Corporate Collaboration Strategy	2023	53,500	37,300	-	-	16,200	4,810	11,390	9,466	1,924	855	1,069
11	2300-10-1908	HUB Review Strategy	2023	39,300	27,400	-	-	11,900	3,534	8,366	6,953	1,413	628	786
12	2300-05-2101	ITSM Solution	2023	50,000	34,800	-	-	15,200	4,513	10,687	8,881	1,805	802	1,003
13	2300-05-0103	Microsoft Licensing	2023-2031	240,000	167,200	-	-	72,800	21,617	51,183	42,537	8,646	3,840	4,806
14	2300-05-2106	Open Data Implementation	2023	15,000	10,400	-	-	4,600	1,366	3,234	2,688	546	243	304
15		<b>Parkland Acquisition</b> Parkland Acquisition - Dedication/CIL Revenue Shortfall	2022-2036	66,065,771	-	-	-	66,065,771	3,303,289	62,762,482	52,159,940	10,602,542	4,709,257	5,893,285
16		Parkland Acquisition Study Phase 2	2031	45,000	11,300	-	-	33,700	1,685	32,015	26,607	5,408	2,402	3,006
17	2400-10-2001	<b>C.B.C. Strategy</b> C.B.C. Strategy Update	2027	39,000	-	-	-	39,000	-	39,000	-	39,000	-	39,000
18	2400-10-2001	C.B.C. Strategy Update	2032	39,000	-	-	-	39,000	-	39,000	-	39,000	-	39,000
		<b>Total</b>		<b>67,489,925</b>	<b>726,400</b>	<b>-</b>	<b>-</b>	<b>66,763,525</b>	<b>3,478,993</b>	<b>63,284,532</b>	<b>52,528,976</b>	<b>10,755,556</b>	<b>4,742,575</b>	<b>6,012,981</b>



# Chapter 5

## C.B.C. Calculation



## 5. C.B.C. Calculation

### 5.1 Anticipated Funding Recovery

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To summarize the calculation of the charge, the following has been undertaken:

- 1) **Anticipated Development:** As presented in Chapter 2, the 14-year growth forecast provides for 1,608 eligible high-density units (i.e., in buildings containing a minimum of five storeys and a minimum of 10 residential units).
- 2) **Land Valuation:** Estimated land values were based on land appraisals for payment in lieu of parkland as well as the benchmark land values for a large urban parcel prepared for the Town by the Antec Appraisal Group in March 2021, as summarized in Chapter 2.
- 3) **Identification of a Services:** A number of services were considered including municipal parking, and growth studies which are no longer eligible under the D.C.A., corporate services information technology, parkland acquisition, and the C.B.C. strategy.
- 4) **C.B.C.-eligible Costs:** Capital needs related to the identified services were provided by Town staff and parkland acquisition capital costs were based on the Town's "Parkland Dedication and Payment-in-Lieu of Parkland By-law Review." Gross costs of the capital projects were assessed for the portion of the projects that would benefit the existing community versus the future growth. The growth-costs were then allocated amongst all types of growth to calculate the amount that is associated with the C.B.C.-eligible high-density units.
- 5) **Total Land Value:** Based on the growth forecast (section 2.4), density assumptions, and land valuation assessment, the total land value for C.B.C.-eligible high-density units was calculated to equal approximately \$133.6 million.
- 6) **Maximum C.B.C.:** As per the *Planning Act*, the maximum a municipality can impose for a C.B.C. is equal to 4% of the land value of a property, the day before building permit issuance. Based on the total land value, the estimated potential C.B.C. recovery for the Town equates to just under \$5.3 million for the 14-year forecast period.



The Town has identified capital costs attributable to eligible high-density growth of \$6.01 million. These capital costs exceed the maximum allowable amount of approximately \$5.3 million, based on land value and the prescribed rate. As the potential available C.B.C. funding will not provide funding for all projects included in the capital projects list, in consultation with Town staff, it is recommended that the C.B.C. by-law only consider funding for Parkland Acquisition and C.B.C. Strategy needs (i.e., \$5.97 million). As summarized in Table 5-1, the maximum C.B.C. rate of 4% of land value at the time of building permit issuance should be considered for imposition on eligible forms of development. Moreover, it is reasonable to consider a charge structure denominated as a percentage of land value as the C.B.C. intended to fund land purchases and as would account for cost adjustments over time.

Table 5-1  
Summary of C.B.C. Calculation

Description	Gross Capital Cost Estimate (2022\$)	Growth-Related Capital Cost	
		Net Residential Share	C.B.C. Eligible Share
Municipal Parking	\$274,354	\$192,889	\$18,112
Growth-Related Studies	\$544,000	\$116,146	\$10,906
Corporate Services/Information Technology	\$482,800	\$102,999	\$9,671
Parkland Acquisition	\$66,110,771	\$62,794,497	\$5,896,292
C.B.C. Strategy	\$78,000	\$78,000	\$78,000
<b>Total Capital Costs</b>	<b>\$67,489,925</b>	<b>\$63,284,532</b>	<b>\$6,012,981</b>
<b>Total Capital Costs for C.B.C. Recovery</b>			<b>\$5,974,292</b>
Anticipated C.B.C. Residential Dwelling Units (2022-2036)			1,608
Density Assumption (units per hectare)			79.04
Land Area for Residential Dwelling Unit Forecast (hectares)			20.34
Estimated Average Land Value (\$/hectare)			\$6,565,195
Total Estimated Land Value			\$133,563,181
Maximum Prescribed Value (4% of land value)			\$5,342,527
<b>Total C.B.C. Required to Fund Needs (% of land value)</b>			<b>4.5%</b>
<b>Total C.B.C. Proposed (% of land value)</b>			<b>4.0%</b>



# Chapter 6

## C.B.C. Policy Recommendations and C.B.C. By-law Rules





## 6. C.B.C. Policy Recommendations and C.B.C. By-law Rules

### 6.1 C.B.C. Policies

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*Planning Act*, section 37 and O. Reg. 509/20 outline the required policies that must be considered when adopting a C.B.C. by-law. The following subsections set out the recommended policies governing the calculation, payment and collection of C.B.C.s in accordance with the legislation.

### 6.2 C.B.C. By-law Rules

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#### 6.2.1 *Payment in any Particular Case*

In accordance with the *Planning Act*, subsection 37 (3), a C.B.C. may be imposed only with respect to development or redevelopment that requires one of the following:

- (a) “the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*;
- (b) the approval of a minor variance under section 45 of the *Planning Act*;
- (c) a conveyance of land to which a by-law passed under subsection 50 (7) of the *Planning Act* applies;
- (d) the approval of a plan of subdivision under section 51 of the *Planning Act*;
- (e) a consent under section 53 of the *Planning Act*;
- (f) the approval of a description under section 9 of the *Condominium Act, 1998*; or
- (g) the issuing of a permit under the *Building Code Act, 1992* in relation to a building or structure.”



## **6.2.2 Maximum Amount of the Community Benefit Charge**

Subsection 37 (32) of the *Planning Act* states that the amount of a C.B.C. payable in any particular case shall not exceed an amount equal to the prescribed percentage of the value of the land as of the valuation date.

Based on section 3 of O. Reg. 509/20, the prescribed percentage is 4%.

## **6.2.3 Exemptions (full or partial)**

The following exemptions are provided under subsection 37 (4) of the *Planning Act* and section 1 of O. Reg. 509/20:

- Development of a proposed building or structure with fewer than five storeys at or above ground;
- Development of a proposed building or structure with fewer than 10 residential units;
- Redevelopment of an existing building or structure that will have fewer than five storeys at or above ground after the redevelopment;
- Redevelopment that proposes to add fewer than 10 residential units to an existing building or structure;
- Such types of development or redevelopment as are prescribed:
  - Development or redevelopment of a building or structure intended for use as a long-term care home within the meaning of subsection 2 (1) of the *Long-Term Care Homes Act, 2007*.
  - Development or redevelopment of a building or structure intended for use as a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*.
  - Development or redevelopment of a building or structure intended for use by any of the following post-secondary institutions for the objects of the institution:
    - i. a university in Ontario that receives direct, regular and ongoing operating funding from the Government of Ontario,
    - ii. a college or university federated or affiliated with a university described in subparagraph i,
    - iii. an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*.



- Development or redevelopment of a building or structure intended for use as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion.
- Development or redevelopment of a building or structure intended for use as a hospice to provide end-of-life care.
- Development or redevelopment of a building or structure intended for use as residential premises by any of the following entities:
  - i. a corporation to which the *Not-for-Profit Corporations Act, 2010* applies that is in good standing under that Act and whose primary object is to provide housing,
  - ii. a corporation without share capital to which the *Canada Not-for-profit Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing,
  - iii. a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*.

In addition to the exemptions noted above, the C.B.C. will not apply to buildings or structures owned by and used for the purposes of any municipality, local board, or Board of Education.

#### **6.2.4 Timing of Collection**

The C.B.C.s imposed are calculated, payable, and collected upon issuance of a building permit for eligible development or redevelopment.

#### **6.2.5 In-kind Contributions**

A municipality that has passed a C.B.C. by-law may allow the landowner to provide to the municipality: facilities, services, or matters required because of development or redevelopment in the area to which the by-law applies.

Prior to providing these contributions, the municipality shall advise the landowner of the value that of the in-kind contributions that will be attributed to them. This value shall be deducted from the amount the landowner would otherwise be required to pay under the C.B.C. by-law.



## **6.2.6 The Applicable Areas**

The C.B.C. by-law will apply to all lands within the Town.

## **6.2.7 Special Account**

All money received by the municipality under a C.B.C. by-law shall be paid into a special account. The money contained within the special account:

- may be invested in securities in which the municipality is permitted to invest under the *Municipal Act, 2001*, and the earnings derived from the investment of the money shall be paid into a special reserve fund account; and
- must have at least 60 percent of the funds spent or allocated at the beginning of the year.

In addition to the monies collected under a C.B.C. by-law, transitional rules for transferring existing reserve funds are provided in subsection 37 (51) of the *Planning Act*. These rules apply for any existing reserve funds related to a service that is not listed in subsection 2 (4) of the D.C.A., as well as reserve funds established under section 37 of the *Planning Act* prior to Bill 197.

1. If the municipality passes a C.B.C. by-law under this section before the specified date, the municipality shall, on the day it passes the by-law, allocate the money in the special account or reserve fund to the special account referred to in subsection (45) of the *Planning Act*.
2. If the municipality has not passed a C.B.C. by-law under this section before the specified date, the special account or reserve fund is deemed to be a general capital reserve fund for the same purposes for which the money in the special account or reserve fund was collected.
3. Despite paragraph 2, subsection 417 (4) of the *Municipal Act, 2001* (a provision which requires the funds raised for a reserve fund must only be used for the intended purpose) and any equivalent provision of do not apply with respect to the general capital reserve fund referred to in paragraph 2.
4. If paragraph 2 applies and the municipality passes a C.B.C. by-law under this section on or after the specified date, the municipality shall, on the day it passes the by-law, allocate any money remaining in the general capital reserve fund referred to



in paragraph 2 to the special account referred to in subsection (45) of the *Planning Act*.

Based on the above, it is recommended that the D.C. reserve funds for Parking services be transferred to the C.B.C. special account.

### **6.2.8 Credits**

Subsection 37 (52) of the *Planning Act* indicates that any credits that were established under section 38 of the D.C.A. and that are not related to a service that is listed in subsection 2 (4) of the D.C.A., may be used by the holder of the credit with respect to a charge that the holder is required to pay under a C.B.C. by-law.

### **6.2.9 By-law In-Force Date**

A C.B.C. by-law comes into force on the day it is passed, or the day specified in the by-law, whichever is later.

## **6.3 Recommendations**

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### **It is recommended that Council:**

“Adopt the C.B.C. approach to calculate the charges on a uniform Town-wide basis;”

“Approve the capital project listing set out in Chapter 4 of the C.B.C. Strategy dated April 15, 2022, subject to further annual review during the capital budget process;”

“Create a special reserve fund account which will contain all C.B.C. monies collected;”

“Use C.B.C.s collected to fund Parkland Acquisition and C.B.C. Strategy needs only;”

“Impose the C.B.C. of 4% of land value on the day before a building permit is issued;”



“Approve the C.B.C. Strategy dated April 15, 2022, as amended (if applicable);”  
and

“Approve the C.B.C. By-law as set out in Appendix C.”



# Chapter 7

## By-law Implementation



## 7. By-law Implementation

### 7.1 Introduction

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This chapter addresses the public consultation process and by-law implementation requirements for the imposition of a C.B.C. by-law. Figure 7-1 provides an overview of the process.

### 7.2 Public Consultation Process

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#### 7.2.1 Required Consultation

In establishing the policy for which a C.B.C. strategy and by-law will be based, subsection 37 (10) of the *Planning Act* requires that:

“In preparing the community benefits strategy, the municipality shall consult with such persons and public bodies as the municipality considers appropriate.”

As there is no specific guidance as to which parties the municipality shall consult with, municipalities may establish their own policy for public consultation. The policy for public consultation should be designed to seek the co-operation and participation of those involved, in order to produce the most suitable policy. Municipalities may consider a public meeting, similar to that undertaken for D.C. study processes (however, this is not a mandated requirement). At a minimum, this would include a presentation to Council and the public on the findings of the C.B.C. strategy, advanced notice of the meeting, and consideration for delegations from the public.

#### 7.2.2 Interested Parties to Consult

There are three broad groupings of the public who are generally the most concerned with municipal C.B.C. policy.

1. The first grouping is the residential development community, consisting of land developers and builders, who will typically be responsible for generating the majority of the C.B.C. revenues. Others, such as realtors, are directly impacted by C.B.C. policy. They are, therefore, potentially interested in all aspects of the charge, particularly the percentage applicable to their properties, projects to be funded by





the C.B.C. and the timing thereof, and municipal policy with respect to development agreements and in-kind contributions.

2. The second public grouping embraces the public at large and includes taxpayer coalition groups and others interested in public policy.
3. The third grouping is the non-residential mixed-use development sector, consisting of land developers and major owners or organizations with significant construction plans for mixed use developments. Also involved are organizations such as Industry Associations, the Chamber of Commerce, the Board of Trade, and the Economic Development Agencies, who are all potentially interested in municipal C.B.C. policy. Their primary concern is frequently with the percentage charge applicable to their lands, exemptions, and phase-in or capping provisions in order to moderate the impact.

As noted in section 1.4, through the C.B.C. strategy process, the Town's consultation process includes meetings with the development community, general public, and Council.

## **7.3 Anticipated Impact of the Charge on Development**

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The establishment of sound C.B.C. policy often requires the achievement of an acceptable balance between two competing realities. The first is that increased residential development fees (such as a C.B.C.) can impact project feasibility in some cases (e.g., rental apartments). Secondly, C.B.C.s or other municipal capital funding sources need to be obtained in order to help ensure that the necessary infrastructure and amenities are installed. The timely installation of such works is a key requirement in providing adequate service levels and in facilitating strong economic growth, investment, and wealth generation.

## **7.4 Implementation Requirements**

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### **7.4.1 Introduction**

Once the Town has calculated the charge, prepared the complete strategy, carried out the public process, and passed a new by-law, the emphasis shifts to implementation matters.



These include notices, potential appeals and complaints, in-kind contributions, and finally the collection of revenues and funding of projects.

The sections that follow provide an overview of the requirements in each case.

### **7.4.2 Notice of Passage**

In accordance with subsection 37 (13) of the *Planning Act*, when a C.B.C. by-law is passed, the clerk of the municipality shall give written notice of the passing and of the last day for appealing the by-law (the day that is 40 days after the day it was passed). Such notice must be given no later than 20 days after the day the by-law is passed (i.e., as of the day of newspaper publication or the mailing of the notice).

Section 4 of O. Reg. 509/20 further defines the notice requirements which are summarized as follows:

- notice shall be given by publication in a newspaper which is (in the clerk's opinion) of sufficient circulation to give the public reasonable notice, or by personal service, fax or mail to every owner of land in the area to which the by-law relates;
- subsection 4 (2) lists the persons/organizations who must be given notice; and
- subsection 4 (5) lists the seven items that the notice must cover.

### **7.4.3 Appeals**

Subsections 37 (13) to 37 (31) of the *Planning Act* set out the requirements relative to making and processing a C.B.C. by-law appeal as well as an OLT hearing in response to an appeal. Any person or organization may appeal a C.B.C. by-law to the OLT by filing a notice of appeal with the clerk of the municipality, setting out the objection to the by-law and the reasons supporting the objection. This must be done by the last day for appealing the by-law, which is 40 days after the by-law is passed.

The municipality is carrying out a public consultation process, in order to address the issues that come forward as part of that process, thereby avoiding or reducing the need for an appeal to be made.

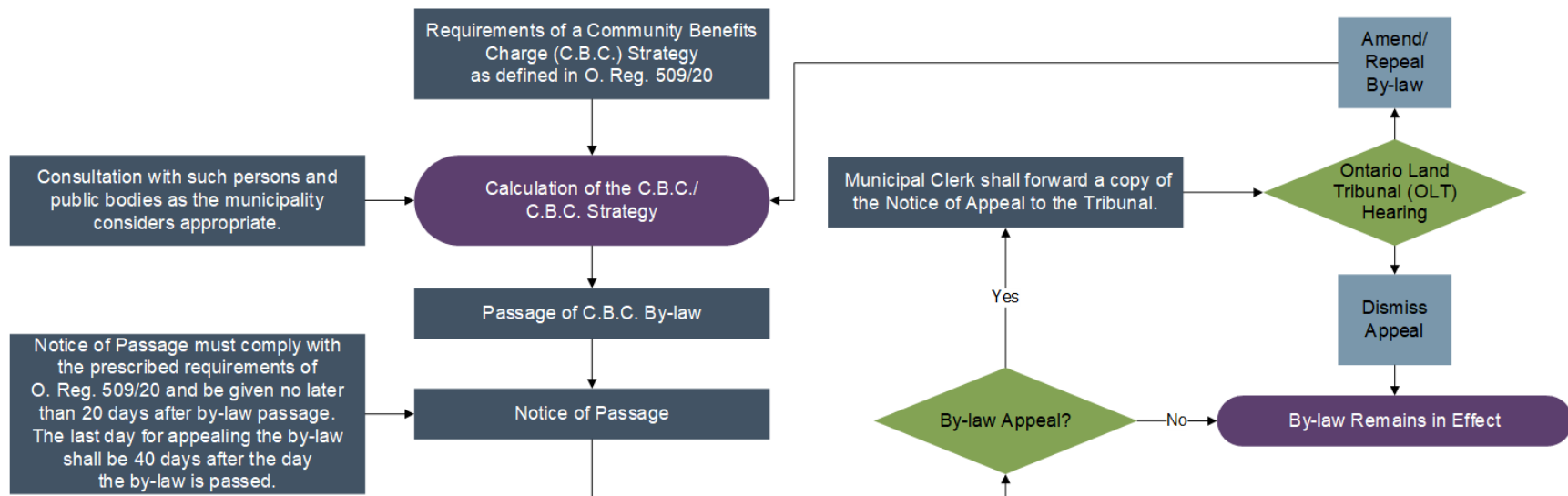


#### **7.4.4 In-Kind Contributions**

Subsections 37 (6) to 37 (8) provide the rules for in-kind contributions. An owner of land may provide the municipality facilities, services, or matters required because of development or redevelopment in the area to which the by-law applies. Prior to providing these contributions, the municipality shall advise the owner of the land of the value that will be attributed to the contributions. The value of the contributions shall be deducted from the amount the owner of the land would otherwise have to pay under the C.B.C. by-law.



Figure 7-1  
The Process of Required for Passing a Community Benefits Charge By-law under the *Planning Act*





## 7.5 Ongoing Application and Collection of C.B.C. funds

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### 7.5.1 Introduction

Once the municipality passes a C.B.C. by-law, development or redevelopment that meets the requirements of the C.B.C. by-law will pay a C.B.C. based on the value of their land. The following sections describe the overall process and discusses the approach to appraisals and use of the special account as set out in the *Planning Act*.

### 7.5.2 Overview of Process and Appraisals

Figure 7-2 provides an overview of the process for application of the C.B.C. by-law and collection of C.B.C. funds.

Once the C.B.C. by-law is in place, as development or redevelopment that meets the eligibility criteria proceeds (i.e., prior to issuance of a building permit), the municipality collects C.B.C.s based on the calculated percentage (as set out in the by-law and C.B.C. strategy) and the value of the land. The Town will require each eligible development to provide a land appraisal of the market value of the land from a certified professional appraiser of real estate who is designated as an accredited appraiser by the Appraisal Institute of Canada, at no expense to the Town, for use in calculating the C.B.C. charge on each development or redevelopment.

If the Town agrees with the appraised value, then the owner pays their C.B.C.s to the Town and the funds will then be deposited into the special account.

If the Town does not agree with the appraisal provided by the owner, the Town has 45 days to provide the owner of the land with their own appraisal value. Then:

- If no appraisal is provided to the owner within 45 days, the owner's appraisal is deemed accurate and the difference in the amounts shall be refunded to the owner.
- If the municipality's appraisal is within 5% of the landowner's appraisal, the landowner's appraisal is deemed accurate, and the municipality shall refund the difference in the amounts to the owner.
- If the appraisal is more than 5% higher than the landowner's appraisal, the municipality shall request an appraisal be undertaken by an appraiser, selected by the landowner, from the list of approved appraisers provided by the



municipality. This must be undertaken within 60 days. This final appraisal is deemed accurate for the purposes of calculating the applicable C.B.C.

- In regard to the last bullet, subsection 37 (42) and 37 (43) require the municipality to maintain a list of at least three persons who are not employees of the municipality or members of Council and have an agreement with the municipality to perform appraisals for the above. This list is to be maintained until the C.B.C. by-law is repealed or the day on which there is no longer any refund that could be required (whichever is later).

### **7.5.3 Special Reserve Fund Account**

All funds collected under the C.B.C. by-law are to be deposited into a special account. Subsections 37 (45) to 37 (48) of the *Planning Act* outline the rules with respect to the special reserve fund account. As noted in subsection 6.2.7, these rules are as follows:

- All money received under a C.B.C. by-law shall be paid into a special account;
- The money in the special account may be invested in securities (as permitted under the *Municipal Act*) and the interest earnings shall be paid into the special account;
- In each year, a municipality shall spend or allocate at least 60 percent of the monies that are in the special account at the beginning of the year; and
- The municipality shall provide reports and information as set out in section 7 of O. Reg. 509/20
- In regard to the third bullet, it is suggested that the annual capital budget for the Town directly list the works which are being undertaken and/or to which monies from this fund are being allocated toward.

As per this C.B.C. strategy, the growth-related services (as outlined in Chapter 4), form the anticipated capital needs required to service growth over the 14-year forecast period. Other services, however, may be considered by Council in the future and are subject to approval by resolution and inclusion in the annual budget process.

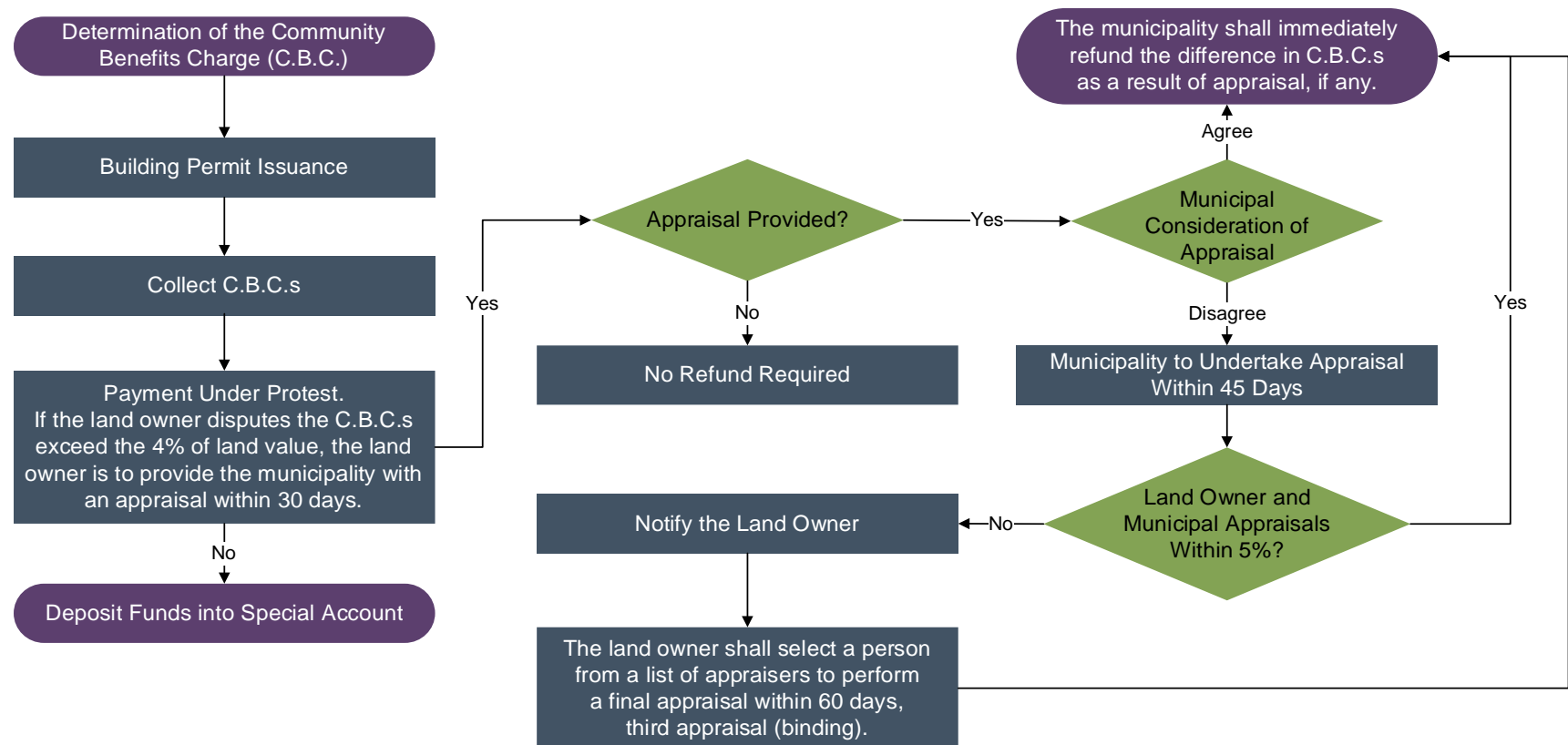
Furthermore, any additional services approved and funded from C.B.C. revenue in the future will be reported on through an annual C.B.C. reserve fund statement, which will form part of the Town's overall year-end statements.



During the annual budget process, the use of C.B.C. funding will be reviewed, and the capital costs associated with each eligible service and capital project will be confirmed and identified for approval of Council.



Figure 7-2  
Town of Halton Hills  
Community Benefits Charge Application and Calculation Process







## 7.6 Transitional Matters

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### **7.6.1 Existing Reserves and Reserve Funds**

The *Planning Act*, subsection 37 (49) to subsection 37 (51) provides transitional provisions for:

1. A special account established under the previous section 37 rules; and
2. A D.C. reserve fund for which services are no longer eligible.

With respect to item 1, the Town has not collected previous section 37 funds. With respect to item 2, the Town currently has a D.C. reserve fund for municipal parking which is no longer an D.C.-eligible service.

If the municipality passes a C.B.C. by-law with an in-force date before September 18, 2022, the municipality shall allocate the money in the special account and D.C. reserve fund to the C.B.C. special account.

If the municipality does not pass a C.B.C. by-law before September 18, 2022, the D.C. reserve funds for municipal parking are deemed to be general capital reserve funds for the same purpose in which the money was collected. Subsequently, if a C.B.C. by-law is passed after September 18, 2022, the municipality shall allocate the money from the newly created general capital reserve funds described above to the C.B.C. special account.

### **7.6.2 Credits under Section 38 of the Development Charges Act**

The *Planning Act* (subsection 37 (52)) provides that, if a municipality passes a C.B.C. by-law before September 18, 2022, any credits held for services that are no longer D.C. eligible (e.g., parking services), may be used against payment of a C.B.C. by the landowner. The Town does not currently hold credits related to the services which are no longer D.C. eligible, therefore, there are no adjustment against future payments of a C.B.C. to apply.

### **7.6.3 Continued Application of Previous Section 37 Rules**

Subsection 37.1 of the *Planning Act* provides for transitional matters regarding previous section 37 rules. Any charges that are currently in place under the previous rules, may



remain in place until the municipality passes a C.B.C. by-law or September 18, 2022, whichever comes first.



# Appendices



# Appendix A

## Background Information on Residential and Non- Residential Growth Forecast



## Schedule 1 Town of Halton Hills Residential Growth Forecast Summary

	Year	Population (Including Census Undercount) <sup>[1]</sup>	Excluding Census Undercount			Housing Units					Persons Per Unit (P.P.U.): Total Population/ Total Households
			Population	Institutional Population	Population Excluding Institutional Population	Singles & Semi- Detached	Multiple Dwellings <sup>[2]</sup>	Apartments <sup>[3]</sup>	Other	Total Households	
Historical	Mid 2006	56,940	55,289	999	54,290	14,735	1,945	2,040	100	18,820	2.938
	Mid 2011	60,770	59,008	1,063	57,945	15,835	2,394	1,999	33	20,261	2.912
	Mid 2016	62,990	61,161	961	60,200	16,360	2,590	2,110	30	21,090	2.900
Forecast	Mid 2022	65,910	64,001	1,015	62,986	17,097	2,763	2,674	30	22,564	2.836
	Mid 2036	94,630	91,885	1,446	90,439	21,098	6,706	5,567	30	33,401	2.751
Incremental	<b>Mid 2006 - Mid 2011</b>	<b>3,830</b>	<b>3,719</b>	<b>64</b>	<b>3,655</b>	<b>1,100</b>	<b>449</b>	<b>-41</b>	<b>-67</b>	<b>1,441</b>	
	<b>Mid 2011 - Mid 2016</b>	<b>2,220</b>	<b>2,153</b>	<b>-102</b>	<b>2,255</b>	<b>525</b>	<b>196</b>	<b>111</b>	<b>-3</b>	<b>829</b>	
	<b>Mid 2016 - Mid 2022</b>	<b>2,920</b>	<b>2,840</b>	<b>54</b>	<b>2,786</b>	<b>737</b>	<b>173</b>	<b>564</b>	<b>0</b>	<b>1,474</b>	
	<b>Mid 2022 - Mid 2036</b>	<b>28,720</b>	<b>27,884</b>	<b>431</b>	<b>27,453</b>	<b>4,001</b>	<b>3,943</b>	<b>2,893</b>	<b>0</b>	<b>10,837</b>	

<sup>[1]</sup> Census undercount estimated at approximately 3.0%.

<sup>[2]</sup> Includes townhouses and apartments in duplexes.

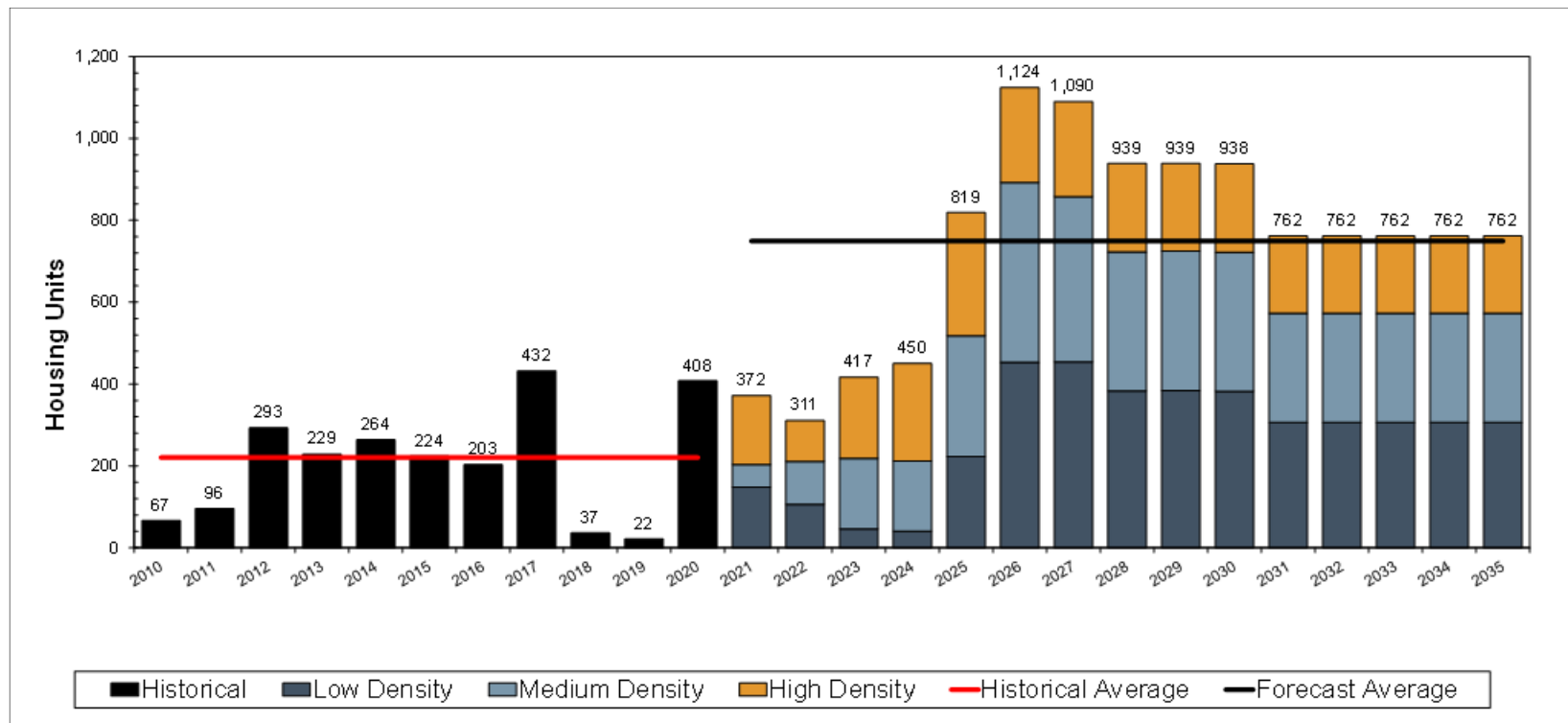
<sup>[3]</sup> Includes bachelor, 1-bedroom, and 2-bedroom+ apartment units.

Note: Population including the Census undercount has been rounded.

Source: Short-term forecast derived from information provided by the Town of Halton Hills, long-term forecast derived from Region of Halton Integrated Growth Management Study (2018), Regional Official Plan Amendment 38 (2011), and Best Planning Estimates of Population, Occupied Dwelling Units and Employment, 2011-2031 (2011) forecast for the Town of Halton Hills by Watson & Associates Economists Ltd.



Figure A-1  
Town of Halton Hills  
Annual Housing Forecast<sup>[1]</sup>



[1] Growth forecast represents calendar year.

Source: Historical housing activity derived from Town of Halton Hills building permit data, 2011 to 2020.



**Schedule 2**  
**Town of Halton Hills**  
**Estimate of the Anticipated Amount, Type and Location of**  
**Residential Development for Which Community Benefits Charges Can Be Imposed**

Development Location	Timing	Single & Semi-Detached	Multiples <sup>[1]</sup>	Apartments <sup>[2]</sup>			Total Residential Units	Gross Population In New Units	Existing Unit Population Change	Net Population Increase, Excluding Institutional	Institutional Population	Net Population Including Institutional
				Units in C.B.C. Ineligible Buildings	Units in C.B.C. Eligible Buildings	Total Apartment Units						
Vision Georgetown <sup>[3]</sup>	2022 - 2036	2,925	2,705	1,016	0	1,016	6,646	18,283	0	18,283	0	18,283
Georgetown Designated Greenfield Area (Excludes Vision Georgetown)	2022 - 2036	745	286	27	0	27	1,058	3,328	(36)	3,292	27	3,319
Georgetown Built Boundary	2022 - 2036	203	808	242	1,608	1,850	2,861	5,642	(368)	5,275	270	5,545
Acton	2022 - 2036	0	144	0	0	0	144	339	(91)	248	67	315
Hamlets and Other Rural Lands	2022 - 2036	128	0	0	0	0	128	449	(92)	357	67	424
<b>Town of Halton Hills</b>	<b>2022 - 2036</b>	<b>4,001</b>	<b>3,943</b>	<b>1,285</b>	<b>1,608</b>	<b>2,893</b>	<b>10,837</b>	<b>28,041</b>	<b>(587)</b>	<b>27,454</b>	<b>431</b>	<b>27,885</b>

<sup>[1]</sup> Includes townhouses and apartments in duplexes.

<sup>[2]</sup> Includes accessory apartments, bachelor, 1-bedroom and 2-bedroom+ apartments.

<sup>[3]</sup> Based on Vision Georgetown Secondary Plan, H6.11.2.3, maximum building height shall not exceed five storeys.

Note: Numbers may not add to totals due to rounding.

Source: Short-term forecast derived from information provided by the Town of Halton Hills, long-term forecast derived from Region of Halton Integrated Growth Management Study (2018), Regional Official Plan Amendment 38 (2011), and Best Planning Estimates of Population, Occupied Dwelling Units and Employment, 2011-2031 (2011) forecast for the Town of Halton Hills by Watson & Associates Economists Ltd.



Schedule 3  
Town of Halton Hills  
Current Year Growth Forecast  
Mid 2016 to Mid 2022

		Population
<b>Mid 2016 Population</b>		<b>61,161</b>
Occupants of New Housing Units, Mid 2016 to Mid 2022	<i>Units (2)</i>	1,474
	<i>multiplied by P.P.U. (3)</i>	2,671
	<i>gross population increase</i>	3,937
Occupants of New Equivalent Institutional Units, Mid 2016 to Mid 2022	<i>Units</i>	49
	<i>multiplied by P.P.U. (3)</i>	1,100
	<i>gross population increase</i>	53
Decline in Housing Unit Occupancy, Mid 2016 to Mid 2022	<i>Units (4)</i>	21,090
	<i>multiplied by P.P.U. decline rate (5)</i>	-0,055
	<i>total decline in population</i>	-1,150
<b>Population Estimate to Mid 2022</b>		<b>64,001</b>
<i>Net Population Increase, Mid 2016 to Mid 2022</i>		<i>2,840</i>

- (1) 2016 population based on Statistics Canada Census unadjusted for Census undercount.
- (2) Estimated residential units constructed, Mid-2016 to the beginning of the growth period assuming a six-month lag between construction and occupancy.
- (3) Average number of persons per unit (P.P.U.) is assumed to be:

Structural Type	Persons Per Unit <sup>1</sup> (P.P.U.)	% Distribution of Estimated Units <sup>2</sup>	Weighted Persons Per Unit Average
<i>Singles &amp; Semi Detached</i>	3.581	50%	1.791
<i>Multiples (6)</i>	2.133	12%	0.250
<i>Apartments (7)</i>	1.646	38%	0.630
<b>Total</b>		<b>100%</b>	<b>2.671</b>

<sup>1</sup> Based on 2016 Census custom database

<sup>2</sup> Based on Building permit/completion activity

- (4) 2016 households taken from Statistics Canada Census.
- (5) Decline occurs due to aging of the population and family life cycle changes, lower fertility rates and changing economic conditions.
- (6) Includes townhouses and apartments in duplexes.
- (7) Includes bachelor, 1-bedroom and 2-bedroom+ apartments.

Note: Numbers may not add to totals due to rounding.





Schedule 4  
Town of Halton Hills  
2036 Growth Forecast  
Mid 2022 to Mid 2036

		Population
Mid 2022 Population		64,001
Occupants of New Housing Units, Mid 2022 to Mid 2036	<i>Units (2)</i>	10,837
	<i>multiplied by P.P.U. (3)</i>	2,587
	<i>gross population increase</i>	28,040
Occupants of New Equivalent Institutional Units, Mid 2022 to Mid 2036	<i>Units</i>	392
	<i>multiplied by P.P.U. (3)</i>	1,100
	<i>gross population increase</i>	431
Decline in Housing Unit Occupancy, Mid 2022 to Mid 2036	<i>Units (4)</i>	22,564
	<i>multiplied by P.P.U. decline rate (5)</i>	-0.026
	<i>total decline in population</i>	-587
Population Estimate to Mid 2036		91,885
<i>Net Population Increase, Mid 2022 to Mid 2036</i>		27,884

(1) Mid 2022 Population based on:

2016 Population (61,161) + Mid 2016 to Mid 2022 estimated housing units to beginning of forecast period (1,474 x 2.671 = 3,937) + (49 x 1.1 = 53) + (21,090 x -0.055 = -1,150) = 64,001

(2) Based upon forecast building permits/completions assuming a lag between construction and occupancy.

(3) Average number of persons per unit (P.P.U.) is assumed to be:

Structural Type	Persons Per Unit <sup>1</sup> (P.P.U.)	% Distribution of Estimated Units <sup>2</sup>	Weighted Persons Per Unit Average
<i>Singles &amp; Semi Detached</i>	3.505	37%	1.294
<i>Multiples (6)</i>	2.354	36%	0.856
<i>Apartments (7)</i>	1.637	27%	0.437
<i>one bedroom or less</i>	1.333		
<i>two bedrooms or more</i>	1.808		
<b>Total</b>		100%	2.587

<sup>1</sup> Persons per unit based on Statistics Canada Custom 2016 Census database.

<sup>2</sup> Forecast unit mix based upon historical trends and housing units in the development process.

(4) Mid 2022 households based upon 2016 Census (21,090 units) + Mid 2016 to Mid 2022 unit estimate (1,474 units) = 22,564 units.

(5) Decline occurs due to aging of the population and family life cycle changes, lower fertility rates and changing economic conditions.

(6) Includes townhouses and apartments in duplexes.

(7) Includes bachelor, 1-bedroom and 2-bedroom+ apartments.

Note: Numbers may not add to totals due to rounding.



Schedule 5  
Town of Halton Hills  
Historical Residential Building Permits  
Years 2011 to 2020

Year	Residential Building Permits			
	Singles & Semi Detached	Multiples <sup>[1]</sup>	Apartments <sup>[2]</sup>	Total
2011	75	23	2	100
2012	144	25	0	169
2013	192	38	0	230
2014	67	0	0	67
2015	73	23	0	96
Sub-total	551	109	2	662
<b>Average (2011 - 2015)</b>	<b>110</b>	<b>22</b>	<b>0</b>	<b>132</b>
% Breakdown	83.2%	16.5%	0.3%	100.0%
2016	83	71	57	211
2017	280	0	2	282
2018	36	8	0	44
2019	12	0	0	12
2020	185	38	185	408
Sub-total	596	117	244	957
<b>Average (2016 - 2020)</b>	<b>119</b>	<b>23</b>	<b>49</b>	<b>191</b>
% Breakdown	62.3%	12.2%	25.5%	100.0%
2011 - 2020				
Total	1,147	226	246	1,619
<b>Average</b>	<b>115</b>	<b>23</b>	<b>25</b>	<b>162</b>
% Breakdown	70.8%	14.0%	15.2%	100.0%

<sup>[1]</sup> Includes townhouses and apartments in duplexes.

<sup>[2]</sup> Includes bachelor, 1-bedroom, and 2-bedroom+ apartment units.

Source: Historical housing activity derived from Town of Halton Hills building permit data, 2011 to 2020.



Schedule 6a  
Town of Halton Hills  
Person Per Unit by Age and Type of Dwelling  
(2016 Census)

Age of Dwelling	Singles and Semi-Detached						15 Year Average
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total	
1-5	-	-	1.545	3.534	4.944	<b>3.581</b>	
6-10	-	-	-	3.354	4.710	<b>3.510</b>	
11-15	-	-	1.941	3.315	4.673	<b>3.423</b>	3.505
16-20	-	-	-	3.324	4.594	<b>3.389</b>	
20-25	-	-	-	3.158	4.200	<b>3.282</b>	
25-35	-	-	2.500	3.050	4.593	<b>3.217</b>	
35+	-	1.474	2.011	2.781	4.050	<b>2.757</b>	
<b>Total</b>	-	<b>1.571</b>	<b>2.027</b>	<b>3.051</b>	<b>4.386</b>	<b>3.088</b>	

Age of Dwelling	Multiples <sup>[1]</sup>						15 Year Average
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total	
1-5	-	-	-	2.070	-	<b>2.133</b>	
6-10	-	-	1.714	2.673	-	<b>2.544</b>	
11-15	-	-	1.714	2.525	-	<b>2.384</b>	2.354
16-20	-	-	-	2.591	-	<b>2.281</b>	
20-25	-	-	2.083	2.257	-	<b>2.261</b>	
25-35	-	-	-	2.611	-	<b>2.383</b>	
35+	-	-	2.200	2.652	-	<b>2.527</b>	
<b>Total</b>	-	<b>1.455</b>	<b>1.872</b>	<b>2.530</b>	<b>2.923</b>	<b>2.412</b>	

Age of Dwelling	Apartments <sup>[2]</sup>						15 Year Average
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total	
1-5	-	-	-	-	-	-	
6-10	-	-	-	-	-	<b>1.429</b>	
11-15	-	-	-	-	-	-	1.429
16-20	-	1.091	1.563	-	-	<b>1.429</b>	
20-25	-	1.154	1.667	-	-	<b>1.559</b>	
25-35	-	1.095	1.438	-	-	<b>1.426</b>	
35+	-	1.150	1.885	2.500	-	<b>1.724</b>	
<b>Total</b>	-	<b>1.140</b>	<b>1.757</b>	<b>2.673</b>	-	<b>1.638</b>	

Age of Dwelling	All Density Types					
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total
1-5	-	-	1.846	3.177	4.944	<b>3.225</b>
6-10	-	-	2.000	3.213	4.588	<b>3.198</b>
11-15	-	-	1.771	3.213	4.673	<b>3.247</b>
16-20	-	1.000	1.722	3.198	4.594	<b>3.108</b>
20-25	-	1.308	1.800	3.059	4.200	<b>2.962</b>
25-35	-	1.318	1.778	2.979	4.808	<b>2.818</b>
35+	-	1.220	1.967	2.760	3.940	<b>2.594</b>
<b>Total</b>	-	<b>1.220</b>	<b>1.906</b>	<b>2.974</b>	<b>4.335</b>	<b>2.855</b>

<sup>[1]</sup> Includes townhouses and apartments in duplexes.

<sup>[2]</sup> Includes bachelor, 1 bedroom and 2 bedroom+ apartments.

*Note: Does not include Statistics Canada data classified as 'Other'*

*P.P.U. Not calculated for samples less than or equal to 50 dwelling units, and does not include institutional population.*



Schedule 6b  
Halton Region  
Person Per Unit by Age and Type of Dwelling  
(2016 Census)

Age of Dwelling	Singles and Semi-Detached						15 Year Average
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total	
1-5	-	1.850	2.229	3.586	4.580	<b>3.628</b>	
6-10	-	-	2.349	3.633	4.729	<b>3.737</b>	
11-15	-	-	1.923	3.471	4.504	<b>3.554</b>	3.640
16-20	-	-	1.855	3.249	4.349	<b>3.327</b>	
20-25	-	-	2.108	3.232	4.201	<b>3.367</b>	
25-35	-	-	2.198	3.057	3.866	<b>3.159</b>	
35+	-	1.614	1.916	2.756	3.707	<b>2.766</b>	
<b>Total</b>	-	<b>1.732</b>	<b>1.982</b>	<b>3.121</b>	<b>4.137</b>	<b>3.177</b>	

Age of Dwelling	Multiples <sup>[1]</sup>						15 Year Average
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total	
1-5	-	-	1.959	2.932	-	<b>2.670</b>	
6-10	-	-	1.986	2.938	-	<b>2.763</b>	
11-15	-	-	1.820	2.737	-	<b>2.612</b>	2.682
16-20	-	1.588	1.813	2.579	-	<b>2.416</b>	
20-25	-	1.583	1.790	2.668	-	<b>2.473</b>	
25-35	-	1.545	1.844	2.699	4.000	<b>2.516</b>	
35+	-	1.288	1.961	2.669	3.894	<b>2.528</b>	
<b>Total</b>	<b>0.273</b>	<b>1.427</b>	<b>1.899</b>	<b>2.753</b>	<b>4.071</b>	<b>2.582</b>	

Age of Dwelling	Apartments <sup>[2]</sup>						15 Year Average
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total	
1-5	-	1.374	1.794	2.394	-	<b>1.646</b>	
6-10	-	1.303	1.791	2.148	-	<b>1.640</b>	
11-15	-	1.308	1.685	2.630	-	<b>1.626</b>	1.637
16-20	-	1.274	1.738	2.375	-	<b>1.638</b>	
20-25	-	1.234	1.760	2.622	-	<b>1.677</b>	
25-35	-	1.308	1.742	2.810	-	<b>1.695</b>	
35+	1.500	1.236	1.829	2.425	-	<b>1.668</b>	
<b>Total</b>	<b>1.591</b>	<b>1.276</b>	<b>1.788</b>	<b>2.486</b>	-	<b>1.663</b>	

Age of Dwelling	All Density Types					
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total
1-5	-	1.398	1.890	3.358	4.560	<b>2.895</b>
6-10	-	1.342	1.926	3.425	4.699	<b>3.250</b>
11-15	-	1.362	1.769	3.269	4.514	<b>3.151</b>
16-20	-	1.353	1.781	3.065	4.324	<b>2.892</b>
20-25	-	1.261	1.810	3.054	4.194	<b>2.823</b>
25-35	-	1.345	1.809	2.990	3.865	<b>2.804</b>
35+	1.095	1.264	1.867	2.731	3.708	<b>2.504</b>
<b>Total</b>	<b>1.257</b>	<b>1.308</b>	<b>1.849</b>	<b>3.029</b>	<b>4.124</b>	<b>2.803</b>

<sup>[1]</sup> Includes townhouses and apartments in duplexes.

<sup>[2]</sup> Includes bachelor, 1 bedroom and 2 bedroom+ apartments.

Note: Does not include Statistics Canada data classified as 'Other'

P.P.U. Not calculated for samples less than or equal to 50 dwelling units, and does not include institutional population.



## Schedule 7 Town of Halton Hills Employment Forecast, Mid-2022 to Mid-2036

Period	Population		Activity Rate							Employment							Employment Total (Excluding Work at Home and N.F.P.O.W.)		
	Excluding Census Undercount		Primary	Work at Home	Industrial	Commercial/ Population Related	Institutional	Total	N.F.P.O.W. <sup>[1]</sup>	Total Including N.F.P.O.W.	Primary	Work at Home	Industrial	Commercial/ Population Related	Institutional	Total		N.F.P.O.W. <sup>[1]</sup>	Total Employment (Including N.F.P.O.W.)
Mid 2006	55,289		0.010	0.042	0.102	0.115	0.047	0.316	0.032	0.348	575	2,330	5,620	6,380	2,575	17,480	1,772	19,252	15,150
Mid 2011	59,008		0.006	0.041	0.091	0.110	0.056	0.305	0.034	0.339	375	2,445	5,363	6,513	3,315	18,010	2,002	20,012	15,565
Mid 2016	61,161		0.006	0.042	0.093	0.136	0.056	0.334	0.045	0.379	385	2,575	5,710	8,325	3,435	20,430	2,770	23,200	17,855
Mid 2022	64,001		0.006	0.042	0.123	0.146	0.054	0.372	0.045	0.417	385	2,688	7,872	9,363	3,476	23,784	2,899	26,683	21,096
Mid 2036	91,885		0.004	0.049	0.170	0.135	0.048	0.407	0.050	0.457	400	4,535	15,618	12,445	4,410	37,408	4,592	42,000	32,873
<b>Incremental Change</b>																			
Mid 2006 - Mid 2011	3,719		-0.004	-0.001	-0.011	-0.005	0.010	-0.011	0.002	-0.009	-200	115	-258	133	740	530	229	759	415
Mid 2011 - Mid 2016	2,153		0.000	0.001	0.002	0.026	0.000	0.029	0.011	0.040	10	130	348	1,813	120	2,420	768	3,188	2,290
Mid 2016 - Mid 2022	2,840		0.000	0.000	0.030	0.010	-0.002	0.038	0.000	0.038	0	113	2,162	1,038	41	3,354	129	3,483	3,241
Mid 2022 - Mid 2036	27,884		-0.002	0.007	0.047	-0.011	-0.006	0.036	0.005	0.040	15	1,847	7,746	3,082	934	13,624	1,693	15,317	11,777
<b>Annual Average</b>																			
Mid 2006 - Mid 2011	744		-0.001	0.000	-0.002	-0.001	0.002	-0.002	0.000	-0.002	-40	23	-52	27	148	106	46	152	83
Mid 2011 - Mid 2016	431		0.000	0.000	0.000	0.005	0.000	0.006	0.002	0.008	2	26	70	363	24	484	154	638	458
Mid 2016 - Mid 2022	473		0.000	0.000	0.005	0.002	0.000	0.006	0.000	0.006	0	19	360	173	7	559	22	581	540
Mid 2022 - Mid 2036	1,992		0.000	0.001	0.003	-0.001	0.000	0.003	0.000	0.003	1	132	553	220	67	973	121	1,094	841

[1] Statistics Canada defines no fixed place of work (N.F.P.O.W.) employees as "persons who do not go from home to the same work place location at the beginning of each shift". Such persons include building and landscape contractors, travelling salespersons, independent truck drivers, etc.

Source: Short-term forecast derived from information provided by the Town of Halton Hills, long-term forecast derived from Region of Halton Integrated Growth Management Study (2018), Regional Official Plan Amendment 38 (2011), and Best Planning Estimates of Population, Occupied Dwelling Units and Employment, 2011-2031 (2011) forecast for the Town of Halton Hills by Watson & Associates Economists Ltd.



# Appendix B

## Parkland Dedication and Payment-in-Lieu of Parkland By-law Review

January 20, 2022

Mr. Kevin Okimi  
Director of Parks and Recreation  
Town of Halton Hills  
1 Halton Hills Drive,  
Halton Hills, Ontario  
L7G 5G2

Dear Mr. Okimi:

Re: Parkland Dedication and Payment-in-Lieu of Parkland By-law Review

## 1. Introduction

In response to recent amendments to Section 42 of the *Planning Act* made through *Bill 197, COVID-19 Economic Recovery Act*, the Town of Halton Hills (Town) retained Watson & Associates Economists Ltd. (Watson) to review the Town's current parkland dedication and payment-in-lieu (PIL) of parkland by-law, related Official Plan policies, and supporting documents to comply with the legislative changes.

Summarized in the following sections of this letter report are:

- the relevant changes to the *Planning Act*;
- the Town's current parkland dedication and PIL of parkland by-law charges and polices and related Official Plan policies;
- a summary of recommended parkland dedication and PIL of parkland policy changes identified in the Town's Parkland Acquisition Strategy;
- an assessment of future parkland needs and sufficiency of parkland dedication and PIL of parkland provisions of the *Planning Act* to meet those needs;
- PIL of parkland charge structure options for the Town's consideration based on current and recommended Official Plan policies and parkland acquisition needs; and
- recommendations on next steps to implement recommended policy changes and to continue to receive parkland and collect PIL of parkland after the legislative transition date.



## 2. Legislative Context

Section 42 of the *Planning Act* directs municipalities with respect to the conveyance of land for parks or other public recreational purposes. It allows a municipality, by by-law, to require as a condition of development or redevelopment the conveyance of land not exceeding 2% for commercial and industrial purposes, or 5% for all other purposes. A municipality may also elect to impose an alternative requirement to the 5% for residential purposes, by imposing a maximum rate of 1 hectare (ha) per 300 dwelling units. A municipality may require a PIL of parkland, equal to value of the land under the rates set out in s.s. 42(1), or at the alternative rate of 1 ha per 500 dwelling units for residential development.

To impose the alternative requirement (i.e. land at 1 ha. per 300 dwelling units or PIL of 1 ha. per 500 dwelling units) the following conditions are required:

- Pass a by-law
  - Before passing a by-law for the alternative requirement, the municipality shall consult with such persons and public bodies as the municipality considers appropriate
  - When passing a new by-law or amending an existing by-law, a municipality shall give notice of by-law passage, as prescribed, within 20 days
  - The by-law may be appealed by any person or public body.
- Official Plan Policies
  - The alternative requirement may not be provided for in a by-law unless the Official Plan contains specific policies dealing with the provision of lands for park or other public recreational purposes and the use of the alternative requirement
  - Before adopting the Official Plan policies, the municipality must prepare a Parks Plan that examines the need for parkland in the municipality and make it available to the public.
    - In preparing the Parks Plan, the municipality, shall consult with every school board that has jurisdiction in the municipality; and may consult with any other persons or public bodies that the municipality considers appropriate.

Any by-laws that were in effect on September 18, 2020 (i.e. the day subsection 2 (5) of Schedule 17 to the *COVID-19 Economic Recovery Act, 2020* came into force) and that provide for the alternative requirement, expire on September 18, 2022. A municipality will need to pass a new by-law prior to September 18, 2022, that is compliant with Section 42 of the *Planning Act* to continue to receive parkland or PIL of parkland under that section.





## 3. Town of Halton Hills Parkland and PIL of Parkland Policies

### 3.1 Official Plan

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The Town's current Official Plan contains policies that apply to public parkland in Section F7.2. Subsection F7.2.6 addresses the parkland dedication and payment in lieu of parkland requirements through the development process. Parkland requirements are identified as follows:

- 5% of the gross residential land area within a Draft Plan of Subdivision in the Low Density Residential Area;
- 1 ha of land per 300 dwelling units in all other urban living designations and wherever residential uses are permitted uses in the Community Area designations in the Urban Areas;
- 2% of land within commercial and industrial development; and
- 5% of land in all other areas.

Council may also require PIL of the above parkland requirements.

Section F7.3 identifies the parkland development policies within the Town, including identifying the parkland classification system to include local and non-local parkland. Furthermore, subsections F7.3.4 and F7.3.5 set out the desired local and non-local parkland service levels within the Town as follows:

- Local Parkland: 1.2 ha per 1,000 residents
- Non-Local Parkland: 2.5 ha per 1,000 residents

### 3.2 Recommended Official Plan Policy Updates

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In 2019 Town staff reported to Council on their update to the Parkland Acquisition Strategy, including the supporting Parkland Policy Review (2019) completed by Monteith Brown and the Parkland Dedication Research and Recommendations (2018) by The Planning Partnership.

The following recommendations within the Parkland Acquisition Strategy have been presented to Council and would need to be reflected in an amendment to the Official Plan and/or new parkland dedication and PIL of parkland by-law:

- Adopt a standard of 1.0 ha of non-local parkland per 1,000 residents;
- Provide incentives for projects in downtown and brownfield areas in Official Plan and parkland dedication by-law and provide a cap for key areas. Cap to be reviewed regularly to reflect changes in market land values;



- Prorate PIL of parkland calculation for mixed use developments based on entire development;
- Provide significant caps for affordable housing through Community Improvement Plan grants;
- Provide further guidelines for use of PIL of parkland funds that would identify eligible needs of:
  - Enhancements (land or capital) in existing neighborhoods
  - Design and development of a robust urban park system within Downtown Halton Hills Secondary Plan Area
  - Development of parks and other public recreational facilities not funded through D.C.s.
- Revise the conditions in which the alternative parkland provision would be imposed. Two alternatives were presented for consideration:
  - Impose the alternative rate of lesser of 1 ha per 300 dwelling units or 1.2 ha per 1,000 persons where development exceeds 50 persons and jobs per ha (2018 Planning Partnership Research and Recommendations). This recommendation was made to reflect the increase in need for parkland being driven by population growth as opposed to growth in residential units.
  - Impose the alternative rate of 1 ha per 300 dwelling units (or 1 ha per 500 dwelling units for PIL of parkland) where development exceeds 25 units per ha (2019 Monteith Brown Parkland Policy Review). This recommendation was made to maximize the potential PIL of parkland revenue that could be received as PIL of parkland revenue using the alternative rate (i.e. 1 ha per 500 dwelling units) is greater than 5% of land value when residential densities exceed 25 units per ha.

### **3.3 By-Law 2002-0152 (as amended): A By-Law Respecting the Conveyance of Land or Payment of Cash-in-Lieu of Parkland for public Park Purpose**

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By-law 2002-0152 (as amended) is imposed by the Town to allow the Town to receive parkland or PIL of parkland in accordance with the Official Plan policies summarized in the previous section. Further to the Official Plan policies, the by-law provides additional clarity and limitations regarding the applicability of the by-law and charges. These additional policies are summarized below

#### **Exemptions**

Section 2 (b) of the by-law identifies the following types of development for which the by-law shall not apply:

- The Town of Halton Hills or local board, as defined in the Municipal Act, 2001;
- The Regional Municipality of Halton or local board, as defined in the Municipal Act, 2001;



- Halton Hills Hydro;
- The Halton Board of Education;
- The Halton Roman Catholic Separate School Board;
- Hospitals as defined under the Public Hospitals Act;
- The Province of Ontario;
- The Government of Canada;
- Places of worship, and cemeteries associated therewith, which are exempt from the Assessment Act;
- Non-residential farm buildings used for a bona fide agricultural purpose; or
- 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.

### **Per Unit Cap on Residential PIL of Parkland**

Further to the exemptions above, a PIL of parkland that would be required for development within any of the following areas (as shown in the Official Plan Schedules), shall be capped at \$11,000 per unit and that the Commissioner of Recreation and Parks may update the rates on an annual basis due to current market conditions.

- Downtown Georgetown
- Downtown Acton
- Georgetown Community Node
- Go Station Area
- Civic Centre District
- Medium or high-density development within the Brownfield Sub-Areas as identified in the Town of Halton Hills Community Improvement Plan



## 4. Parkland Needs and Parkland Acquisition Sources

Table 4-1 summarizes the forecast population growth within five geographic areas of the Town as based on the findings of the Town’s Draft 2022 D.C. Background Study. The population projections for 2022 to 2036 would achieve the Region of Halton Best Planning Estimates for the Town to 2031. Table 4-1 also summarizes the forecast parkland needs for the incremental population growth based on the recommended parkland standard (1.2 ha per 1,000 residents for local parkland and 1.0 ha per 1,000 residents for non-local parkland), the share of the parkland that the Town expects to receive through parkland conveyance and the remaining parkland needs that could be funded wholly or in part through PIL of parkland revenues.

Table 4-1  
Forecast Parkland Needs  
2022-2036

Development Location	Forecast Net Population Incl. Institutional	Forecast Parkland Needs (ha)			Anticipated Local Parkland Dedication	Forecast Net Parkland Needs for PIL (ha)		
		Local (1.2 ha/1,000 pop.)	Non-Local (1.0 ha/1,000 pop.)	Total (2.2 ha/1,000 pop.)		Local (1.2 ha/1,000 pop.)	Non-Local (1.0 ha/1,000 pop.)	Total (2.2 ha/1,000 pop.)
Vision Georgetown	18,283	21.94	18.28	40.22	20.00	1.94	18.28	20.22
Georgetown Designated Greenfield Area (Excludes Vision Georgetown)	3,319	3.98	3.32	7.30		3.98	3.32	7.30
Georgetown Built Boundary	5,545	6.65	5.55	12.20		6.65	5.55	12.20
Acton	315	0.38	0.32	0.69		0.38	0.32	0.69
Hamlets and Other Rural Lands	424	0.51	0.42	0.93		0.51	0.42	0.93
<b>Town of Halton Hills</b>	<b>27,885</b>	<b>33.46</b>	<b>27.89</b>	<b>61.35</b>	<b>20.00</b>	<b>13.46</b>	<b>27.89</b>	<b>41.35</b>

In aggregate, the Town would require 61.35 ha of additional parkland (33.46 ha local and 27.89 ha non-local) to provide the recommended parkland service levels. It is anticipated that 20 ha of local parkland would be received within the Vision Georgetown Secondary Plan Area, resulting in 41.35 ha of parkland acquisition needs that could be funded through the PIL of parkland revenue.

To assess the preliminary value of the local parkland needs, a sample of land appraisals within the Town that had been undertaken for the purposes of PIL of parkland calculations were consulted. For the purposes of this assessment the value of local parkland was determined to be \$6.6 million per ha within the urban areas of the Town and \$5.3 million per ha in the hamlets and rural areas of the Town. The potential value of non-local parkland was based on a Town commissioned estimate of a large urban parcel of land at \$3.7 million per ha. Table 4-2 summarizes the estimated value of the forecast PIL of Parkland needs.



Table 4-2  
Forecast PIL of Parkland Value

Development Location	Land Value per Parkland ha		Forecast Net Parkland Needs for (\$)		
	Local <sup>1</sup>	Non-Local <sup>2</sup>	Local	Non-Local	Total
Vision Georgetown	6,565,195	3,700,000	12,734,000	67,647,000	80,381,000
Georgetown Designated Greenfield Area (Excludes Vision)	6,565,195	3,700,000	26,148,000	12,280,000	38,428,000
Georgetown Built Boundary	6,565,195	3,700,000	43,685,000	20,517,000	64,202,000
Acton	6,645,015	3,700,000	2,512,000	1,166,000	3,678,000
Hamlets and Other Rural Lands	5,318,119	3,700,000	2,706,000	1,569,000	4,275,000
<b>Town of Halton Hills</b>			<b>87,785,000</b>	<b>103,179,000</b>	<b>190,964,000</b>

1. Based on historical PIL of Parkland appraisals by area. Hamlet/Rural based on Town-wide appraisals

2. Antec Appraisal Group report for a large urban parcel (March 17, 2021)

In total, the Town would have parkland acquisition costs of \$191.0 million (\$87.8 million local parkland and \$103.2 million non-local parkland) to meet their forecast parkland needs in excess of parkland to be dedicated to the Town.

The potential PIL of parkland revenue that Town could receive from development over the same period is assessed in Tables 4-3 and 4-4 to inform the maximum charge the Town would need to impose (within legislated limitations) to recover the anticipated costs. Table 4-3 sets out the anticipated residential dwelling units by geographic area and dwelling unit type for which PIL of parkland may be imposed (i.e. total dwelling units less Vision Georgetown dwelling units that will be subject to parkland dedication). The total land value that the PIL of parkland charge would be applied to has been calculated based on the assumed land value by area for local parkland needs, and the assumed density of development by dwelling unit type in the Town's Draft 2022 D.C. Background Study<sup>1</sup>. The maximum potential PIL of parkland revenue is then calculated based on the Parkland Policy Review recommendation of imposing the alternative rate (i.e. 1 ha per 500 dwelling units) when residential densities exceed 25 units per ha. For the purposes of this calculation, the current \$11,000 per unit cap was not included.

Table 4-4 summarizes the anticipated non-residential PIL of parkland revenue over the 2022 to 2036 period. The total land value that the PIL of parkland charge would be applied to has been calculated based on the assumed land value by area based on the Antec Appraisal Group for a large urban parcel or for assessment samples within the Premier Gateway (i.e. \$2.5 million per ha average) and the assumed lot coverage assumptions by non-residential development sector in the Town's Draft 2022 D.C. Background Study<sup>2</sup>. The maximum potential PIL of parkland revenue is then calculated based on the maximum charge of 2% of land value for Industrial and commercial development and 5% of land value for institutional development.

<sup>1</sup> Low Density: 22 units per ha, Medium Density: 40 units per ha, High density: 79 units per ha

<sup>2</sup> Industrial: 30% coverage, Commercial: 30% lot coverage, Institutional: 25% coverage



**Table 4-3  
Residential PIL of Parkland Revenue Forecast**

Development Location	Forecast Residential Dwelling Units				Units Associated with Parkland Dedication	Forecast Net Residential Dwelling Units for PIL			
	Single & Semi-Detached	Multiples	Apartments	Total Residential Units		Single & Semi-Detached	Multiples	Apartments	Total Residential Units
Vision Georgetown	2,925	2,705	1,016	6,646	6,646				-
Georgetown Designated Greenfield Area (Excludes Vision)	745	286	27	1,058		745	286	27	1,058
Georgetown Built Boundary	203	808	1,850	2,861		203	808	1,850	2,861
Acton	-	144	-	144		-	144	-	144
Hamlets and Other Rural Lands	128	-	-	128		128	-	-	128
<b>Town of Halton Hills</b>	<b>4,001</b>	<b>3,943</b>	<b>2,893</b>	<b>10,837</b>	<b>6,646</b>	<b>1,076</b>	<b>1,238</b>	<b>1,877</b>	<b>4,191</b>

Development Location	PIL Approach 1	ha of Parkland by Unit Type and Development Area			
	1 ha per 500 units of 5% of land value	Single & Semi-Detached	Multiples	Apartments	Total Residential
Vision Georgetown	n/a	-	-	-	-
Georgetown Designated Greenfield Area (Excludes Vision)	1/500 & 5%	1.68	0.57	0.05	2.30
Georgetown Built Boundary	1/500 & 5%	0.46	1.62	3.70	5.77
Acton	1/500	-	0.29	-	0.29
Hamlets and Other Rural Lands	5%	0.29	-	-	0.29
<b>Town of Halton Hills</b>		<b>2.42</b>	<b>2.48</b>	<b>3.75</b>	<b>8.65</b>

Development Location	Land Value per ha <sup>2</sup>	PIL of Parkland Revenue			
		Single & Semi-Detached	Multiples	Apartments	Total Residential
Vision Georgetown	6,565,195	-	-	-	-
Georgetown Designated Greenfield Area (Excludes Vision)	6,565,195	11,001,058	3,755,292	354,521	15,110,870
Georgetown Built Boundary	6,565,195	2,997,604	10,609,355	24,291,222	37,898,181
Acton	6,645,015	-	1,913,764	-	1,913,764
Hamlets and Other Rural Lands	5,318,119	1,531,082	-	-	1,531,082
<b>Town of Halton Hills</b>		<b>15,529,744</b>	<b>16,278,411</b>	<b>24,645,743</b>	<b>56,453,898</b>

1. 1 ha/500 units for densities greater than 25 units per ha. Assumed densities based on Draft 2022 D.C. Background Study

Low Density	22
Medium Density	40
High Density	79

2. Based on historical PIL of Parkland appraisals by area. Hamlet/Rural based on Town-wide appraisals



**Table 4-4  
Non-Residential PIL of Parkland Revenue Forecast**

Development Location	Forecast Non-Residential G.F.A.				G.F.A. Associated with Parkland Dedication	Forecast Net Non-Residential G.F.A.			
	Industrial G.F.A. S.F.	Commercial G.F.A. S.F.	Institutional G.F.A. S.F.	Total Non-Residential G.F.A. S.F.		Industrial G.F.A. S.F.	Commercial G.F.A. S.F.	Institutional G.F.A. S.F.	Total Non-Residential G.F.A. S.F.
Vision Georgetown	-	271,600	116,800	388,400	388,400				-
Georgetown Designated Greenfield Area (Excludes Vision Georgetown)	-	74,000	27,000	101,000		-	74,000	27,000	101,000
Georgetown Built Boundary	233,500	40,400	-	273,900		233,500	40,400	-	273,900
Acton	649,500	-	-	649,500		649,500	-	-	649,500
Premier Gateway	9,972,900	845,600	331,500	11,150,000		9,972,900	845,600	331,500	11,150,000
Hamlets and Other Rural Lands	104,700	1,200	1,000	106,900		104,700	1,200	1,000	106,900
<b>Town of Halton Hills</b>	<b>10,960,600</b>	<b>1,232,800</b>	<b>476,300</b>	<b>12,669,700</b>	<b>388,400</b>	<b>10,960,600</b>	<b>961,200</b>	<b>359,500</b>	<b>12,281,300</b>

Development Location	Forecast Net Non-Residential ha for PIL <sup>1</sup>				PIL Approach 2% or 5% of Land Value	ha of Parkland by Sector and Development Area			
	Industrial	Commercial	Institutional	Total Non-Residential		Industrial	Commercial	Institutional	Total Non-Residential
Vision Georgetown	-	-	-	-	2%/5%	-	-	-	-
Georgetown Designated Greenfield Area (Excludes Vision Georgetown)	-	2.29	1.00	3.30	2%/5%	-	0.05	0.05	0.10
Georgetown Built Boundary	7.23	1.25	-	8.49	2%/5%	0.14	0.03	-	0.17
Acton	20.12	-	-	20.12	2%/5%	0.40	-	-	0.40
Premier Gateway	308.97	26.20	12.32	347.49	2%/5%	6.18	0.52	0.62	7.32
Hamlets and Other Rural Lands	3.24	0.04	0.04	3.32	2%/5%	0.06	0.00	0.00	0.07
<b>Town of Halton Hills</b>	<b>339.57</b>	<b>29.78</b>	<b>13.37</b>	<b>382.71</b>		<b>6.79</b>	<b>0.60</b>	<b>0.67</b>	<b>8.06</b>

Development Location	Land Value per ha <sup>2</sup>	PIL of Parkland Revenue			
		Industrial	Commercial	Institutional	Total Non-Residential
Vision Georgetown	-	-	-	-	-
Georgetown Designated Greenfield Area (Excludes Vision Georgetown)	3,700,000	-	169,651	185,699	355,351
Georgetown Built Boundary	3,700,000	535,319	92,620	-	627,939
Acton	3,700,000	1,489,035	-	-	1,489,035
Premier Gateway	2,422,457	14,969,298	1,269,243	1,492,742	17,731,283
Hamlets and Other Rural Lands	2,422,457	157,154	1,801	4,503	163,459
<b>Town of Halton Hills</b>		<b>17,150,806</b>	<b>1,533,316</b>	<b>1,682,944</b>	<b>20,367,066</b>

1. Lot Coverage Assumptions

Industrial 30%  
Commercial 30%  
Institutional 25%

2. Land Values

Within the Premier Gateway and Hamlets/Rural based on appraisal  
Outside the Premier Gateway and Hamlets/Rural based on  
Antec Appraisal Group report for a large urban parcel (March 17, 2021)

As summarized in Tables 4-3 and 4-4, the maximum PIL of parkland revenue that could be anticipated is \$56.4 million from residential development and \$20.4 million (\$76.8 million total). As the forecast parkland acquisition costs in Table 4-2 of \$191.0 million exceeds the maximum potential revenue assessed in Tables 4-3 and 4-4, the need to impose the maximum PIL of parkland rates allowed under the Section 42 of the *Planning Act* is demonstrated.

Table 4-5 below further assesses the need for utilizing the maximum allowable PIL of parkland rates by comparing the maximum PIL of parkland revenue to the parkland acquisition costs if the Town was able to acquire non-local parkland at \$2.0 million per ha within the potential future Town expansion area as compared to \$3.7 million per ha for a large urban parcel.



Table 4-5  
PIL of Parkland Summary

Description	Type of Non-Local Parkland Acquisition	
	Large Urban Parcel	Future Expansion Area
Average Local Parkland Value (\$/ha)	6,520,000	6,520,000
Average Non-Local Parkland Value (\$/ha)	3,700,000	1,976,000
<b>Forecast Parkland Needs</b>		
Local Parks (13.46 ha)	87,785,000	87,785,000
Non-Local Parks (27.89)	103,179,000	55,103,000
<b>Total Net Parkland Needs (41.35 ha)</b>	<b>190,964,000</b>	<b>142,888,000</b>
<b>Forecast PIL of Parkland Revenue</b>		
Residential	56,453,898	56,453,898
Non-Residential	20,367,066	20,367,066
<b>Total</b>	<b>76,820,965</b>	<b>76,820,965</b>
<b>PIL of Parkland Acquisition Revenue Shortfall</b>	<b>114,143,035</b>	<b>66,067,035</b>

As summarized above and in Tables 4-1 to 4-4, the forecast parkland acquisition needs would exceed anticipated PIL of parkland revenue by \$114.1 million if non-local parkland was acquired at \$3.7 million per ha. If non-local parkland was acquired at \$2.0 million per ha within a future expansion area, the forecast parkland acquisition costs would decrease by \$48.1 million (from \$191.0 million to \$142.9 million). However, the forecast parkland acquisition costs would still exceed the maximum PIL of parkland revenue by \$66.1 million.

## 5. PIL of Parkland Charge Structure Options

The Town's current Official Plan policies provide that the alternative rate of 1 ha of land per 300 dwelling units may be imposed in all urban living designations (other than Low Density Residential). By-law 2002-0152 (as amended) also imposes a per unit cap of \$11,000 for PIL of parkland on development within any of the following areas (as shown in the Official Plan Schedules):

- Downtown Georgetown
- Downtown Acton
- Georgetown Community Node
- Go Station Area
- Civic Centre District

The per unit cap was initially developed to provide a maximum of 20% of land value. At \$11,000 per unit, inherent within the current cap is an assumed land value of \$5.5





million per ha<sup>1</sup>. The application of this policy would result in any development with a land value of \$5.5 million per ha or greater paying the maximum per unit rate. However, as the average land value within the appraisal samples used for this review was \$6.6 million, the current per unit cap would result in the total PIL of parkland being less than 20% of land value for developments with land value in excess of \$5.5 million.

The Parkland Acquisition Strategy continues to recommend that incentives are provided in downtown and brownfield areas, that the parkland dedication by-law and provide a cap for key area, and that the cap to be reviewed regularly to reflect changes in market land values. In this regard the current PIL of parkland cap has been evaluated for its ability to meet the Town's policy objectives.

The geographic application of the PIL of parkland cap reflects the areas that the recommended incentives should be applied to (i.e. downtown and brownfield areas), the following PIL of parkland structure options are presented to allow the charges to better reflect changes in land value and density of development:

- Increase current per unit cap to \$13,200 to reflect average land values of \$6.6 million per ha.<sup>2</sup>; or
- Impose a maximum charge of the greater of the per unit cap or 20% of land value.

The Town may wish to consider the option of imposing a cap equal to the greater of the per unit cap or 20% of land value to improve cost recovery from developments with higher-than-average land values and to cap the charge at 20% of land value for higher density developments. This change would better align the application of the charge to the Town's intended policy. For example, if the land value is less than \$6.6 million, and using a per unit cap of \$13,200 (based on average land values of \$6.6 million per ha), the maximum charge of 1 ha per 500 dwelling units would be less than the per unit cap at all densities of development.

However for developments with a land value in excess of the average land value (\$6.6 million per ha), the per unit cap would restrict the PIL of parkland revenue below the desired 20% of land value threshold for lower density developments. Imposing the maximum charge as the greater of the per unit cap or 20% of land value would allow the Town to increase cost recovery from higher value lands while being consistent with the objective of PIL of parkland charges not exceeding 20% of land value. This approach may also be preferable in an environment of increasing land values, as the Town will not be required to re-assess the per unit cap as often with changes in economic conditions.

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<sup>1</sup> \$5.5 million x 20% = \$11,000

<sup>2</sup> \$6.6 million per ha / 500 units per ha = \$13,200 per unit



## 6. Next Steps

The *Planning Act* identifies that any by-laws that were in effect on September 18, 2020 (i.e. the day subsection 2 (5) of Schedule 17 to the *COVID-19 Economic Recovery Act, 2020* came into force) and that provide for the alternative requirement, will expire on September 18, 2022. As such, the Town's current PIL of parkland by-law (i.e. by-law 2002-0152 (as amended)), which provides for the alternative rate, will expire on September 18, 2022. The Town will need to pass a new by-law prior to September 18, 2022, that is compliant with Section 42 of the *Planning Act* to continue to receive parkland or PIL of parkland under that section.

It is our understanding that if the specific policies within the Town's Official Plan that address land for park or other public recreation purposes and the use of the alternative requirement (i.e. 1 ha per 300 dwelling units) were in place prior to September 18, 2020, an Official Plan amendment, associated Parks Plan, and consultation are not required in this regard. As such, the Town could elect to pass a new by-law that reflects the current Official Plan policies prior to September 18, 2022 without the need to amend to the Official Plan or prepare and consult on a Parks Plan. In passing a new by-law the Town would need to first consult with such persons and public bodies as the municipality considers appropriate and provide notice of by-law passage. While there does not appear to be a requirement for a Parks Plan to enable the Official Plan in this case, a plan to substantiate the need for the alternative requirement (as provided in Chapter 4 of this letter) would be prudent in the case of having to defend an appeal of the by-law.

However, through the Town's Parkland Acquisition Strategy there are a number of recommended changes to the application of the PIL of parkland charges and the relevant Official Plan Policies as summarized in Section 3.2 of this letter. For example, the Official Plan limits the imposition of the alternative rate to urban living designations, other than Low Density Residential. If the Town wishes to follow the Parkland Policy Review recommendations of imposing the alternative rate on development of greater than 25 units per ha, regardless of land use designation, it would appear that an amendment to the Official Plan would be required.

It is our understanding that prior to adopting the amendments to the Official Plan that relate to provision of lands for park or other public recreational purposes and the use of the alternative requirement, a Parks Plan would need to be prepared and made available to the public examining the need for parkland in the Town. In preparing the Parks Plan, the Town would need to consult with every school board that has jurisdiction in the municipality and any other persons or public bodies that the Town considers appropriate.

While the *Planning Act* does not prescribe the required content of a Parks Plan, it would appear that the Town's Parkland Acquisition Strategy and background reports, as well



as this letter meet the Parks Plan requirement as they address in detail the need for parkland in the Town.

Regarding the need for public consultation on the passing of a new by-law or the preparation of the Parks Plan, it is anticipated that this will be incorporated within the ongoing development charges and community benefits charges consultation process.

I trust this letter addresses your requirements in this regard, however, I would be pleased to discuss this matter and next steps with you further as required. Furthermore, while this letter addresses our current understanding of the requirements to comply with the legislative changes, it does not represent a legal opinion. The Town may wish to receive further legal opinion to confirm our recommendations or related matters.

Yours very truly,

WATSON & ASSOCIATES ECONOMI STS LTD.

Sean-Michael Stephen, MBA  
Managing Partner



# Appendix C

## Proposed C.B.C. By-law

## The Town of Halton Hills

### By-law Number 2022 - XXXX

#### A By-Law to Establish Community Benefits Charges for the Town of Halton Hills

**WHEREAS** The Town of Halton Hills (the “Town”) will experience growth through development and re-development;

**AND WHEREAS** Council desires to impose Community Benefits Charges against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment in the area to which the by-law applies;

**AND WHEREAS** the *Planning Act, 1990* (the “Act”) provides that the council of a municipality may by by-law impose Community Benefits Charges against higher density residential development or redevelopment;

**AND WHEREAS** a Community Benefits Charge strategy report, dated April 15, 2022, has been completed which identifies the facilities, services and matters that will be funded with Community Benefits Charges and complies with the prescribed requirements;

**AND WHEREAS** the Town has consulted with the public and such persons and public bodies as the Town considers appropriate;

**AND WHEREAS** on July 4, 2022, Council for the Town of Halton Hills approved Report No. FIN-2022-XXXX, dated June XX, 2022, in which certain recommendations were made relating to the Community Benefits Strategy and By-law.

#### The Council of the Town enacts as follows:

##### 1. INTERPRETATION

1.1 In this By-law, the following items shall have the corresponding meanings:

“Act” means the *Planning Act*, R.S.O. 1990, CHAPTER P.13;

“Building” means any structure or building as defined in the *Ontario Building Code* (O Reg 332/12 under the Building Code Act, but does not include a vehicle;

“Building Code Act” means the *Building Code Act, 1992*, SO 1992, c 23 as amended;

“Capital Costs” means growth-related costs incurred or proposed to be incurred by the Town or a Local Board thereof directly or by others on behalf of, and as authorized by, the Town or Local Board,

(a) to acquire land or an interest in land, including a leasehold interest,

- (b) to improve land,
- (c) to acquire, lease, construct or improve buildings and structures,
- (d) to acquire, construct or improve facilities including,
  - (i) furniture and equipment, and;
  - (ii) rolling stock;
- (e) to undertake studies in connection with any of the matters referred to in clauses (a) to (d) above, including the Community Benefits Charge strategy study,

required for the provision of Services designated in this By-law within or outside the Town, including interest on borrowing for those expenditures under clauses (a) to (e) above;

“Town” means The Town of Halton Hills or the geographic area of the municipality, as the context requires;

“Council” means the Council of the Town of Halton Hills;

“Development” means the construction, erection, or placing of one or more Buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof or any development requiring any of the actions described in subsection 3.4 (a), and includes Redevelopment;

“Community Benefits Charge” means a charge imposed pursuant to this By-law;

“Land” (or “Lot”) means, for the purposes of this By-law, the lesser of the area defined as:

- (a) The whole of a parcel of property associated with the Development or Redevelopment and any abutting properties in which a person holds the fee or equity of redemption in, power or right to grant, assign or exercise a power of appointment in respect of, or;
- (b) The whole of a lot or a block on a registered plan of subdivision or a unit within a vacant land condominium that is associated with the Development or Redevelopment;

But not including any hazard lands, natural heritage features, or ecological buffers identified in the Town’s Official Plan, an approved Secondary Plan, or through an environmental impact study accepted by the Town.

“Owner” means the owner of Land or a person who has made application for an approval for the Development of land for which a Community Benefits Charge may be imposed;

“Prescribed” means prescribed in the regulations made under the Act;

“Redevelopment” means the construction, erection or placing of one or more Buildings on Land where all or part of a Building on such Land has previously been demolished, or changing the use of a Building from a Non-Residential Use to a Residential Use, or changing a Building from one form of Residential Use to another form of Residential Use and including any development or redevelopment requiring any of the actions described in subsection 3.4 (a);

“Residential Unit” means a room or group of rooms occupied or designed to be occupied exclusively as an independent and separate self-contained housekeeping unit including a house;

“Residential Use” means a use or Development consisting of land, Buildings or structures, or portions thereof, used, or designed or intended for use as a home or residence for one or more individuals;

“Service” means a service designated in subsection 2.1, and “Services” shall have a corresponding meaning;

“Valuation date” means, with respect to land that is the subject of development or redevelopment,

- (a) the day before the day the building permit is issued in respect of the development or redevelopment, or
- (b) if more than one building permit is required for the development or redevelopment, the day before the day the first permit is issued.

“Zoning By-Law” means Town By-law Number 2010-0050, as amended, and any replacement by-laws enacted by the Town under section 34 of the *Planning Act*.

- 1.2 The reference to any applicable statute, regulation, by-law, or to the Official Plan in this Community Benefits Charge By-law shall be deemed to refer to the statute, regulation, by-law, and/or Official Plan as they may be amended from time to time and shall be applied as they read on the date on which Community Benefits Charges are due to the Town.

## **DESIGNATION OF SERVICES**

- 1.3 A Community Benefits Charge may be imposed in respect of the following:
- (a) Land for park or other public recreational purposes in excess of lands dedicated or provided cash-in-lieu payments under section 42 or subsection 51.1 of the *Planning Act*.
  - (b) Services not provided under subsection 2 (4) of the *Development Charges Act*.
  - (c) As per the April 15, 2022, Community Benefits Charges Strategy, the Town intends to recover Capital Costs relating to the following services through this by-law:
    - (i) Parkland Acquisition; and
    - (ii) Community Benefits Charges Strategy Updates.

## **2. PAYMENT OF COMMUNITY BENEFITS**

- 2.1 Community Benefits Charges shall be payable by the Owner of Land proposed for Development in the amounts set out in this By-law where:
- (a) the Lands proposed for Development is located in the area described in subsection 3.2; and
  - (b) the proposed Development requires any of the approvals set out in subsection 3.4 (a).

### **Area to Which By-law Applies**

- 2.2 Subject to subsection 3.3, this By-law applies to all lands in the Town.
- 2.3 This By-law shall not apply to lands that are owned by and used for the purposes of:
- (a) The Town or a Local Board thereof;
  - (b) a Board of Education;
  - (c) a Conservation Authority; or
  - (d) The Region of Halton, or a Local Board thereof.



## Approvals for Development

### 2.4

- (a) A Community Benefits Charge shall be imposed only with respect to Development that requires one or more of the following approvals:
  - (i) the passing of a Zoning By-Law or of an amendment to a Zoning By-Law under section 34 of the *Planning Act*;
  - (ii) the approval of a minor variance under section 45 of the *Planning Act*;
  - (iii) a conveyance of land to which a by-law passed under subsection 50 (7) of the *Planning Act* applies;
  - (iv) the approval of a plan of subdivision under section 51 of the *Planning Act*;
  - (v) a consent under section 53 of the *Planning Act*;
  - (vi) the approval of a description under section 9 of the *Condominium Act, 1998*, SO 1998, c 19, as amended, or any successor thereof; or
  - (vii) the issuing of a permit under the *Building Code Act, 1992* in relation to a building or structure.
- (b) Despite subsection 3.4 (a) above, a Community Benefits Charge shall not be imposed with respect to:
  - (i) development of a proposed building or structure with fewer than five storeys at or above ground;
  - (ii) development of a proposed building or structure with fewer than 10 residential units;
  - (iii) redevelopment of an existing building or structure that will have fewer than five storeys at or above ground after the redevelopment;
  - (iv) redevelopment that proposes to add fewer than 10 residential units to an existing building or structure; or
  - (v) such types of development or redevelopment as are prescribed.

## Exemptions

- 2.5 Notwithstanding the provisions of this By-law, Community Benefits Charges shall not be imposed with respect to:
- (a) Development for a Place of Worship or for the purposes of a cemetery or burial site exempt from taxation under the *Assessment Act*;
  - (b) Development or redevelopment of a building or structure intended for use as a retirement home within the meaning of subsection 2 (1) of the *Retirement Homes Act, 2010*;
  - (c) Development or redevelopment of a building or structure intended for use by any of the following post-secondary institutions for the objects of the institution:
    - (i) a university in Ontario that receives direct, regular and ongoing operating funding from the Government of Ontario;
    - (ii) a college or university federated or affiliated with a university described in subparagraph (i);
    - (iii) an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*.
  - (d) Development or redevelopment of a building or structure intended for use as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion.;
  - (e) Development or redevelopment of a building or structure intended for use as a hospice to provide end-of-life care;
  - (f) Development or redevelopment of a building or structure intended for use as residential premises by any of the following entities:
    - (i) a corporation to which the *Not-for-Profit Corporations Act, 2010* applies, that is in good standing under that Act and whose primary object is to provide housing;
    - (ii) a corporation without share capital to which the *Canada Not-for-profit Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing;
    - (iii) a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*.

## Amount of Charge

- 2.6 The amount of a Community Benefits Charge payable in any particular case shall be equal to four (4) percent of the value of the Land as of the Valuation Date.

## In-Kind Contributions

- 2.7 The Town may at its discretion allow an Owner of Land to provide to the Town facilities, services or matters required because of Development in the area to which the By-law applies in lieu, or partially in lieu of a Community Benefits Charge that would otherwise be payable.
- 2.8 For in-kind contributions pursuant to the preceding subsection to be considered, an application for consideration of in-kind contributions must be submitted to the Town with supporting documentation as to the suggested value thereof no less than 180 days prior to the first building permit being granted for the proposed Development.
- 2.9 In-kind contributions pursuant to subsection 3.7 shall only be accepted as where the same are approved by resolution of Council. The determination of Council as to whether in-kind contributions shall be accepted in full or partial satisfaction of Community Benefits Charges shall be final and binding.
- 2.10 The value attributed to an in-kind contribution under subsection 3.7 shall be as determined by Council, based on one or more third-party valuations to the satisfaction of Council. Council's determination of the value to be attributed to any in-kind contribution shall be final and binding.

## Time of Payment of Community Benefits Charges

- 2.11 Community Benefits Charges imposed under this By-law shall be payable prior to the issuance of any building permit for the proposed Development.

## Interest on Refunds

- 2.12 If it is determined that a refund is required, the Town shall pay interest on a refund in accordance with subsections 37 (28) and 37 (29) of the Act at a rate not less than the prescribed minimum interest rate, from the day the amount was paid to the municipality to the day it is refunded.

## **3. SEVERABILITY**

- 3.1 If, for any reason, any provision of this By-law is held to be invalid, it is hereby declared to be the intention of Council that all the remainder of this By-law shall continue in full force and effect until repealed, re-enacted, amended or modified.

**DATE BY-LAW IN FORCE**

3.2 This By-law shall come into effect at 12:01 A.M. on September 1, 2022.

**Passed this 4<sup>th</sup> day of July 2022.**

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**MAYOR – RICK BONNETTE**

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**CLERK – VALERIE PETRYNIAK**