

**Town of Halton Hills
Community Benefits Charges By-law Pamphlet
By-law 2022-0044 effective September 1, 2022.**

This pamphlet summarizes Town of Halton Hills' policy with respect to its Community Benefits Charges.

The information contained herein is intended only as a guide. Applicants should review By-law No. 2022-0044 and consult with Town of Halton Hills staff to determine the applicable charges that may apply to specific development proposals.

The Town's Community Benefits Charges by-law is available for inspection in the Clerk's office, Monday to Friday, 8:30 AM to 4:30 PM and on the Town's website at <https://www.haltonhills.ca/en/your-government/town-council.aspx>

Purpose of Community Benefits Charges

The general purpose for which the Town imposes Community Benefits Charges is to assist in funding of the capital costs of facilities, services and matters required because of future development or redevelopment. The Council of the Town of Halton Hills passed By-law No. 2022-0044 on July 4, 2022, under section 37(2) of the *Planning Act, 1990*, to enact the imposition of Community Benefits Charges, in order to pay for capital costs related to parkland acquisition and future Community Benefits Charges strategies.

Community Benefits Charges Rules

The main rules for determining if a Community Benefits Charge is payable in a particular case, and for determining the amount of the charge, are as follows:

1. Community Benefits Charges By-law No. 2022-0044 applies to all lands in the Town of Halton Hills based on the provisions in the by-law.
2. Community Benefits Charges 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.
3. Community Benefits Charges shall be calculated and be payable prior to the issuance of a building permit for the proposed development or redevelopment.

Amount of the Community Benefits Charges:

The Community Benefits Charge is set at 4% of the land value as of the Valuation Date (i.e. the day before building permit issuance).

Community Benefits Charges Exemptions

4. The following uses are wholly exempt from Community Benefits Charges under the by-law:

- Lands that are owned by and used for the purpose of:
 - The Town or a Local Board thereof;
 - A Board of Education;
 - A Conservation Authority; or
 - The Region of Halton, or a Local Board thereof.
- A Place of Worship or cemetery or burial site exempt from taxation under the *Assessment Act*;
- 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:
 - A university in Ontario that receives direct, regular and ongoing operating funding from the Government of Ontario;
 - A college or university federated or affiliated with a university described above;
 - 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:
 - 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;
 - 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;
 - A non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*.

In-Kind Contributions:

- 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.
- An application for consideration of in-kind contributions must be submitted with supporting documentation no less than 180 days prior to the first building permit being granted for the proposed Development.
- In-kind contributions shall only be accepted where the same are approved by resolution of Council.
- The value of the in-kind contribution shall be determined by Council, based on one or more third-party valuations to the satisfaction of Council, and Council's determination of the value shall be final and binding.