



Community Planning, Regulation and Mobility Committee Meeting Agenda

Date: February 11, 2020
Time: 9:30 a.m.
Location: Council Chambers Level 2, City Hall

Pages

1. **Declarations of Interest:**

2. **Statutory Public Meetings:**

Statutory public meetings are held to present planning applications in a public forum as required by the Planning Act.

3. **Delegation(s):**

In order to speak at a Community Planning, Regulation and Mobility Committee meeting, individuals must register no later than noon on the day before the meeting. To register, complete the online application at www.burlington.ca/delegations, email Clerks-CommitteeAssistant.Mailbox@burlington.ca or phone 905-335-7600, ext. 7481.

4. **Consent Items:**

Reports of a routine nature, which are not expected to require discussion and/or debate. Staff may not be in attendance to respond to queries on items contained in the Consent Agenda.

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|-----|---------------------------------------------------------------------------------------------|--------|
| 4.1 | By-law updates to establish positions and appoint Hearing and Screening Officers (TS-02-20) | 1 - 10 |
|-----|---------------------------------------------------------------------------------------------|--------|

5. **Regular Items:**

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|-----|------------------------------------------------------------------------------|---------|
| 5.1 | Amendments to Heritage Designation By-law for 3083 Lakeshore Road (PL-04-20) | 11 - 26 |
| 5.2 | Region of Halton 2020 Allocation Program (PL-10-20) | 27 - 69 |

6. **Confidential Items:**

Confidential reports may require a closed meeting in accordance with the Municipal Act, 2001. Meeting attendees may be required to leave during the

discussion.

7. **Procedural Motions:**
8. **Information Items:**
9. **Staff Remarks:**
10. **Committee Remarks:**
11. **Adjournment:**



**SUBJECT: By-law updates to establish positions and appoint
Hearing and Screening Officers**

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Transportation Services Department

Report Number: TS-02-20

Wards Affected: All

File Numbers: 110-04-1

Date to Committee: February 11, 2020

Date to Council: February 24, 2020

Recommendation:

Repeal Screening and Hearing Officer By-law 40-2018; and

Approve the enactment of a by-law to establish and appoint positions of Screening Officer and Hearing Officer in the City of Burlington, attached as Appendix A to transportation services department report TS-02-20, in a form satisfactory to the City Solicitor, as its replacement.

PURPOSE:

To appoint new Hearing Officers and to streamline the process for the appointment of Screening Officers who exercise a power of decision under the City of Burlington Administrative Penalty System (By-law 40-2016) by delegating their appointment to the City Manager.

Vision to Focus Alignment:

- Deliver customer centric services with a focus on efficiency and technology transformation

Background and Discussion:

Provincial Requirement for Screening and Hearing Officers

Since July 2012, the City of Burlington has been operating an Administrative Penalty System (“APS”) for parking infractions in accordance with authority provided under Ontario Administrative Penalties Regulation 333/07 made under *Municipal Act*, 2001 (the “Regulation”). The Regulation provides a two-step process for those wishing to dispute a parking ticket:

Step 1 is a review by a Screening Officer who can vary, amend or cancel the parking ticket.

Step 2 is a final and binding appeal to a Hearing Officer should the ticket recipient be unsatisfied with the Screening Officer’s decision.

Screening Officers can be employees of the City while Hearing Officers, though appointed by Council, must be independent of the City. Screening and Hearing Officers in the City of Burlington are appointed pursuant to an appointment By-law (currently under By-law 40-2018 which is sought to be repealed and replaced in the recommendation made in this Report).

Review of Current Hiring Processes

The City of Burlington currently has issues with staff turnover in both the Screening and Hearing Officer positions which affects its ability to operate the Administrative Penalty System. An internal review of current hiring practices and policies resulted in the following issues being identified:

1. Process to hire Screening Officers is longer than required due to wording in the current appointment By-law 40-2018. The Screening and Hearing Officer Appointment By-law 40-2018 currently in place, appoints and names each Screening Officer in the schedule to the By-law, requiring a report to Committee and Council and amendments to the By-law for any changes to the appointments. This increases the time it takes to get through the hiring and appointment process. The Administrative Penalties Regulation does not require the Screening Officer appointment to be done via by-law.
2. Eligibility criteria for the hiring of Hearing Officers needs to be updated for clarity to ensure integrity of the system. Compliance with the policies and regulations relating to the Administrative Penalty System require that Hearing Officers be and appear to be impartial at all times and not related to the City operations. Current or previous employees of the Transportation Services Department should not be eligible for hire for the position of Hearing Officers to avoid any perception of bias in favour of the City and to ensure this requirement is met.

The ineligibility for the position of Hearing Officers to current and former City staff has been included in the proposed new appointment by-law.

3. *Fees paid to Hearing Officers are not in line with comparable municipalities.*
Based on a review of five other municipalities (Hamilton, Oshawa, Vaughan, Brampton, Mississauga), the average rate of pay for Hearing Officers is \$500 per day. Burlington currently pays \$100 per day which is likely contributing to the turnover.

Recommended Improvements

To remedy the above noted issues, the following is recommended:

1. Update wording in the relative by-laws and policies to allow for an internal appointment of Screening Officers via the City Manager or designate. This will allow approved candidates to start immediately after hiring without the need to amend the existing appointment by-law. Screening Officers are City employees and will be vetted in accordance with existing policies. The proposed new appointment by-law, attached as Appendix A to of Transportation Services Department Report TS-02-20, delegates the authority to appoint screening officers to the City Manager or designate.
2. Update all relevant by-laws and policies to explicitly indicate who can qualify for Hearing and Screening positions to avoid real or perceived appearance of bias in favour of the City. The proposed new appointment by-law, attached as Appendix A to the Transportation Services Department Report TS-02-20, clearly sets out the eligibility criteria for Hearing and Screening Officers.
3. Increase the amount paid to Hearing Officers from \$100 to \$500 to align with other municipalities.

Financial Matters:

Total Financial Impact

Current Budget increase of \$4,800 (additional \$400 per Hearing x 12 Hearings per year).

Source of Funding

Payment for Hearing Officers are offset by the administrative penalty fees collected through parking tickets as approved in the City's Rates and Fees By-law 52-2019.

Climate Implications

Not applicable.

Enterprise Risk:

The City is required to appoint Screening and Hearing Officers as part of the appeal process legislated in Ontario Regulation 333/07.

Conclusion:

The recommended by-law changes will improve hiring efficiency and ensure the City's Administrative Penalty System complies with Provincial Regulations applicable to Administrative Penalties.

Respectfully submitted,

Kerry Davren

Manager of Transportation Planning and Parking

905-335-7600 ext. 7800

Appendices:

- A. Draft By-law to establish and appoint positions of Screening Officer and Hearing Officer.

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Council. Final approval is by the City Manager.

The Corporation of the City of Burlington

City of Burlington By-law XX-2020

A by-law to establish and appoint positions of Screening Officer and
Hearing Officer.

WHEREAS sections 8, 9 and 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, ("*Municipal Act, 2001*") authorize The Corporation of the City of Burlington to pass by-laws necessary or desirable for municipal purposes;

AND WHEREAS subsection 102.1(1) of the *Municipal Act, 2001* provides that a municipality may require a person to pay an administrative penalty if the municipality is satisfied that the person failed to comply with any by-laws respecting the parking, standing or stopping of vehicles;

AND WHEREAS the Province adopted the Administrative Penalties Regulation O. Reg. 333/07 pursuant to the *Municipal Act, 2001* which applies to administrative penalties in respect of the parking, standing or stopping of vehicles;

AND WHEREAS under the Administrative Penalties Regulation a person who receives a Penalty Notice shall have the right to request a review of the administrative penalty by a Screening Officer appointed by the municipality;

AND WHEREAS under the Administrative Penalties Regulation, a person who receives notice of a decision from a Screening Officer shall have the right to a review of the Screening Officer's decision by a Hearing Officer appointed by the municipality;

AND WHEREAS section 425 of the *Municipal Act, 2001* authorizes The Corporation of the City of Burlington to pass by-laws providing that a person who contravenes a by-law of the City of Burlington passed under that Act is guilty of an offence;

AND WHEREAS the City of Burlington passed the Administrative Penalty By-law 40-2016, being a by-law to establish a system of administrative penalties respecting the stopping, standing or parking of vehicles in the City; and

AND WHEREAS the City of Burlington considers it desirable and necessary to establish the position of a Screening Officer and a Hearing Officer who may be delegated quasi-judicial and other authority under various City By-laws and which are required for the operation of the City's Administrative Penalty By-law;

NOW THEREFORE the Council of the Corporation of the City of Burlington hereby enacts as follows:

PART 1 - DEFINITIONS

1. In this By-law:

“Administrative Penalty” means a monetary penalty imposed for a contravention of a Designated By-law as set out in the Administrative Penalty By-law;

“Administrative Penalty By-law” means the City’s Administrative Penalty By-law 40-2016, as amended or replaced from time to time, being a by-law to establish a system of administrative penalties respecting the stopping, standing or parking of vehicles in the City;

“City” means The Corporation of the City of Burlington;

“City Manager” means the City Manager of the City or their designate;

“Council” means the elected council of the City;

“Person” includes a corporation, partnership or limited partnership;

“Power of Decision” means a power or right, conferred by or under this By-law and the Administrative Penalty By-law, to make a decision deciding or prescribing the legal rights, powers, privileges, immunities, duties or liabilities of any Person:

- (a) In the case of a Screening Officer, in respect of a request to review an Administrative Penalty; and
- (b) In the case of a Hearing Officer, in respect of an appeal from a Screening Decision.

“Hearing Officer” means a person from time to time appointed by Council pursuant to this By-law, and is deemed to be a person who is not an employee of the City but who holds an administration position of the City in accordance with section 258 of the *Municipal Act*, 2001;

“Regulation” means the Administrative Penalties Regulation O. Reg. 333/07, as amended;

“Relative” includes any of the following persons:

1. Spouse, common-law partner, or any person with whom the person is living as a spouse outside of marriage;
2. Parent;

3. Child including a step-child and grandchild;
4. Siblings and children of siblings;
5. Aunt, uncle, niece, nephew;
6. In-laws, including mother father sister, brother, daughter, and son; or
7. Any other person who lives with the person on a permanent basis;

“Screening Officer” means a person from time to time appointed by Council pursuant to this By-law;

“Screening Decision” means a notice which contains the decision of a Screening Officer.

PART 2 – SCREENING OFFICER

2. The position of Screening Officer is established for the purpose of exercising a Power of Decision in the review of an Administrative Penalty in accordance with the City’s Administrative Penalty By-law.
3. A Screening Officer shall have all of the powers of review as set out in the City’s Administrative Penalty By-law and the Regulation.
4. A Screening Officer shall be appointed by the City Manager for such period and subject to such terms and conditions as may be determined by the City Manager in accordance with the City’s employment or contract policies and guidelines.
5. The following are not eligible for appointment as a Screening Officer:
 - a. A member or Relative of a member of Council of the City;
 - b. A person indebted to the City other than
 - (a) in respect of current real property taxes; or
 - (b) pursuant to an agreement with the City the terms with which the person is in compliance.
6. City Manager may revoke the appointment of a Screening Officer at any time.

PART 3 – HEARING OFFICER

7. The position of Hearing Officer is established for the purpose of exercising a Power of Decision in the appeal of a Screening Decision in accordance with the City’s Parking Administrative Penalty By-law.

8. The Hearing Officer shall have all of the powers of review as set out in the City's Administrative Penalty By-law and the Regulation.
9. A Hearing Officer shall be appointed by Council.
10. The following are not eligible for appointment as a Hearing Officer:
 - a. A member or Relative of a member of Council of the City;
 - b. An employee or past employee of the City of Burlington; or,
 - c. A person indebted to the City other than
 - (a) in respect of current real property taxes; or
 - (b) pursuant to an agreement with the City the terms with which the person is in compliance.
11. Hearing Officers shall be appointed from the date the Hearing Officer's appointment is approved by Council, until the earlier of:
 - a. The appointment is cancelled or revoked; or,
 - b. the term of that Council ends; or,
 - c. if the term of that Council ends with no successor having been appointed, until the Hearing Officer's successor has been appointed.
12. A Hearing Officer shall be remunerated at the rate from time to time established by Council.
13. Council may revoke the appointment of a Hearing Officer at any time.

PART 4 – GENERAL PROVISIONS

14. No Person shall attempt to, directly or indirectly, communicate with or influence a Screening Officer or a Hearing Officer respecting the determination of an issue respecting a Power of Decision in a proceeding that is or will be pending before the Screening Officer or Hearing Officer, except for:
 - a. a Person who is entitled to be heard in the proceeding or the Person's lawyer or licensed paralegal; and
 - b. only by that Person or the Person's lawyer or licensed paralegal during the hearing of the proceeding in which the issue arises.
15. Section 14 does not prevent a Screening Officer or a Hearing Officer from seeking and receiving legal advice.

16. Every Person who contravenes any provision of this By-law is guilty of an offence and is liable, upon conviction, to a fine, and such other penalties, as provided for in the Provincial Offences Act, R.S.O. 1990, c. P33, and the *Municipal Act*, 2001, as both may be amended from time to time.
17. The persons listed in Schedule 1 of this By-law are hereby appointed as Hearing Officers.
18. Schedule 1 forms part of this By-law.
19. The Screening and Hearing Officers shall have no authority to further delegate their powers or duties.
20. This By-law may be referred to as the “Screening and Hearing Officer By-law”.
21. By-law 40-2018 is repealed as of the date of passing of this By-law.

Passed this 24th day of February 2020.

Mayor Marianne Meed Ward _____

City Clerk Angela Morgan _____

The Corporation of the City of Burlington

City of Burlington By-law XX-2020

Schedule “1”
Hearing Officers

NAME	Appointment Date
Roberta Craig	February 24, 2020
Jagger Behnam	February 24, 2020
Diane Hall	February 24, 2020



SUBJECT: Amendments to Heritage Designation By-law for 3083 Lakeshore Road

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Community Planning Department

Report Number: PL-04-20

Wards Affected: 4

File Numbers: 501-06-2

Date to Committee: February 11, 2020

Date to Council: February 24, 2020

Recommendation:

State an intention to amend By-law 61-2008 pursuant to Part IV of the *Ontario Heritage Act*, section 30.1(1), as shown in the draft amending by-law attached as Appendix C of this report; and

Direct staff to provide notice of Council's intention to amend By-law 61-2008, in accordance with section 30.1(1) of the *Ontario Heritage Act*; and

Authorize the City Clerk to present the amending by-law to Council, provided there is no objection to the statement of intention to amend designation By-law 61-2008; and

Authorize the City Clerk to take the necessary actions in the event of any objection to the statement of intention to amend By-law 61-2008 pursuant to Part IV of the *Ontario Heritage Act*, section 29(7).

PURPOSE:

This report recommends amendments to Heritage Designation By-law 61-2008 to correct the legal description and the description of heritage attributes.

Background and Discussion:

Description of the Property

The subject property known as 3083 Lakeshore Road is located on the north side of Lakeshore Road in between Hart Avenue to the east and Rossmore Boulevard to the west. It is located within the Roseland Character Area, and currently supports a one-and-a-half storey vernacular Arts and Crafts end-gabled cottage with elements of the Craftsman style. The house is known as the “Seaton Bungalow”. The property has associations with W. D. Flatt, a lumber baron and developer prolific within both Burlington and Hamilton, who was also instrumental in the residential development of Burlington’s Lakeshore and in the paving of Lakeshore Road (then known as the King’s Highway #2). The Seaton Bungalow was built in 1910, and the design of the building is attributed to Flatt’s nephew, William Walsh, who later as a junior partner in the Hamilton architectural firm of Hutton and Soutor was involved in the design of several significant properties elsewhere in Roseland and in the North Shore Boulevard Area of Burlington.

The Seaton Bungalow would have originally formed part of a group of four houses designed by William Walsh (i.e. 3057 Lakeshore Road, 3077 Lakeshore Road, 3083 Lakeshore Road, and the former Lakehurst Villa at 3064 Lakeshore Road). All were built in the Arts and Crafts tradition and defined the architectural style of what is known today as the Roseland Community. Only 3077 and 3083 Lakeshore Road remain intact.



Figure 1: Photo of 3083 Lakeshore Road taken in April 2019.

Relevant Background

Designation By-law 61-2008

The property at 3083 Lakeshore Road was designated under Part IV, section 29 of the *Ontario Heritage Act* in 2008 through By-law 61-2008 (attached as Appendix A of this report). The heritage attributes identified in By-law 61-2008 (i.e., defining characteristics that are important to the conservation of 3083 Lakeshore Road) include the following:

- Siting: Orientation of the building to and from Lakeshore Road and 3077 Lakeshore Road (also a designated heritage property), including the setback from Lakeshore Road and the remains of the 'parterre' landscape feature on the east side of the building;
- Random patterned rubble stone cladding, including porch columns;
- Asymmetrical chimneys and porches (both on the east elevation; porch at north east corner has been enclosed by a rear building addition but is extant);
- Wood fascia board, deep wood eaves and gable returns;
- Wood pendant detail and brackets (in end gables and dormers);
- Wood shingles in gable ends;
- 6/1 windows;
- 6 light window in south facing dormer and 3 bay window configuration in north facing dormer (6/1; 2/2/2; 6/1);
- Wooden front door and associated hardware, specifically the 4 light hinged "peep hole; and,
- Protruding bay window (west elevation) with elongated 6/6/1 ganged windows.

Elements that are deemed not important to the conservation of the Seaton Bungalow include a rear ground level building addition (north facing) that was added to the subject dwelling in 2012.

Amendments to Designation By-law 61-2008 are required to correct the legal description and the list of heritage attributes of the subject property. The reasons for which these amendments are required are outlined in the following section.

Previous Application History and Proposed Amendments to Designation By-law

In 2013, the current property owner of 3083 Lakeshore Road applied to the Committee of Adjustment for consent to sever the existing lot (approximately 0.26 ha in size) to construct a new two-storey detached dwelling on the severed lot while maintaining the existing dwelling on the retained lot. The application required variances on both land parcels to facilitate the proposed severance. The variances for the retained lot (3083 Lakeshore Road) related to reduced side yard and front yard setbacks, where the reduced front yard setback recognized and legalized the existing non-conforming

setback of the heritage house from the front property line. The variances for the severed parcel (3087 Lakeshore Road) related to reduced lot width and increased driveway width than what is permitted in Zoning By-law 2020.

In 2016, pursuant to a decision at the Ontario Municipal Board (OMB), now the Local Planning Appeal Tribunal (LPAT), the lands at 3087 Lakeshore Road were severed from 3083 Lakeshore Road to create a new lot (see registered plan attached as Appendix B to this report). By-law 61-2008 continues to be registered on both parcels despite all heritage attributes identified in By-law 61-2008 being contained exclusively on the lands known as 3083 Lakeshore Road.

As a result, the following amendments are proposed for By-law 61-2008:

- Changes to the legal description in By-law 61-2008 to apply only to the lands known as 3083 Lakeshore Road; and,
- Updates to the list of heritage attributes to remove reference to the “remains of the ‘parterre’ landscape features”, which no longer exists.

The amended designation by-law is attached as Appendix C to this report.

Strategy/process

Heritage Planning staff were notified of the owner’s desire to amend the Designation By-law 61-2008 to correct the legal description and remove the landscape feature reference in October 2019. In November 2019, the City’s citizen advisory committee, Heritage Burlington, was consulted on the amendments to the by-law in accordance with requirements under the *Ontario Heritage Act*. The Committee supported the proposed amendments to Designation By-law 61-2008.

For minor amendments to an existing designation by-law, section 30.1(2) to (10) of the *Ontario Heritage Act* allows municipalities to follow an abbreviated process that does not require the public notice required for designation. If Council approves staff’s recommendation to amend Designation By-law 61-2008, notice is to be served on the property owner of the amendments to the by-law. Within thirty days after being notified, the property owner may object to the proposed amendments by giving notice of objection to the City Clerk. If no notice of objection is received within the thirty-day period, then Council may proceed to enact the by-law amendment.

If a notice of objection is received within the thirty-day period, the City must refer the matter to the Conservation Review Board (CRB), an adjudicative tribunal that considers matters under the *Ontario Heritage Act*. A hearing will ensue and the CRB will prepare a report back to City Council, who must make the final decision on whether to withdraw or enact the by-law amendments.

Options Considered

It is necessary for Council to amend By-law 61-2008 to correct the legal description and the heritage attributes of the subject property. The *Ontario Heritage Act* requires that all properties listed on a Municipal Register contain a legal description of the property, the name and address of the owner, a statement explaining the cultural heritage value or interest of the property, and a description of the heritage attributes of the property. Approval of staff's recommendation, which amends both the required legal description and the description of heritage attributes, is necessary to comply with legislation. The property owner has the right to object to Council's decision and trigger a hearing at the Conservation Review Board (CRB).

Financial Matters:

Should Council approve the proposed amendments to By-law 61-2008 as recommended, the property owner will have the opportunity to submit a notice of objection. This would trigger a hearing before the Conservation Review Board (CRB), and costs associated with a hearing would be accrued.

Climate Implications

Not applicable.

Enterprise Risk:

Not applicable.

Engagement Matters:

Heritage Burlington was consulted on the proposed amendments to By-law 61-2008 on November 13, 2019, and passed the following motion supporting the proposed amendment: "Heritage Burlington supports the proposed amendment to Designation By-law 61-2008 for 3083 Lakeshore Road".

Conclusion:

The property municipally known as 3083 Lakeshore Road was designated in 2008, however pursuant to a consent application approved in 2016, the legal description in the

by-law must be amended to reflect the new property parcel boundaries. Further, the proposed by-law amendment removes reference to the “remains of the ‘parterre’ garden” feature, which no longer exists on the property. Staff recommend that Council state an intention to amend Designation By-law 61-2008 as discussed in this report in order to comply with legislation.

Respectfully submitted,

Danika Guppy

Planner I, Development Review & Heritage

(905) 335-7600 ext. 7427

Appendices:

- A. Existing Designation By-law 61-2008
- B. Registered Plan of 3083 and 3087 Lakeshore Road
- C. Draft Amending By-law for 3083 Lakeshore Road

Notifications:

Owner of 3083 Lakeshore Road (Planning staff to provide contact information)
Erin Semande, Provincial Heritage Registrar, Ontario Heritage Trust
Heritage Burlington, c/o Jo-Anne Rudy, Committee Clerk, City of Burlington

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Council. Final approval is by the City Manager.

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 61-2008

A by-law to designate 3083 Lakeshore Road, in the
City of Burlington, in the Regional Municipality of Halton,
to be of cultural heritage value or interest pursuant to the provisions
of the *Ontario Heritage Act*, R.S.O. 1990, chapter O.18, as amended.
File: 502-02-34.2 (CD-97-08)

WHEREAS Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O. 18 (as amended) authorizes the Council of a municipality to enact by-laws to designate real property, including all the buildings and structures thereon, to be of cultural heritage value or interest; and

WHEREAS the municipal heritage committee (Heritage Burlington) supports the designation of the property described herein (s. 29(2)); and

WHEREAS a Notice of Intention to Designate has been published in the Burlington Post (May 5, 2006) and served, by registered mail, in accordance with the Act (s. 29(3)); and

WHEREAS an objection to Council's Notice of Intention to designate was served on the City Clerk (on May 19, 2006) (s. 29(5)); and

WHEREAS Council referred the objection to the Conservation Review Board for a hearing and report (s. 29(7)); and

WHEREAS the Conservation Review Board held a public hearing on October 11, 2007 and continued said hearing on February 6, 2008 (s. 29(8)); and

WHEREAS the Conservation Review Board has found the property to be of cultural heritage value or interest (report dated April 16, 2008) (s. 29(12));

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BURLINGTON HEREBY ENACTS AS FOLLOWS:

1. THAT the property at 3083 Lakeshore Road (Seaton Bungalow) being Part Lots 19, 20, 21, Plan 136 as in 373822, PIN 07043-0085, City of Burlington, Regional Municipality of Halton, more particularly described in Schedule "A" of this by-law, is hereby designated as being of cultural heritage value or interest pursuant to Part IV of the *Ontario Heritage Act*.
2. The City Clerk shall cause a copy of this by-law to be registered against the property described in Schedule "A" to this by-law in the proper Land Registry Office.

BY-LAW NUMBER 61-2008

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3. The City Clerk shall cause a copy of this by-law to be served upon the owners of the property at 3083 Lakeshore Road (Seaton Bungalow) and upon the Ontario Heritage Trust and to cause notice of this by-law to be published in a newspaper having general circulation in the City of Burlington as required by the *Ontario Heritage Act* (s. 29(14)).
4. THAT this by-law shall take effect on the date of its passing.

ENACTED AND PASSED THIS 23rd of June, 2008

Cam Jackson MAYOR

Kim Phillips CITY CLERK

SCHEDULE “A”

To By-law Number 61-2008

Description and Reasons for Designation: 3083 Lakeshore Road

The Seaton Bungalow is recommended for designation pursuant to Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest, as described in the following Statement of Cultural Heritage Value or Interest.

Legal Description:

Lots 19, 20, 21 of Plan 136 as in 373822, PIN 07043-0085

Description of Historic Place:

The subject property is located within the Pine Cove Survey: part of the Roseland Community in Burlington, on the north side of Lakeshore Road, east of Hart Avenue. The Seaton Bungalow is a one and one half storey vernacular Arts and Crafts end-gabled cottage having elements of the Craftsman style. The visible cultural heritage resources are the lands and building.

Statement of Cultural Heritage Value or Interest:

The property at 3083 Lakeshore is recommended for designation pursuant to Part IV of the *Ontario Heritage Act* based on its historical associative value; its contextual value; and its design value.

Historical Associative Value

The property is significant based on its association with W.D. Flatt and William Walsh. The subject property, Lots 19-21, Plan 136, was registered on June 6th, 1911 by W.D. Flatt. Flatt, a lumber baron and developer, prolific within both Burlington and Hamilton was instrumental in the residential development of Burlington's Lakeshore and played a key role in the paving of the King's Highway #2 (Lakeshore Road) effectively connecting Burlington with Hamilton to the West and Toronto to the East.

The design of the Seaton Bungalow can be attributed to Flatt's nephew, William Walsh. Later, as a junior partner in the renowned Hamilton architectural firm of Hutton and Souter, Walsh was involved with the design of several significant properties elsewhere in Roseland and in the North Shore Boulevard Area of Burlington (e.g. Inglehaven Survey).

Contextual Value

Built in 1910, the Seaton Bungalow embodies key principles of the Garden Cities and Arts and Crafts movements: namely, the emphasis on open space; the use of natural and highly textured materials; and a detailed attention to form, light, views and beauty. This house would have originally formed part of a group of four houses designed by William Walsh (3057 Lakeshore Road; 3077 Lakeshore Road; 3083 Lakeshore Road and the former Lakehurst Villa at 3064 Lakeshore Road). All four houses were built in the Arts and Crafts tradition. These properties effectively defined the architectural style of the Pine Cove Survey (today's Roseland community). Only 3077 and 3083 Lakeshore Road, however, remain intact (the Lakehurst Villa

SCHEDULE “A”
To By-law Number 61-2008

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has been demolished and 3057 Lakeshore Road has been insensitively altered). As such, the Seaton and Hoose Bungalows and the Lakehurst Villa knee wall (located directly across from the Bungalows), are all that remain of the Lakehurst Villa, W.D. Flatt’s original estate (later purchased by the Valance Family). The context of the subject property is therefore the Pine Cove Survey, the Arts and Crafts Movement, the Garden Cities Movement and the Lakehurst Villa.

Design Value

The Seaton bungalow is a one and one-half storey end-gabled cottage built in the Arts and Crafts tradition with elements of the Craftsman style. Emblematic of this tradition is the general asymmetry of the building; the horizontal division between the ground and upper floor; the stone and timber cladding; the massive asymmetric stone chimneys; and the massing of the roof lines.

It is reported that the left-over stone used in the construction of Lakehurst Villa (sourced from the historic Pettit farm near the Q.E.W.) was used in the construction of both the subject property and the Hoose Bungalow.

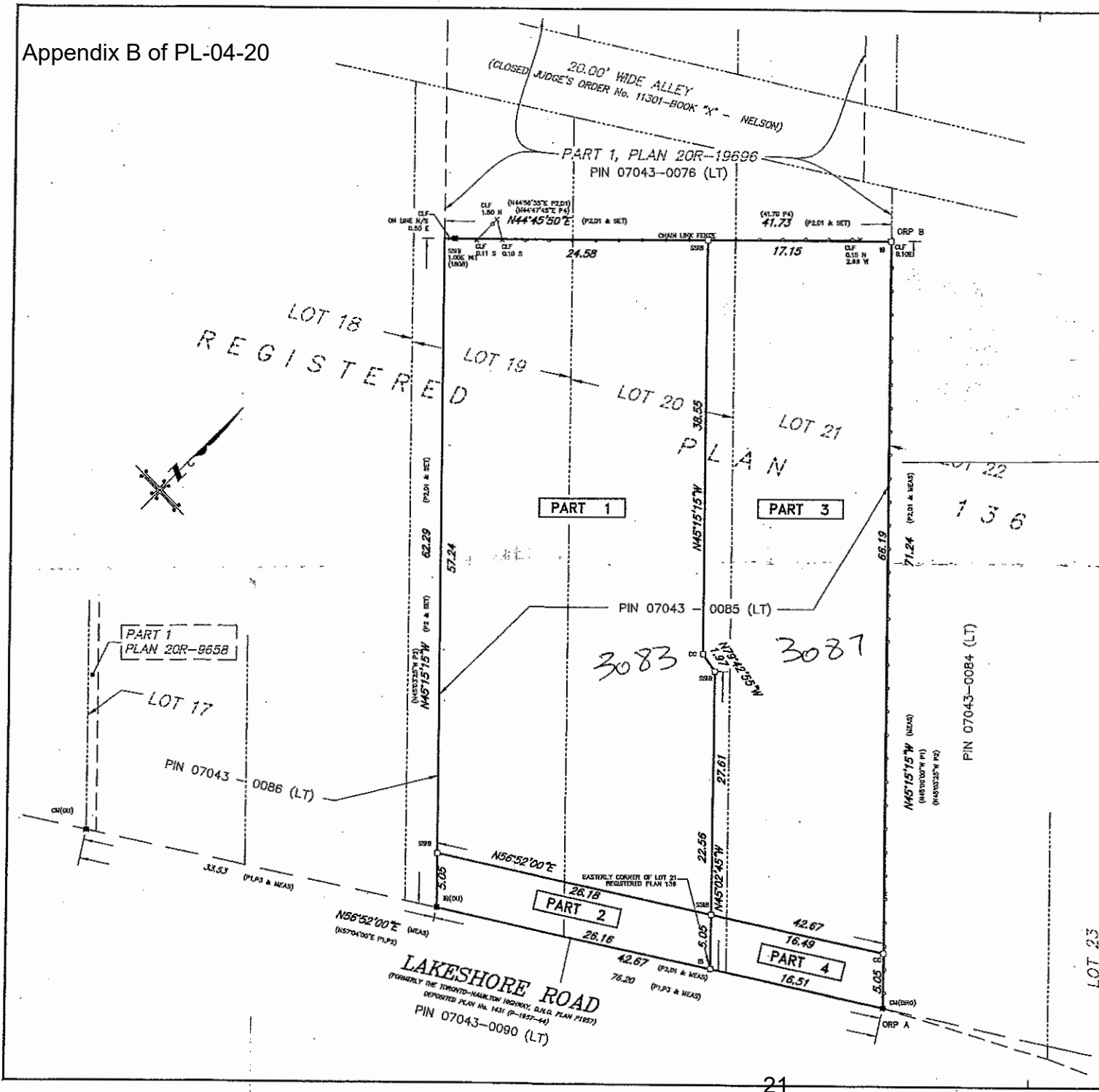
Heritage Attributes:

Important to the preservation of 3083 Lakeshore Road are the following heritage attributes:

- Siting: Orientation of the building from and to Lakeshore Road and the Hoose Bungalow (3077 Lakeshore Road), including the setback from Lakeshore Road and the remains of the “parterre” landscape feature on the east side of the building
- Random patterned rubble stone cladding, including porch columns
- Asymmetrical chimneys and porches (both on the east elevation; porch at north east corner has been enclosed by a rear building addition but is extant)
- Wood fascia board, deep wood eaves and gable returns
- Wood pendant detail and brackets (in end gables and dormers)
- Wood shingles in gable ends
- 6/1 windows
- 6 light window in south facing dormer and 3 bay window configuration in north facing dormer (6/1; 2/2/2; 6/1)
- Wooden front door and associated hardware, specifically the 4 light hinged “peep hole”
- Protruding bay window (west elevation) with elongated 6/6/1 ganged windows

Elements that are not important to the preservation of the Seaton Bungalow include:

- Rear ground level building addition (north facing)



1 REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT

SEPTEMBER 16, 2016

DATE

ROSS A. CLARKE
ONTARIO LAND SURVEYOR
FOR MACKAY MACKAY & PETERS LIMITED

PLAN 20R-20005
RECEIVED AND DEPOSITED
SEP 15, 2016
"A. Timbrell"
REPRESENTATIVE FOR LAND REGISTRAR
FOR THE LAND TITLES DIVISION
OF HALTON (No 20)

SCHEDULE

PART	PART OF LOT	PART	PIN
1	LOT 19 AND 20	REGISTERED PLAN 136	07043-0085 (LT)
2	LOT 20 AND 21		
3	LOT 20 AND 21		
4	LOT 20 AND 21		

PARTS 1,2,3 AND 4 COMPRISE ALL OF PIN 07043-0085 (LT)

PLAN OF SURVEY OF
PART OF LOTS 19, 20 AND 21
REGISTERED PLAN 136
BEING IN THE
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON
SCALE 1 : 250

MacKAY, MacKAY & PETERS LIMITED - 2016

"METRIC" DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (1987.0).
COORDINATES ARE TO AN URBAN ACCURACY PER SECTION 14(2) OF O. REG. 218/10

POINT ID	NORTHING	EASTING
ORP A	4798741.481	599341.801
ORP B	4798791.610	599291.226

CAUTION: COORDINATES CANNOT, BY THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

Bearing Reference:
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (1997.0).
DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE DOWNWARD SCALE FACTOR OF 0.999721.

Legend:

- DENOTES A SURVEY MONUMENT FOUND
- DENOTES A SURVEY MONUMENT PLANTED
- SB DENOTES STANDARD IRON BAR
- SSB DENOTES SHORT STANDARD IRON BAR
- IN DENOTES IRON NAIL
- P1 DENOTES REGISTERED PLAN 136
- P2 DENOTES PLAN BY A.J. CLARKE & ASSOCIATES DATED SEPTEMBER 17, 2001
- P3 DENOTES PLAN 20R-9556
- P4 DENOTES PLAN 20R-18506
- D1 DENOTES INSTRUMENT 373822
- D2 DENOTES INSTRUMENT 619602
- CM DENOTES CONCRETE MONUMENT
- CO DENOTES COT CROSS
- WT DENOTES WITNESS MONUMENT
- PIN DENOTES PROPERTY IDENTIFICATION NUMBER
- (OU) DENOTES OPEN UNKNOWN
- CLF DENOTES CHAIN LINK FENCE

Surveyor's Certificate:

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS REGULATION AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 14TH DAY OF SEPTEMBER, 2016.

SEPTEMBER 16, 2016

DATE

ROSS A. CLARKE
ONTARIO LAND SURVEYOR
FOR MACKAY MACKAY & PETERS LIMITED

CAD FILE: E:\20\HALTON\REGISTERED PLANS\20R\LOT 19, 20, 21\12-012\N PLAN\12-012-B.DWG

MACKAY MACKAY & PETERS LIMITED
Established 1959

ONTARIO LAND SURVEYORS
3380 SOUTH SERVICE ROAD
BURLINGTON, ONTARIO L7N 3J5
PHONE: (905) 639-1375
FAX: (905) 635-9544
e-mail: halton@mmplimited.com
Records of Sewell & Sewell and Yates & Yates LTD.

DRAWN BY: R.D.
PARTY CHECKED: R.Z.
CHECKED BY: R.A.C.
PROJECT NO.: 12-012-R

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER XX-2020

A by-law to amend by-law 61-2008 to update the legal description and the reasons for designation of 3083 Lakeshore Road (“Seaton Bungalow”), in the City of Burlington, Regional Municipality of Halton, to be of cultural heritage value or interest pursuant to the provisions of the Ontario Heritage Act, R.S.O. 1990, c. O.18, as amended.

WHEREAS Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended, authorizes the Council of a municipality to enact by-laws to designate real property, including all the buildings and structures thereon, to be of cultural heritage value or interest; and

WHEREAS on June 23, 2008, the Council of The Corporation of the City of Burlington enacted by-law 61-2008, being a by-law to designate 3083 Lakeshore Road (“Seaton Bungalow”) to be of cultural heritage value or interest pursuant to the provisions of the *Ontario Heritage Act*; and

WHEREAS on September 2, 2016, the Ontario Municipal Board under case number PL130616 ordered approval of a provisional consent to sever 3083 Lakeshore Road, and the conditions of provisional consent have been satisfied and a certificate of consent has been issued;

WHEREAS the Council of The Corporation of the City of Burlington deems it advisable to amend by-law 61-2008 to reflect the updated legal description of 3083 Lakeshore Road, the site of the “Seaton Bungalow”, a property of cultural heritage value and interest pursuant to the provisions of the *Ontario Heritage Act*;

WHEREAS the Council of the Corporation of the City of Burlington also deems it advisable to amend the heritage attributes of 3083 Lakeshore Road (the “Seaton Bungalow”) pursuant to Section 30.1(2) of the *Ontario Heritage Act*; and

WHEREAS the requirement for Council to consult with its Municipal Heritage Committee pursuant to Section 30.1(5) prior to amending a designation by-law has been fulfilled;

WHEREAS the notice requirements pursuant to Section 30.1(4) of the *Ontario Heritage Act* have been fulfilled; and

AND WHEREAS no appeals have been received;

NOW THEREFORE the Council of the Corporation of the City of Burlington hereby enacts as follows:

1. That by-law 61-2008 be amended by deleting paragraph 1 and replacing it with the following:

THAT the property at 3083 Lakeshore Road (Seaton Bungalow) being Part Lots 19 and 20, Plan 136, designated as PART 1, 20R20605, being PIN 07043-0107 (LT), City of Burlington, Regional Municipality of Halton, more particularly described in Schedule "A" of this By-law, is hereby designated as being of cultural heritage value or interest pursuant to Part IV of the *Ontario Heritage Act*;

2. THAT By-law 61-2008 is further amended by removing Schedule "A" and replacing it with the attached Schedule "A" – Statement of Cultural Heritage Significance.

3. THAT the City Clerk shall cause a copy of this by-law to be served upon the owners of the property at 3083 Lakeshore Road ("Seaton Bungalow") and upon the Ontario Heritage Trust as required by the *Ontario Heritage Act*.

4. THAT in all other respects, By-law 61-2008 is confirmed and this by-law shall take effect on the date of its passing;

5. THAT the City Clerk shall cause a copy of this by-law to be registered against the property described in Schedule "A" to this by-law in the Land Registry Office for Halton.

ENACTED AND PASSED THIS XX of XXXX, 2020.

Marianne Meed Ward

MAYOR

Angela Morgan

CITY CLERK

Schedule A to By-law XX

Description and Reasons for Designation:

The Seaton Bungalow is recommended for designation pursuant to Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest, as described in the following Statement of Cultural Heritage Value or Interest.

Legal Description:

Part Lot 19 and 20, Plan 136, designated as PART 1, 20R20605, PIN 07043-0107 (LT)

Description of Historic Place:

The subject property is located within the Pine Cove Survey: part of the Roseland Community in Burlington, on the north side of Lakeshore Road, east of Hart Avenue. The Seaton Bungalow is a one and a one half storey vernacular Arts and Crafts end-gabled cottage having elements of the Craftsman style. The visible cultural heritage resources are the lands and building.

Statement of Cultural Heritage Value or Interest:

The property at 3083 Lakeshore is recommended for designation pursuant to Part IV of the *Ontario Heritage Act* based on its historical associative value; contextual value; and its design value.

Historical Associative Value:

The property is significant based on its association with W.D. Flatt and William Walsh. The original property, Lots 19-21, Plan 136, was registered June 6th, 1911 by W.D. Flatt. Flatt, a lumber baron and developer, prolific within both Burlington and Hamilton was instrumental in the residential development of Burlington's Lakeshore and played a key role in the paving of the King's Highway #3 (Lakeshore Road) effectively connecting Burlington with Hamilton to the West and Toronto to the East.

The design of the Seaton Bungalow can be attributed to Flatt's nephew, William Walsh. Later, as a junior partner in the renowned Hamilton architectural firm of Hutton and Souter, Walsh was involved with the design of several significant properties elsewhere in Roseland and in the North Shore Boulevard Area of Burlington (e.g. Inglehaven Survey).

Contextual Value:

Built in 1910, the Seaton Bungalow embodies key principles of the Garden Cities and Arts and Crafts movements: namely, the emphasis on open space; the use of natural and highly textured materials; and a detailed attention to form, light, views and beauty. This house would have originally formed parts of a group of four houses designed by William Walsh (3057 Lakeshore Road; 3077 Lakeshore Road; 3083 Lakeshore Road and the former Lakehurst Villa at 3064 Lakeshore Road). All four houses were built in the Arts and Crafts tradition. These properties effectively defined the architectural style of the Pine Cove Survey

(today's Roseland community). 3057, 3077 and 3083 Lakeshore Road remain intact, however, the Lakehurst Villa has been demolished. As such, the Seaton and Hoose Bungalows and the Lakehurst Villa knee wall (located directly across from the Bungalows), are all that remains of the Lakehurst Villa, W.D. Flatt's original estate (later purchased by the Valance Family). The context of the subject property is therefore the Pine Cove Survey, the Arts and Crafts Movement, the Garden Cities Movement and the Lakehurst Villa.

Design Value:

The Seaton bungalow is a one and one-half storey end-gabled cottage built in the Arts and Crafts tradition with elements of the Craftsman style. Emblematic of this tradition is the general asymmetry of the building; the horizontal division between the ground and upper floor; the stone and timber cladding; the massive asymmetric stone chimneys; and the massing of the roof lines.

It is reported that the left-over stone used in the construction of Lakehurst Villa (sourced from the historic Pettit farm near the Q.E.W.) was used in the construction of both the subject property and the Hoose Bungalow.

Heritage Attributes:

Important to the preservation of 3083 Lakeshore Road are the following heritage attributes:

- Siting: Orientation of the building from and to Lakeshore Road and the Hoose Bungalow (3077 Lakeshore Road), including the setback from Lakeshore Road
- Random patterned rubble stone cladding, including porch columns
- Asymmetrical chimneys and porches (both on the east elevation; porch at north east corner has been enclosed by a rear building addition but is extant)
- Wood fascia board, deep wood eaves and gable returns
- Wood pendant detail and brackets (in end gables and dormers)
- Wood shingles in gable ends
- 6/1 windows
- 6 light window in south facing dormer and 3 bay window configuration in north facing dormer (6/1; 2/2/2; 6/1)
- Wooden front door and associated hardware, specifically the 4 light hinged "peep hole"

- Protruding bay window (relocated, but still on the west elevation) with elongated 6/6/1 ganged windows

Elements that are not important to the preservation of the Seaton Bungalow include:

- Rear ground level building addition (north facing)



SUBJECT: Region of Halton 2020 Allocation Program

TO: Mayor and Members of Council

FROM: Community Planning Department

Report Number: PL-10-20

Wards Affected: Ward 6

Related File Numbers: 520-02/08, 505-06/15, 520-09/15 and 510-03/15 [24T-15003/B]

Date to Committee: February 11, 2020

Date to Council: February 24, 2020

Recommendation:

Endorse the distribution of servicing allocation through the 2020 Regional Allocation Program to the landowners / developers of lands described in the Allocation Request (attached as Appendix 1 to community planning department report PL-10-20), and as shown on the Allocation Request Map (attached as Appendix 4 to community planning department report PL-10-20); and

Authorize the Director of Community Planning to endorse any minor changes to the distribution of servicing allocation which may arise as the Region advances the program; and

Direct the Clerks Department to forward a copy of community planning department report PL-10-20 together with Council resolution to the Region of Halton and the Towns of Oakville, Milton and Halton Hills.

PURPOSE:

- To present an overview of the Halton Region 2020 Regional Allocation Program as it relates to the Tremaine Dundas Secondary Plan area and associated development applications.

Vision to Focus Alignment:

- Increase economic prosperity and community responsive city growth
- Support sustainable infrastructure and a resilient environment

Background and Discussion:

The Halton Region Allocation Program represents a financing plan for growth-related infrastructure needs to be approved by Regional Council prior to greenfield growth proceeding. The Allocation Program address infrastructure required to support growth for a determined period and geography, in accordance with the approved Best Planning Estimates. The 2020 Allocation Program represents an update to the 2012 program. On November 20, 2019, Regional Council approved recommendations contained in Regional Report No. FN-46-19/PW-50-19/LPS112-19, endorsing Allocation Program Option 1, which included up to a total of 19,329 single detached equivalent units (SDEs) across Halton Region, including the allocation of up to 495 SDEs to the City of Burlington. A copy of the Regional report is attached as Appendix 2 to this report.

In February 2016 applications for Official Plan Amendment, Zoning By-law Amendment and Subdivision were made by Evergreen to develop the lands on the west side of Tremaine Road between Dundas Street and Highway 407. In December 2017 Evergreen appealed the application to the Ontario Municipal Board on the basis of non-decision by City Council.

The Tremaine Dundas Secondary Plan lands (TDSP or subject lands) was approved by the Region in May 2019 but has been appealed by a third party and is currently before the Local Planning Appeals Tribunal (LPAT). The subject lands are shown on the map provided in Appendix 3. Evergreen has requested that LPAT adjourn its private appeal, to be brought on at a further hearing once the appeal of TDSP has been resolved.

The TDSP represent some of the final developable greenfield lands in the City. Evergreen Community (Burlington) Ltd. (Evergreen) has expressed interest in the allocation program as the owners of 67 hectares of developable land within the TDSP. A copy of the Evergreen Request for Allocation is attached as Appendix 1.

The following table depicts the SDEs that have been included in the allocation request made by Evergreen, on the subject lands. Units are distinguished from SDEs due to Halton Region's determination that medium and high-density units have reduced servicing demands relative to the higher demand of low-density units.

Unit Type	Units	SDE
Low Density (Single Detached Dwellings, Rear Lane Detached)	335	335
Medium Density (Townhouse Dwellings, Rear Lane Townhouse)	160	121.6
High Density (Stacks, Back-to-Back Stacks, Apartment, Mixed -Use)	40	18
Total	555	495

In order for the Evergreen development to utilize allocation from this program and achieve registration, the developer will be required to satisfy any conditions required by LPAT prerequisite to the issuance of draft plan approval. They will also be required to revise the draft plans as necessary in order to satisfactorily address specific technical and design issues identified by the City and its partner agencies. In anticipation of 2020 LPAT resolutions of the Secondary Plan, Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, staff recommends the reservation of allocation by Evergreen Community (Burlington) Ltd. This endorsement by Council of the requested servicing allocation will serve to facilitate development of the Council approved TDSP, or of the Secondary Plan as decided by LPAT.

Once resolved, it is anticipated that the subject lands will be developed over a period of six to ten years.

In conclusion, staff recommends that Council endorse the distribution of servicing allocation through the 2020 Regional Allocation Program to the lands shown in Appendix 4, to Evergreen Community (Burlington) Ltd.

Financial Matters:

The 2020 Regional Allocation Program is envisioned to accommodate six years of growth (Best Planning Estimate) on the subject lands.

Total Financial Impact

Not applicable

Source of Funding

The purpose of the Halton Region allocation program is to ensure that costs of servicing development on greenfield lands are paid, through the development of those lands, to the Region in advance of the development of units necessitating those services.

Other Resource Impacts

Not applicable

Climate Implications

The TDSP provides the policy basis for an integrated and sustainable approach to community design. It provides guidance to future development within the area in a manner that supports and enhances the natural heritage system while integrating a mix of employment, mixed-use and residential in a way that supports community connectivity within and outside the area. The Evergreen Community (Burlington) Ltd. applications generally align with these objectives of the secondary plan.

Enterprise Risk:

Not applicable

Engagement Matters:

Notice of the Evergreen applications and request for comment was circulated to properties within 120 metres in February 2016.

The TDSP process provided notification to owners and tenants within 300 metres of the Secondary Plan areas subject lands and provided multiple public workshops and Public Information Centre between 2007 and 2018. A Statutory Public Meeting and Council's consideration of the recommendation report for the TDSP took place in May 2019.

Conclusion:

In conclusion, the expression of interest received from Evergreen Community (Burlington) Ltd. supports the achievement of a number of important priorities for the City. Priorities include the comprehensive build out of greenfield lands, an increase in the supply of mixed use employment and residential uses, and the implementation of important infrastructure required to complete this neighbourhood.

Respectfully submitted,

Brynn Nheiley

Manager of Development Review

905-335-7600 ext. 7638

Appendices:

1. Evergreen Request for Allocation
2. Regional Report No. FN-46-19/PW-50-19/LPS112-19
3. Tremaine Dundas Secondary Plan Map
4. Allocation Request Map

Notifications:

Curt Benson, Region of Halton

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Council. Final approval is by the City Manager.

Attention: Mr. Curt Benson, MCIP, RPP
Chief Planning Official
Halton Region
1151 Bronte Road
Oakville, ON L6M 3L1

Ms. Heather MacDonald, MCIP, RPP, CHRL
Executive Director of Community Planning,
Regulation and Mobility
City of Burlington
426 Brant Street, P.O Box 5013
Burlington, ON L7R 3Z6

RE: Landowner “Request for Allocation Letter” for the 2020 Allocation Program

The Regional Municipality of Halton (the “Region”) and the City of Burlington request that for each parcel of land, Landowners/ Developers provide the Region and the City of Burlington with the type and quantity of Single Detached Equivalent (SDE) that they would intend to develop on those subject lands as a "Request for Allocation Letter" for the 2020 Allocation Program. Please note that the parcels of land must be located within the Allocation Area as provided in Appendix “A”, as attached to this letter.

***** Request for Allocation Letters are to be submitted to the Region by Dec. 13, 2019 *****

Please submit Request for Allocation Letters to John Huber via E-mail address

John.Huber@halton.ca

This “Request for Allocation Letter” is from the following registered Owner(s):

Evergreen Community (Burlington) Ltd.

(Enter name(s) of registered Owner(s) on title for the subject lands)

This “Request for Allocation Letter” is regarding the following subject lands:

07201-0184

(Enter one (1) parcel PIN (Property Identification Number)* only – note that this must be an active PIN)

*** Note: A separate “Request for Allocation Letter” is required to be submitted for each individual property ownership**

The Registered Owner(s) is hereby requesting to enter into a Financial Allocation Agreement (under the *Development Charges Act, 1997*) related to the 2020 Allocation Program with the Region at a future date to be determined by the Region. The Registered Owner(s) also confirms to provide all documentation, payments, securities and information as may be required by the Region from time to time and at any time.

This “Request for Allocation Letter” is subject to the City of Burlington providing written confirmation to the Region supporting the Registered Owner(s) requested amount of Allocation in single Detached Equivalent Residential Units (referred to as “SDE”) of Water & Wastewater Allocation; or an amount of SDE supported by the City of Burlington and agreed to by the Registered Owner(s). All allocation is subject to the Region confirming that it will include the subject lands in the 2020 Allocation Program. This request for allocation is subject to approval by the City of Burlington and the Region.

The SDE calculation is based on Appendix “B”, as attached to this letter.

The Payment Terms of SDEs are based on Appendix “C”, as attached to this letter.

In signing this “Request for Allocation Letter”, I am by my own volition and with full understanding, making a request to participate in the 2020 Allocation Program by seeking an Allocation comprised of:

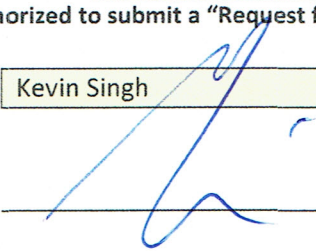
495	SDE of Single/Semi Detached Dwellings + SDE of Multiple Dwellings + SDE of Apartment Dwellings + SDE of Accessory Dwellings	Payment Terms “A”
+		
Click or tap here to enter text.	High Density SDE of High Density Apartment Dwellings	Payment Terms “B”
+		
Click or tap here to enter text.	SDE of Purpose-Built Rentals	Payment Terms “C”
+		
Click or tap here to enter text.	SDE of Special Care/Special Needs	Payment Terms “C”
+		
Click or tap here to enter text.	SDE of <u>Affordable</u> Purpose-Built Rentals	Payment Terms “D”
<hr/>		
495	TOTAL NUMBER OF SDE	

and executing a Financial Allocation Agreement related to the 2020 Allocation Agreement with the Region.

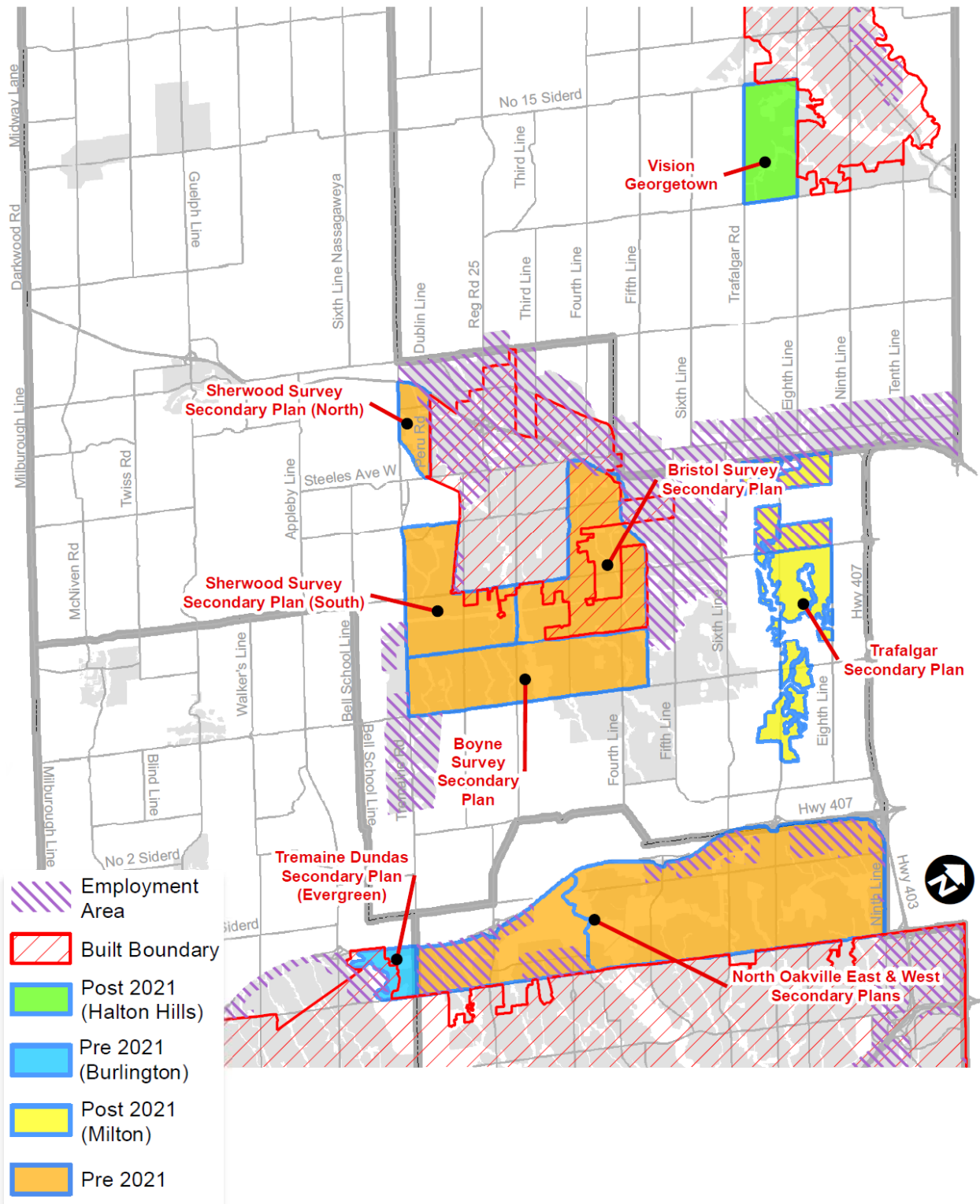
I also understand that upon the Region providing written confirmation of support for my Request for Allocation, that I will be required to submit the supporting documentation to the Region, as identified in Appendix “D”, within five (5) business days of confirmation, or a time period as required by the Region.

The Financial Allocation Agreement with the Region, to which the Registered Owner(s) hereby request to enter into, will be based on the principles adopted by Regional Council in Report No. FN-46-19/PW-50-19/LPS112-19 – “2020 Allocation Program Options”.

Required Contact Information and Signature(s):

Developer Organization:	Argo Development Corporation
(If a Developer is authorized to submit a “Request for Allocation Letter” on behalf of the Registered Owner(s))	
Contact Name(s):	Kevin Singh
Signature(s):	
Date:	December 11, 2019
Mailing Address:	4900 Palladium Way, Suite 105 Burlington, ON L7M 0W7
(one only)	
Phone Number:	647-828-8558
Email Address:	kevin@argoland.com

Appendix "A" – Allocation Area



Appendix “B” – Residential Conversion Factors & Definitions

Residential Conversion Factors:

Residential Unit Type or Category	SDE Factor*
Single-/Semi-Detached Dwelling	1
Multiple Dwelling	0.76
Apartment Dwelling	0.45
Special Care/ Special Need/ Accessory Dwelling	0.31

* Factors are currently based on Region-wide hard service Persons Per Unit

Definitions of Residential Unit Type/Category from DC By-law 36-17:

- a) **“dwelling unit”** means either (i) a room or suite of rooms used, designed or intended for residential use by one or more persons living together, in which culinary and sanity facilities are provided for the exclusive use of such person or persons, or (ii) in the case of a special care/special need dwelling, either (1) a room or suite of rooms used, designed or intended for use by one person with or without exclusive sanitary and/or culinary facilities, or (2) a room or suite of rooms used, designed or intended for use by more than one person with no more than two persons sharing a bedroom and with sanitary facilities directly connected and accessible to each room, or (3) every seven square metres (7 m²) of area within a room or suite of rooms used, designed or intended for use by more than one person as a bedroom;
- b) **“single detached dwelling”** means a completely detached building containing only one (1) dwelling unit;
- c) **“semi-detached dwelling”** means a building divided vertically into two dwelling units each of which has a separate entrance and access to grade;
- d) **“multiple dwelling”** means a building containing more than one dwelling unit or one or more dwelling units above the first storey of a building containing a non-residential use but a multiple dwelling does not include an accessory dwelling, a single detached dwelling, a semi-detached dwelling, an apartment dwelling, or a special care/special need dwelling;
- e) **“apartment dwelling”** means a building containing more than one dwelling unit where the units are connected by an interior corridor. Despite the foregoing, an apartment dwelling includes those stacked townhouse dwellings and/or back-to-back townhouse dwellings that are developed on a block approved for development at a minimum density of sixty (60) units per net hectare pursuant to plans and drawings approved under section 41 of the Planning Act;

- f) **“stacked townhouse dwelling”** means a building containing two or more dwelling units where each dwelling unit is separated horizontally from another dwelling unit by a common wall;
- g) **“back-to-back townhouse dwelling”** means a building containing four or more dwelling units separated vertically by a common wall, including a rear common wall, that do not have rear yards;
- h) **“high density apartment”** means an apartment dwelling of a minimum of four (4) storeys or containing more than one hundred thirty (130) dwelling units per net hectare pursuant to plans and drawings approved under Section 41 of the Planning Act;
- i) **“special care/special need dwelling”** means a residential building or portion thereof:
 - i. containing two or more dwelling units which units have a common entrance from street level;
 - ii. where the occupants have the right to use in common with other occupants halls, stairs, yards, common rooms and accessory buildings;
 - iii. that is designed to accommodate persons with specific needs, including but not limited to, independent permanent living arrangements; and
 - iv. where support services, such as meal preparation, grocery shopping, laundry, housekeeping, nursing, respite care and attendant services are provided at
 - v. various levels;

and includes, but is not limited to, retirement homes or lodges, charitable dwellings, nursing homes, group homes (including correctional group homes) and hospices;
- j) **“accessory dwelling”** means a dwelling unit that is naturally or normally incidental to or subordinate in purpose and is exclusively devoted to a single detached dwelling or a semi-detached dwelling;

Definitions of Purpose-Built Rental Housing:

- k) **“purpose-built rental housing” (which does not include condominium developments or co-ops)** pertains to a contingent of five or more rental units that are not individually registered on title and as such cannot be sold or transferred individually. It underscores the exclusive and ongoing purpose of the units as rental accommodation.
- l) **“purpose-built affordable rental housing”** pertains to “purpose-built rental housing” (per definition “k)”, above) that achieve affordability targets, wherein at least 25% of the development or 10 units, whichever is greater, must be operated at or below the affordable rent threshold as defined in the Region’s annual State of Housing report. An Allocation Agreement between the Registered Owner(s) and the Region will include an Affordability Schedule with provisions to ensure the affordability requirements will be met for a minimum of 20 years

Reference Summary Table*

Category	Dwelling Unit Type	Density "D" (upnH)	# Storeys	Residential Conversion Factor	SDE Type	Payment Terms (reference Appendix "C")		
						Standard Units	Purpose-Built Rental Units	Affordable Purpose-Built Rental Units
Single-/Semi-Detached	Single-Detached	-	-	1.00	SDE	A	-	-
	Semi-Detached	-	-	1.00	SDE	A	-	-
Multiple	Any "Multiple" Unit	-	-	0.76	SDE	A	-	-
	Row/Lane/Street TH	-	-	0.76	SDE	A	-	-
	Back-to-Back TH	D < 60	-	0.76	SDE	A	-	-
	Stacked TH	D < 60	-	0.76	SDE	A	-	-
Apartment	Apartment	D < 130	AND # Storeys < 4	0.45	SDE	A	C	D
	Back-to-Back TH	60 ≤ D < 130	-	0.45	SDE	A		
	Stacked TH	60 ≤ D < 130	-	0.45	SDE	A		
High Density Apartment	Apartment	130 ≤ D	OR # Storeys ≥ 4	0.45	HD SDE	B		
	Back-to-Back TH	130 ≤ D	OR # Storeys ≥ 4	0.45	HD SDE	B		
	Stacked TH	130 ≤ D	OR # Storeys ≥ 4	0.45	HD SDE	B		
Special Care/Special Needs/Accessory	Special Care/Special Needs	-	-	0.31	SDE	C	-	-
	Accessory	-	-	0.31	SDE	A	-	-

*** Note:** this summary table is for information purposes only. Definitions of Dwelling Units are as provided above, from DC By-law 36-17.

Appendix “C” – Cost of SDE

The current DC per SDE to be provided by Greenfield residential developers includes the following:

	Per SDE under Allocation Agreement*
General Services	\$ 2,278.07
Roads	18,266.06
Water/Wastewater	17,964.00
	\$ 38,508.13

* Go Transit DC, Recovery Charge DC and Front-ending recovery will be collected based on regular collection timing (i.e. Subdivision/ Building Permit)

* Based on Agreement Execution prior to April 1, 2020

Payment Terms “A”

- Provide for an early payment of the General Services DCs in full which will be required immediately upon execution of the agreement
- Provide for the early payment of Roads and Water/Wastewater DCs in installments over four (4) years beginning in year one (1) upon execution of the agreement, with the first payment due immediately upon execution of the agreement
- At execution of agreement, secure a letter of credit for the full amount of early payment of DCs that will be reduced as installments are paid
- Provide for the payment of agreement administration fees of \$5,860.24 plus HST (or at the then current rate if an Allocation Agreement is entered into after April 1, 2020), with payment due immediately upon execution of the agreement
- If, prior to the end of the above payments the development executes a subdivision agreement/building permit, then any of the unpaid installments of DCs will be paid in full at that time
- If, as a result of Bill 108, the DC By-law no longer contains a charge for any of the General Services component, before the Allocation Agreement is executed, the development will be subject to community benefits charges

Payment Terms “B”

- Provide for an early payment of the General Services DCs in full which will be required immediately upon execution of the agreement
- Provide for the early payment of Roads and Water/Wastewater DCs in installments over four (4) years beginning in year two (2) upon execution of the agreement
- At execution of agreement, secure a letter of credit for the full amount of early payment of DCs that will be reduced as installments are paid
- Provide for the payment of agreement administration fees of \$5,860.24 plus HST (or at the then current rate if an Allocation Agreement is entered into after April 1, 2020), with payment due immediately upon execution of the agreement
- If, prior to the end of the above payments the development executes a subdivision agreement/building permit, then any of the unpaid installments of DCs will be paid in full at that time
- If, as a result of Bill 108, the DC By-law no longer contains a charge for any of the General Services component, before the Allocation Agreement is executed, the development will be subject to community benefits charges

Payment Terms “C”

- Provide for an early payment of the General Services DCs in full which will be required immediately upon execution of the agreement
- Provide for the payment of Roads and Water/Wastewater DCs at subdivision agreement/building permit (in accordance with Section 26 of the DCA)
- Provide for the payment of agreement administration fees of \$5,860.24 plus HST (or at the then current rate if an Allocation Agreement is entered into after April 1, 2020), with payment due immediately upon execution of the agreement
- Letters of credit will not be required. In the event of default, the Region will assume responsibility of costs until the SDEs are re-allocated
- Transfers will not be allowed from purpose-built rental or special care/special needs to other development types in the Allocation Program
- If, as a result of Bill 108, the DC By-law no longer contains a charge for any of the General Services component, before the Allocation Agreement is executed, the development will be subject to community benefits charges

Payment Terms “D”

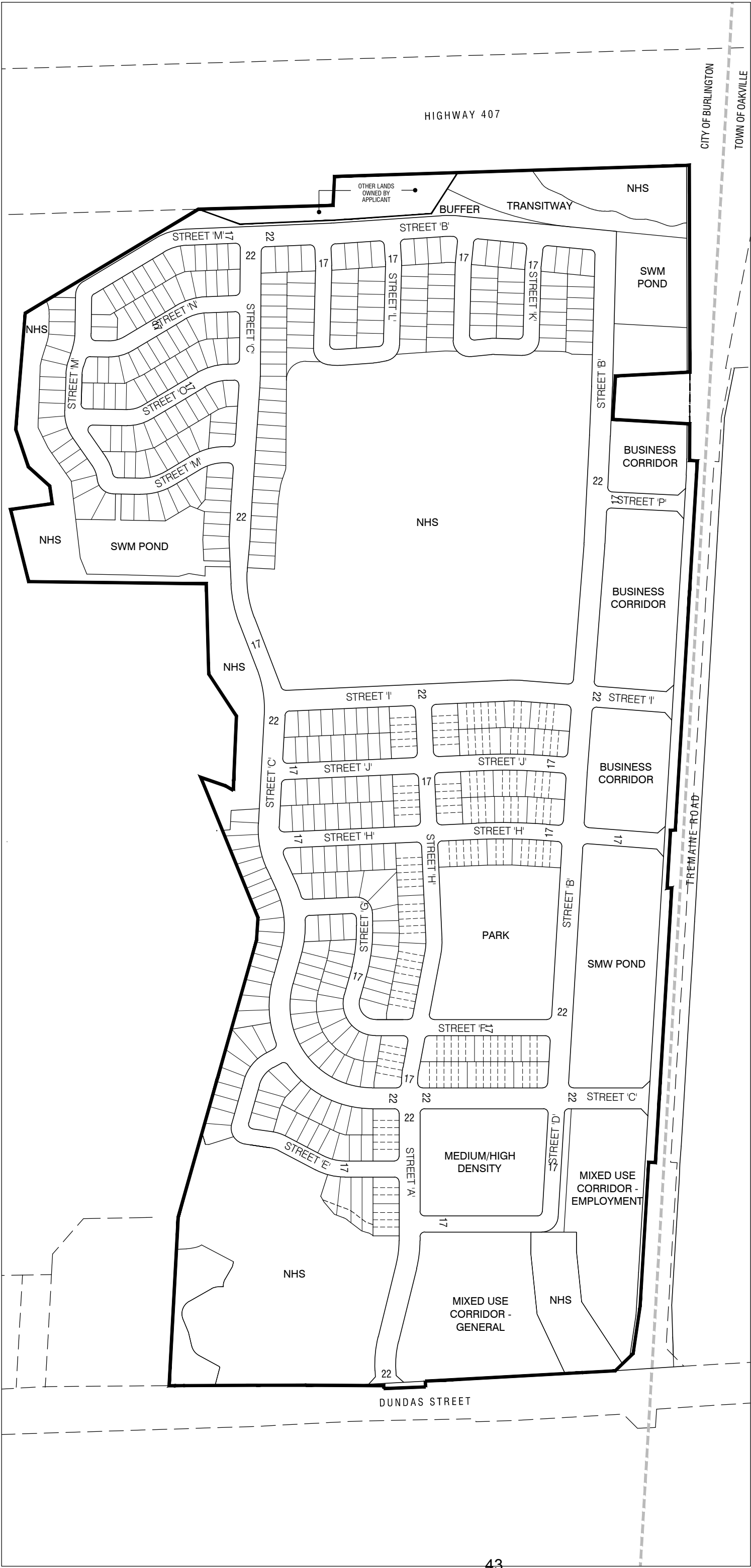
- An Allocation Agreement must be entered into prior to site plan approval
- Provide for the payment of agreement administration fees of \$5,860.24 plus HST (or at the then current rate if an Allocation Agreement is entered into after April 1, 2020), with payment due immediately upon execution of the agreement
- Deferral of DC payments over 20 annual payments starting at building permit
- At least 25% of the development or 10 units, whichever is greater, must be operated at or below the affordable rent threshold as defined in the Region’s annual State of Housing report.
- The Allocation Agreement between the Applicant and the Region will include an Affordability Schedule with provisions to ensure the affordability requirements will be met for a minimum of 20 years.
- The Affordability Schedule will include an optional arrangement for provision of Regional capital assistance for some Affordable Units to further reduce the rent and make the units available for assisted housing purposes.

Appendix “D” – Supporting Documentation

The following is the required information to be submitted to Halton Region within five (5) business days, or a time period as required by the Region, after the Region provides written confirmation of support of my Request for Allocation:

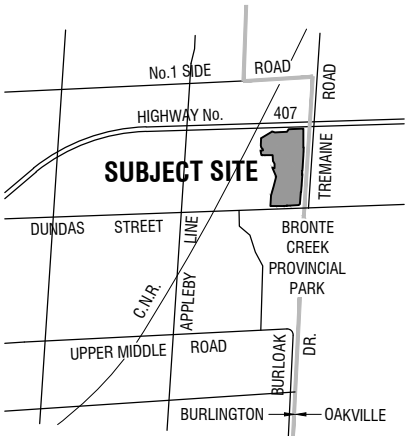
1. Property Identification Number (PIN) of the subject lands (must be an active PIN);
2. Legal Municipal Street address of the subject lands;
3. Name(s) of the registered owner(s) of the lands to which the allocation applies;
4. Address, fax number and contact person to be inserted into the notice clause;
5. Name(s) and title(s) of the signing officer(s) who will be executing the agreement;
6. Legal description of the lands, and the corresponding 24T-number(s) for the development(s) which will be utilizing the allocation;
7. Sketch of the lands on a “Legal Size” paper with Subject Lands being clearly bolded (no colour, black borders are acceptable) that applies to the requested allocation; and
8. Up-to-date parcel page(s) for the lands.

*** Note: the Region can only enter into agreements with registered property owners to which the requested allocation will apply. In this regard, agreements will be required for each individual PIN.**



Evergreen Community
(Burlington) Ltd.
2020 Allocation Request

KEY PLAN



SUBJECT SITE N.T.S.

3232 TREMAINE ROAD
PARTS OF LOTS 1 AND 2
CONCESSION 1, NDS
PIN: 072010184

Evergreen Community (Burlington) Ltd.
c/o Argo Development Corporation
Attn: Kevin Singh
4900 Palladium Way, Suite 105
Burlington, ON L7M 0W7
Fax: 905-336-1508

Fabio J. Mazzocco, A.S.O

SDE Calculations:

Unit Type	Units	SDE
Low Density (Single Detached Dwellings, Rear Lane Detached)	355	355
Medium Density (Townhouse Dwellings, Rear Lane Townhouse)	160	121.6
High Density (Stacks, Back-to-Back Stacks, Apartment, Mixed Use)	40	18
Total	555	495

SDE Factors:		
Low Density		1.00
Medium Density		0.76
High Density		0.45
Special Care / Special Need Units		0.31

APPENDIX 'D'



GERRARD DESIGN
321 CARLAW AVENUE / UNIT 212
TORONTO / ON / M4M 2S1
TEL 416 860 8310



SCALE: 1:4000
December 12, 2019

PROPERTY DESCRIPTION: PT LTS 1 & 2 CON 1 NDS, PT 1 20R20677; CITY OF BURLINGTON

PROPERTY REMARKS: FOR THE PURPOSE OF THE QUALIFIER THE DATE OF REGISTRATION OF ABSOLUTE TITLE IS 2016/12/16.

ESTATE/QUALIFIER:
FEE SIMPLE
LT ABSOLUTE PLUS

RECENTLY:
RE-ENTRY FROM 07201-0183

PIN CREATION DATE:
2016/12/16

OWNERS' NAMES
EVERGREEN COMMUNITY (BURLINGTON) LTD.

CAPACITY SHARE

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
** PRINTOUT INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 2016/12/16 **						
**SUBJECT TO SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPHS 3 AND 14 AND *						
** PROVINCIAL SUCCESSION DUTIES AND EXCEPT PARAGRAPH 11 AND ESCHEATS OR FORFEITURE **						
** TO THE CROWN UP TO THE DATE OF REGISTRATION WITH AN ABSOLUTE TITLE. **						
119980	1961/01/25	BYLAW				C
348457	1972/10/25	AGREEMENT			THE CORPORATION OF THE TOWN OF BURLINGTON	C
REMARKS: SKETCH ATTACHED						
HR1327055	2016/01/05	TRANSFER	\$23,793,100	STEVENSON, BRIAN DOUGLAS STEVENSON, BRUCE MURRAY STEVENSON, DIANA MIKALDA FARMS LIMITED NORTON, ALAN CECIL	EVERGREEN COMMUNITY (BURLINGTON) LTD.	C
REMARKS: PLANNING ACT STATEMENTS.						
HR1340222	2016/03/01	CHARGE	\$200,000,000	EVERGREEN COMMUNITY (BURLINGTON) LTD.	THE TORONTO-DOMINION BANK	C
HR1354356	2016/05/03	APL CONSOLIDATE		EVERGREEN COMMUNITY (BURLINGTON) LTD.		C
20R20677	2016/12/16	PLAN REFERENCE				C
HR1418810	2016/12/16	APL ABSOLUTE TITLE		EVERGREEN COMMUNITY (BURLINGTON) LTD.		C
20R21024	2018/02/06	PLAN REFERENCE				C



The Regional Municipality of Halton

Report To:	Regional Chair and Members of Regional Council
From:	Matthew Buist, Director of Capital and Development Financing, Jim Harnum, Deputy CAO and Commissioner of Public Works and Bob Gray, Acting Commissioner of Legislative and Planning Services and Corporate Counsel
Date:	November 20, 2019
Report No. - Re:	FN-46-19/PW-50-19/LPS112-19 – 2020 Allocation Program Options

RECOMMENDATION

1. THAT Regional Council approve Allocation Program Option #1 of up to 19,329 Single Detached Equivalents (SDEs) as outlined in Report No. FN-46-19/PW-50-19/LPS112-19 re: "2020 Allocation Program Options".
2. THAT Regional Council approve the Development Financing Plan as outlined in Report No. FN-46-19/PW-50-19/LPS112-19.
3. THAT from the 2020 Allocation Program, up to 8,716 SDEs be allocated to the Town of Milton, 7,118 SDEs be allocated to the Town of Oakville, 3,000 SDEs be allocated to the Town of Halton Hills, and 495 SDEs be allocated to the City of Burlington as outlined in Report No. FN-46-19/PW-50-19/LPS112-19.
4. THAT the Director of Planning Services & Chief Planning Official be authorized to approve distribution of the allocation of SDEs to landowners, subject to conditions including local municipal approval as outlined in Report No. FN-46-19/PW-50-19/LPS112-19.
5. THAT the Chief Administrative Officer be authorized to negotiate and finalize Allocation Agreements in support of the 2020 Allocation Program with terms and conditions consistent with Report No. FN-46-19/PW-50-19/LPS112-19 and acceptable to the Commissioner of Legislative and Planning Services & Corporate Counsel and the Commissioner of Finance and Regional Treasurer.
6. THAT Regional Council approve the additional implementation measures recommending that the Region retain an additional 3,000 SDEs as a pool to be used by the Region as outlined in Report No. FN-46-19/PW-50-19/LPS112-19.
7. THAT the Regional Chair and the Regional Clerk be authorized to execute the 2020 Allocation Agreements, and any and all related agreements and documents

that may be required, for the 2020 Allocation Program upon passage of a by-law for that purpose.

8. THAT staff be directed to report back on the final allocated amounts for the 2020 Allocation Program by the 2nd quarter of 2020 as discussed in Report No. FN-46-19/PW-50-19/LPS112-19.
9. THAT staff be directed to create an Allocation Implementation Team to support the advancement of units in the 2020 Allocation Program as outlined in Report No. FN-46-19/PW-50-19/LPS112-19.
10. THAT staff recruit contract staff funded 100% from capital projects to support the Allocation Program as outlined in Report No. FN-46-19/PW-50-19/LPS112-19 and with no net impact to the Regional budget.
11. THAT Report No. FN-46-19/PW-50-19/LPS112-19 be forwarded to the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville, Conservation Halton, Credit Valley Conservation, Halton District Public School Board, Halton Catholic District School Board, the Ministry of Municipal Affairs and Housing and the Halton MPPs.

REPORT

Executive Summary

- At its meeting on July 10, 2019, Regional Council passed a motion that directed staff to bring a report forward in November 2019 that outlines options for an allocation program including the necessary financing plan for implementation of each option.
- In order to gauge the interest of the development community and inform development options, staff issued a request for expressions of interest to participate in the 2020 Allocation Program.
- This report presents two options, specifically Option 1 for a full program representing 6 years of BPE growth and Option 2 representing 3 years of BPE growth.
- Option 1 includes:
 - Is a range of 18,230 SDEs to 19,329 SDEs based on 6-years of BPEs.
 - \$1.5 billion of growth-related infrastructure comprised of \$858.5 million in residential responsibility provided by participating landowners and \$630.3 million in Regional responsibility including subsidies.

- Option 2 includes:
 - 8,702 SDEs based on 3-years of BPE growth.
 - \$733.4 million is growth-related infrastructure comprised of \$415.6 million in residential responsibility provided by participating landowners and \$317.8 million in Regional responsibility including subsidies.
- The recommended 2020 Allocation Program is based on the 2012 Allocation Program terms and conditions with modifications required for current financial needs including early payment of water, wastewater, roads and general services development charges (DCs).
- Staff are recommending Option 1 due to Halton Hills servicing constraints, the fact that there will be no DC collection risks, that expression of interest results demonstrated adequate interest as well as eliminating DC collection uncertainties created by Bill 108.
- In addition to Option 1, staff have recommended the retention of an additional 3,000 SDEs as part of a public interest pool to be used by the Region for:
 - Circumstances where the advancement of a particular development would address public interests and where there is a clear and demonstrable community benefit.
 - Purpose built affordable rental housing.
- To ensure this program responds to challenges and opportunities associated with new growth, other matters have been considered such as other community interests, the creation of an allocation implementation team, and resourcing to address development application volumes.
- The options set out in this report protect the Region's tax and rate payers from impacts related to financing growth-related infrastructure and protect the Region's strong financial position based on Regional Council objectives.

Background

Halton's long standing principle that an acceptable financing plan needs to be approved by Council prior to greenfield growth proceeding through the release of an allocation program is rooted in Halton's history of financing growth-related infrastructure over the past 30 years.

This approach to financing growth-related infrastructure differs from the Regions of Peel, York and Durham as those Regions received Provincial funding in the 1970s and early 1980s to finance such infrastructure. When it was time to proceed with large scale growth in Oakville in the mid 1980s in Halton there were no similar provincial funding programs available to fund Halton's growth-related water and wastewater infrastructure.

Accordingly, this established Halton's principle that an acceptable financing plan needed to be approved by Council prior to growth proceeding to protect the Region's tax and rate payers from impacts related to financing growth-related infrastructure.

The Regional Official Plan requires that new growth within the Designated Greenfield Area only advance once a financing plan for infrastructure has been approved by Regional Council. The Allocation Program is a unique financing and growth management tool used by Halton Region to ensure that the development industry is contributing its share of the cost of infrastructure and services required to support growth.

Consistent with its long-standing practice, Allocation Programs address infrastructure required to support growth for a determined period and geography, in accordance with the approved Best Planning Estimates. As part of Report No. LPS106-15 re: "2012 Allocation Program Update and Proposed Framework for the 2018 Allocation Program" in November 2015, Regional Council was provided the framework for the next Allocation Program that envisioned the release of up to 15,780 SDEs, reflecting the BPEs for the years 2017 through 2022.

The development of the SDEs subscribed through the 2012 Allocation Program has experienced delays as units in the 2012 program have not advanced to registration and these delays have impacted the timing of the next Allocation Program as referenced in Report No. FN-34-17/LPS84-17/PW-44-17 re: "Allocation Program Update". Since the report in December 2017 additional concerns have been identified such as barriers to advance school site development, an application for a judicial review by Georgetown landowners related to the Trafalgar Road Municipal Class Environmental Assessment Study in Halton Hills and uncertainty related to the impacts of Bill 108 (*More Homes, More Choice Act*, 2019). As discussed in Report No. FN-31-19 (Re: Bill 108 – Growth Related Financing) and FN-32-19 (Re: Bill 108 – Growth Related Financing Update on Proposed Regulations) changes within Bill 108 have significant financial challenges including removal of some general services from the DCA to a new amended Community Benefits Charges section in the *Planning Act*, timing of DC collection and timing of determination of DC rate. The extent of the impacts is still unknown as the associated regulations have not yet been prescribed. Attachment #1 provides a more detailed description of the challenges experienced within the 2012 Allocation Program as well as their status and other considerations for the 2020 Allocation Program.

As of August 2019, 5,853 out of a total of 14,454 SDEs subscribed to in the 2012 Allocation Program have not proceeded through the planning stages. These units have not paid roads DCs as these DCs are collected at subdivision or building permit unlike water and wastewater DCs which are payable as an early payment under the terms of the 2012 Allocation Agreements. Due to this timing difference, the residential roads DC reserve at the end of 2018 was negative \$51.6 million. However, this reserve will have a positive balance once the remainder of the development from the 2012 program proceeds.

To remove barriers in advancing an allocation program, staff have been working with the development community and local municipalities to develop an approach that would allow for the advancement of growth in the greenfield areas. Further, at its meeting on July 10, 2019, Regional Council passed a motion that directed staff to bring a report forward in November 2019 that outlines options for an allocation program including the necessary financing plan for implementation of each option.

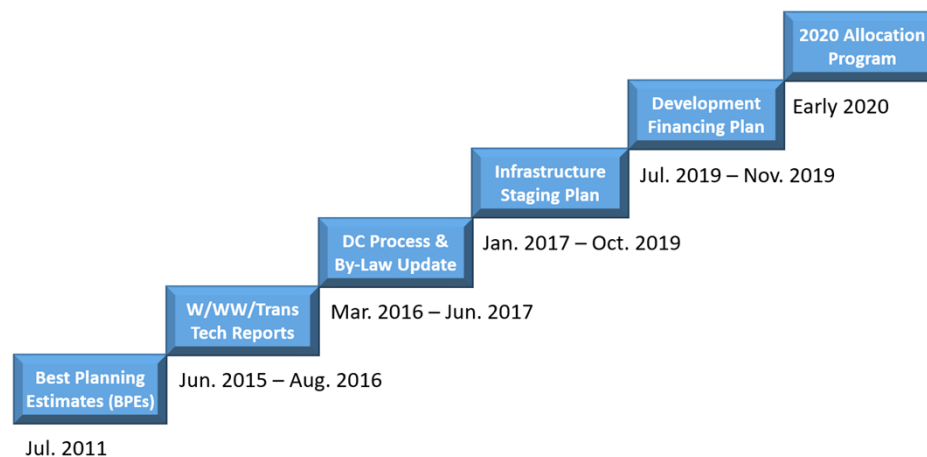
Discussion

The Allocation Program Process

As noted above, the Allocation Program is a unique financing and growth management tool utilized by the Region and is undertaken to fulfil the next phase of greenfield residential development. The Program implements the Regional Official Plan by ensuring the following:

- Ensures the release of growth in the Designated Greenfield Area is generally consistent with the BPEs;
- Ensures that the delivery of infrastructure is aligned with growth; and
- Ensures that the delivery of infrastructure is financially sustainable.

As depicted below, the Allocation Program Framework is comprised of a detailed, multi-step process.



The foundation for growth is set out in Provincial Planning Policies. Under the *Planning Act*, municipal Official Plans must conform with the policies contained in a Provincial Plan and must be consistent with the policies contained in the Provincial Policy Statement. In implementing the Regional Official Plan, the 2011 approved BPEs provide population, household and employment projections to 2031 consistent with projections set out by the Province.

The BPEs are used to develop the Infrastructure Master Plans, which identify the water, wastewater and transportation infrastructure that is required to service the planned, long term growth.

The infrastructure identified in the Master Plans are then incorporated into the DC Background Study to determine the cost to develop in Halton. The DC process results in the enactment of a DC By-Law.

Based on developer interest and planned growth in the areas within the Allocation Program, the growth-related infrastructure is refined to support the development and an infrastructure staging plan is developed. The infrastructure staging plan identifies the cost of growth for the next Allocation Program.

Through the financial planning process, the Region identifies any funding challenges in financing infrastructure needed for development and takes necessary measures to address the funding challenge. The financing plan addresses both residential developer responsibility, as well as Regional investments, and is undertaken to ensure the envisioned growth can be financed. A Council approved Development Financing Plan is required before an Allocation Program may proceed.

Based on Regional Council's objective to protect the Region's tax and rate payers from impacts related to financing growth-related infrastructure and to protect the Region's strong financial position, the 2020 Development Financing Plan has been prepared based on the following principles:

- "Growth pays for growth" to the extent possible under the *Development Charges Act, 1997* (DCA);
- Residential and non-residential growth identified in the BPE must be aligned to realistic growth projections;
- Infrastructure requirements must align to growth areas;
- Residential financing requirements must be solely supported from the allocation program;
- The repayment assumptions for Regional interim financing will assume a conservative "slow growth" scenario to ensure that economic conditions do not create unexpected impacts to the Region;
- Halton's strong financial position and financial planning principles will not be compromised;
- The development financing plan will not impact the current or subsequent years forecasted tax and rate increases; and
- The development financing plan will not require the Region to exceed its own debt capacity levels.

These principles will help ensure continued residential and non-residential growth following the launch of the 2020 Allocation Program, while eliminating risk to the Region's existing tax/rate payers.

Program Size in relation to the Best Planning Estimates

The next Allocation Program was originally anticipated to proceed in 2018 and contemplated the release of up to 15,780 SDEs in a 6-year program. The distribution of the 15,780 SDEs was provided in Report No. LPS106-15 as shown below:

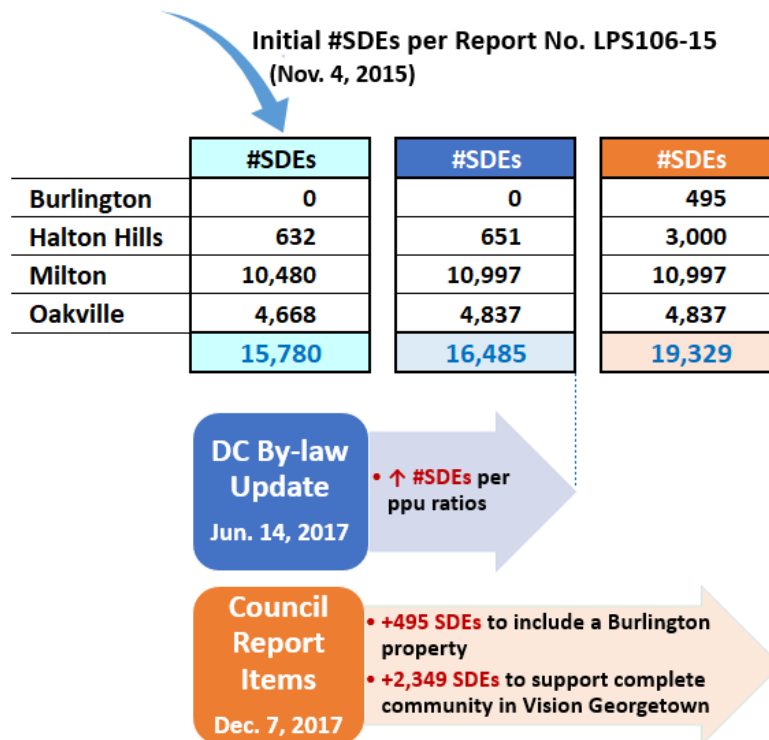
MUNICIPALITY	NUMBER OF SDEs (Includes Low, Medium and High Density SDEs)
Town of Halton Hills	Up to 632
Town of Milton	Up to 10,480
Town of Oakville	Up to 4,668
Total	Up to 15,780

Since the 2015 Report, there have been factors that have contributed to refinement of the original program size. For example, in 2017 during the DC By-Law update process, servicing demand on persons per unit was examined and it was determined that an adjustment in the conversion factors used to calculate SDEs was required. This results in a 6-year program based on the BPEs requiring 16,485 SDEs rather than 15,780 SDEs as originally profiled in the 2015 Report.

As outlined in Report No. FN-34-17/LPS84-17/PW-44-17 and through discussion with local municipal partners, there were two other adjustments that were deemed to be responsive to local needs and objectives, while generally maintaining alignment with the BPEs, namely:

- A greenfield development in Burlington that requires new trunk infrastructure expressed an interest in proceeding through the program. This would result in approximately 495 SDEs potentially being allocated in the City of Burlington.
- The quantity of units to be released in the Town of Halton Hills (632 SDEs) for Vision Georgetown was deemed insufficient to support the development of key community infrastructure and achieve a complete community. Further, a larger quantity of units would aid in improving operational aspects of the new water and wastewater infrastructure. Hence, 3,000 SDEs has been identified as an appropriate allocation to address the development of complete communities for the Vision Georgetown lands, which represents over four years of growth in accordance with the BPEs.

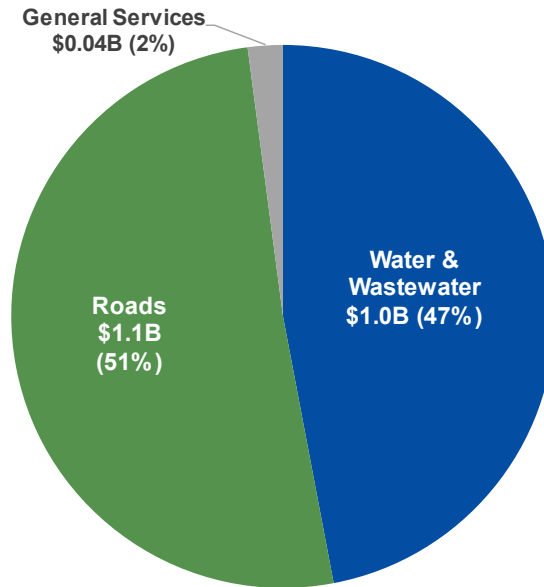
The figure below, provides a visual of the adjustments described above.



Lastly, consistent with long-standing practice, the size of the program must also be responsive to the demand or interest expressed by the development community. In this regard, adjustments to the control totals between municipalities may be necessary where demand does not align to the projections. This is discussed in further detail below as part of Option 1.

Capital Financing

In order to support development to 2022, which includes capital budgets between 2018 and 2022, \$2.1 billion of financing requirements has been forecasted for water, wastewater, roads infrastructure and the growth-related collection of general services DCs.

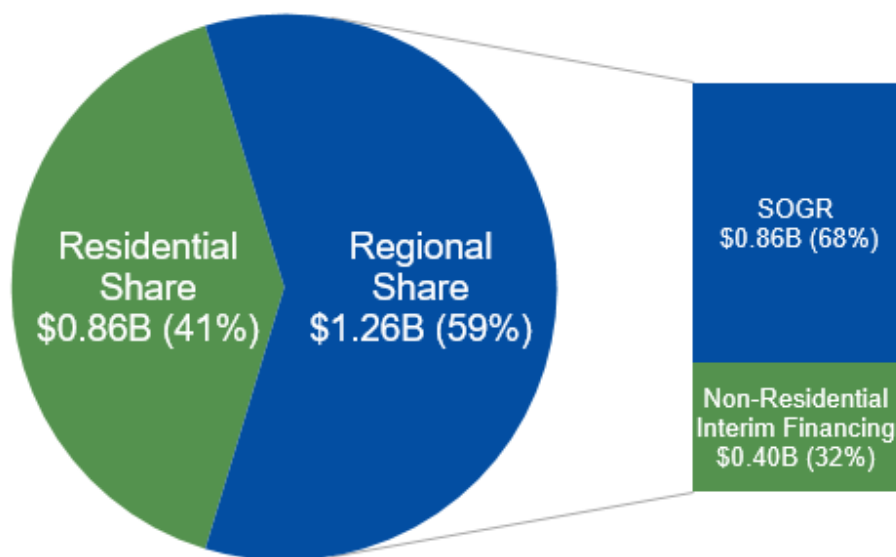


Of the \$2.1 billion, roads accounts for \$1.1 billion (51%), water and wastewater for \$1.0 billion (47%) and the growth portion of general services for \$0.04 billion (2%).

As shown below, the financing required between 2018 and 2022 will be supported from both residential developers and the Region.

	Growth Related				Non-Growth State of Good Repair			Total
	W/WW	Roads	GS	Subtotal	W/WW	Roads	Subtotal	
Residential:	\$ 333,438	\$ 481,070	\$ 44,033	\$ 858,541	\$ -	\$ -	\$ -	\$ 858,541
Region:								
Non-Residential	124,704	270,498	-	395,202	-	-	-	395,202
Non-Growth	30,417	151,551	-	181,968	504,466	118,920	623,386	805,354
Subsidy	-	53,139	-	53,139	-	-	-	53,139
Subtotal	\$ 155,121	\$ 475,187	\$ -	\$ 630,309	\$ 504,466	\$ 118,920	\$ 623,386	\$ 1,253,695
Total	\$ 488,559	\$ 956,258	\$ 44,033	\$ 1,488,849	\$ 504,466	\$ 118,920	\$ 623,386	\$ 2,112,235

Note: Includes commitments (credits, debt, oversizing). Excludes Non-res Investment payback.



Based on DC requirements, the residential share of financing between 2018 and 2022 is \$858.5 million. Halton has a long standing principle that “growth pays for growth” to the extent possible and greenfield development is approved through financing plans and Allocation Programs. Due to financing challenges experienced in the 2012 Allocation Program for Roads DCs and the uncertainty of legislative changes imposed through Bill 108, the 2020 Allocation Program includes the early collection of water, wastewater, roads and general services DCs. The Allocation Agreements will specify the terms and conditions of the payments to ensure financing is available to the Region for infrastructure requirements.

Of the \$2.1 billion required, the Region is responsible for \$1.3 billion, of which \$395.2 million is required to support non-residential financing and \$858.5 million which includes subsidies, is to finance growth and non-growth state-of-good-repair (SOGR) requirements (\$805.4 million net of subsidies).

The \$395.2 million is the interim financing related to the non-residential share of costs. The Region has historically provided interim financing in recognition of the fact that the timing of the infrastructure is being driven by the residential developers and is delivered well in advance of non-residential requirements. To ensure that this interim financing does not impact tax or water/wastewater rates, the Region uses internal borrowing for these requirements. The investment revolving fund reserve (the revolving fund) is used for the water and wastewater program and the Tax Capital Reserve for the roads program. Ultimately, these Regional reserves will be fully reimbursed including interest from the collection of DCs, as non-residential development proceeds in the future. The financing is a strategic investment for the Region as the infrastructure is required to support economic growth in the Region. This is in addition to the current committed outstanding Regional investment for interim financing of \$361.8 million (\$240.0 million for water and

wastewater and \$121.8 million for roads) as of the end of 2018. Based on the financing requirements up to 2022, both the revolving fund and tax capital reserves have the capacity to address the additional non-residential needs, however, recovery of this additional investment based on a slow growth recovery scenario is not expected until after 2031, as demonstrated in Attachment #2 and as noted in FN-39-17 re: “Halton’s Investment in Employment Lands”.

Maintaining Regional assets and infrastructure in a state-of-good-repair, which equates to an investment of \$805.4 million, is a key priority for Halton Region. The Region updates the Corporate Asset Management Plan on a regular basis to ensure assets continue to be in good condition and meet desired levels of service based on a sustainable financial plan. The financing of all of the state-of-good-repair projects will need to be prioritized together as part of budget review to ensure the impact on the rates is within budget guidelines. The non-growth costs and financing will be addressed annually in the budget process.

Consultation and Expression of Interest Results

In order to design an allocation program that is feasible and implementable, an important part of the allocation process is to gauge the interest of the development community. In September and October of this year, staff issued 2 separate calls for expressions of interest to participate in the 2020 Allocation Program. The expression of interest profiled different payment scenarios, each ensuring that financing is secured to allow the Region to proceed with the construction of significant infrastructure.

Based on the results of the expressions of interest, it is clear there is considerable demand for participation in an allocation program. The results of the most recent expression of interest indicates that there is demand for the release of upwards of 25,000 SDEs in key growth areas in all four municipalities. A summary of the latest expression of interest is provided in Attachment #3.

In tandem with the call for expressions of interest, staff have also engaged the development community in a series of meetings over the past 6 months. These meetings included larger group sessions with the developers and with the Halton Developers Liaison Committee to share information on possible program options and parameters. This also included several smaller group and individual discussions with developers that helped inform elements of the program design.

Options for the 2020 Allocation Program

In responding to Regional Council’s direction for staff to provide information on options for an Allocation Program it is important to highlight how different options can respond to some of the challenges and opportunities that have been observed in implementing the 2012 Allocation Program. The following key considerations were used as a basis for developing the program options:

- Secondary Plans for post-2021 growth areas (Vision Georgetown and Milton Phase 4) are not yet approved by the Region and could potentially be appealed. This creates uncertainty that units will be taken up within the prescribed timeframe. This issue is discussed in more detail in Attachment #1;
- Participating landowners in the 2012 Allocation Program require additional SDEs through the 2020 Allocation Program to complete unfinished development and to create viable and complete communities;
- There are developers in the 2012 Allocation Program that cannot proceed as they require infrastructure to be built through property owned by landowners not participating in the 2012 Allocation Program;
- Some developments, particularly high density developments, required to complete communities cannot proceed until the 2020 Allocation Program is available;
- Several approved new school sites require servicing and access from adjacent landowners participating in the 2020 Allocation Program;
- Growth-related infrastructure projects identified in the 2018 and 2019 budgets can not proceed until funding from the 2020 Allocation Program is available and therefore the timing of Regional infrastructure will be delayed; and
- Growth planned for the local municipalities is delayed which may impact local capital programs.

Based on the status of land use planning approvals, discussion with the local municipalities, and expressions of interest submitted by the developers, the Region has identified the options below for consideration. It is anticipated that these will help address some of the implications noted above. Any release of allocation will be prioritized based on development readiness in consultation with the local municipalities.

The following two options are addressed below:

- Option 1 – Full Program representing 6 years of BPEs
- Option 2 – Program representing 3 years of BPEs

Option 1 – Full Program (6-year)

Option 1 represents a ‘full program’ that would accommodate new greenfield growth for the years 2017 through 2022. It would involve the release of up to 19,329 SDEs. Although the expression of interest results indicated demand of upwards of 25,000 SDEs (Attachment #3), the BPEs have been proven to be a sound projection of growth in the Region and forms the basis for the water, wastewater and transportation master planning to 2031. As noted earlier it has been a long-standing practice that the size of the program is responsive to the demand or interest expressed by the development community. As such, adjustments to the control totals have been made but are still in line with overall Regional growth objectives. The following table describes how the estimates of 19,329 has been adjusted by municipality based on expression of interest results.

Option 1 - Full Program			
	#SDEs	#SDEs	#SDEs
Burlington	495	495	495
Halton Hills	3,000	3,000	3,000
Milton	10,997	7,617	8,716
Oakville	4,837	7,118	7,118
	19,329	18,230	19,329

Due to the potential shortfall in Milton based on the expression of interest results (Attachment #3), the financing of this program is based on the minimum requirement of 18,230 SDEs. However, if more interest at initial subscription is realized in Milton then the program will allow for further uptake ranging from 7,617 SDEs to 8,716 SDEs. Oakville will be allocated 7,118 SDEs representing the 2031 population projections in the BPEs. As identified in Attachment #4, Option #1 will allocate to North Oakville East and West Secondary Plans, Tremaine Dundas Secondary Plan, Sherwood Survey Secondary Plan North and South, Bristol Survey Secondary Plan, Boyne Secondary Plan, MP4 – Trafalgar Secondary Plan and Vision Georgetown Secondary Plan.

The full program is depicted in Attachment #5 infrastructure maps and includes lake based water and wastewater infrastructure to Halton Hills (Georgetown) which, once complete, will enable the Town to free up groundwater based servicing capacity for intensification in Georgetown. Further the 6-year plan will result in the construction of transportation infrastructure such as widening of Britannia Road (Regional Road 25 to Highway 407), Trafalgar Road (Dundas Street to Hwy 407 and Steeles to Hwy 7), William Halton Parkway, Dundas Street (Bronte Road to Hamilton/Halton Boundary) and the Wyecroft Road extension including bridge. The full list of growth-related capital projects between 2018 and 2022 is identified in Attachment #6.

As identified above the total 6-year program is \$2.1 billion, of which \$1.5 billion is growth-related and is comprised of \$858.5 million in residential responsibility and \$630.3 million in regional responsibility including subsidies.

Based on the residential share of growth-related expenditures, below are the financing requirements based on a subscription of 18,230 SDEs and DC revenue received outside of the 2020 Allocation Program for anticipated intensification.

Residential Expenditures	
Water/Wastewater	\$ (333,438)
Roads	(481,070)
General Services	(44,033)
Total Residential Expenditures	<u>\$ (858,541)</u>
Residential Revenues	
Water/Wastewater	\$ 377,495
Roads	437,107
General Services	44,033
Balance	(94)
Total Residential Revenue	<u>\$ 858,541</u>

Although the DC revenue based on the 18,230 SDEs does not match the residential expenditure by program (e.g. water/wastewater will collect \$44.7 million additional revenue compared to the expenditures (\$377.5 million vs \$333.4 million)), overall DC collection is sufficient to support the cost. This program could result in a negative balance in the Roads DC Reserve but will be offset by a positive balance in the water/wastewater DC Reserves until road DCs are collected in the 2012 Allocation Program.

As noted earlier, due to the planning issues within the 2012 allocation program 5,853 SDEs have not collected roads DCs which has had financial impacts to the Roads DC reserves. Further, Bill 108 has created financial uncertainties for General Services DC collections. For the 2020 Allocation Program, it is therefore recommended that an early payment of water, wastewater, roads and general services DC be required. The early collection will help to support the infrastructure, address uncertainties surrounding Bill 108 and to ensure that there is not a shortfall in DC collections. Early collection of DCs will be allocated for water/wastewater and roads as needed based on tender timing up to the maximum DCs allowable for that program.

Report No. FN-34-17/LPS84-17/PW-44-17 provided preliminary financial information for the intended Allocation Program. With a subscription of 15,780 SDEs a front-end component was required. Based on the increase to 18,230 SDEs a front-ending payment is no longer required.

The current DC per SDE to be provided by greenfield residential developers includes the following:

	Per SDE under Allocation Agreement*
General Services	\$ 2,278.07
Roads	18,266.06
Water/Wastewater	17,964.00
	\$ 38,508.13

* Go Transit DC, Recovery Charge DC and Front-ending recovery will be collected based on regular collection timing (i.e. Subdivision/ Building Permit)

* Based on Agreement Execution prior to April 1, 2020

Option 2 – 3-year Release

Option 2 represents a smaller program that would accommodate new greenfield growth up to 2020. It would involve the release of 8,702 SDEs in accordance with the approved BPEs. This option will allow allocation to North Oakville East and West Secondary Plans, Tremaine Dundas Secondary Plan, Sherwood Survey Secondary Plan North and South, Bristol Survey Secondary Plan, Boyne Secondary Plan. Option 2, however, does not accommodate growth beyond 2021 and therefore Vision Georgetown and Milton Phase 4 growth areas would not be included. This option is consistent with the Region's practice to not allocate to lands that do not have a Secondary Plan approved by the Region. A map identifying the eligible areas for Option 2 is included as Attachment #7.

This option does not advance portions of design or construction of key lake based water and wastewater infrastructure critical to Halton Hills (Vision Georgetown). This would not allow the Town of Halton Hills to achieve its greenfield growth as anticipated by the Regional Official Plan and the BPEs. Further, Option 2 would not address existing servicing constraints in Georgetown as lake based infrastructure is required to free-up groundwater capacity to support intensification in Georgetown.

As depicted in Attachment #8 infrastructure maps, the 3-year program includes only the construction of transportation infrastructure such as widening of Britannia Road (Regional Road 25 to Highway 407), William Halton Parkway, portions of Dundas Street (Bronte Rd. to Appleby) and the Wyecroft Road extension including bridge. However, it does not include Trafalgar Road (Dundas Street to Hwy 407 and Steeles to Hwy 7), and sections of Dundas Street (Appleby Line to Hamilton/Halton Boundary). The full list of growth-related capital projects in the 3-year program is identified in Attachment #9.

As noted in Attachment #9, the 3-year plan for growth-related capital projects is \$733.4 million and is comprised of \$415.6 million in residential responsibility and \$317.8 million in Regional responsibility.

Based on the residential share of growth-related expenditures, below are the financing requirements based on a subscription of 8,702 SDEs and DC revenue received outside of the 2020 Allocation Program for anticipated intensification.

Residential Expenditures	
Water/Wastewater	\$ (151,272)
Roads	(244,495)
General Services	(19,824)
Total Residential Expenditures	<u>\$ (415,590)</u>
Residential Revenues	
Water/Wastewater	\$ 181,710
Roads	214,115
General Services	19,824
Balance	(58)
Total Residential Revenue	<u>\$ 415,590</u>

Based on the projects required to support 3 years of planned growth no front-end financing is required. Similar to Option 1, early payment of DCs will be required.

Option Review

In reviewing the two options, consideration was given to land use planning approvals, financial impacts, discussion with local municipalities, expressions of interest, infrastructure requirements and school development. Below is a review of the two growth options presented above.

Option 1	Option 2
<ul style="list-style-type: none"> ✓ Provides financing for all projects planned to 2022 ✓ Revenue for the General Services for 18,230 SDEs is collected prior to the changes related to Bill 108 ✓ Will provide lake based servicing to Halton Hills and free up capacity for intensification ✓ Delivers infrastructure that would support potential GO Train Station on Trafalgar Rd. ✓ Unlocks properties for school advancement • Allocation for MP4 Trafalgar would occur prior to Secondary Plan Approval • Potential Secondary Plan Appeals in MP4 Trafalgar, Vision Georgetown and Evergreen • Uncertainty with respect to the impacts of the Judicial review on Trafalgar Rd. 	<ul style="list-style-type: none"> • Financing for construction projects planned pre 2021 • Revenue for the General Services for 8,702 SDEs is collected prior to the changes related to Bill 108 • Lake based servicing to Halton Hills will be delayed and intensification will be constrained • Doesn't deliver infrastructure that would support potential GO Train Station on Trafalgar Rd. ✓ Unlocks properties for school advancement with the exception of Halton Hills ✓ Allocation for MP4 Trafalgar would not occur until secondary plan approval ✓ Allocation only provided to approved secondary plan areas ✓ Certainty with respect to the impacts of the Judicial Review on Trafalgar Rd

After considerable consultation and review of the opportunities and risks associated with each option, staff recommend proceeding with Option 1 which has been supported by local municipal CAOs. This option is preferred due to the advantages to providing Halton Hills with lake-based servicing, the fact that there will be no DC collection risks to the Region (i.e. early payment of DCs) as well as eliminating uncertainties of DC collections under Bill 108. Further, through the expression of interest there was considerable demand

to proceed with a full program as SDEs were identified in all secondary plan areas under consideration.

Agreement Terms and Conditions

As a part of a release of allocation, each participating landowner will be required to enter into an agreement with the Region. The terms and conditions for the 2020 Allocation Program are based on the 2012 Allocation Agreements with modifications for current financial needs including certainty for the Region in collecting DCs for the current Allocation Program period and other Regional requirements. It is therefore recommended that the terms of the agreement will include, but not be limited to, the following:

- Provide for the early payment of water, wastewater and roads DCs in installments over 4 years upon execution of the agreement. Low/medium density installments will begin in year 1 whereas high density installments will begin in year 2;
- Provide for an early payment of the general services DCs which will be required immediately upon execution of the agreement;
- Provide some flexibility to convert from high density to low/medium density SDEs subject to the approval of the Chief Planning Official and on the basis that there is no financial impact;
- At execution of agreement, secure a letter of credit for the full amount of early payment of DCs that will be reduced as installments are paid;
- Provide for the recovery of the early payments by credits against the water, wastewater, roads and general services component of the DC;
- Reserve and allocate water and wastewater capacity to the lands owned by the participating landowners entering into the agreement;
- Provide for minor adjustments of SDEs through top-up and/or reconciliation provisions;
- Provide for the reservation of SDEs for three years with extension acceptable to Chief Planning Official;
- At a minimum, forty percent (40%) of the lots in the draft plan of subdivision must have received allocation in order to receive draft plan approval;
- Developers are encouraged to allocate to all high density blocks contained within draft plans of subdivision as part of the Program, however these high density blocks can be created with minimal allocation provided that local planning tools and instruments are in place to ensure development cannot proceed without allocation;
- Provisions to allow development of high density blocks in a phased manner – with reliance on local planning tools and instruments to ensure that only the portion of development with allocation can proceed. This phased approach would allow for the advancement of planning and infrastructure review to be undertaken for the entire block;
- Provision to permit the transfer of SDEs, subject to approval by the Chief Planning Official and local municipalities, as long as the SDEs remaining on the lands are not less than forty percent (40%) of the SDEs originally reserved or forty percent (40%) of the total development where draft approval has been granted;

- Require land dedications to be made to the Region by the owner to accommodate key Regional infrastructure projects within 45 calendar days of request;
- Prevent the sale of dwelling units until water/wastewater (treatment, distribution and collection capacity) are available or expected to be available for those units within 12 months;
- Include provisions to limit the Region's exposure to risk if the Allocation Agreement is challenged in court or before an administrative tribunal; and
- Include protection to minimize the Region's exposure to delay in infrastructure delivery to the allocation areas should infrastructure delivery be challenged before a court or administrative tribunal.

For purpose built rental units (which does not include condominium developments), and special care/special need development, the financial terms have been adjusted to help encourage the development of rental properties, space for seniors and other special care needs. As presented in October 2019, the 2018 State of Housing Report depicts the fact that families move back and forth across a housing continuum depending on changes that affect their personal circumstances. In line with recent Provincial focus, these developments will help to address the shortfall in some segments of the continuum. To encourage this type of development, the terms above shall apply with the exception of the following terms (all other terms will remain the same):

- Provide for the payment of water, wastewater and roads DCs at building permit (in accordance with Section 26 of the DCA);
- DCs for general services (if applicable) will still be required at execution of an Allocation Agreement;
- Letters of Credit will not be required. In the event of default, the Region will assume responsibility of costs until the SDEs are re-allocated; and
- Transfers will not be allowed from purpose built rental or special care/special needs to other development types in the Allocation Program.

Implementation and Considerations

Through Report No. FN-46-19/PW-50-19/LPS112-19 staff is seeking Regional Council approval to proceed with the recommended release of allocation identified in Option 1 and its implementation.

In the 2012 Allocation Program 700 SDEs were retained by the Region for high density development. This high density pool in the 2012 Allocation Program was taken up several years ago. High density development has gained considerable momentum and based on the expression of interest requests does not require the same incentive as the 2012 Allocation Program. However, based on discussion and consultation, it is recommended that the Region retain an additional pool of 3,000 SDEs to be used as described below:

- 1,500 SDES for circumstances that are unforeseen that respond to challenges within an Allocation Program. These include items such as unlocking school sites as there may be development parcels that need to advance to registration to

unlock and service new schools. Given that Option 1 is a 6-year program, there could be issues that arise during the course of the program that cannot wait for a subsequent program. This public interest pool of 1,500 SDEs provides the necessary flexibility to ensure that the Allocation Program is enabling the development of schools and other important community infrastructure and facilities. Allocations from this pool will be at the discretion of the Chief Planning Official in consultation with the local municipalities and school boards. For these units, an Allocation Agreement will be entered into prior to the earlier of subdivision or site plan/building permit approval. DCs for general services (if applicable) will be required at execution. The remaining DCs (under agreement) will be required to make a payment that catches up with the installments that other developers have paid under the low/medium or high density stream.

- 1,500 SDEs to support Purpose Built Affordable Rental Housing: The Region has an interest in supporting the development of new purpose built rental units that achieve affordability targets. This is supported by the Comprehensive Housing Strategy (Report No. SS-19-19/LPS86-19) endorsed by Regional Council in October 2019. As a part of this allocation program, it is recommended that if a purpose built rental development can demonstrate specific affordability targets then it will be dealt with through this dedicated Allocation Program pool with the following provisions:
 - Deferral of DC payments over 20 annual payments starting at building permit.
 - At least 25% of the development or 10 units, whichever is greater, must be operated at or below the affordable rent threshold as defined in the Region's annual State of Housing report.
 - The Allocation Agreement between the Applicant and the Region will include an Affordability Schedule with provisions to ensure the affordability requirements will be met for a minimum of 20 years.
 - The Affordability Schedule will include an optional arrangement for provision of Regional capital assistance for some Affordable Units to further reduce the rent and make the units available for assisted housing purposes.
 - An Allocation Agreement must be entered into prior to site plan approval

For development proposals that include an optional arrangement for Regional or senior-level government assistance, Council will have an opportunity to review and approve the arrangement prior to allocation being granted. Staff will monitor the progress of the uptake of this pool and report back if there are any implications that need to be addressed in order to streamline implementation.

In order to ensure that this program responds to challenges and opportunities associated with new growth, there are additional implementation measures staff are recommending:

Other community interests: There are key community development priorities that may require allocation to support companion residential development. For example, efforts

are ongoing to advance a new post-secondary institution in the Milton Education Village. As part of the development of the Milton Education Village there may be a need to have allocation available to support accompanying residential development. The same applies to efforts to build a new GO Station on the Milton line at Trafalgar Road. This Allocation Program does not address these examples. The approach being proposed by staff is to support these efforts on a case by case basis as these proposals move forward.

Allocation Implementation Team: In implementing the 2020 Allocation Program, there may be a range of issues that arise that require deliberate effort or intervention among the partners in order to effectively address some of the issues. For example, there may be coordination issues related to schools, the advancement of infrastructure and or potential barriers in advancing environmental and planning approvals. Through the 2020 Allocation Program it is important that there is a forum for resolving or unblocking barriers for advancing units through to registration. It is proposed an Allocation Implementation Team be formed and include senior staff from the Region, local municipalities, conservation authorities and where necessary the school boards together with representatives from the participating owners. The Team would address matters that cannot duly be resolved through normal staff interaction and require escalation. This model was piloted during the later stages of the 2012 Allocation Program on a handful of specific coordination matters with success.

Resourcing development review and approvals: As demonstrated in the expression of interest, there is considerable demand for allocation to advance development proposals across the Region. In particular, there are several major proposals in the greenfield areas of Milton and North Oakville that are anticipated to advance shortly following the launch of the 2020 Allocation Program. This may ultimately generate a surge of land use planning and development applications that will put significant pressure on Regional, local and conservation authority resources. The development industry has expressed a concern with overall staff capacity to undertake development review. In order to effectively address the surge that is anticipated, staff are proposing to hire contract staff, recovered 100% from capital, on a temporary basis as the need exists to allow sufficient resourcing in fulfilling regulatory responsibilities for an expedited review.

Next Steps

Upon the endorsement of the Development Financing Plan, the next steps include:

- Region and local municipalities to confirm any outstanding information resulting from the Expressions of Interests;
- Local municipalities will follow-up with interested developers to determine and approve local distribution of Allocation;
- Execution of agreements by landowners with security and first payment; and
- Update report to Council by the 2nd quarter of 2020 on results of the Program.

Until the launch of the 2020 Allocation Program, Planning Services will experience significant pressure to advance development proposals where a lack of allocation is one

of the only considerations prohibiting an application from moving forward to approval. In response to this pressure, it is prudent that staff be permitted to review development applications as a means to potentially offset the surge of applications in 2020.

Accordingly, it is suggested that staff only proceed with its review if all of the following conditions are met:

1. The local municipality confirms its support for the development lands being included in the 2020 Program as part of determining local distribution of allocation;
2. The application is in conformity with the approved local secondary plan and local phasing policies; and
3. There are no external unresolved issues that would prohibit the application advancing to approval. For example, secondary plan must be approved, trunk/infrastructure is either planned or available.

This approach will enable the technical review of eligible development applications to proceed and preliminary comments be offered to the local municipality. This approach also maintains the Regional Official Plan policy approach that greenfield development shall only be approved once allocation has been secured.

FINANCIAL/PROGRAM IMPLICATIONS

As noted in this report, staff are recommending Option 1 to proceed based on a minimum subscription of 18,230 SDEs. The Financing Plan for this option has been prepared to ensure that there is no impact to the planned tax/rate payers levies as a result of the growth capital program.

As identified above the financing required for the full 6-year program is \$2.1 billion, of which \$1.5 billion is growth-related and is comprised of \$858.5 million in residential responsibility and \$630.3 million in Regional responsibility including subsidies.

The \$858.5 million will be financed from the developers in accordance with the terms and conditions of the Allocation Agreement and from DC revenue received outside of the 2020 Allocation Program for anticipated intensification. The regional responsibility related to growth of \$630.3 million is comprised of \$395.2 million from non-residential interim financing, \$182.0 million for non-growth and \$53.1 million from subsidy.

The non-residential interim investment (\$395.2 million) will be financed from the Tax Capital Reserve for roads (\$270.5 million) and the Investment Revolving Fund for water and wastewater (\$124.7 million). Ultimately, these Regional reserves will be fully reimbursed including interest from the collection of DCs, as non-residential development proceeds in the future

The non-growth (\$182.0 million) will be financed from the Tax Capital Reserve for roads (\$151.6 million) and the rate reserves for water and wastewater (\$30.4 million).

Upon Council approval of the Financing Plan in this report and the 2020 Allocation Program, developers will be required to execute Financial/Allocation agreements and to provide all necessary securities prior to any capital infrastructure proceeding. If the minimum subscription is not met, then a subsequent report will be provided to Council to address the impacts.

Respectfully submitted,



Matthew Buist
Director, Capital and Development Financing



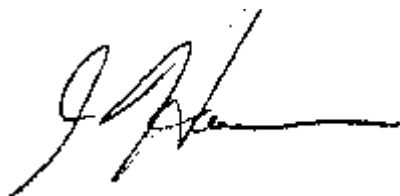
Curt Benson
Director, Planning Services and Chief
Planning Official



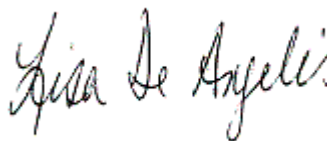
Bob Gray
Acting Commissioner, Legislative and
Planning Services and Corporate Counsel



Jody Johnson
Acting Director, Legal Services



Jim Harnum
Deputy CAO and Commissioner of Public
Works



Lisa De Angelis P. Eng.
Director, Infrastructure Planning and Policy

Approved by



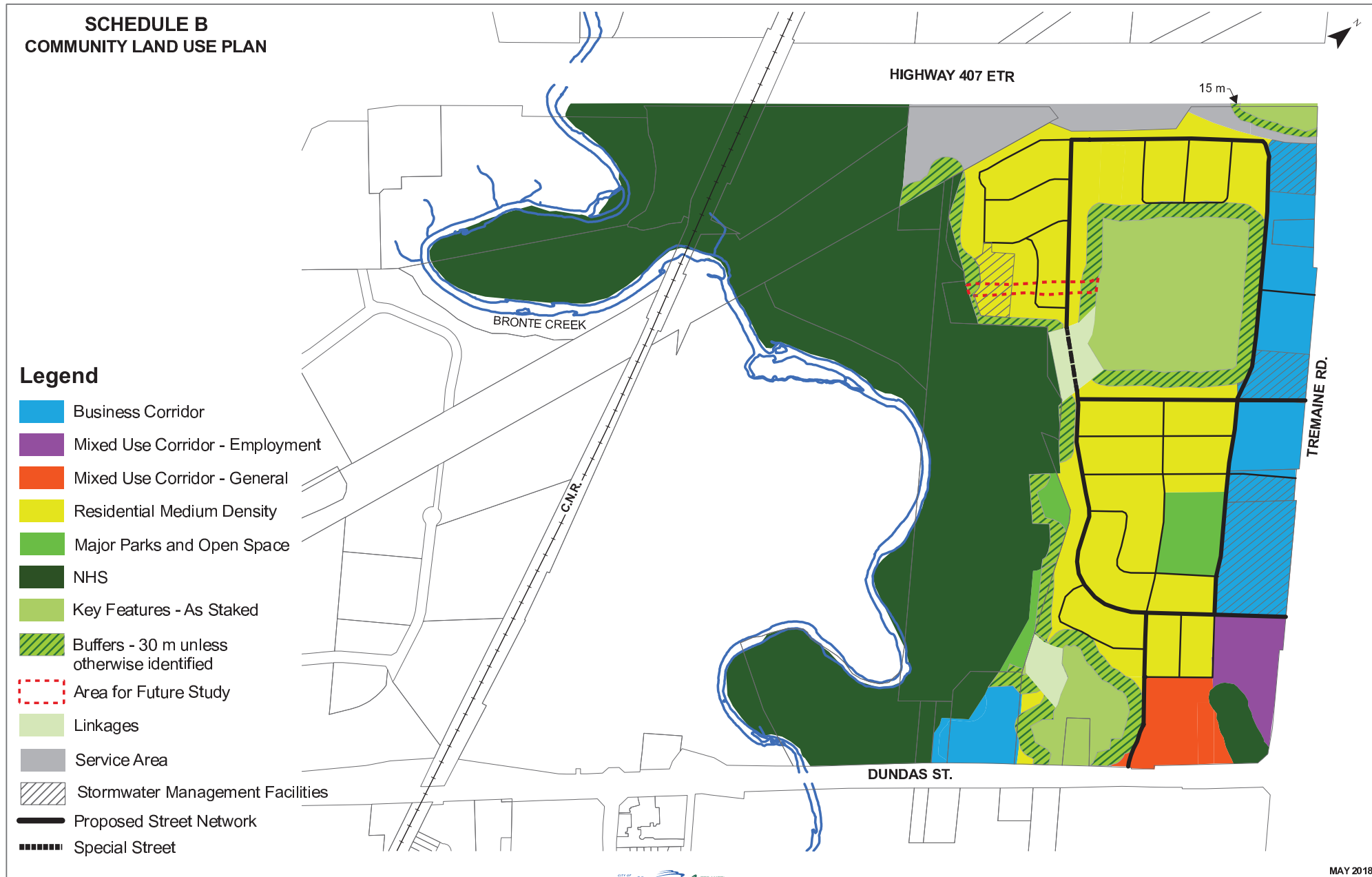
Jane MacCaskill
Chief Administrative Officer

If you have any questions on the content of this report,
please contact:

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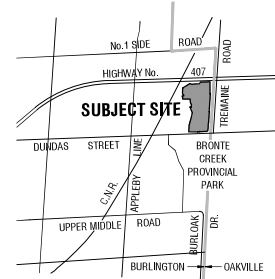
Attachments: Attachment #1 - Status of the 2012 Allocation Program and Other Considerations for Advancing the 2020 Allocation Program
Attachment #2 - Outstanding Non-Residential Recovery
Attachment #3 - Expressions of Interest Results
Attachment #4 - Option #1: 6-year Allocation Program SDE Map
Attachment #5 - Option #1 Infrastructure Maps
Attachment #6 - Option #1 Capital Project List
Attachment #7 - Option #2: 3-year Allocation Program SDE Map
Attachment #8 - Option #2 Infrastructure Maps
Attachment #9 - Option #2 Capital Project List





**Evergreen Community
(Burlington) Ltd.**
2020 Allocation Request

KEY PLAN



SUBJECT SITE N.T.S.

**3232 TREMAINE ROAD
PARTS OF LOTS 1 AND 2
CONCESSION 1, NDS
PIN: 072010184**

Evergreen Community (Burlington) Ltd.
c/o Argo Development Corporation
Attn: Kevin Singh
4900 Palladium Way, Suite 105
Burlington, ON L7M 0W7
Fax: 905-336-1508

Fabio J. Mazzocco, A.S.O

SDE Calculations:

Unit Type	Units	SDE
Low Density (Single Detached Dwellings, Rear Lane Detached)	355	355
Medium Density (Townhouse Dwellings, Rear Lane Townhouse)	160	121.6
High Density (Stacks, Back-to-Back Stacks, Apartment, Mixed Use)	40	18
Total	555	495

SDE Factors:	
Low Density	1.00
Medium Density	0.76
High Density	0.45
Special Care / Special Need Units	0.31



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