



SPECIAL PLANNING COMMITTEE WORKSHOP

REPORT 16-009

9:30 a.m.

Tuesday, May 10, 2016

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors B. Johnson (Chair), M. Pearson (1st Vice-Chair), A. Johnson (2nd Vice Chair), D. Conley, J. Farr, C. Collins, J. Partridge and D. Skelly.

Absent with regrets: Councillor R. Pasuta, City Business
Councillor M. Green, Personal

Also present: Councillor A. VanderBeek

THE FOLLOWING ITEMS ARE REPORTED FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised there were no changes to the agenda.

The agenda for the May 10, 2016 meeting was approved as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

None.

(c) PRESENTATIONS (Item 3)

Jason Thorne, General Manager of Planning and Economic Development addressed Committee and explained that the reason for this Workshop is in response to a motion at the Planning Committee that directed staff to look at the tools of Inclusionary Zoning and Bonusing and report back. He thanked staff for organizing this Workshop.

Alissa Mahood, Senior Planner, provided a brief overview of the agenda prior to introducing the first presenter, Shonda Wang from SvN.

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(i) Municipal Bonusing in Ontario (presenter: Shonda Wang from SvN) (Item 3.1)

Shonda Wang, consultant with SvN addressed Committee and indicated that she wishes to present a brief overview of Section 37. Copies of the hand-outs were distributed and a copy has been included in the public record and is available for viewing on the City's website. She commented on the following topics:

- Regulatory Context
- Section 37 Policies – City of Hamilton
- GTHA Overview – Toronto
- GTHA Overview – Mississauga
- GTHA Overview – Burlington
- Common Issues & Opportunities
- Common Issues & Opportunities

Shonda Wang responded to questions from Committee.

The presentation by Shonda Wang was received.

(ii) Density Bonuses: Section 37 Implementation, the City of Vaughan Experience (presenter: John Mackenzie, Deputy City Manager, Planning and Growth Management, City of Vaughan) (Item 3.2)

John Mackenzie, Deputy City Manager, Planning and Growth Management, City of Vaughan addressed Committee and indicated that the City of Vaughan has experienced significant intensification. Copies of the hand-outs were distributed and a copy has been included in the public record and is available for viewing on the City's website. He commented on the following topics:

- Why did we review our Vaughan Official Plan (VOP) 2010 Section 37 policies?
- Schedule 1: Vaughan's Urban Structure (VOP);
- The City began review of Section 37 policies and the development of the Section 37 Implementation Guidelines in early 2013 with the assistance of Gladki Planning Associates;
- Stakeholder Consultation and Approval Process;
- Section 37 Proposed Revisions to Official Plan Policy;
 - Key Lesson Learned
- Section 37 Implementation Guidelines
- Section 37 Implementation Guidelines – Protocol
- The Valuation Methodology

- How the increase in land value as a result of the increase in density and/or height is determined;
- The Land Value Matrix;
- Payment of Section 37 Community Benefit;
- Main Stakeholder Concerns re. Valuation Methodology;
- The Dispute Protocol re. The Valuation of the Lands Subject to Section 37 Benefits;
- Section 37 Implementation Guidelines – Examples;
- Section 37 Implementation Guidelines – Securing the Benefit;
- BAIF – Bathurst & Centre Street;
- Sections 37 Implementation Guidelines – Discussion;
- The Met – Vaughan Metropolitan Centre;
- How did we do it? Stakeholder Engagement was Key;
- FCF Old Market Lane 2013 Inc. – Woodbridge;
- Site Plan: FCF Old Market Lane 2013 Inc.;
- Rendering: FCF Old Market Lane 2013 Inc.;
- POPS (Privately Owned Public Space): FCF Old Market Lane 2013 Inc.;
- Density Bonusing: FCF Old Market Lane 2013 Inc.;
- Next Steps for Section 37 Vaughan.

John Mackenzie responded to questions from Committee.

The presentation by John Mackenzie was received.

(iii) Legal Issues Related to Development Bonusing (presenter: Joanna Wice, City of Hamilton) (Item 3.3)

Joanna Wice, Solicitor with the City's Legal Services Division addressed Committee with the aid of a PowerPoint presentation. Copies of the hand-out were distributed and a copy has been included in the public record and is available for viewing on the City's website. She addressed the following topics:

The Law of Bonusing:

- *Municipal Act, 2001*, section 106
 - Assistance prohibited
 - Exception – for an exchange
- *Planning Act*, section 37
 - What exists today under the Planning Act – Section 37
 - Policy needs to be set up in the OP – increased density, etc.
 - Agreement with owner of land, registration of agreement
- Bill 73 proposes the following changes – legislation may come into effect either on July 1st or January 1st:
 - Special account

- Investments
- Treasurer's statement
- Copy to Minister
- Statement available to the public
- Comments from the OMB
 - What bonusing is not to be:
 - The policies are not to be arbitrarily applied
 - The benefits are not a tax tool
 - What bonusing should be:
 - Policies should be clear, fair, transparent
 - There should be a relationship between the height/density increase and the benefit.
 - What can the benefits be:
 - "Facilities, services or matters"
 - Conveyance of land
 - Cash-in-lieu.

Joanna Wice and Planning staff responded to questions from Committee.

The presentation by Joanna Wice was received.

(iv) Inclusionary Zoning (presenter: Edward John, City of Hamilton) (Item 3.4)

Edward John, Senior Planner, addressed Committee with the aid of a PowerPoint presentation. Copies of the hand-out were distributed and a copy has been included in the public record and is available for viewing on the City's website. He addressed the following topics:

- What is inclusionary zoning?
- Why have inclusionary zoning?
- When will it be implemented?
- How will it be implemented?
- Considerations for Hamilton;
- Next steps;
- Final thought.

Edward John and other staff responded to questions from Committee.

The presentation by Edward John was received.

(d) ADJOURNMENT (Item 4)

There being no further business, the Special Planning Committee Workshop adjourned at 12:53 p.m.

Respectfully submitted,

Councillor B. Johnson
Chair, Planning Committee

Ida Bedioui
Legislative Co-ordinator
Office of the City Clerk