

Community Benefits ~~Height and Density Bonus~~

9.5.25. The City may approve a by-law authorizing an increase in height or density beyond that allowed in the zoning by-law pursuant to the *Planning Act*, in return for facilities, services or matters benefiting the public, including the following:

- a. providing ~~a wide range of clearly specified and designed housing types, including affordable housing and housing for seniors and individuals with special needs; beyond what is already required by this Plan;~~
- b. providing public parkland ~~dedication~~ beyond what is already required by this Plan and the parkland dedication by-law including waterfront properties or universal public access to the waterfront whenever such lands become available;
- c. protecting significant natural heritage features and areas and linkages comprising the natural heritage system ~~features of the natural heritage system, such as woodlands,~~ beyond what is already required by this Plan and the ~~parkland dedication~~ requirements of the *Planning Act*;
- d. ~~enhancing/improving access to public transit facilities~~ that maximize mobility and access for all;
- e. providing public areas, access to waterfront, pathways for all modes of active transportation, and connections to external public pathways/trail systems using universal design principles;
- f. providing above and/or below grade public ~~and/or underground~~ parking, in contexts where this type of public parking meets the City's objectives;
- g. providing new or upgrading existing community and open space facilities such as ~~small parks,~~ day care centres, community centres, *recreation* facilities, cultural facilities and libraries;
- h. maintaining, conserving, restoring, and/or adaptively reusing cultural heritage resources beyond the requirements of this Plan and the Ontario Heritage Act;
- i. commemorating identified cultural heritage resources in accordance with the City's Commemorations Strategy;
- j. funding the study or evaluation of cultural heritage resources, particularly for those resources that have not yet been reviewed;

~~h-k.~~ allowing public access to designated cultural heritage resources where appropriate;

~~i-l.~~ protecting or enhancing significant views beyond the requirements of this Plan;

~~j-m.~~ providing cultural amenities such as artist live/work spaces, exhibition venues, rehearsal and presentation spaces and public art in accordance with the Public Art Master Plan, Public Art Policy and the City's Commemorations Strategy;

~~k.~~ providing green technology and sustainable architecture and alternative construction methods such as "green roofs" and LEED[®] certified buildings;

~~l-n.~~ providing a renewable energy system or green infrastructure that supports initiatives for resilience and sustainability

~~m-o.~~ providing streetscape improvements in accordance with Council- endorsed documents such as the Downtown Action Plan and that also enhance accessibility and wayfinding;

~~n-p.~~ providing publicly-accessible urban agriculture;

~~o-q.~~ including local improvements identified in community design plans, *community improvement plans*, secondary plans, capital budgets or other implementing plans or studies; and

~~p-r.~~ other community benefits that may be identified through the development proposal review process.-

9.5.26. Each proposal for an increase in height and or density must be assessed on a case by case basis, and be supported by such additional information and studies as deemed appropriate by the City, in order that Council ensures that:

a. the *development* constitutes good planning and is consistent with the policies of this Plan, including but not limited to, that the development.

~~i.~~ the development resulting from the application of increased height and density does does not impose *adverse effects* on neighbouring uses, and meets the general intent and purpose of the land use compatibility principles in Section 2.7 and the urban design principles as outlined in Section 8 of this Plan;

ii. ensures that identified cultural heritage resources are conserved, as demonstrated through the completion of a heritage impact statement where required by the City;

~~iii.~~ the proposed increased height and density provision supports the

strategic planning approach to guide and respond to *development* applications for change in areas of the City, as outlined in the policies of Section 2.6 of this Plan regarding stable areas ~~and areas in transition~~;

- iv. ~~there are~~provides adequate municipal services including water, sanitary sewers, stormwater management facilities and community services;
- v. is supported by the transportation system ~~can accommodate the increase in density~~; and
- v-vi. is located on a the site that is suitable in terms of size and shape, and to accommodate the necessary on-site functions such as parking, amenity areas, landscaping and *recreational* facilities using universal design principles.;
- b. there is a reasonable planning relationship between the community benefits and the proposed *development*; and
- c. there is an equitable relationship between the established uplift value and the value of the community benefit. The value of the community benefit will represent a reasonable proportion of the uplift value, which must be appraised at the applicant's expense.
- c-d. ~~the value of the increased height and density is appraised by the developer and the value of the benefit to be provided is assessed compared to the increased value to the developer, so that there is an equitable relationship between the established value of the increased height and density and its value to the community; and, i the development must constitute good planning and be consistent with the policies of this Plan.~~

9.5.27. Community Benefits may be provided on or off-site, if they are located in close geographic proximity. It must be demonstrated that the community benefits will have a positive impact on the immediate area experiencing the increased height or density provision. Any proposal to provide off-site community benefits must demonstrate an appropriate geographic relationship by demonstrating to the satisfaction of the City that the community benefits will have a positive impact on the area experiencing the development. Community benefits will be considered on the following basis:

- a. Highest priority will be given to community benefits located on-site or in the immediate vicinity of the site to be interpreted as the surrounding area impacted by the development in the following order of priority:
 - i. Provision of affordable housing as defined in the Official Plan

- will be the preferred community benefit where the existing affordable housing stock is impacted by the proposal or where the supply of affordable housing has been identified by the City as being deficient.
- ii. Provision of in-kind benefits that support the objectives of City-adopted plans applicable to the site or immediate vicinity of the site.
 - iii. Provision of in-kind benefits that are identified in the Official Plan and not detailed in City-adopted plans applicable to the site or immediate vicinity of the site.
 - iv. Other community benefits volunteered by the applicant that are not specifically identified in the Official Plan when deemed appropriate in consultation with the Ward Councillor and local community.
- b. The next level of priority will be given to the provision of cash-in-lieu payments that are allocated towards specific facilities, services or matters in the following order of priority:
- i. Cash-in-lieu contributions that result in a tangible benefit in the immediate vicinity by allowing a specific facility, service or matter identified in a City-adopted plan to be implemented.
 - ii. Cash-in-lieu payments that make a general contribution to be held in a reserve fund to be used for specific facilities, services or matters for which funds to implement the project are not available in their entirety but will be collected to fund a larger project that the community has identified as a priority.
- a.c. The lowest level of priority will be given to the provision of community benefits that are not located on-site or in the immediate vicinity of the site but have the potential to benefit the community at large.

9.5.28 To ensure community benefits respond to community needs, community groups, the Councillor(s) of the local Ward(s), and the local community will be consulted on the development application and ~~potential Community Benefits~~ the proposed benefit as part of the statutory public consultation process.

9.5.29 The owner will be required to enter into an agreement relating to the provision of facilities, land, or matters for which the community benefit bonus has been established in the by-law.

9.5.30 The increase in density or height will be approved through an amendment to the zoning by-law, following the Community Benefits Guidelines (2017) intended to support the negotiation process.

Supporting Sections to be Amended:

Definitions

Uplift value

The difference between the value of property when a *development* is built in accordance with the applicable provisions of the Zoning by-law and the value of property when a *development* is built with density and/or height provisions that exceed those permitted by the Zoning by-law expressed as a value per square metre.

City Programs

7.1.11. The City will *conserve* and protect *cultural heritage resources* and implement and enforce the policies of this Section by undertaking the following:

d. using fiscal tools and incentives to facilitate heritage conservation including but not limited to the *Community Improvement Plan*, ~~and~~ Façade Improvement Program, and Community Benefits pursuant to the *Planning Act*, grants and loans pursuant to the *Ontario Heritage Act*, and the heritage property tax reduction/rebate program pursuant to the *Municipal Act*,

City Hall

8.9.e. protect the viewplanes or silhouette of City Hall with the use of by-laws allowing Community Benefits bonusing under Section 37 of the *Planning Act* as set out in Section 9.5.25 of this Plan.

Development Applications: Additional Information – Studies and Assessments

9.12.3.d.

- Real Estate Appraisal

Building Heights

10E.1.29. The following policies apply to the height of buildings in the Williamsville Main Street:

- d. Buildings shall be no taller than 6 storeys unless the design of the building(s) can demonstrate a positive contribution to the community as a whole (i.e. gateway sites, landmark sites). In instances where minimal impacts occur on adjacent uses, additional height may be considered up to a maximum of 10 storeys (31.5 metres). Compatibility must be demonstrated through an Urban Design Study, and buildings taller than 6 storeys will be subject to a Zoning By-

Law Amendment, and will also be subject to -Community Benefits Height and Density-Bonusing.

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