



TO: GENERAL COMMITTEE

SUBJECT: *PLANNING ACT* SECTION 37 – UTILIZATION OF A PORTION OF THE COMMUNITY BENEFITS TO FUND THE COMMUNITY FACILITY IMPROVEMENT RESERVE, A PROPOSED AFFORDABLE HOUSING RESERVE AND PROPOSED AMENDMENTS TO THE CITY'S IMPLEMENTATION GUIDELINES TO SECURE COMMUNITY BENEFITS

PREPARED BY AND KEY CONTACT: J. FOSTER, RPP, SENIOR PLANNER, EXT. 4517

SUBMITTED BY: A. BOURRIE, RPP, DIRECTOR OF PLANNING AND BUILDING SERVICES

GENERAL MANAGER APPROVAL: A. BOURRIE, RPP, ACTING GENERAL MANAGER OF INFRASTRUCTURE AND GROWTH MANAGEMENT

CHIEF ADMINISTRATIVE OFFICER APPROVAL: M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

RECOMMENDED MOTION

1. That a Public Meeting be scheduled to consider the utilization of a portion of the funds generated from an application of Section 37 (Height and Density Bonusing) under the *Planning Act*, as a funding mechanism for the Community Facility Improvement Reserve and a proposed Affordable Housing Reserve.
2. That the vision/approach for the Community Facility Improvement Grant Program Application Form, attached as Appendix "A" to Staff Report PLN001-19, and the proposed application process and evaluation criteria for selection of projects for funding from the Community Facility Improvement Reserve, be circulated for comment.
3. That staff in the Planning and Building Services Department prepare and circulate for comment, a process for administering the Affordable Housing Reserve.
4. That the following information related to the potential revisions to the City of Barrie's Section 37 Implementation Guidelines be presented at the Public Meeting:
 - a) A minimum of 10% of all community benefit bonusing money be deposited in the Community Improvement Facility Reserve;
 - b) A minimum of 70% of all community benefit bonusing money be deposited in an Affordable Housing Reserve; and
 - c) The Ward Councillor, on an annual basis, establish three key community priorities within their Ward to be considered when negotiating community benefits for the remaining 20% of all community benefit bonusing money.
5. That administration, negotiation and final determination of community benefits be delegated to the Director of Planning and Building Services, in consultation with relevant City staff and the applicable Ward Councillor.

6. That the City act as a client for the appraisal of the property uplift assessment, at the cost of the applicant.
7. That the required property uplift appraisal be undertaken after Council's approval of the rezoning application but prior to the site specific by-law being enacted.

PURPOSE & BACKGROUND

Report Overview

8. The purpose of this Staff Report is to:
 - a) Recommend the scheduling of a public meeting for the utilization of a portion of the funds generated from application of Section 37 (Height and Density Bonusing) under the *Planning Act*, as a funding mechanism for the Community Facility Improvement Reserve and a proposed Affordable Housing Reserve;
 - b) To define a proposed administration of a Community Facility Improvement Reserve, including an application form and process by which applications from organizations can be considered for grant requests to utilize money from the Reserve;
 - c) To direct staff to prepare and circulate for comment, a process for administering a proposed Affordable Housing Reserve;
 - d) To present key components of the information to be discussed at the public meeting including, review and establish community benefits resulting from the approval of development projects subject to the *Planning Act's* Section 37 Height and Density Bonusing provisions.
 - e) To define proposed revisions to the City's Section 37 Implementation Guidelines to allow for a more effective and streamlined process including delegation of administration, negotiation and final determination of community benefits to the Director of Planning and Building Services, in consultation with relevant staff and the Ward Councillor.

Background

Bonusing Policies

9. The *Planning Act* of Ontario authorizes municipalities with appropriate Official Plan provisions to secure community benefits when and if it is considering passing a zoning by-law which would increase the height and density as a result of a development application beyond what would otherwise be permitted by the current zoning standard. The community benefits must be set out in the site specific zoning by-law and may be secured in an agreement registered on title.
10. In 2015, By-law 2015-051 enacted Official Plan Amendment 43 which allowed the inclusion of Official Plan bonusing policies and the procedure by way of implementation guidelines for realizing community benefits in accordance with Section 37 of the *Planning Act*. Section 6.8 of the Official Plan, Height and Density Bonusing, allows the City of Barrie to secure community benefits for an amendment to the Zoning By-law where a development proposes increased height and/or density over that which is permitted by By-law, when:
 - It has been determined that the development constitutes good planning and is consistent with Official Plan policies;

- The community benefit bears a reasonable planning relationship to the increase in height and density and has an appropriate geographic relationship to the proposed development; and
 - Adequate infrastructure exists or will be provided to support the development.
11. A list of community benefits that may be secured is included in Section 6.8 of the Official Plan. See Appendix B. The Section 37 Implementation Guidelines are attached as Appendix C.
 12. Staff have been administering the bonusing policies in accordance with Section 6.8, Height and Density Bonusing and the corresponding Implementation Guidelines. To date, 3 development projects have been subject to bonusing and will generate a total of \$1,087,500 in community benefit facilities and services once all agreements are in place. The money will facilitate 9 affordable rental housing units for a 20 year period; a 1,000ft² public square at the 5 Points; enhancement of the Kidd's Creek natural heritage system; public safety, public realm improvements and beautification measures in the downtown; enhanced street furnishings; and the development of a Public Art Master Plan.
 13. While initial implementation has generated community benefits that will be realized over time, the process has been administratively challenging, time consuming for applicants and staff and cumbersome with respect to the methodology for negotiating the community benefit. As such, staff are proposing improvements in order to establish a more efficient and transparent process.

Current Procedure to Establish Uplift Value and Community Benefit

14. After a rezoning application has been through the review process, including public engagement (neighbourhood and public meetings), agency and department review, Planning staff formulate a recommendation on the rezoning application based on good planning principles; the result of which is to recommend approval to allow the increase in height and/or density. At that time the applicant is advised that Section 37 will apply if the application is approved.
15. The applicant is then requested to submit a property appraisal that identifies the uplift value from the existing zoning to the proposed zoning as supported by Planning staff. The City's Legal Department reviews the appraisal and must be satisfied with the appraisal methodology and findings. The City has established the value of the community benefit to be 25% of the uplift value or difference in the value of the land from the existing zoning to the proposed zoning. For example if the property prior to rezoning is valued at \$1M and after approval of the rezoning is valued at \$2M, the difference is \$1M. At 25% of the difference, the community benefit would amount to \$250,000, to be provided by the applicant in the form decided by the Bonusing Committee in accordance with the list of benefits included in the Official Plan.
16. Planning staff use the list of benefits included in the Official Plan, their knowledge of needs throughout the City and consult with the Ward Councillor to determine if there is a priority community benefit within the Ward in order to comment on how to use the bonusing dollars. Applicants have also made proposals for consideration by the Committee. A meeting is scheduled with the City's Bonusing Committee (General Manager of Community and Corporate Services, General Manager of Infrastructure and Growth Management and Executive Director of Invest Barrie) who then make decision on the community benefit.

17. Planning staff include the decision of the Bonusing Committee in the staff report to Council regarding staff's recommendation on the rezoning application. If Council approves the rezoning application, the implementing by-law contains the provision of the community benefit. The money or physical community benefit is then obtained through an agreement between the City and the applicant.

Community Facility Improvement Reserve

18. On December 17, 2018 Council passed motion 18-A-111, ESTABLISHMENT OF A COMMUNITY FACILITY IMPROVEMENT RESERVE.
1. That a Community Facility Improvement Reserve be established to provide one-time capital funding for local not-for-profit organizations related to their community facility projects, to allow such organizations to access matching capital funding.
 2. That an initial \$200K contribution from the Community Benefit Reserve be used to fund the Community Facility Improvement Reserve as a one-time contribution.
 3. That staff in the Planning and Building Services Department be requested to review the potential to utilize a portion of Section 37, of the *Planning Act*, bonusing dollars to contribute on an ongoing basis to the Community Facility Improvement Reserve and report back to General Committee regarding a fulsome application and process associated with grant requests.
 4. That the maximum balance of the Community Facility Improvement Fund be capped at \$300K at any time and that the one-time contribution from the Community Benefit Reserve be re-paid.
 5. That in the interim, the David Busby Centre be provided a grant from the Community Facility Improvement Reserve in the amount of \$200,000 to allow the Busby Centre to access matching capital funding.
19. Official Plan policy Section 6.8 includes a list of community benefits that could be sought by the City of Barrie from money secured through bonusing. "Community facilities/services" is included in that list. Section 37 of the *Planning Act*, identifies that approval of an increase in height and density "will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law." It goes on to state, "Where an owner of land elects to provide facilities, services or matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services or matters".

ANALYSIS

Community Facility Improvement Reserve

20. The establishment of a Community Facility Improvement Reserve, for the purpose of providing funding for one-time capital projects is considered to be in keeping with the spirit of Section 37. However, in order to establish the Reserve, target its administration related to local not-for-profit community facilities and ensure the funding of the Reserve will be from a portion of the funds generated from application of Section 37, so long as this *Planning Act* tool is available, staff are recommending a By-law passed by Council. This would inform the public and establish a transparent process.

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21. Given Council's approval of Motion 18-A-111, ESTABLISHMENT OF A COMMUNITY FACILITY IMPROVEMENT RESERVE, staff are proposing the following be undertaken in order to establish, implement and allow organizations to utilize money for social community benefit for a greater community wellbeing.
22. Staff are recommending that the Reserve be funded by Section 37 Community Benefit Bonusing money. In order to facilitate this, a By-law should be passed by Council. This will reduce or negate the possibility of appeals on site specific zoning by-laws which will reference the detail of the community benefit. A public meeting will need to be scheduled to consider the change to our Section 37 process. This would assist in informing the public of the City's intention. It will allow staff to gather information and hear the views from the public and developers on the City's proposal to fund the Reserve and establish an application and evaluation process in order to grant money from the Reserve. This will assist City staff in reporting back on the matter and assessing any impacts associated with implementation.

What is being proposed?

23. It is proposed that the Reserve funds be use to provide capital community facility projects that help to address various community building efforts throughout the City. Establishing and using the Reserve fund forms part of the City's proactive effort towards the greater social good of the City.
24. Reserve funds must be matched, dollar for dollar, by the local not-for-profit organization undertaking the capital project.
25. Staff are proposing that a minimum of 10% of the 25% uplift value for each development project subject to bonusing, regardless of Ward location, be placed in the Community Improvement Facility Reserve.
26. The Official Plan Height and Density Bonusing policies were approved in 2015. Since then 3 development applications have been subject to bonusing, with a total of \$1,087,500 generated for community benefits. If a minimum of 10% of that money was directed to the Community Facility Reserve Fund, it would currently hold \$108,750.

Who Could Apply for Grants from the Community Facility Improvement Reserve?

27. Staff are proposing that grants can be applied for by local (City of Barrie) community-based Not for Profit organizations that are governed by a Board of Directors. A governing Board ensures accountability of the organization in accordance with best practices of the not for profit sector. The organization must possess a good financial track record (in good standing) and demonstrate a history of prior success in social community contribution. The organization's mission statement should lend itself to contribute to the betterment of the community and social wellbeing. The organization must have the capacity to utilize grant money and deliver sustained community benefits. The organization must provide matching dollars for the capital project.

Community Facility Improvement Grant Criteria

28. The following minimum criteria is being recommended for application for Reserve funding by Not-for-Profit organizations.
- a) The grants being applied for are for one-time capital funding;
 - b) Organizations must provide matching dollars;
 - c) Grant money shall be utilized for a capital community facility project;

- d) The money shall be utilized for a facility that will help to address issues that are community/social in nature and beyond the City's core service provision mandate, yet impacts City residents and services.

Examples of community and social facilities/services include:

- a) Supportive and Transitional housing
- b) Facilities that provide social support services
- c) Facilities that provide addiction support services
- d) Facilities that provide homelessness support services
- e) Facilities that provide mental health and physical well-being support services

Community Facility Improvement Reserve Management and Reporting

29. A Community Facility Improvement Reserve account shall be established and managed by the City's Finance Department. It is proposed that a joint Finance and Planning and Building Services staff report be provided to Council on an annual basis, similar to the annual Community Improvement Plan and Affordable Housing Reports. The report will outline the positive impact the grant has had on the community and summarize the organizations involved, the amount of the grant and other appropriate information. This ensures a transparent public process and knowledge of how Reserve money is being utilized and successfully spent.

How is the money accessed?

30. Grant money shall be accessed by way of application, similar to that of the Community Improvement Plan (CIP) financial assistance program. See Appendix A for the Community Facility Improvement Grant Program, Application Form that is proposed and would be circulated to stakeholders for feedback. Given that the Reserve balance shall not exceed \$300k at any time, it is proposed that applications will be received and reviewed twice yearly; May 1 and November 1 with decisions communicated by December 30 and June 30.
31. Under the proposed process the applicant will be required to fill out the application form, provide relevant information and submit electronically to the Planning and Building Services Department. The application shall include:
- a) Confirmation that applicant is a Not for Profit Organization
 - b) Detailed description of the capital facility project
 - c) Community impact statement
 - d) Outline of how and when the funds will be spent
 - e) Details of matching dollars
 - f) Specific deliverables and performance indicators
 - g) A reporting schedule to ensure the intended community impact is achieved in a timely fashion
32. Planning and Finance staff, with input from other departments as needed, will evaluate the applications based on Evaluation Criteria which will include a weighted scoring system. Proposals will be evaluated both operationally and financially, with special attention to the inclusion of local partners, the enhancement of local capabilities and the assessment of the proposal's positive community impact.
33. Main selection criteria will be: Financial Capacity, Community Based Needs and Inclusive Partnerships and Sustainability:

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- a) Financial Capability –financial viability and sustainability of the organizations involved, amount of requested funding, matching dollars, experience and ability to undertake the initiative;
Weighting 40%
 - b) Community Based Needs – meeting the demonstrated immediate needs of the Barrie community, provides tools to build on good practices and facilitates local empowerment, targets inequity and the most needed services, helps build local capabilities and improve areas of prevention and primary service;
Weighting 40%
 - c) Inclusive Partnerships and Sustainability – Proposals involve local partnerships and support groups who together, will leverage individual organization strengths, public/private funding opportunities and effective practices for repeatable impact.
Weighting 20%
34. Applications will be evaluated to determine the proposals that best meet the needs of the community and can be delivered by appropriately qualified organizations.
35. The Evaluation Team will consist of three members, the Director of Planning and Building Services, the Manager of Strategic Initiatives, Policy and Analysis and the Senior Manager of Corporate Finance and Investment. Evaluators will conduct assessments individually and independently prior to a consensus meeting. Each team member will individually score all criteria where the highest average score(s) would move forward to the consensus meeting. Records of the evaluation scores will be documented. The highest scoring submission, or submissions, depending on amount of the Reserve will be presented at the consensus meeting and the Evaluation Team will make the final decision.
36. Depending on the number and quality of applications at any one time, there may be a need to shortlist applicants based on the evaluation criteria and the outcome of the consensus meeting. Shortlisted organizations will be asked to make presentation to the Evaluation Team. Input gathered from the discussion and questions after the presentation will be considered in the final assessment and award of grants
37. A Memorandum to Council will be prepared for notice of decision.
38. Proposals that are unsuccessful at the time of application, may apply again.

Affordable Housing Reserve

39. The establishment of an Affordable Housing Reserve, for the purpose of providing funding for local affordable housing initiatives, is also considered to be in keeping with the spirit of Section 37. Passing a By-law by Council will also ensure transparency for the proposed Affordable Housing Reserve.
40. Staff are recommending that the Affordable Housing Reserve be funded by Section 37 Community Benefit Bonusing money. In order to facilitate this, a By-law should be passed by Council. This will reduce or negate the possibility of appeals on site specific zoning by-laws which will reference the detail of the community benefit. A public meeting will need to be scheduled to consider the change to our Section 37 process. This would assist in informing the public of the City's intention. It will allow staff to gather information and hear the views from the public and developers on the City's proposal to fund the Fund and establish an application and evaluation process in order to grant money from the Affordable Housing Reserve. This will assist City staff in reporting back on the matter and assessing any impacts associated with implementation.

41. In order to ensure that sufficient funds are available to address the significant affordable housing needs in Barrie, staff suggest that a minimum of 70% of the 25% uplift value for each development project subject to bonusing, regardless of Ward location, be deposited in an Affordable Housing Reserve.
42. The Official Plan Height and Density Bonusing policies were approved in 2015. Since then 3 development applications have been subject to bonusing, with a total of \$1,087,500 generated for community benefits. If a minimum of 70% of that money was directed to the Affordable Housing Reserve, it would currently hold \$761,250.
43. Staff in the Planning and Building Services Department are currently seeking input from various stakeholders and will provide information on who can apply for funding, evaluation criteria and administration details related to the Affordable Housing Reserve before the public meeting.

Potential Revisions to the Section 37 Implementation Guidelines

44. Potential revisions to the Section 37 Implementation Guidelines are proposed in order to strengthen opportunities for the City to take a proactive role in addressing key emerging community issues as well as streamline the process of approval in securing community benefit. In coming up with the proposed revisions, staff have reviewed procedures of other municipalities to gain insight and comparisons.

Other Municipality's Procedures

45. Other municipalities in Ontario also implement policies for bonusing provisions, ensuring that, as in the City of Barrie, this planning tool is appropriately administered in a fair and transparent manner. Of those municipalities reviewed (Toronto, Ottawa, Mississauga, Newmarket and Aurora), all have incorporated policies into their Official Plans.
46. Some municipalities determine benefits by prioritizing facilities/services which have a geographic relationship to the proposed development, on-site or in close proximity. Some municipalities also have the authority to negotiate benefits which would improve the liveability of the community as a whole and/or require cash which is held in a reserve fund for specified city wide community benefits. All municipalities list priority community benefits in the official plans.
47. Ottawa and Newmarket define locational criteria where bonusing will be applied, generally identified in secondary plan areas and policies. Mississauga applies bonusing policies on a city wide basis. The Town of Newmarket requires that development subject to bonusing is only applied to medium and high density residential developments. The Towns of Aurora and Newmarket establish "base density" through secondary plans where minimum and maximum height and densities are identified. Only development above the established limits is considered bonusing and subject to community benefit.
48. The cities of Toronto and Mississauga administer bonusing policies based on size of development. Those developments subject to bonusing must be a minimum size and where the proposed increase must be of a minimum size. For instance, the City of Toronto applies bonusing to developments that propose more than 10,000m² of gross floor area and where the proposed increase in height and/or density is at least 1,500m² in size greater than permitted.

49. There are two ways that the reviewed municipalities determine the “uplift” value which is used when establishing the value of the community benefit. Uplift is the incremental increase in the value of the property prior to rezoning and an estimation of the value after rezoning approval.
50. The first is where an appraisal is undertaken to determine the difference in the value. Those municipalities who utilize the appraisal system retain the appraiser themselves, at the cost of the applicant. Should the applicant not agree with the City’s appraisal, a second appraisal can be undertaken by the applicant and considered by the City.
51. The second approach is to establish a fair market, per square foot, value. Such value is re-evaluated on a yearly basis to consider the changes in real estate values. The City of Ottawa establishes a value-based system where a set per square foot dollar value has been calculated by the City’s Realty Services Branch, in consultation with key stakeholders, for different parts of the City referred to as the “Inner Urban Zone” and the “Outer Urban Zone. Those developments which fall outside one of the areas would require the undertaking of an appraisal. The approach is then to determine the uplift or difference of the increase in height and density by gross floor area, multiplied by the per square foot value.
52. All municipalities surveyed have delegated the administration and negotiation of community benefits to the department head of the Planning Department in consultation with other relevant staff and the Ward Councillor. This has to do with efficiency as well as an understanding of the required technical elements. In some cases, where deemed appropriate, the negotiation is presented to the whole of Council.

Potential Revisions to the Administration of the City’s Bonusing Procedure – Section 37 Implementation Guidelines

53. The current Section 37 Implementation Guidelines are attached as Appendix C. Staff are proposing revisions to the Guidelines as follows:
 - a) A minimum of 10% of all community benefit bonusing money shall be deposited in the Community Facility Improvement Reserve (to be capped at \$300,000 at any time) to be utilized for one-time community facility capital projects, with matching funding from the applicant. Funded projects will help to address various community building efforts throughout the City;
 - b) A minimum of 70% of all community benefit bonusing money shall be deposited in the Affordable Housing Reserve to be utilized for local affordable housing initiatives;
 - c) The Ward Councillor, on an annual basis, will establish 3 key community priorities within their Ward to be considered when staff negotiate community benefits;
 - d) Delegation of administration, negotiation and final determination of community benefits to the Director of Planning and Building Services, with input from relevant staff and the Ward Councillor;
 - e) The City, will commission the appraisal of the uplift value, at the cost of the applicant; and
 - f) The required appraisal be undertaken after Council’s approval of the Rezoning application but prior to the site specific By-law being enacted.

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54. The potential amendments are prefaced on the fact that the City is facing pressing affordable housing and social issues beyond its core service mandate and the Section 37 tool is one of the few funding sources available to the City to address these issues. In addition, the Ward Councillor is best suited to advise on Ward-related community benefits. In consultation with their constituents, they are able to establish such needs in advance of development applications and as needs may evolve from time to time. Staff recommend that 3 top priority community benefits be established at the beginning of each calendar year for each Ward. This list would not be exhaustive, but would allow for transparent communication when negotiating community benefits within a particular Ward. In accordance with Council's Strategic Priorities, the needs of the City and a particular community can then be prioritized.
55. Although the City has only had a few applications subject to Bonusing, there has been significant concern regarding establishing the uplift value. In one instance, City staff required a peer review as it was felt that the uplift value should be higher than identified. The current process has the applicant submitting a completed appraisal for staff's review. The City provides a list of qualified appraisers, however, the City is not the client for the appraisal. A great deal of staff time and effort is spent going back and forth on just the appraisal. Larger municipalities employ real estate staff to undertake the appraisals in house, while smaller municipalities retain an appraiser at the cost of the applicant. Staff are recommending that the applicant be responsible for the cost of the appraisal but that the City act as the client in order to maintain control of the process, avoid dispute and additional peer review costs, and reduce overall time to complete this step of the process. Staff are proposing to maintain the appraisal process rather than a per square foot value approach. This is because area specific reports would need to be generated yearly as real estate values change over time and real estate values vary depending on location. Staff have proposed a terms of reference for the undertaking of an appraisal. In this way the approach to the appraisals will be standardized and understood from the outset. See Appendix D for the proposed Terms of Reference.
56. Delegation of negotiating and determining the final community benefit to the Director of Planning and Building Services is consistent with the way other municipalities in Ontario administer the process. Staff's time administering the bonusing process, timelines for applicants and decision making would be made more efficient as the number of memos and reports, and scheduling of meetings is challenging given the projected number of applications that could/should be subject to bonusing. A quicker decision making turnaround time would make the process more concise and administratively more efficient. Consultation with the Ward Councillor will be maintained throughout the process.
57. Developers have identified it may be premature to have an appraisal undertaken prior to the Council decision on the matter as the application may not be approved, or higher or lower height and/or density may be approved not consistent with the appraisal. Section 37 of the *Planning Act* requires that the community benefits be identified in the site specific by-law and secured by way of an agreement. If decision making on community benefits is with the Director of Planning, in consultation with the Ward Councillor, Council would be notified of the decision on community benefit when approving the zoning by-law rather than within the staff report on the matter.
58. Although the establishment of the Community Facility Improvement Reserve and an Affordable Housing Reserve will generate funds to be used for city-wide housing and community facility needs, community benefits should bear a reasonable planning relationship to the development and in most cases that would be a preferred geographic relationship. 20% of the amount of the uplift value will be negotiated by the Director of Planning and Building Services. Community needs can vary between Wards and therefore it is recommended that each Ward Councillor establish 3

community benefit priorities per calendar year to be utilized in negotiations. The Ward Councillor is representative of community interests and is best suited to comment on Ward specific needs.

ENVIRONMENTAL MATTERS

59. There are no environmental matters specifically related to the recommendation. However, community benefits can be negotiated to enhance or strengthen environmental features and functions. Community benefits under this section of the Official Plan are not intended to be used to preserve environmental features that should be protected through the normal course of planning approvals, but they can be used to enhance its preservation, public awareness and access.

ALTERNATIVES

60. There are three alternatives available for consideration by General Committee:

Alternative #1

General Committee could choose not to schedule a public meeting for consideration of a Community Facility Improvement Reserve and Affordable Housing Reserve that would be funded through bonusing dollars to be used for capital projects and affordable housing initiatives.

This alternative is not recommended. A public meeting on the matter will inform the public and will solicit comments for staff's consideration when reporting back on the matter and in finalizing the procedure and application process. In addition, a public meeting which will lead to the passing of a By-law, will define the Reserve and Fund and decrease the possibility of appeals on individual applications. A pre-established process and use for bonusing dollars allows clarity, public transparency and reduces future conflict.

Alternative #2

General Committee could choose to revise the amount of the bonusing contribution towards the Community Facility Improvement Reserve to something more than 10% and the Affordable Housing Reserve to more than 70%.

This alternative is available. Staff made a recommendation of 10% and 70% but Council could choose a higher percentage in order to fund the Reserve and Fund more quickly.

Alternative #3

General Committee could choose not to support delegation, negotiation and decision making on bonusing to the Directory of Planning and Building Services.

This alternative is not recommended. Staff made a recommendation to address internal and external efficiencies and provide appropriate consistency in the process as applications increase.

FINANCIAL

61. There are no direct financial implications for the Corporation resulting from the proposed recommendations. However, part 4. of Motion 18-A-111 states:
- “That the maximum balance of the Community Facility Improvement Reserve be capped at \$300K at any time and that the one-time contribution from the Community Benefit Reserve be re-paid.”
62. The Reserve and Fund will need to be monitored on an on-going basis. It is proposed that at the time of the joint Planning and Finance report to Council, staff will identify spending and balance information. When the Community Facility Improvement Reserve reaches \$300K, consideration of additional development projects subject to bonusing, will be targeted to community benefit within the geographic area or secured for other city facility or service needs by way of agreement.
63. Cash contributions accepted in lieu of the provision of specific capital facilities or services must be provided for specific projects and directed to accounts created for that project. Section 37 benefits cannot be used to supplement the general tax revenue.

LINKAGE TO 2010-2014 COUNCIL STRATEGIC PLAN

64. The recommendations included in this Staff Report support Council's proposed 2018-2022 City Council Strategic Plan:
- a) Growing our economy
 - b) Fostering a safe and healthy city
 - c) Building strong neighbourhoods

Attachments: Appendix “A” – Community Facility Improvement Grant Program Application Form
Appendix “B” - Official Plan Bonusing Policy, Section 6.8
Appendix “C” – Section 37 Implementation Guidelines
Appendix “D” – Terms of Reference for the Undertaking of an Appraisal

APPENDIX "A"

COMMUNITY FACILITY IMPROVEMENT GRANT PROGRAM APPLICATION FORM

The Community Facility Improvement Grant Program provides financial support for eligible organizations that provide community facilities that help to address various community building efforts throughout the City. Utilization of the grant is intended for the benefit of our community in an effort to provide a positive impact for the greater social good. The program will allow local not-for-profit organizations to access matching capital funding.

The City of Barrie provides funding to Simcoe County for the delivery of social community services. The City relies on communications, advocacy and partnership building with and between community agencies to increase service delivery. While the City does not have the mandate or capacity to function as a social service delivery agency, it does have an opportunity to engage with the community and community agencies to identify community needs and help ensure that the needs of the community members are met. One-time capital funding support for community facility projects is one way the City can have an impact on community/social initiatives.

The City of Barrie has established a Community Facility Improvement Reserve which provides one-time capital funding for local not-for-profit organizations related to their community facility projects, to allow such organizations to access matching capital funding. The maximum balance of the Reserve shall be capped at \$300,000 at any time. The Reserve is funded through community benefit money secured through Official Plan policy, Section 6.8, Height and Density Bonus, authorized under Section 37 of the *Planning Act*. Any one organization could be eligible for the maximum grant; however, smaller amounts could be granted to various organizations.

Grant money shall be considered for organizations whose mission statement lends itself to the betterment of the community and social wellbeing. The money shall be utilized for a facility that will help to address issues that are community/social in nature and beyond the City's core service provision mandate, yet impacts City residents and services.

Examples of community and social facilities/services include:

- a) Supportive and Transitional housing
- b) Facilities that provide social support services
- c) Facilities that provide addiction support services
- d) Facilities that provide homelessness support services
- e) Facilities that provide mental health and physical well-being support services

Eligibility Criteria

To be eligible for the Community Facility Improvement Grant, all of the following criteria must be met:

- The organization must be a registered non-profit, charitable organization.
- The organization must have an independent, active governing Board of Directors.
- The organization must extend its service to the general public and shall not discriminate unless it can be proven that exclusion of some groups is required for effective service delivery to a target group.
- The organization must have the demonstrated functional capacity and sufficient resources to deliver the project to which the City is being asked to contribute.
- The project must be a capital facility project and it must address specific current community issues.
- Costs must be reasonable when compared with projects of a similar scope and scale.

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- The project must primarily serve City of Barrie residents.

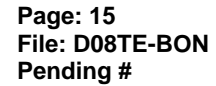
Submission of an application does not guarantee funding support.

Applications are accepted twice annually. Last day to receive submissions is May 1 and November 1. Applications will be evaluated by an Evaluation Team made up of the Director of Planning and Building Services, the Manager of Strategic Initiatives, Policy and Analysis and the Senior Manager of Corporate Finance and Investment.

The grant is one-time capital funding. Receipt of a grant does not suggest funding for the same project or for the same organization in subsequent years. Applications must be received during each application period and will be considered twice annually. If an applicant is not successful in securing a grant, subsequent applications may be filed for future consideration.

Staff contact information to assist with the application:

If you have any questions regarding eligibility, completing the Grant Application Form or the review process, you may contact Service Barrie at 705-726-4242 or the Planning and Building Services Department at 705-739-4220 Ext. 5442.



Description of Proposed Activity or Project

Please describe what your activity or project will involve and how the Social Community Facility Improvement Grant would be used in your initiative?

Community Partners

Please list all of the proposed and confirmed partners involved in this project. Please also identify if the specific partners are a source of funding, project development partners, community liaisons, etc.

Goals

What do you hope the project will achieve? Please provide 3 – 5 goals.

Timelines

Please specifically outline the start and end timelines and key milestones to deliver the project or service.

Outcomes and Deliverables

Please identify the key outcomes and goods or services that will be provided upon completion of the project, if the project is successful.

Evaluation

How will you evaluate the project and measure success? Please specify key reporting periods that will be made to the City to demonstrate the success of the project.



Funding Sustainability

How will this project continue beyond the terms of the Social Community Facility Improvement Grant applied for?

Duplication of Services

Are there other programs/projects in Barrie (or offered by other levels of government) that are similar to what you are proposing? Please describe the overlap, how and why the duplication is necessary. What efforts are being made to eliminate the duplication, if any?

Organization Description

Please provide a brief description of your organization, including how many people you serve, how long you have been operating in Barrie, how your organization benefits the citizens of Barrie, etc. Please also provide your Organization's Mission Statement.

Additional Comments or Information you wish to add



4.0 REQUIRED ATTACHMENTS:

- Current internal financial statement prepared and signed by the individual responsible for finances within the Organization.
- Previous year's reviewed or audited financial statement signed by an independent designated accountant.
- If you are applying for a Facility/Capital Project, you must attach 3 quotes for the construction project applied for.
- Completed Budget Form ***attached to this application*** outlining the costs and total requested Grant Funding.

5.0 OTHER GRANT APPLICATIONS:

Has the Organization previously or is currently applying for other Incentives or Grants?

Yes ☐ No ☐ Please specify.

6.0 CONSENT OF THE APPLICANT REPRESENTING THE ORGANIZATION TO THE USE AND DISCLOSURE OF PERSONAL INFORMATION:

I, _____, who represents the Organization making application for grant money, for the purpose of the Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the City of Barrie for the purposes of processing this application.

Print Name

Signature

Date

See attached Grant Request - Budget Form



7.0 SWORN DECLARATION:

I/WE HEREBY APPLY for a grant under this program.

I/WE HEREBY AGREE to abide by the terms and conditions of the Social Community Facility Improvement Grant Program as specified in this application and in the City of Barrie.

I/WE HEREBY AGREE to enter into and abide by the terms and conditions of an Agreement with the City of Barrie that specifies the terms and conditions of the grant.

I/WE HEREBY CERTIFY that the information contained in this application is true, correct and complete in every respect and may be verified by the City of Barrie by such inquiry as it deems appropriate, including inspection of the property for which this application is being made.

I/WE HEREBY GRANT PERMISSION to the City of Barrie, or its agents, to inspect the property prior to, during, and after project construction, if applicable.

I/WE HEREBY AGREE that the program for which application has been made herein is subject to cancellation and/or change at any time by the City in its sole discretion, subject to the terms and conditions specified in the Program. Participants in the program, whose application has been approved and who has entered into an Agreement with the City, will continue to receive grant payment(s), subject to the terms of the Agreement.

I/WE HEREBY AGREE that all grants will be calculated and awarded in the sole discretion of the City. Notwithstanding any representation by or on behalf of the City, or any statement contained in the program, no right to any grant arises until it has been duly authorized, subject to the applicant meeting the terms and conditions of the Grant Program and the Agreement entered into. The City is not responsible for any costs incurred by the Organization in any way relating to the program, including, without limitation, costs incurred in anticipation of a grant.

I/WE solemnly declare that the information contained in this application is true and I make this solemn declaration, conscientiously believing it to be true, AND hereby grant permission to employees for the City of Barrie to attend, photograph, and conduct inspections of the lands subject to this Grant Application as part of their review and consideration of the application.

Dated at the City of Barrie in the County of Simcoe this _____ day of _____ 20 _____

Signature of Applicant

Print Name

Signature of Applicant

Print Name



8.0 GRANT REQUEST – BUDGET FORM

Cost Categories	Total Project Costs	Amount Requested	Details
Administrative Costs			
a) Costs that support activity, i.e. office support, IT maintenance, postage, telephone, printing and copying services communication costs			
Direct Costs			
a) Wages and employment related costs			
b) Staff training and professional development			
c) Honoraria			
d) Professional fees such as consultants, skilled trades, audit, technical expertise, facilitation, legal			
e) Participant costs			
f) Vehicles, tools, equipment, machinery, computers, furniture			
g) Cost of construction materials and supplies			
Other costs, be specific			
Total Requested Grant Funding			
In-kind and financial contributions			
Total Project Budget			

APPENDIX "B"

OFFICIAL PLAN BONUSING POLICY, SECTION 6.8

6.8 Height and Density Bonusing

- (a) Upon the City determining that an application that would have the effect of permitting an increase in height and/or density that exceed the maximum height and/or density permitted in the Zoning By-law is appropriate, City Staff shall also recommend for the provision of community benefits pursuant to Section 37 of the *Planning Act* provided that:
- The development constitutes good planning and is consistent with the goals, objectives and policies of this Plan;
 - The community benefit provided bears a reasonable planning relationship to the increase in the height and/or density of the proposed development including having an appropriate geographic relationship to the development; and
 - Adequate infrastructure exists or will be provided by the developer to support the proposed development.
- (b) Without limiting the authority of the foregoing, the City will seek to secure any of the following community benefits above and beyond those that would otherwise be provided under the provisions of the *Planning Act* (including parkland dedication and cash-in-lieu of parking) or the Development Charges Act or any other statute.

The community benefits that may be secured include, but are not limited to, the following:

- Provision of affordable housing units;
 - Community facilities/services;
 - Arts and Cultural facilities;
 - Public Art;
 - Parks facilities and equipment;
 - Protection of cultural heritage resources;
 - Public access to facilities;
 - Streetscape improvements on the public boulevard not abutting the site;
 - Local improvements to transit facilities including pedestrian connections to transit facilities;
 - Amenities for active transportation such as pedestrian or cycling facilities;
 - Land for other municipal purposes;
 - Preservation and enhancement of the Natural Heritage System;
 - Enhanced on-site tree planting or landscaping;
 - Public parking facilities (at-grade and/or structures);
 - Local improvements identified through Community Improvement Plans;
 - Sustainable energy works and facilities; and
 - Any public work, initiative or matter in compliance with this Plan.
- (c) Development proposals in the R1, R2, R3, R4 and RM1 zones are not subject to this section of the Plan. Non-Profit housing proposals are also not subject to this requirement.
- (d) Where community benefits are to be provided in return for increased height and/or density pursuant to Section 37 of the Act, these benefits will be set out in the zoning by-law amendment along with the increased height and/or density.

- (e) Where community benefits are to be provided, they may be secured by letter of credit and/or in one or more agreements, which may be registered on title to the lands.

APPENDIX “C”

EXISTING SECTION 37 IMPLEMENTATION GUIDELINES

Introduction

These Guidelines are intended to assist in the implementation of the Height and Density Bonusing Policies of the Official Plan contained in Section 6.8. Facilities, services or matters (community benefits) obtained through increased height and/or density approvals are secured pursuant to Section 37 of the *Planning Act*.

Section 37 authorizes a municipality with appropriate Official Plan provisions to pass zoning by-laws involving increases in the height or density otherwise permitted by the Zoning By-law, in return for the provision by the owner of community benefits. The community benefits must be set out in the zoning by-law amendment related to the development to which the community benefits pertain. The community benefits may be secured in an agreement which may be registered on title.

The term “community benefits” reflects the City’s priority on providing public benefits within the local community in which the contributing development project is located.

The principles below are to be followed when using Section 37 of the *Planning Act*.

- 1.1 The proposed development must represent good planning.
- 1.2 Community benefits and the increase in height and/or density must be set out in the amending zoning by-law.
- 1.3 Section 37 community benefits should be specific capital facilities, or cash contributions to achieve specific capital facilities.

Cash-in-lieu of capital facilities is only acceptable where the cash is secured for specific local capital facilities in lieu of the developer being required to actually construct or provide those specific facilities. It is expected that cash contributions will be required for the majority of Bonusing requirements. A cash contribution from one development project may be used for more than one community benefit as long as the community benefits and the percentage of the cash contribution is clearly set out in the implementing by-law and agreement. Section 37 is not a vehicle to generate general revenue within a local community for non-specific or indeterminate purposes.

- 1.4 There should be a reasonable planning relationship between the secured community benefits and the increase in height and/or density in the contributing development.

Generally this shall mean a geographic relationship but may go beyond consideration of matters necessary to support that particular development, and which may be important in maintaining the quality of life in the City while accommodating intensification. For example, cash contributions towards the development of a cultural facility may not be directly necessary to support a specific development proposal but may be required to enhance the quality of life in the City.

- 1.5 The rate for calculating the ‘value uplift’ shall be established by the municipality. In order to ensure an orderly and consistent approach to the calculation of the ‘value uplift’ the following steps shall be taken:

- i. The developer or applicant shall be responsible for the provision of an appraisal to the satisfaction of the City which will identify the “uplift” being the difference in the value of the property under the current zoning and the increase in the value of the property if the rezoning were to be approved. The appraisal will be undertaken by a qualified appraiser and maybe selected from a list of approved appraisers to be provided by the City. If the developer/applicant wishes to use another appraiser not on the approved list, the City reserves the right to have the appraisal peer reviewed at the developer/applicant’s cost.
- ii. The value of the community benefit shall be approximately 25% of this difference.

1.6 The community benefits which are listed in the Official Plan are not intended to be exhaustive.

Other benefits not specifically listed in the Official Plan may also be secured, provided these have been identified through a Council approved assessment and the City and the owner have agreed to such community benefits.

The City will establish as a priority the following types of benefits in accordance with strategic priorities established by Council;

- Provision of Affordable Housing units
- Community facilities/services
- Public Art
- Protection of Cultural Heritage Resources
- Amenities for active transportation such as pedestrian or cycling facilities
- Preservation and Enhancement of the Natural Heritage System
- Local Improvements identified through Community Improvement Plans
- Sustainable energy works and facilities

1.7 Good design is expected of all developments, as a matter of course, and is not an eligible Section 37 benefit.

1.8 Section 37 cash contributions toward capital facilities should be over and above the parkland dedication or cash in lieu thereof as provided by Section 42 of the *Planning Act*.

1.9 Section 37 cash contributions toward capital facilities should be over and above the facility costs that will be funded through Development Charges (DC’s).

Section 37 community benefits in the form of cash contributions may be secured toward services and facilities that:

- address service needs or deficiencies existing currently and exacerbated by the development or created by the development in the community where a reasonable planning relationship exists between the contributing development and the community benefits. (Development charges fund only the portion of certain capital services required for new growth, and not capital services for existing development);

- cannot be, or are not, funded by the DC By-law;
- represent the municipal share of providing services for new growth that are only partly funded through DC's; or
- represent that portion of service levels for new growth above the maximum levels funded by DC's.

1.10 The Ward Councillor should always be consulted by City Planning staff prior to any negotiation of Section 37 community benefits. As part of its strategic planning sessions, Council will approve a list of Community Benefits at the start of its term which will guide individual Councillors in establishing benefits for individual projects.

1.11 City Planning staff should always be involved in discussing or negotiating Section 37 community benefits with developers/owners.

City Planning staff has a particular responsibility to ensure that the Official Plan policies are being complied with, and must be involved in discussing or negotiating Section 37 benefits.

General Considerations

1. Use of Section 37

Section 37 agreements are appropriate only where the proposed development constitutes good planning in accordance with the objectives and policies of the Official Plan, including the built form policies and all applicable urban design policies.

2. Determination of Appropriate Types of Community Benefits

A general determination of community benefit priorities in an area anticipating potential intensification can be undertaken prior to the receipt by the City of a planning application. The purpose of such analysis is to assist in setting the determination of appropriate type(s) of community benefits.

The determination of appropriate type(s) of community benefits for a specific application should bear a reasonable planning relationship to the increase in the height and/or density of a proposed development including, at a minimum, having an appropriate geographic relationship to the development except in those cases where the benefit is provided to enhance the quality of life in the overall City.

Determination of municipal benefits will not consist of infrastructure improvements which can otherwise be secured through other legislation such as the *Planning Act* or the *Development Charges Act*.

3. Timing of Agreement Execution

The Section 37 agreement shall generally be executed prior to the passage of the by-law that implements the rezoning for the increased density and/or height. The timing of payment or provision of benefits would be stated in the agreement provisions.

4. Timing of Cash Payments

The payment of community benefits secured as cash as a condition of the Section 37 agreement, should at the latest be paid prior to the issuing of an above-grade building permit. Where a community facility is needed sooner rather than later for good planning reasons, the payment(s) may be secured at an earlier appropriate trigger point which should be included in the zoning by-law amendment and/or the agreement.

In a phased development, the phasing of payments may occur unless the benefit is required prior to the completion of all phases.

5. Change in Previously Secured Community Benefits

A change to an existing agreement to reallocate funds or change the community benefits must be authorized by all parties to the original agreement, or their successors in title. Where a condominium has been registered, all unit owners are considered parties to the agreement. Because specific Section 37 community benefits are set out in the site-specific zoning by-law, amendments to those provisions may also be required. A minor variance process may be an option, but Council authority is still required to amend the agreement.

6. No Section 37 Exemptions for Development Charges or Section 42 Park Levies

Section 37 agreements shall not provide for exemptions from, or reductions in, development charges under the Development Charge By-law or parks contribution requirements under Section 42 of the *Planning Act*.

7. Indexing of Cash Contributions Secured

Where cash contributions are secured in Section 37 agreements, the amount of such funds should generally be indexed to the Statistics Canada Construction Price Index for Barrie that would pertain to the type of community benefit secured. Indexing may not be appropriate in every situation involving cash contributions.

8. Community Benefits Summary in Financial Impact Section of Final Reports

The Financial Impact section of planning reports on applications involving Section 37 should contain a summary of the community benefits secured, the estimated cost or value of each community benefit where possible, and the timing of their provision, especially the payment timing for cash contributions secured. There are some community benefits, such as preservation of heritage resources or existing rental housing, for which a value is usually not possible to estimate, in which case a qualitative benefit would be described.

9. Consultation with Ward Councillor

The Ward Councillor will be consulted by City Planning staff prior to any discussions or negotiations regarding Section 37 benefits with the applicant.

City Planning staff will provide the Ward Councillor with the following information as soon as it is available:

- Advice as to whether Section 37 benefits are appropriate and desirable;
- Appropriate types of benefits, based on any information previously assembled, as noted above;
- Advice regarding the implications for community benefits of Official Plan policies and other relevant considerations in the context of the specific application.

10. Recommendation

Staff will include a recommendation of community benefit in the staff report recommending approval of the height density increase for a proposed development.

11. Other Issues

City Planning staff should coordinate Section 37 negotiations:

- City Planning staff are responsible for compliance with Official Plan policy and for recommending an appropriate decision on the application.
- Where the Ward Councillor independently pursues discussions with an applicant on Section 37 benefits, staff member handling the application should be consulted prior to such discussions.

12. Timing of Section 37 negotiations in relation to discussion of other planning issues:

- The possibility of pursuing Section 37 negotiations should be raised as early as possible in discussions of an application without committing in principle or otherwise to any increase in height or density or both. This includes at the time of the mandatory pre-consultation application.

APPENDIX "D"

**TERMS OF REFERENCE FOR SITE-SPECIFIC LAND VALUATIONS
REQUIRED FOR SECTION 37 PURPOSES**

Provided below are the generic Terms of Reference to be provided to appraisers conducting site-specific land valuations for Section 37 "increase in land value" calculations. The Terms of Reference set out the reporting requirements and standards for each appraisal report, as well as the background information and inputs that will be provided to the appraiser.

1. Purpose of the Appraisal Report

The purpose of this report is to estimate the increase in land value resulting from an increase in Development Density and/or Height permitted through a Zoning By-law Amendment (required for Section 37 purposes). The appraiser will provide:

1. Land value based on "as of right" maximum height and density (i.e. Base Height/Density).
2. Land value based on "as proposed" height and density (i.e. Proposed Height/Density).

The differential between the "as of right" and "as proposed" is the increase in land value and is what the appraiser will provide to The City of Barrie.

The "as of right" maximum height/density and the "as proposed" height/density will be provided to the appraiser by the City's Planning and Building Services Department.

2. Function of the Appraisal Report

The function of the appraisal is to assist the City of Barrie in the negotiating process relating to the following policy:

"Section 37 of the *Planning Act* (also referred to as "density bonusing") allows municipalities to secure "facilities, matters or services" (i.e. community benefits) as a condition of the approval of rezoning for increases in building height and/or density above existing planning permissions."

3. Executive Summary of Important Facts and Conclusions

4. Definition of the Appraisal Problem

5. Type of Report

The appraisal shall be a Full Self Contained Narrative Appraisal Report prepared in accordance with the Canadian Uniform Standards of Professional Appraisal Practice (CUSPAP).

6. Definition of Market Value

This section of the report should be included after an acceptable definition of market value, under CUSPAP.

7. Effective Date Appraisal

The effective date of the appraisal is the date of inspection or the date provided to the appraiser by the City's Building and Planning Department.

8. Scope of the Self Contained Narrative Appraisal Report

The Self Contained Appraisal report must conform to the CUSPAP (AIC) requirements and include a registry search to confirm the current ownership of the fee simple interest in the subject property as well as other interests and/or restrictive covenants that may affect its land value. Unless instructed otherwise, the fee appraiser/consultant must:

- a. Provide a brief history of the property including its last conveyance. If the last conveyance occurred during the past year, and if there is a value difference between the purchase price and the appraised value, the appraiser/consultant should provide comments on this differential;
- b. Provide any relative information concerning the amendments to the Official Plan and Zoning By-law designations required to permit the development proposed for the subject property;
- c. Include in the valuation sections other methods of valuation in addition to the Direct Comparison Approach; "See Valuation"
- d. Confirm or verify the comparable sales at the land registry office and provide a narrative analysis of the sales used in the appraisal. The depth of analysis and discussion on the comparable sales and value conclusions should be similar to those provided in a full narrative appraisal report. Information provided on the comparable sales should include data on the zoning designations and permitted maximum site coverage/densities;
- e. Photographs of the subject property including street-views, and interior photos for improved properties;
- f. Photographs and sketches of each comparable sale, and if value in contribution, sketches of benefiting abutting properties;
- g. Sales location map;
- h. Any other plans relevant to the valuation such as flood plain maps, topographical maps etc., as required;
- i. Assume that the subject property is clean relative to an environmental condition unless an environmental report to the contrary is available;
- j. Provide a notation that the "Terms of Reference" were provided via e-mail from the City of Barrie;
- k. Provide data research, verification and validation of comparables. Discussions with market participants and consultants in industry.
- l. Provide and explain support for all "Quantitative" adjustments and reasoning for all "Qualitative" analysis/adjustments in the DCA.
- m. Any "Extraordinary Assumptions" and/or "Hypothetical Conditions" that are out of the ordinary or utilized due to the intended use and nature of the unique City related appraisal problem are to be discussed with City staff before insertion.

9. Property Valuation

The objective of this section will be to estimate the increase in land value resulting from an increase in Development Density and/or Height permitted through a Zoning By-law Amendment (required for Section 37 purposes).

The appraiser will provide:

- a. Land value based on "as of right" maximum height and density (Base Height/Density);
- b. Land value based on "as proposed" maximum height and density (Proposed Height/Density);
- c. The differential between the "As of Right" and "As Proposed" is the increase in land value and is what the appraiser will provide to The City of Barrie.
- d. Include a value estimate according to the "Direct Comparison Approach" (where applicable);
- e. Include a value estimate according to the "Land Development Approach" (where applicable);
- f. Include a value estimate according to the "Land Value Multiplier" (where applicable);
- g. Explain why a particular value methodology was not utilized or given much weight, when it is normally an important part of the analysis. An example of this would be the non-use of a Floor Space Index (FSI) in a location where density has an influence on value;
- h. The valuation section of the report should contain a separate sheet for each comparable utilized showing all applicable data for the comparable.
- i. In the analysis of comparable sales, comment (where applicable) if the comparable sale sold with a value based on the "Principle of Anticipation". While some properties in Barrie trade at a value commensurate with the uses/density permitted under the existing Land Use Controls, some may trade at a price that corresponds to the anticipated opportunity for higher density. This is due to the "Principle of Anticipation". In each case, the appraiser must analyze the site/sale to determine the appropriate expectations at the time of sale.
Upon reconciling the appropriate unit rate to be applied to the subject site (i.e. the price per buildable gross floor area), this unit rate shall be applied to the buildable gross floor area generated from Base Density and the buildable gross floor area generated from the Proposed Density (with adjustments to account for size influences where appropriate.) The resulting difference in value represents the increase in land value.

10. Site Description/Analysis

Include a clear well labeled site plan with dimensions, north arrow and appropriate reference points such as the street the property fronts onto and other features

11. Description of the Proposed Development

Meet with the developer and representatives from the City's Planning and Building Services Department to discuss the specific attributes of the proposed development

Draft a description of the proposed development and include the site plan and corresponding development statistics.

12. Services Available to the Site

13. Land Use Regulations

- Include the official plan designation and the zoning description for both the current land use controls and the proposed land use controls;
- The City will also have secondary plans which usually take the form of amendments to the Official Plan. Please note the refinements of the policy to the official plan and discuss in the land use analysis section of the appraisal report;

14. Highest and Best Use Analysis (not applicable)

Note: The “Highest and Best Use” is not applicable when the purpose of the report is to estimate the increase in land value resulting from an increase in Development Density and/or Height permitted through a Zoning By-law Amendment (required for Section 37 purposes). The appraiser will provide:

- a. Land value based on “as of right” maximum height and density (i.e. Base Height/Density).
- b. Land value based on “as proposed” height and density (i.e. Proposed Height/Density).

The differential between the “As of Right” and “As Proposed” is the “Increase in Land Value”.

15. Reconciliation

- a. A “Reconciliation” is required when the value indications are derived using two or more approaches to value;
- b. The “Reconciliation” is to include an opinion of value as identified in the definition of the appraisal problem. It will also include an explanation of how you derived the final indication of value, an explanation on what approach(s) received the most weight and why, which approaches are not applicable to the valuation and why and which comparable sales received the most weight in the analysis and why;
- c. Provide an explanation as to why, if your final indication of value falls outside your value range;
- d. The “Reconciliation” should be consistent, comparing unadjusted sale prices with unadjusted sale prices and adjusted sale prices with adjusted sale prices;
- e. Include the comparable sales that you did not utilize in your report and an explanation as to why you did not utilize these sales. This assures the reader that these comparable sales were found and considered;

16. Sign-off of Appraisal Report

This report is to be signed by _____, AACI, an Accredited Appraiser, Canadian Institute. _____ is to inspect the subject property and the comparable land sales, as the appraiser and not simply as a reviewer of the work.

17. Copies of the Narrative Appraisal Report

- 2-hard copies of the Narrative Appraisal Report are to be provided; and, in addition,
- An "ADOBE PDF" version sent via e-mail to: (705-###-#### ext. ####)

18. Client

- The "Client" is the City of Barrie with any instructions to the appraiser to only come from City of Barrie staff.