

**VAUGHAN OFFICIAL PLAN 2010
SECTION 37 POLICY REVISIONS
AS APPROVED BY THE ONTARIO MUNICIPAL BOARD
ON SEPTEMBER 30, 2014**

Policies 10.1.2.9 – 10.1.2.12 Bonusing for Increases in Height and Density (Section 37 of the *Planning Act*) of VOP 2010, as endorsed by York Region on June 28, 2013, be replaced by the following:

10.1.2.9 Increased Height and Density Provision

- a. In accordance with Section 37 of the *Planning Act*, Council may authorize an increase in the building height and/or density of development otherwise permitted in areas of the City, as contained in Volume 1 or Volume 2 of this Plan, or as contained in a site specific zoning by-law, in return for the provision of community benefits in the form of facilities, services or matters provided:
 - i. the community benefits bear a reasonable planning relationship to the increase in building height and/or density of the proposed development;
 - ii. the development represents good planning, is consistent with the other objectives of this Plan and consistent with applicable built form and neighbourhood compatibility objectives; and
 - iii. there is adequate infrastructure to support the increase in building height and/or density.
- b. Pursuant to Section 37 of the *Planning Act*, a by-law may be enacted by Council to achieve the City's objective of obtaining certain facilities, services or other matters which would not otherwise be secured under the other provisions of the *Planning Act* or the *Development Charges Act*, and which may be of particular benefit to a specific area or the City at large. Notwithstanding the generality of the foregoing it is the intent of Council in passing such by-laws to attain community benefits consisting of capital facilities, services or cash contributions toward specific capital facilities or services including but not limited to:
 - public parking;
 - public art contributions;
 - non-profit and/or public arts, and cultural, community or institutional facilities;
 - parkland and/or parkland improvements, or cash-in-lieu of parkland or parkland improvements that are over and above the City's standard levels of service, and above the contributions secured through Development Charges and/or under Section 42 of the *Planning Act*;
 - enhanced public access to natural heritage features, ravines and valleylands supported by the Toronto and Region Conservation Authority, involving off-site improvements/upgrades;
 - enhanced below-grade and/or at-grade connections to public transit facilities;
 - district energy;
 - land for municipal purposes;

- upgrades to community facilities that are above the City's standard level of service;
- upgrades to cultural heritage facilities/elements which are above that which is required by Provincial and municipal Policy;
- fully furnished and equipped non-profit day care facilities, including startup funding;
- The provision of affordable housing in the form of land, residential units or cash contributions to be transferred to the Region (Housing York, Inc.) or to a non-profit housing provider, free of cost, (including maintenance and condo fees if applicable);
- other community benefits that may be identified in Secondary Plans, Area Specific Policies or Site Specific Policies as contained in Volume 2 of this Plan; and other community improvements that may be identified through the development approval process.

10.1.2.10

Community benefits which are the subject of Section 37 provisions will be determined based on local community needs, intensification issues in the area, and the objectives of this Plan with priority given to provision of benefits in proximity to the proposed development.

Council reserves the right to select community benefits based on local community needs, the nature of the development application, any Implementation Guidelines or Plans adopted by Council and the policies of this Plan.

10.1.2.11

Increased building height and density provisions under Section 37 of the *Planning Act* will be implemented by site specific zoning by-laws. Such by-laws will specify the facilities, services and matters that are required to be provided under this provision.

10.1.2.12

That community benefits provided through policy 10.1.2.9 shall be secured in one or more agreements to be registered on title. The agreement(s) will specify when the community benefits will be provided. The agreement(s) will be executed, registered and secured in a manner satisfactory to the City, prior to the enactment of an Official Plan and/or zoning by-law amendment.