



LIBERTY for all

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Communication
CW: Feb 3/15
Item: 18

September 9, 2013

Committee of the Whole
City of Vaughan
2141 Major Mackenzie Drive
Vaughan ON, L6A 1T1

Dear Sirs and Mesdames:

Re: Committee of the Whole Working Session
Report 38, Item 2
September 10, 2013

We are writing to provide comments on your policy report for Section 37 bonusing which is before your committee for consideration. We have reviewed the report and agree overall with the proposed policies. We do however have a concern with the implementation guideline requiring that the Section 37 Agreement be executed prior to the **enactment** of the zoning by-law amendment. The approval process for zoning and official plan amendments is already very lengthy. Developers typically do not go to market with a project until their zoning by-law has been passed by City Council. If zoning by-laws are now held up pending execution of a Section 37 Agreement, this could add many more months to the approval process and have a negative impact on the development as a whole, in terms of marketing and making the project a success. The appraisal process set out in the report, for determining the value of additional density can be very time consuming, hence additional delays.

It would be our suggestion that Council could enact a zoning by-law which would contain a "hold" not to be lifted until the Section 37 Agreement is executed. In this process the City is still protected, as the zoning by-law is not in full force or effect until the hold is lifted, and at the same time it allows the developer to go to market with a by-law that has been passed by Council.

The other comment we have is with respect to the City seeking to achieve a value for community benefits that represents a range between 20 – 35%. We believe this is too high.

We would request that you give consideration to our comments and if you need any additional information, don't hesitate to contact us.

Yours truly,

Leslie Phillips