

## MEMO / NOTE DE SERVICE



To / Destinataire	Ottawa Community Associations
From / Expéditeur	John L. Moser General Manager Planning and Growth Management Department
Subject / Objet	Consultation on the use of Section 37 of the Planning Act      Date: April 26, 2011

The purpose of this memorandum is to advise Ottawa Community Associations that the City will begin consultations on the use of Section 37 of the *Planning Act* through the development review process.

In accordance with Section 37 of the *Planning Act*, municipalities in Ontario are able to share in the increased economic uplift that may result from the increased height and/or density of a development project. This is done on the basis of good planning and through a negotiated agreement that accompanies a Zoning By-law amendment. The increase in height and/or density is an incentive to the developer to provide community benefits at no cost to the City, contributing towards for example new green space, heritage conservation, public art, and recreational facilities that serve the impacted community.

Securing community benefits through the development review process has been a successful tool in building public acceptance of intensification while also benefiting the developer in major Canadian cities including Vancouver and Toronto. In Ottawa, Council has considered the use of Section 37 in the past and, in fact, amended the Official Plan to enable agreements to be negotiated through the development review process and defined community benefits (Section 5.2.1.11). Council however has not approved a set of guidelines that would determine the geographic areas, the scale of project, and the amount of height or density that would be the basis of pursuing an agreement.

The use of Section 37 represents a significant culture shift in the approach to the development review process in areas undergoing intensification. Following recent discussions in the context of Zoning By-law applications at Planning Committee it was determined that this was now an appropriate time to engage Council, Community Associations, the development industry, and the general public on this topic.

The implementation guidelines attached to this memorandum have been circulated concurrently to the development industry and to the Community Associations registered with the City. A consultation session for interested Community Association representatives has been scheduled for **May 11<sup>th</sup> from 6:30-8:30 p.m. in the Colonel By Room at City Hall**. All are welcome and encouraged to attend. The intention is to bring forward these guidelines to a June 2011 Planning Committee meeting.

Should you have any comments on the proposed Section 37 guidelines and to confirm your attendance at the May session please contact Stan Wilder, Planner, at [stanley.wilder@ottawa.ca](mailto:stanley.wilder@ottawa.ca) or 613-580-2424 ext. 13116 by May 20<sup>th</sup>.

John L. Moser

JLM/cc