

Inclusionary Zoning: Proposed Zoning By-law Amendment

New Provisions to be added as a new Section under the following:

New Zoning By-law: Part 7 (Housing Provisions)
Zoning By-law 2008-250: Part 5 (Residential Provisions)

NEW SECTION: INCLUSIONARY UNITS

1. The following provisions apply to development on a lot subject to the Inclusionary Zoning Overlay on Schedule YYY that results in the creation of new dwelling units, pursuant to the Planning Act and associated regulations, as amended.
2. For the purposes of this section;
 - a. an inclusionary unit is a dwelling unit that aligns with the definition of “affordable residential unit” as set out in the Development Charges Act, as amended; and
 - b. total residential gross floor area refers to the gross floor area of all dwelling units within a development, not including common areas.
3. Any new development or redevelopment located within Area XX on Schedule YY must provide inclusionary units where:
 - b. it contains 80 dwelling units or more; or
 - c. has a total residential gross floor area of 6,000 square metres or more.
4. Notwithstanding (3), a development is exempt from providing inclusionary units where:
 - a. The development contains fewer than 80 dwelling units and less than 6,000 square metres of total residential gross floor area; or
 - b. A building or part of a building used for any of the following uses:
 - i. post-secondary educational institution;
 - ii. residential care facility;
 - iii. group home;
 - iv. shelter;
 - v. retirement home; or

- c. The development is otherwise exempted by the Planning Act or associated regulations, as amended.
5. The number of inclusionary units to be provided will be calculated based on the number of dwelling units or total residential gross floor area in accordance with Table XX.

Table XX: Inclusionary Zoning Set-Aside Rates

Metrics	Set-Aside Rates
Residential Units	Zero (0) percent of total residential units
Residential Gross Floor Area	Zero (0) percent of total residential gross floor area

- 6. The inclusionary unit size and mix by number of bedrooms must be proportional to units provided elsewhere in the same building, distributed across multiple floors, and finished to the same level as non-inclusionary units.
- 7. The depth of affordability for an inclusionary unit are those established by the *Development Charges Act*.
- 8. An inclusionary unit must remain affordable for a period of no less than 25 years, measured from the date of first occupancy of that unit.
- 9. where an inclusionary unit is sold at market price following the end of the affordability period, the City will receive 50 percent of the net proceeds of the first sale.
- 10. Where inclusionary units are required, the approval and issuance of any building permit or the use of any building or lands for development purposes is conditional on:
 - a. demonstration that the owner has entered into an agreement pursuant to the requirements of this section and with section 35.2 of the Planning Act; and
 - b. Demonstration that the agreement has been executed and registered on title.
- 11. The Agreement referenced in (10) shall include:
 - a. the number, size, type and location of the Inclusionary Units;
 - b. The requirements to maintain the affordability of those units for the period prescribed by the Official Plan;
 - c. administration, reporting, and monitoring requirements; and
 - d. any other matter required to implement the inclusionary zoning policies of the Official Plan.

12. This section does not apply where a complete application for an Official Plan Amendment, Zoning By-law Amendment, or Site Plan Control was filed on or before the date of passage of this By-law.