

Could this solve the housing shortage?

by Neil Sharma 27 Jun 2019



Outdated zoning bylaws are often cited as the reason for housing supply shortages, and if true, Hamilton could serve as a model city for reversing that trend.

“We went down the path of pre-zoning the downtown to establish inner zoning bylaws and establish an upset limit for density and height, so if you want to build to the maximum heights and densities you can do so without having to do a rezoning application,” said Jason Thorne, chief planner with the City of Hamilton.

“Some municipalities will hold height and density permission lower and then require an applicant to come forward and go through a rezoning, and then have a lot of discussion around the development. We wanted to pre-zone so that, hopefully, it will be much quicker and streamlined to get to the stage where a landowner can get a building permit and start construction.”

To be expeditious, the City of Hamilton did two things in parallel: A new secondary plan—which updates the official plan—for its downtown and the updated zoning bylaw. Typically, a

zoning amendment application takes about a year and then it's followed by the site plan approval, which takes six to 12 months.

While the updated zoning bylaw was adopted just over 12 months ago, it has been appealed to the Local Planning Appeal Tribunal (LPAT) and has not officially taken effect. Yet, it has already had an effect.

"I think we're starting to attract attention from the developer community," said Thorne. "They like certainty around what development density will be supported and don't want that to be an unknown. They also like predictability for how long it will take to get through the approval process. I won't say things are perfect in Hamilton, but we've heard from developers in other communities that have expressed interest in Hamilton and I think once all of that new planning and zoning comes into force and effect, that message will get out even further."

According to a study by the Residential Construction Council of Ontario (RESCON), rezoning in Toronto only took six months in 2006, but a decade later the process swelled to three and a half years. Site plan approval should only take a month but as of 2016 it took 18 months.

"The big problem with the system right now is the zoning is antiquated, the site plan approval process is a mess and you don't know when you're getting approved, so you better have deep pockets to see a project through to completion," said RESCON's President Richard Lyall. "We need to make the system more predictable."

Thorne didn't want to comment on Toronto's long wait times for rezoning and site plan approval, but he had this to offer:

"They're in the same boat as us; they want it to move quickly. There's some excellent design in Toronto with the bar being raised on design and architecture, but it's also difficult to build in downtown Toronto because there's sewers and construction capacity to consider. When you're building a site out to the property line, you have impacts on temporary lanes and sidewalk closures, and where are your loading and construction stagings going to be? It's complicated in a dense urban downtown core to develop and it's going to take time to do that properly."