

# **Working toward adequate community benefit provision in development agreements in Griffintown**

Supervised Research Project

Submitted in partial fulfillment of the Master of Urban Planning degree

Submitted by: Kimberly Salt

Supervised by: Professor Lisa Bornstein

McGill University

School of Urban Planning

January 5, 2022

## Acknowledgements

This project could have not been completed without the support of many people. I would like to thank Lisa Bornstein for her guidance and insight, Ahmed El-Geneidy for teaching me how to apply accessibility measures, Jason Prince for inspiring me to pursue this topic, and Sophie Thiébault for sharing her experiences and access to valuable information in Griffintown. I would also like to also acknowledge Jenni Chung and Manuela Parra-Lokhorst who participated in our collective analysis of the Griffintown neighbourhood, which heavily informed this paper. Finally, I would like to thank my family and friends who consistently provided support, helpful feedback, and encouragement in my pursuit of this degree.

## Abstract

While public infrastructure provision has traditionally been a government responsibility, many cities around the world are struggling to provide the necessary amenities and services required to accommodate rapidly growing populations. One opportunity to increase funding for this needed infrastructure is through negotiations between the public and private sectors through Development Agreements (DAs). DAs are legal contracts that enable and formalize agreements between cities and developers to allow for development in exchange for community benefits. Development tools are mechanisms employed to guide and regulate the negotiation of DAs. Several kinds of development tools are used in Canada. These tools are guided by provincial legislation and formalized by municipalities. Some of these tools are direct value capture tools, with an aim to distribute some of developers' profits back to the community. Others are indirect tools, with the aim to mitigate some of the impacts of new developments. While these tools differ from one another, they share an underlying principle to fund new infrastructure or to improve existing infrastructure in exchange for development rights (Reimer et al., 2014).

Griffintown is the fastest growing neighbourhood in Montreal, growing 655% between 2006 and 2016 (Statistics Canada, 2016). The neighbourhood's rapid development in Quebec's largest city provides a valuable case to explore how development tools are being used in new high-density developments in the province. Methodology includes a literature review to identify common issues in negotiating benefits, the proposal of a development tools evaluation guide, a survey of residents in Griffintown, interviews with city councillors, an accessibility to amenities and services analysis, 11 development agreement analyses, and the assessment of other development tools used in Quebec and Ontario.

This report and the proposed evaluation guide are informed by several common issues that arise in development tools: transparency and accountability; consistency and predictability; balanced stakeholder involvement; adaptability to unique contexts; and direct relationships between expected impacts and benefits required.

The outcome of this research is a set of recommendations for the structure and application of development tools to promote adequate provision of benefits and increased quality-of-life for residents in Griffintown, and more broadly, the City of Montreal. The recommendations include:

- Separation of direct and indirect tools
- Elimination of height and density variances
- Decoupling of discretionary and direct value capture
- Implementation of indirect value capture tools
- Development of regularly updated quality-of-life standards
- Development of area-specific tools
- Mandatory annual summaries and evaluation of outcomes

## Résumé

Traditionnellement le fournissement d'infrastructures publiques a été une responsabilité gouvernementale. Plusieurs villes autour du monde ont de la difficulté à fournir les commodités et services nécessaires pour accommoder des populations en croissance rapide. Une opportunité d'augmenter le financement de ces infrastructures nécessaires réside dans les négociations entre les secteurs public et privé utilisant des accords de développement (AD). Les AD sont des contrats légaux qui permettent et formalisent les accords entre les villes et les promoteurs pour permettre le développement en échange d'avantages pour la communauté. Les outils de développement sont des mécanismes employés pour guider et réglementer la négociation des AD. Plusieurs types d'outils de développement sont utilisés au Canada. Ces outils sont guidés par la législation provinciale et officialisés par les municipalités. Certains de ces outils sont des outils de capture de valeur directe, visant à distribuer une partie des profits des promoteurs à la communauté. D'autres sont des outils indirects, dont le but est d'atténuer certains des impacts des nouveaux développements. Même si ces outils sont différés les uns des autres, ils partagent un principe commun de financer de nouvelles infrastructures ou à améliorer les infrastructures existantes en échange de droits de développement (Reimer et al., 2014).

Griffintown est le quartier qui connaît la plus forte croissance à Montréal, avec une croissance de 655 % entre 2006 et 2016 (Statistique Canada, 2016). Le développement rapide du quartier dans la plus grande ville du Québec offre une opportunité d'explorer comment les outils de développement sont utilisés dans les nouveaux développements à haute densité dans la province. La méthodologie comprend une revue de la littérature pour identifier les problèmes communs dans la négociation des avantages, la proposition d'un guide d'évaluation des outils de développement, un sondage auprès des résidents de Griffintown, des entretiens avec des conseillers municipaux, une analyse de l'accessibilité aux commodités et aux services, 11 analyses d'accords de développement et l'évaluation d'autres outils de développement utilisés au Québec et en Ontario.

Ce rapport et le guide d'évaluation proposé s'inspirent de plusieurs points communs qui sont retrouvés dans les outils de développement : la transparence et la responsabilité, la cohérence et la prévisibilité, la participation équilibrée des parties prenantes, l'adaptabilité à des contextes uniques et les relations directes entre les impacts attendus et les avantages requis.

Le résultat de cette recherche est un ensemble de recommandations pour la structure et l'application des outils de développement afin de promouvoir la fourniture adéquate d'avantages et une meilleure qualité de vie pour les résidents de Griffintown, et plus largement, de la ville de Montréal. Ces recommandations comprennent

- Séparation des outils directs et indirects
- Élimination des variations de hauteur et de densité
- Découplage de la capture de valeur discrétionnaire et directe
- Mise en place d'outils de valorisation indirecte
- Développement de normes de qualité de vie régulièrement mises à jour
- Développement d'outils spécifiques aux zones
- Résumés annuels obligatoires et évaluation des résultats

## Table of Contents

1.0	Introduction .....	7
2.0	Negotiating Benefits .....	7
2.1	Direct public value capture .....	8
2.2	Indirect public value capture .....	9
2.3	Principles of tools used to enforce public value capture .....	9
2.4	Transparency and accountability .....	9
2.6	Balanced stakeholder involvement.....	12
2.7	Adaptability to unique circumstances .....	12
2.8	Direct relationships with impacts and benefits required .....	13
3.0	Contextual Analysis .....	15
3.1	History of Griffintown .....	15
3.2	Demographics .....	15
3.3	Accessibility.....	16
3.5	Interviews.....	23
3.8	Assessment of the PPCMOI tool in Griffintown.....	25
	Transparency and accountability .....	25
	Consistency and predictability .....	26
	Balanced stakeholder involvement.....	26
4.0	Development Tools in Ontario and Quebec .....	28
4.1	Parks Tax – Quebec .....	29
4.2	Projets particuliers de construction, de modification ou d'occupation d'un immeuble (PPCMOI) – Quebec .....	29
4.3	Density for Benefit Agreement (DBA) – Ontario.....	31
4.4	Development Charge (DC) – Ontario .....	32
4.5	Community Benefit Charge (CBC) – Ontario .....	34
4.6	Community Benefit Agreement (CBA) – Ontario .....	36
4.7	Summary evaluation of development tools.....	37
4.8	Direct tools versus indirect tools .....	38
5.0	Recommendations and conclusion .....	40
5.1	Recommendations for Griffintown .....	40
5.2	Conclusion.....	41
	References .....	42

Appendix .....	47
Survey questions .....	48

## List of Tables

Table 1. Development tool categorizations.....	8
Table 2. Population changes in the Sud-Ouest Borough from 2006-2016 .....	15
Table 3. Access to grocery stores in a 15-min. walk in the Sud-Ouest Borough .....	17
Table 4. Access to CPEs in a 15-min. walk in the Sud-Ouest Borough.....	18
Table 5. Access to primary schools in a 15-min. walk in the Sud-Ouest Borough .....	19
Table 6. Access to public space in a 15-min. walk in the Sud-Ouest Borough.....	20
Table 7. Access to medical clinics in a 15-min. walk in the Sud-Ouest Borough .....	21
Table 8. Access to indoor community space in a 15-min. walk in the Sud-Ouest Borough .....	22
Table 9. Survey respondent age ranges compared to census in Griffintown in 2016 .....	22
Table 10. Most desired amenities and services .....	23
Table 11. Percentage of respondents that feel like their voice is heard in the development of the neighbourhood .....	23
Table 12. Summary of development agreement benefit provisions .....	25
Table 13. Development tool evaluation questions.....	28
Table 14. Parks tax evaluation .....	29
Table 15. Projets particuliers de construction, de modification ou d'occupation d'un immeuble (PPCMOI) evaluation .....	30
Table 16. Density for Benefits Agreements (CBA) evaluation .....	32
Table 17. Development charge rates in Toronto for residential developments .....	33
Table 18. Development Charge (DC) evaluation.....	34
Table 19. Community Benefit Charge (CBC) evaluation .....	35
Table 20. Community Benefit Agreement (CBA) evaluation .....	37
Table 21. Data sources for location of amenities and services in Griffintown and the Sud-Ouest Borough .....	47

## List of Figures

Figure 1. Access to grocery stores within a 15-min. walk.....	17
Figure 2. Access to affordable daycares (CPE) within a 15-min. walk .....	18
Figure 3. Access to public primary schools within a 15-min. walk.....	19
Figure 4. Access to outdoor space within a 15-min. walk .....	20
Figure 5. Access to medical clinics within a 15-min. walk .....	21
Figure 6. Access to indoor community spaces within a 15-min. walk .....	22
Figure 7. Location of development agreements analyzed in Griffintown .....	24

## 1.0 Introduction

While public infrastructure provision has traditionally been a public responsibility, many cities around the world are struggling to provide the necessary amenities and services required to accommodate rapidly growing populations. One opportunity to increase funding for this needed infrastructure is through negotiations between the public and private sectors through Development Agreements (DAs). DAs are legal contracts that enable and formalize agreements between cities and developers to allow for development in exchange for community benefits. Development tools are mechanisms employed to guide and regulate the negotiation of DAs. Several kinds of development tools are used in Canada. These tools are guided by provincial legislation and formalized by municipalities. Some of these tools are direct value capture tools, with an aim to distribute some of developers' profits back to the community. Others are indirect tools, with the aim to mitigate some of the impacts of developments. While these tools differ from one another, they share an underlying principle to fund new infrastructure or to improve existing infrastructure in exchange for development rights (Reimer et al., 2014).

Griffintown is the fastest growing neighbourhood in Montreal, growing 655% between 2006 and 2016 (Statistics Canada, 2016). The neighbourhood's rapid development in Quebec's largest city provides a valuable case to explore how development tools are being used in new high-density developments in the province. This research seeks to evaluate how development tools have been used for high-density residential developments in Griffintown and how these tools can be optimized to promote adequate provision of benefits and increased quality-of-life for residents.

Research for this report entailed: a review of the existing literature concerning negotiating community benefits to identify common principles and issues and to inform the development of evaluation questions to assess development tools; a review of demographic and spatial data on Griffintown between 2000 and 2021 to evaluate population characteristics; a spatial assessment of access by active transit to various key services and amenities from locales within Griffintown; a survey of 265 Griffintown residents to identify levels of satisfaction and evolving needs; interviews with city officials to understand concerns and observations in amenity and service provision in development agreements; a review and analysis of 11 development agreements in Griffintown between 2012 and 2021 to identify commonalities and discrepancies in benefit provisions; an evaluation of the structure of development tools in Quebec and Ontario; and the development of a list of recommendations to improve benefit provision in development agreements in Griffintown.

## 2.0 Negotiating Benefits

Land value capture is when a portion of value increases generated by public investment is redistributed back to the community (Ingram and Hong, 2012). Fainstein (2012) describes two different methods of value capture: (1) public ownership of land with development only taking place through long-term leases and (2) requirements for developers, such as fees or the provision of community benefits, to acquire building permits. The first method is argued to be

more effective, as many aspects of value increases are unpredictable, which can result in less adequate value capture when imposing requirements on developers before developments are complete (Fainstein, 2012). While public ownership of land allows for the most complete form of value capture, accounting for all the resulting increases in value, this research will focus on value capture in the form of development requirements.

Development tools are formal tools that guide negotiations between the public and private sectors and may specify which party – the developer, the city, energy suppliers, etc. – pays for infrastructure. Healey et al., (1996) argue that the rationales behind the use of these tools are to promote development, mitigate impact from new developments, and to redistribute profit from developers back to the communities that enabled their development. Similarly, others argue that the tools used to enforce public value capture come in two forms: direct and indirect (Gielen and Lenferink, 2018; Muñoz et al., 2017). Direct tools employ the rationale that increased values should be owned by the community and therefore be redistributed back to the public (Gielen and Lenferink, 2018; Muñoz et al., 2017). Indirect tools operate by the rationale that developers should alleviate some or all the impacts generated from their developments (Gielen and Lenferink, 2018; Muñoz et al., 2017). Kim (2020) divides tools into two different forms: incentives and exactions. Gielen and Lenferin (2018) describe these categories as negotiable and non-negotiable tools. Incentive-based/negotiable tools require the provision of benefits in exchange for increased development rights, such as zoning regulation variances, whereas exaction-based/non-negotiable tools require specific benefits for all developments of a certain type (Gielen and Lenferin, 2018; Kim, 2020). Finally, Biggar and Siemiatycki (2020) describe tools as discretionary and formula based. Discretionary tools are used on a case-by-case basis to negotiate required benefits, whereas formula-based tools are standardized, with little room for variability (Biggar and Siemiatycki, 2020). While scholars differ on their categorization of development tools, there are similarities in their binary distinctions. Direct tools, for example, are more likely to be incentive-based, negotiable, and discretionary, whereas indirect tools are more likely to be exaction-based, non-negotiable, and formula-based (see Table 1).

*Table 1. Development tool categorizations*

<i>Category A</i>	<i>Category B</i>	<i>Author(s)</i>
Direct	Indirect	Gielen and Lenferink (2018); Muñoz et al. (2017)
Incentive-based	Exaction-based	Kim (2020)
Negotiable	Non-negotiable	Gielen and Lenferin (2018)
Discretionary	Formula-based	Biggar and Siemiatycki (2020)

## 2.1 Direct public value capture

Direct public value capture operates by the principle that profitable developments are largely



dependent on their surrounding environments and the opportunity and quality-of-life that they offer future residents. This opportunity is largely generated from existing communities and public investments such as the spirit of a neighbourhood, its connectivity and accessibility to amenities and services, and the quality of its public spaces. The idea behind land value capture is to redistribute some of the profit from new developments back to the public for these reasons (Bornstein and Leetmaa, 2015; Day, 1955; Gielen and Lenferink, 2018; Muñoz et al., 2017, Lefebvre, 1991). For example, if the government has invested in a new metro system, the surrounding area will likely rise in value. This value increase benefits those who own property in the area, a benefit that, though public generated, accrues to private owners. Direct public value capture seeks to give back some of this increased value to the public as it was largely generated through public funds. Healey et al. (1996) argue that this rationale is both a form of compensation to the public for profits obtained as well as impacts generated without mitigation.

## 2.2 Indirect public value capture

In contrast to direct public value capture, which seeks to redistribute profits back to communities, indirect value capture entails benefit provision to alleviate development impacts. All new residential developments have an impact on their surroundings and most require some degree of mitigation (British Columbia Ministry of Municipal Affairs Growth Strategies Office, 2000). These impacts vary depending on existing capacity as well as the size of new developments. There are general service needs, such as roads, sanitary systems, and stormwater management, and then there are other service needs such as greenspaces, public transit, libraries, affordable housing, childcare, and health services. The rationale of indirect public value capture is that the costs of impact mitigation should be the responsibility of the developer instead of the public (Fox-Rogers and Murphy, 2015; Gielen and Lenferink, 2018; Muñoz et al., 2017). Historically in Canada, the development of inexpensive vacant lots on the fringes of municipalities required associated infrastructure and services, leading to financial burdens on the city (British Columbia Ministry of Community Services, 2000). This burden influenced the creation of subdivision bylaws, allowing the province to decide when new land can be subdivided and therefore development upon (British Columbia Ministry of Community Services, 2000). Indirect public value capture similarly seeks to limit, reduce, or share the costs of development-induced public infrastructure spending.

## 2.3 Principles of tools used to enforce public value capture

While the use of development and fiscal tools can redistribute some profits to communities and help mitigate development impacts, the tools can also lead to a lack of: transparency and accountability; consistency and predictability; stakeholder involvement; adaptability to unique contexts; and direct relationships with impacts and benefits required. The following section explores these topics and proposes evaluation questions in relationship to each issue.

## 2.4 Transparency and accountability

Transparency and accountability reduce the possibility of coercion and corruption (Chiodelli and Moroni, 2015; Fox-Rogers and Murphy, 2015; Stanley and Matthews, 2015), and ultimately

increase public trust (Boyd and Padilla, 2009; Owusu et al., 2019). It is argued that transparency and accountability are increased through limiting discretion, conducting regular reporting on negotiations made and funds spent, and adequate community consultation.

There are several different opportunities for corruption in the land use and planning system, such as having the power to decide how and when to allow regulatory variances and which land uses are most compatible for specific communities (Chiodelli and Moroni, 2015). Boyd and Padilla (2009) argue that corruption in land use planning occurs via the demand side, the supply side, and the condoning side. One party proposes, one accepts, and one permits the structure that enables it. Discretionary tools are argued to be more vulnerable to coercion and corruption (Chiodelli and Moroni, 2015). Fox-Rogers and Murphy (2015) found that a third of the respondents that they interviewed said that they were coerced into supporting development proposals because of the potential benefits they would bring and not because they thought that the developments would be good for the community. Elected officials often want tangible community benefits while in office in order to secure votes in future elections; electoral calculations can lead to a focus on short-term results instead of long-term plans (Fox-Rogers and Murphy, 2015; Stanley and Matthews, 2015).

Non-standardized tools that allow for case-by-case negotiations behind closed doors generate transparency problems (Moore, 2016). Chiodelli and Moroni (2015) argue that limiting discretion can increase transparency and accountability. One way to do this is to make informal processes more formal, such as transcribing negotiations and providing findings and justifications regarding decisions (Chiodelli and Moroni, 2015).

Transparency and accountability are also important after negotiations are finalized. Regular public reporting summarizing how benefits are being delivered and how funds are being spent promotes and facilitates corruption detection as well as re-evaluation of the structure and outcomes of development tools (Klitgaard, 1988). In sum, transparency and accountability can be increased by limiting discretion, requiring regular reporting on negotiations and spending, and assuring adequate community consultation.

**In analysing development tool structures, questions to ask:**

- » Are negotiations made behind closed doors?
- » Are there any community consultations regarding the negotiation process?
- » Do wealthy/well-connected/experienced developers have an advantage when negotiating benefits?
- » Is there room for coercion/corruption of city officials?
- » Is there regular reporting on spending and progress updates related to benefits?

## 2.5 Consistency and Predictability

Consistency in requirements and procedures and predictability in development fees are important for cities to realize comprehensive planning goals and for developers to estimate profit margins in determining which projects to promote (Biggar and Siemiatycki, 2020). The most consistent and predictable tools leave little room for interpretation and subjective prioritization, do not encourage the adoption of informal standards, and public (and thereby transparent) (Biggar and Siemiatycki, 2020). Compared to discretionary tools, formula-based tools are more successful in promoting consistency and predictability, providing a formula for calculating benefits for new developments, with little room for misinterpretation. Discretionary tools, in contrast, are less successful in maintaining consistency and predictability due to a lack of transparency, an inevitability of broad ranges of interpretation and prioritization, and of precedents leading to informal expectations on the part of all those involved in the deliberations.

Discretionary negotiations often have broad guidelines to inform negotiations, such as categories of benefits to be obtained. Broad guidelines for negotiations can result in a variety of perspectives on interpretation and prioritization of goals for city officials (Baarveld et al., 2015; Biggar, 2021; Biggar and Siemiatycki, 2020; Moore, 2016; Tasan-Kok, 2008). For example, if guidelines propose a set of categories of benefits to choose from, individuals may not agree on which categories are the most crucial and officials may address different elements. For example, if a category of recommended benefits is to increase social inclusion, some officials may prioritize social and affordable housing, whereas others could prioritize community centres and libraries. This subjectivity leads to reduced cohesion and consistency and is argued to weaken the goals of the public in the favour of private interests (Tasan-Kok, 2008).

Discretionary agreements can act as precedents, creating informal standards for future development agreements (Biggar and Siemiatycki, 2020). These standards. Developers identify the range of benefits required in past developments and then use them as leverage in their own negotiations (Biggar and Siemiatycki, 2020). This dynamic results in increased rigidity in tools that were originally developed to promote flexibility and adaptability to unique contexts. It also increases the importance of individual negotiations, to positively inform future negotiations. If the development of unideal informal standards becomes a norm in discretionary negotiations, standards become solidified based on past negotiations rather than a concrete overarching method that incorporates wider goals.

### In analysing development tool structure, questions to ask:

- » Is there a standard or formula for determining required benefits?
- » Are negotiation guidelines specific enough to obtain similar results with different officials with varying priorities and understandings?
- » Do similar developments require similar benefits?

## 2.6 Balanced stakeholder involvement

As new developments affect many different parties, balanced stakeholder involvement is important to identify and limit negative externalities as well as ensure appropriate benefit provision. Balanced stakeholder involvement is argued to be encouraged through ongoing and comprehensive public consultations, entailing the inclusion of the greatest number of community voices as possible and the promotion multi-stage consultations to accommodate evolving needs.

One of the ongoing issues in planning has been how to define ideal planning practices. Everyone views and experiences the world through a unique lens, and therefore desires and requires different forms of urban landscapes to allow them to flourish (Friedmann, 2000). Some scholars argue that ‘the right to the city’ goes beyond the right to space, it also includes the right to continuous community involvement in the process of developing our cities according to our ever-evolving understandings on how to increase quality-of-life for all (Harvey, 2003; Leetma and Bornstein, 2015; Lefebvre, 1991). These wants and needs are both diverse and in a constant state of change. Friedmann (2000) believed that visions for the cities that we live in should be incomplete to facilitate ongoing redefinition and continued striving for utopia. To accommodate these evolving needs and understandings, public consultations should be continuous in nature. This entails consultation before new developments, during new developments, and after new developments, promoting the inclusion of diverse voices in the planning process and a flexibility to evolving wants and needs.

### In analysing development tool structure, questions to ask:

- » Are community members and coalitions involved in the identification of needed benefits?
- » Are community members and coalitions involved on a case-by-case basis?
- » Are community voices taken into consideration during consultations?
- » Are community members and coalitions actively participating in consultation processes before, during, and after developments?

## 2.7 Adaptability to unique circumstances

While standardized tools promote consistency and predictability, a certain degree of flexibility is required to accommodate unique circumstances (Kwok et al., 2018). All developments and their surrounding neighbourhoods have unique needs and will therefore require different kinds of community benefits to mitigate impacts and improve quality-of-life. Adaptability and flexibility in development tools can promote consistent provision of impact-related benefits in atypical contexts as well as encourage desired forms of growth (Baumeister, 2021). Adaptability to unique circumstances can be encouraged with the use of area-specific and case-specific tools as opposed to municipal wide tools (Baumeister, 2021).

It is difficult to apply standardized municipal-wide tools that are adaptable to unique circumstances (Baumeister, 2021). When required benefit provision is calculated from land value pre-development, developments with different densities will provide equal benefits. When benefit provision is calculated from the number of units to be developed, optimal densities may be discouraged. When benefit provision is calculated according to a generalized assumption of impacts, developments in existing well-served areas, in terms of amenities and services, will have the same requirements as developments in under-served areas. This kind of inconsistency results in certain types of developments unfairly subsidizing other types of developments (Baumeister, 2021).

In contrast to municipal-wide tools, which use blanket requirements, requirements associated with area-specific tools vary depending on the location of the development and its surrounding context, such as existing access to, and capacity of, amenities and services (British Columbia Ministry of Community Services, 2005). Baumeister (2012) argues that area-specific tools can help guide development in different ways, such as through sprawl discouragement. For example, if benefit provision requirements directly reflect impact mitigation needs, with developments in underserved areas being required to contribute more to surrounding infrastructure than developments in adequately serviced areas, developers would be incentivized to build in more desirable locations.

**In analysing development tool structure, questions to ask:**

- » Do developments in neighbourhoods with differing infrastructure and service needs and capacities have the differing requirements?
- » Do developments of unequal value but similar densities have differing requirements?
- » Do developments of equal value but differing densities have differing requirements?

## **2.8 Direct relationships with impacts and benefits required**

A direct relationship between impacts and benefits entails benefits that directly address expected impacts. This relationship is important to maintain consistency, increase transparency, and ensure adequate benefit provision. While some tools, particularly indirect tools, have the aim to alleviate expected impacts of new developments, it is argued that the structure of the tool can limit their ability to do so. These limitations can be due to compensation that can be paid instead of impact mitigation requirements, unsustainable distributions of financial burdens, as well as inadequate or absent case-by-case reporting of expected impacts.

Contrary to benefits that are obtained through direct tools, benefits derived from indirect tools relate to the development itself and its expected impacts. However, sometimes a form of compensation is offered instead of impact mitigation (Biggar, 2021; Healey et al., 1996; Muñoz et al, 2017). Sometimes these take the form of fees, and sometimes they seem to resemble neighbourhood improvement benefits instead (direct value capture). Benefits that give back to the community may not always reflect development impact. For example, while landscaping and

heritage commemoration can increase quality-of-life, they do not mitigate the effects of increased densities. Properly structured indirect tools, in contrast, should focus on impact alleviation without the possibility of compensation in the form of direct value capture.

Developments that require additional public investment to accommodate them end up burdening existing residents, who end up providing for development-induced infrastructure through taxation (Baumeister, 2012; Fox-Rogers and Murphy, 2015). However, development agreements that require developers to provide for additional infrastructure can result in an increase in housing prices to maintain developer profits. These issues make it difficult to promote or enforce sustainable distributions of financial burdens. The distribution of financial burdens is also affected by the prevalence of temporary benefit provisions. Space being offered for amenities and services for a fixed amount of time. Such provisions imply the responsibility of other stakeholders to assume future financial burdens. Similarly, providing social and affordable housing with no obligation for their status to be permanently maintained can result in units being sold or rented in the future at higher rates.

Reporting on expected impacts and mitigation in before negotiations promote case-specific solution generation as well as concrete identification of benefits to be negotiated (Biggar and Siemiatycki, 2020). Reporting and forecasting can increase flexibility and transparency and reduce inconsistency and lack of cohesion in benefits acquired. However, predicting expected impacts is not a straightforward task. Calculating expected impacts first requires the establishment of what minimum standards of quality-of-life are (Clinch and O'Neill, 2010). Only then can impact mitigation be calculated to achieve or maintain said standards with new developments. As mentioned earlier, accurate impact predictions and mitigation requirements can also encourage desired forms of growth and discourage sprawl (Baumeister, 2012). For example, imposing greater requirements for areas in greater need of infrastructure investment and lower requirements for areas with sufficient capacities can discourage growth in underserved areas.

**In analysing development tool structure, questions to ask:**

- » Do negotiations result in taxpayers paying for associated infrastructure associated with new developments?
- » Do negotiations result in higher home prices for future residents?
- » Are any required benefits temporary in nature?
- » Are standards developed for quality-of-life standards?
- » Are impact analyses completed to identify mitigation needs?
- » Are benefits directly related to expected impacts?

## 3.0 Contextual Analysis

This chapter provides a contextual analysis of Griffintown and evaluates their use of development tools according to the evaluation questions and concerns raised in Chapter 4.

### 3.1 History of Griffintown

The development of the Lachine Canal to bypass the rapids in 1821-1825 (Sabourin, 2012), greatly influenced the urban fabric of Montreal. With the Canal's promise to provide a source of energy and of transportation, its surrounding areas became largely industrial (Sabourin, 2012). As a result, these surrounding areas were traditionally occupied by working-class citizens looking to live near their workplaces. Griffintown is a neighbourhood located alongside the Lachine Canal in Montreal and has been de-industrializing since the opening of the St-Lawrence Seaway and the closure of the Lachine Canal in 1972 (Sabourin, 2012). In 2010, the neighbourhood began to significantly increase its densities (Sabourin, 2012). Residential developments have required rezoning and the provision of amenities and services to accommodate population increases. Presently, Griffintown is largely composed of high-density condominium buildings, restaurants, some social housing, and remaining unused or repurposed industrial infrastructure.

### 3.2 Demographics

Data for this section were obtained from the 2016 Canadian Census. The population in Griffintown has been growing at a significantly faster rate than other neighbourhoods in the Sud-Ouest Borough or Montreal as a whole. From 2006 to 2016, the population of Griffintown grew 655% from 755 to 5,700 people (see Table 2). This number is even greater in 2021, as the population of Griffintown is currently estimated to be around 10,000. In contrast, the population

Table 2. Population changes in the Sud-Ouest Borough from 2006-2016

**Tableau 1- Répartition et évolution de la population, 2006-2016**

Répartition et évolution de la population, 2006-2016					
Territoire	2006	2011	2016	Taux d'accroissement (%)	
	nb	nb	nb	2011-2016	2006-2016
Ville-Émard	13 990	13 670	13 965	2,2	-0,2
Côte-Saint-Paul	16 325	16 570	16 565	0,0	1,5
Pointe-Saint-Charles	14 025	13 920	14 915	7,1	6,3
Saint-Henri	14 815	15 815	17 055	7,8	15,1
La Petite-Bourgogne	10 225	10 045	10 850	8,0	6,1
Griffintown	755	1 815	5 700	214,0	655,0
<b>Le Sud-Ouest</b>	<b>68 755</b>	<b>71 540</b>	<b>78 150</b>	<b>9,2</b>	<b>13,7</b>
Saint-Paul-Émard			35 535		
St-H-P-B-Pte-St-C			42 615		
Montréal (V)				3,3	5,2
Québec				3,3	8,2

Sources : Statistique Canada, Recensements 2006, 2011 et 2016



of the City of Montreal grew by 5.2% from 2006 to 2016, and the Sud-Ouest Borough grew by 13.7%.

The most common mode of transportation in Griffintown is active transit (walking or cycling), with 41.6% compared to 16.3% in the rest of the Sud-Ouest Borough and 12.5% in Montreal as a whole. There are, however, significantly fewer people taking public transit, with 18.3% in Griffintown compared to 40.4% in the Sud-Ouest Borough and 36.5% in Montreal. However, as the percentage of drivers in Griffintown is slightly lower than in Montreal, it appears that the gap in public transit usage is being filled by active transit instead of automobiles.

Incomes in Griffintown are generally higher than those in the Borough, and more broadly, and in Montreal, with a median income of \$65,375 before taxes compared to \$42,681 in the Borough and \$39,692 in the City. However, 15% of residents of Griffintown were reported to be low-income in 2015. While this is lower than the Borough (26.8%) and the City (22.7%), it is far from insignificant and indicates the presence of two very different income demographics in the neighbourhood.

### 3.3 Accessibility

Accessibility is a measure of opportunity that is generated from the interaction between mobility and land use. In an area that is highly accessible, one can reach a high quantity and a diversity of destinations (or opportunities) using minimal travel costs, both in terms of money and time (Handy and Niemeier, 1997). The accessibility analysis measures access to opportunity in terms of everyday amenities and services for residents of Griffintown. Quantity and diversity of destinations are highlighted as they provide more opportunity of choice according to unique circumstances such as affordability, taste, and convenience. The level of access in the neighbourhood is compared to the surrounding neighbourhoods in the Sud-Ouest Borough to determine how it fares in the larger context. This quantitative analysis is complemented by the qualitative survey and interview analyses.

The key principle in the accessibility analysis is access to opportunity. The accessibility measure used in this analysis is a cumulative opportunity measure conducted using GIS software. It measures the quantity of destinations (amenities and services) that can be accessed within a fixed period/distance (15-minute walk/1,250 m). This analysis is done by measuring the total number of destinations that can be accessed from the centre of each dissemination block in the Sud-Ouest Borough using the existing street network. Blocks that are in areas with highly connected streets and are nearby many services and amenities have high accessibility rates. Similarly, amenities and services that are located near highly connected streets and large populations have greater accessibility rates. More details on the methodology can be found in the appendix.

While Griffintown is growing at a significantly faster pace than other neighborhoods in the Sud-Ouest Borough and is bringing in more revenue due to its growth, it has significantly less access to public amenities and services compared to the other neighbourhoods in the Borough. The



accessibility analysis revealed that while access to private amenities such as grocery stores and pharmacies is high in Griffintown, access to other services such as CLSCs, elementary schools, CPEs, libraries, community centres, and medical clinics is significantly lacking (see Figures 1-6 and Tables 3-8).

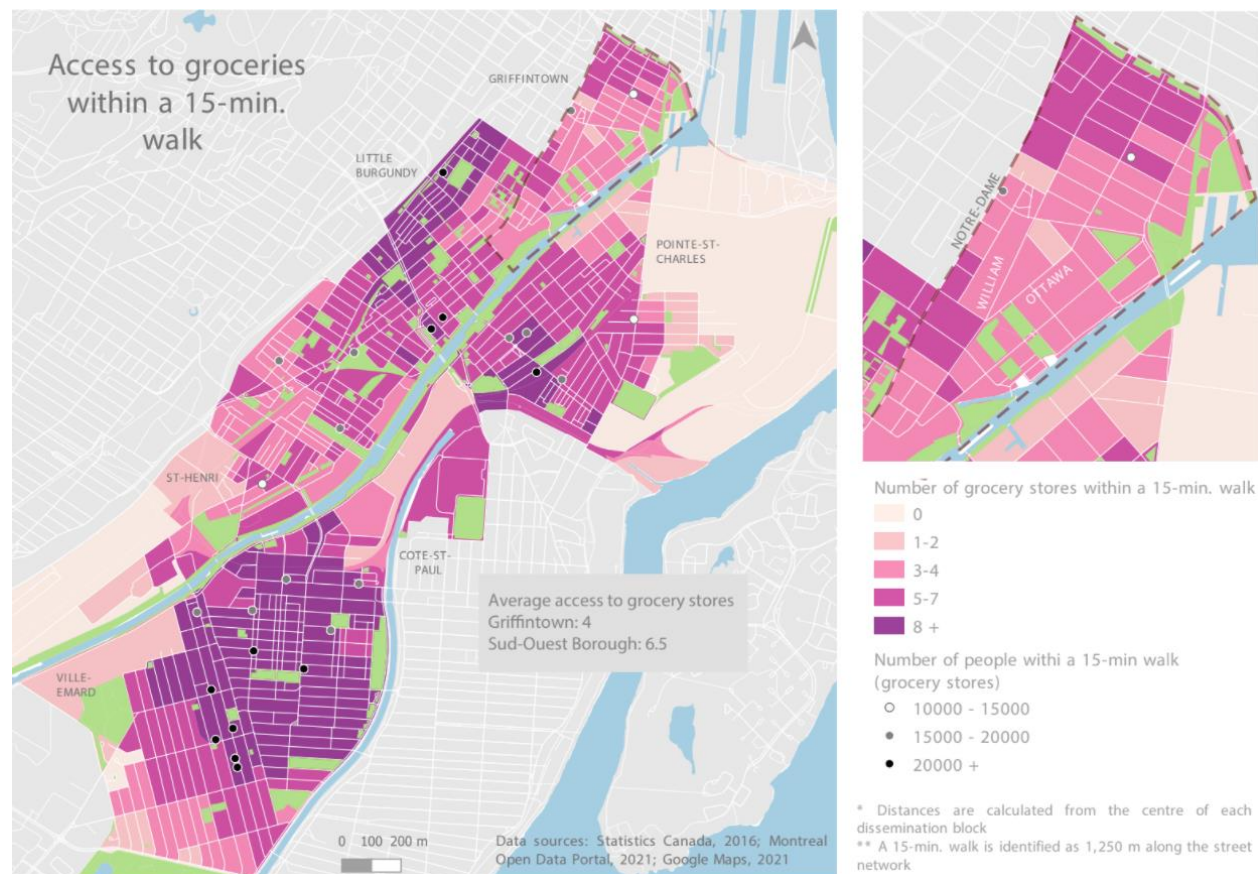


Figure 1. Access to grocery stores within a 15-min. walk

Table 3. Access to grocery stores in a 15-min. walk in the Sud-Ouest Borough

Neighbourhood	Average access to grocery stores
Griffintown	4
Little Burgundy	8
Pointe-St-Charles	6
Cote-St-Paul	9
Ville-Emard	6
St-Henri	5
Sud-Ouest Borough	7

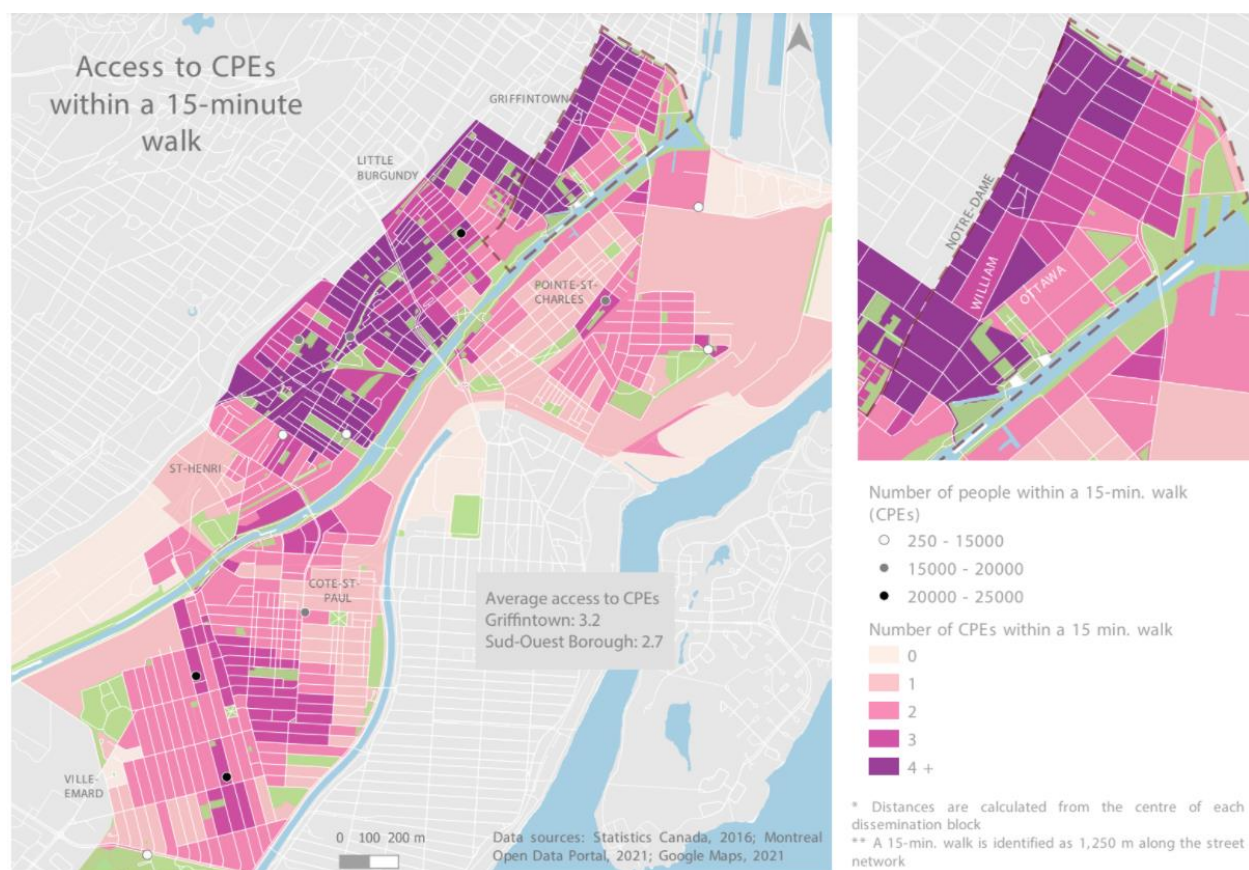


Figure 2. Access to affordable daycares (CPE) within a 15-min. walk

*\*It is important to note that while Griffintown has a higher average access to CPEs than most of the other neighbourhoods in the Borough, there are no CPEs located in Griffintown itself. Most of the CPEs in close proximity to Griffintown are located downtown, which prioritize families that live in the Ville-Marie Borough and/or have employers that contribute to fees. While the map suggests higher levels of access, the real access to CPEs is much lower.*

Table 4. Access to CPEs in a 15-min. walk in the Sud-Ouest Borough

Neighbourhood	~ Access to CPEs
Griffintown	3
Little Burgundy	3
Pointe-St-Charles	2
Cote-St-Paul	2
Ville-Emard	2
St-Henri	3
<b>Sud-Ouest Borough</b>	<b>3</b>

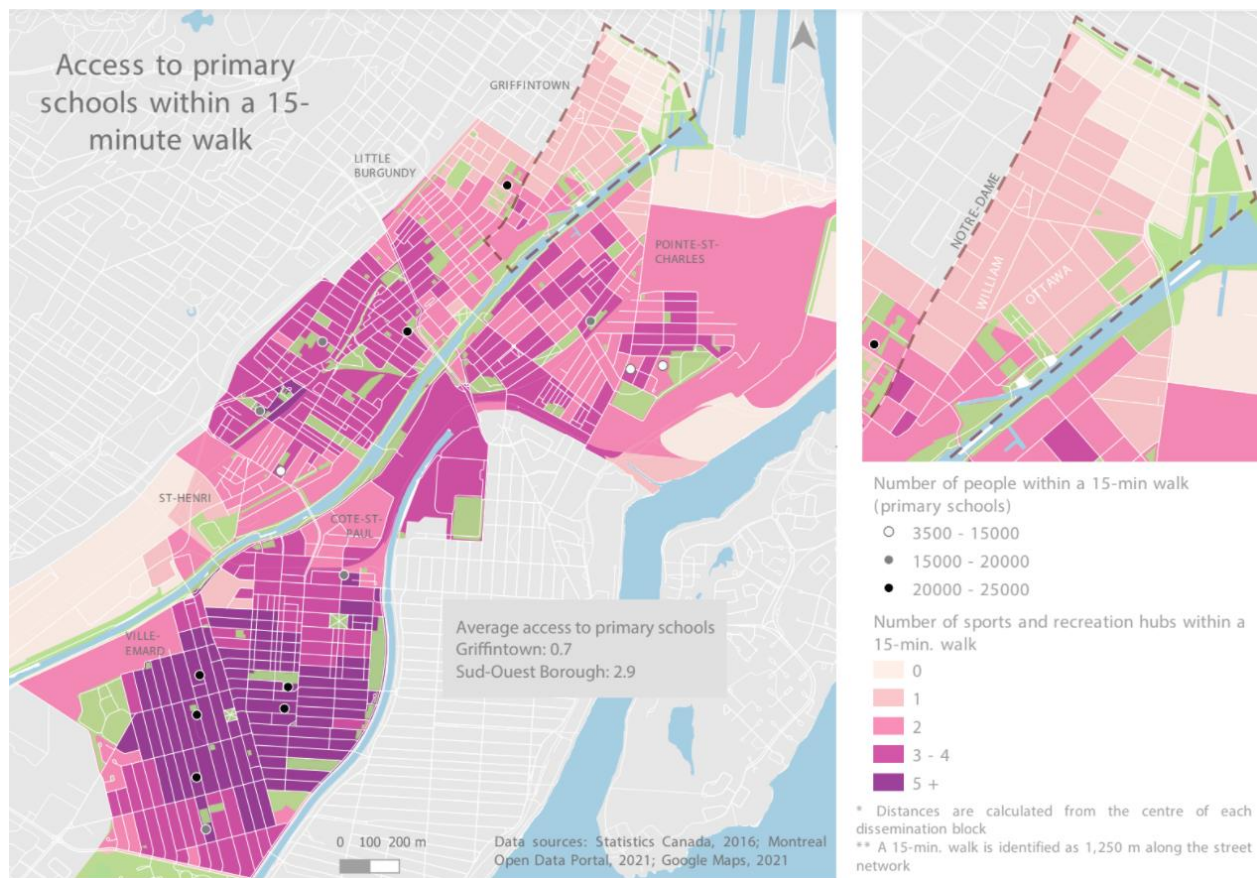


Figure 3. Access to public primary schools within a 15-min. walk

Table 5. Access to primary schools in a 15-min. walk in the Sud-Ouest Borough

Neighbourhood	~ Access to primary schools
Griffintown	1
Little Burgundy	2
Pointe-St-Charles	2
Cote-St-Paul	5
Ville-Emard	4
St-Henri	3
<b>Sud-Ouest Borough</b>	<b>3</b>



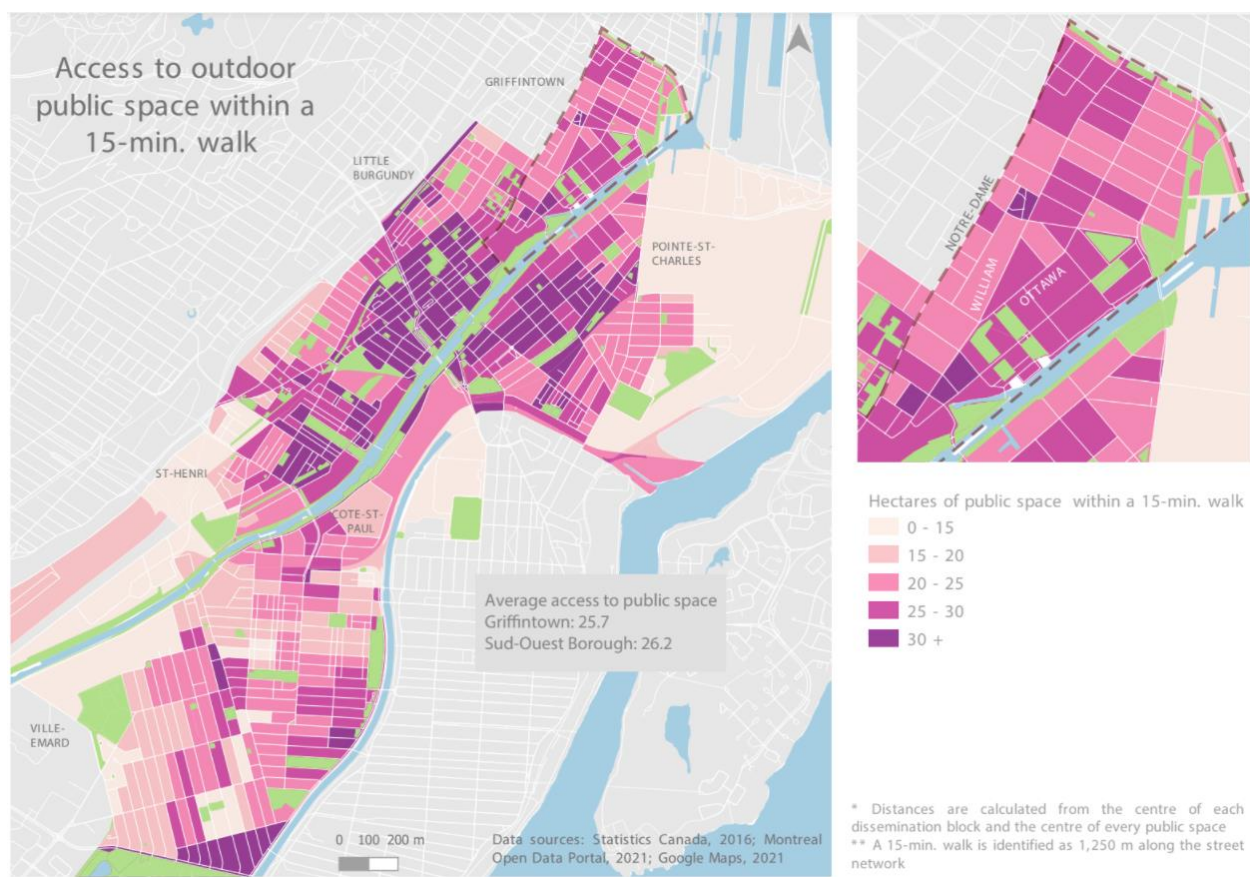


Figure 4. Access to outdoor space within a 15-min. walk

Table 6. Access to public space in a 15-min. walk in the Sud-Ouest Borough

Neighbourhood	Average access to public space
Griffintown	26
Little Burgundy	30
Pointe-St-Charles	27
Cote-St-Paul	22
Ville-Emard	26
St-Henri	28
Sud-Ouest Borough	26

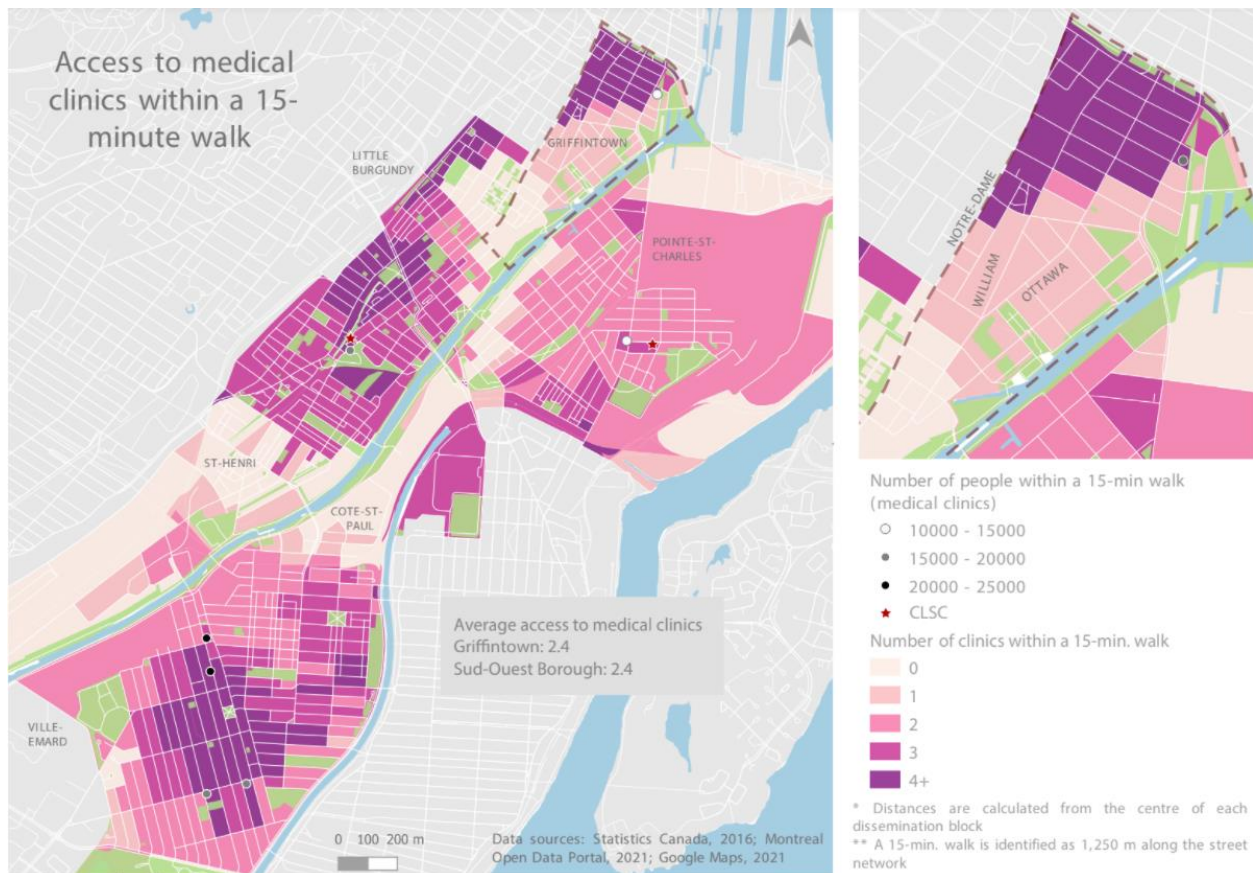


Figure 5. Access to medical clinics within a 15-min. walk

Table 7. Access to medical clinics in a 15-min. walk in the Sud-Ouest Borough

Neighbourhood	~ Access to clinics
Griffintown	2
Little Burgundy	2
Pointe-St-Charles	2
Cote-St-Paul	3
Ville-Emard	3
St-Henri	3
<b>Sud-Ouest Borough</b>	<b>2</b>

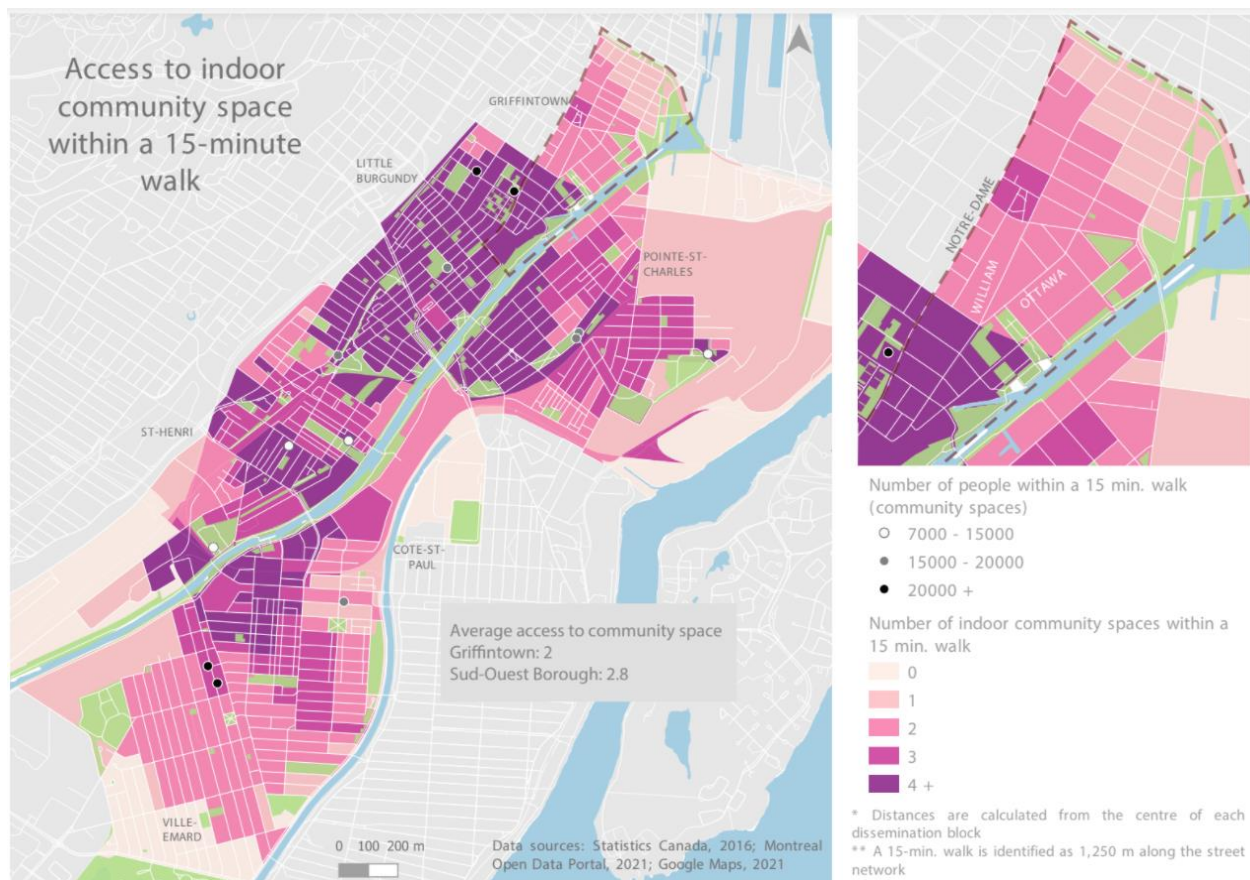


Figure 6. Access to indoor community spaces within a 15-min. walk

Table 8. Access to indoor community space in a 15-min. walk in the Sud-Ouest Borough

Neighbourhood	~ Access to community space
Griffintown	2
Little Burgundy	5
Pointe-St-Charles	3
Cote-St-Paul	3
Ville-Emard	1
St-Henri	3
<b>Sud-Ouest Borough</b>	<b>3</b>

### 3.4 Survey

An online survey was conducted with Griffintown residents to understand their perception of the neighbourhood, including their level of access to different

amenities, how they make use of certain spaces and amenities, and what may be lacking to suit their needs. The survey was circulated on social media platforms and was open to respondents for a period of three days. It received 265

Table 9. Survey respondent age ranges compared to census in Griffintown in 2016

Age range	Survey	2016 Census
>18	0%	10%
18-25	5%	10%
26-30	25%	25%
31-45	42%	38%
46-60	21%	12%
61+	8%	5%



responses. The age distribution in respondents was most representative of those ages between 26-45 (see Table 9).

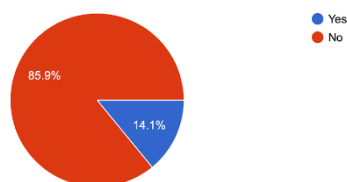
The responses echoed the accessibility analysis, with access to CLSCs, elementary schools, CPEs, libraries, community centres, and medical clinics being reported as lacking in the area. When asked which three amenities or services respondents would prioritize the most, libraries/community centres (36%), elementary schools (33%), CLSCs/clinics (28%), public spaces (24%), sports and recreation (19%), and CPEs/daycares (14%) were selected the most frequently (see Table 10). Additionally, the vast majority of respondents cited feeling that they do not have enough of a voice in the development of the neighbourhood and that the PPU is both inadequate and outdated (see Table 11).

Table 10. Most desired amenities and services

Most desired amenities and services	Counts	%
Library/Cultural centre/Community centre	95	36%
Primary school	88	33%
CLSC/Clinic	73	28%
Public spaces	64	24%
Sports and rec	51	19%
Daycare/CPE	38	14%
Grocery stores	23	9%
Public transport	19	7%
Pharmacies	7	3%

Table 11. Percentage of respondents that feel like their voice is heard in the development of the neighbourhood

The list of survey questions can be found in the appendix.



### 3.5 Interviews

Two councillors of the Borough participated in open-ended interviews regarding development tools and access to infrastructure and services. Like residents who participated in the survey, the councillors said the high-density residential developments have outpaced the development of important community infrastructure, such as schools, daycares, and medical services, resulting in incomplete communities that are reliant on surrounding neighbourhoods for day-to-day needs. Regarding development agreements, the councillors did not feel as though they were receiving adequate benefits in exchange for zoning regulation variances and noted a lack of benefit provision related to development impacts compared to general neighbourhood improvement.

### 3.6 Projets particuliers de construction, de modification ou d'occupation d'un immeuble (PPCMOI)

The Projets particuliers de construction, de modification ou d'occupation d'un immeuble (PPCMOI) tool is commonly used in Griffintown and the City of Montreal to negotiate community benefit provision in exchange for zoning regulation variances, such as density and height limits

(Ville de Montreal, 2020). The required benefits are guided by the Programme particulier d'urbanisme (PPU), a document developed through community consultation with long-term aims and broad categories of goals, along with proposed interventions to attain said goals (see Table 2). The six main goals of the 2013 PPU for Griffintown are: Cultivating innovation; consolidating the social fabric; creating links; designing and integrating new collective space; providing truly public spaces; and consolidating the street landscape (Ville de Montreal, 2013). These six goals also have suggested actions, for example, consolidating the social fabric includes affordable and social housing as well as the provision of amenities and services (Ville de Montreal, 2013). While there is no formula for determining the type and amount of benefits to be required in exchange for variances, the benefits must fit into the broad categories outlined in the PPU. Negotiations are conducted in a discretionary manner and on a case-by-case basis. The aim of the tool is to secure benefits that will improve the neighbourhood, but its purpose is not to alleviate impacts of new developments. There are no documents summarizing or evaluating PPCMOI negotiations over time.

### 3.7 Development agreement analysis

The structure of development tools greatly influence how they can be used in practice and the levels of flexibility permitted. Eleven different development agreements negotiated between 2012-2021 were analyzed to evaluate how the PPCMOI tool works in practice (see Figure 7). All development agreements analysed were facilitated by the PPCMOI tool, exchanging zoning variances for community benefits, and were identified by Sud-Ouest city officials. The benefits received typically come in the form of neighbourhood improvement (direct value capture): active transit infrastructure, landscaping and greenspace, affordable and social housing, family housing, heritage preservation, public art, environmental and waste management, and parking.

List and location of development contracts analyzed



Figure 7. Location of development agreements analyzed in Griffintown

\*Note that developments A and B were excluded from the study as they did not use the PPCMOI tool to guide negotiations



The provision of amenities and services has been an inconsistent DA component, which falls into goal 2 of the PPU: consolidating the social fabric. While most of the DAs included requirements for social and affordable housing, requirements for the provision of

amenities and services such as medical clinics, schools, community spaces, and daycares, have been largely neglected (see Table 5). In the few DAs that did require the inclusion of space for daycares, community space, and social economy enterprises, proposed provisions were either considerations instead of commitments, or were temporary in nature, offering space for a limited number of years. For example, the DA for 1130 William included the provision of a room for community space for 3 years or until a school opens in Griffintown (Arrondissement du Sud-Ouest, 2015). This discrepancy suggests that not all categories in the PPU, and their components, are prioritized equally.

Table 12. Summary of development agreement benefit provisions

	A	B	C	D	E	F	G	H	I	J	K	L	M	Total
<b>(1) Cultivating innovation</b>														
Public art														6
<b>(2) Consolidating the social fabric</b>														
Social housing														10
Affordable housing														9
Community spaces														
Basic amenities and services														4
<b>(3) Creating links</b>														
Heritage														8
<b>(4) Designing and integrating new collective space</b>														
Pedestrian infrastructure														6
Cycling infrastructure														8
Parking infrastructure														7
<b>(5) Providing truly public spaces</b>														
Greenspace and landscaping														9
<b>(6) Consolidating the street landscape</b>														
Family housing														8
<b>Total</b>	8	7	7	6	6	6	3	4	5	5	3	8	6	

### 3.8 Assessment of the PPCMOI tool in Griffintown

The accessibility analysis, survey, interviews, and recent development agreements suggest that the use of the PPCMOI tool is not fully succeeding at securing adequate community benefits, transparency and accountability, consistency and predictability, stakeholder involvement, adaptability to unique contexts, and a direct relationship to impacts and benefits. These issues are explored below.

#### Transparency and accountability

The discretionary nature of the PPCMOI tool leaves little room for transparency. While the

community is involved in establishing goals for the PPU, which informs PPCMOI negotiations, the process in which city officials determine and negotiate benefits on a case-by-case basis is very opaque. Furthermore, there is no public reporting summarizing progress updates and how the different received funds are spent, reducing accountability and the possibility of effective re-evaluation.

### **Consistency and predictability**

As there are no formulas for calculating required benefit provisions, there is a lack of consistency and predictability in the development agreements analyzed. While there are broad categories of goals outlined, it is unclear how the different goals are prioritized and interpreted by various city officials on a case-by-case basis. The development agreement analysis revealed that while most of the PPU categories are addressed in the DAs analyzed, objectives within the broad goals do not hold equal value. While social housing, affordable housing, and amenities and services all fell under the goal of 'Consolidating the social fabric,' social housing and affordable housing were consistently provided for, whereas amenities and services got very little attention in DAs.

### **Balanced stakeholder involvement**

The structure of the PPCMOI tool does not incorporate regular public consultation beyond the development of the PPU. This means that the public is not involved in benefit identification in case-by-case negotiations. Additionally, the survey results revealed that the vast majority (86%) of respondents reported that they did not feel as though the community has enough of a voice in the development of the neighbourhood. Many respondents also believed that the PPU, which guides PPCMOI agreements, is not adequate and needs to be updated. This sentiment indicates that the needs of many residents are not being understood, met, or considered in Griffintown's planning and development negotiations.

### **Adaptability to unique contexts**

While the discretionary nature of the tool can promote a degree of flexibility, there are no guidelines suggesting how to demand more or less benefits in unique situations. The lack of guidelines results in arbitrary decision-making that may not reflect the impacts and characteristics of new developments.

### **Direct relationships with impacts and benefits required**

The accessibility analysis and survey found that while residents' access to private amenities and public parks is adequate, access to community spaces, primary schools, medical clinics, and CLSCs is particularly lacking in the neighbourhood. The lack of public amenities, services, and affordable housing units make the neighbourhood increasingly inaccessible to many groups, including families. The development agreement analysis and interviews indicated that there are no direct relationships between benefits required and variances permitted. Only a few development agreements included impact-related benefits, such as a daycare, while the majority provided general neighbourhood improvement benefits. This discrepancy results in increased financial burdens for the public to address development-generated infrastructure and service needs. Some benefits were also temporary in nature, only offering space for services for a limited

amount of time. Ultimately, these temporary benefits imply an eventual increase in financial burdens to the public or a reduction in services. These problems are partially due to the absence of a strategy to identify current and future needs in relationships to new developments as well as the structure of the PPCMOI tool, which does not explicitly aim to mitigate development impacts through benefit provision. Both residents and city councillors appear to be frustrated with the tool's inability to address current and future resident needs.

## 4.0 Development Tools in Ontario and Quebec

This chapter will explore some of these different tools in the provinces of Quebec and Ontario to finalize agreements between private entities and how they fare in terms of transparency, consistency, stakeholder involvement, adaptability to unique contexts, and direct relationships with impacts and benefits required. The following evaluation table was created to guide this process (see Table 7).

Table 13. Development tool evaluation questions

	Evaluation criteria
Transparency and accountability	<ul style="list-style-type: none"> <li>» Are negotiations made behind closed doors?</li> <li>» Are there any community consultations regarding the negotiation process?</li> <li>» Do wealthy/well-connected/experienced developers have an advantage when negotiating benefits?</li> <li>» Is there room for coercion/corruption of city officials?</li> <li>» Is there regular reporting on spending and progress updates related to benefits?</li> </ul>
Consistency and predictability	<ul style="list-style-type: none"> <li>» Is there a standard or formula for determining required benefits?</li> <li>» Are negotiation guidelines specific enough to obtain similar results with different officials with varying priorities and understandings?</li> <li>» Do similar developments require similar benefits?</li> </ul>
Balanced stakeholder involvement	<ul style="list-style-type: none"> <li>» Are community members and coalitions involved in the identification of needed benefits?</li> <li>» Are community members and coalitions involved on a case-by-case basis?</li> <li>» Are community voices taken into consideration during consultations?</li> <li>» Are community members and coalitions actively participating in consultation processes before, during, and after developments?</li> </ul>
Adaptability to unique contexts	<ul style="list-style-type: none"> <li>» Do developments in neighbourhoods with differing infrastructure and service needs and capacities have differing requirements?</li> <li>» Do developments of unequal value but similar densities have differing requirements?</li> <li>» Do developments of equal value but differing densities have differing requirements?</li> </ul>
Direct relation between impacts and benefits required	<ul style="list-style-type: none"> <li>» Do negotiations result in taxpayers paying for associated infrastructure associated with new developments?</li> <li>» Do negotiations result in higher home prices for future residents?</li> <li>» Are any required benefits temporary in nature?</li> <li>» Are standards developed for quality-of-life standards?</li> <li>» Are impact analyses completed to identify mitigation needs?</li> <li>» Are benefits directly related to expected impacts?</li> </ul>

## 4.1 Parks Tax – Quebec

The Parks Tax is required for all developers that wish to subdivide an existing lot. In Quebec, it specifies under section 117.4 of the Act respecting land use planning and development that all new subdivisions must provide either 10% of the land to be used as greenspace, or for 10% of the value of the land be given to the city for the development of greenspace. It is the responsibility of the city to decide whether to require land or financing. According to section 117.15 of the Act respecting land use planning and development, the land and money acquired from this tool can only be used for greenspaces, other kinds of infrastructure must be acquired/financed using other means.

Table 14. Parks tax evaluation

	Parks tax	
<b>Transparency and accountability</b>	The formula-based methods leads to a high degree of transparency and accountability	✓
<b>Consistency and predictability</b>	The formula-based method of determining parks benefits is relatively consistent, however whether the city will choose land or fees is unpredictable	○
<b>Balanced stakeholder involvement</b>	Only the city is involved in decisions. There is no developer or community input.	✗
<b>Adaptability to unique contexts</b>	The city can decide whether to require land or funding.	✓
<b>Direct relationships between impacts and benefits required</b>	While there is a relationship between impacts and benefits, parks only accommodate a small portion of required impact alleviation in response to higher densities	○

✓ Successful

○ Partially successful

✗ Unsuccessful

## 4.2 Projets particuliers de construction, de modification ou d'occupation d'un immeuble (PPCMOI) – Quebec

Projets particuliers de construction, de modification ou d'occupation d'un immeuble (PPCMOI) is a development tool that allows for developers in Quebec to receive variances from planning regulations in exchange for the provision of specific community benefits (Ville de Montreal, 2020). The PPCMOI is a direct value capture tool, and it is negotiable. Variances include maximum densities, height, land uses, lot coverage, Floor Area Ratio (FAR), setbacks, and heritage protection. The types of community benefits given in exchange are informed by the Programme Particulier d'Urbanisme (PPU), a long-term plan developed by the city through community consultation. The planning team, elected officials, and the urban planning advisory committee or comité consultatif d'urbanisme (CCU) are responsible for the selection of benefits to be obtained according to the goals outlined in the PPU (Ville de Montreal, 2020). There is no

formula that establishes the type or number of benefits to be exchanged for different variances, and negotiations are completed in a discretionary, case-by-case manner. Some of the benefits are categorized as considerations instead of requirements, resulting in commitments that are not binding. Finally, financial penalties are sometimes applied to certain benefits, allowing for developers to pay a penalty instead of providing the benefit themselves. These penalties go into a general fund for the City and do not directly pay for the benefit with which they are associated. There are no regular public reports that summarize or evaluate the negotiation processes and outcomes.

While the discretionary nature of the tool allows for a certain degree of flexibility in regard to different developments, the lack of standards and reporting reduces levels of transparency and consistency. Furthermore, developers who are experienced or well-connected may have an advantage when negotiating benefits, and there is room for coercion or corruption of city officials. While the PPU (derived through community consultations) sets a guide to inform PPCMOI negotiations, there is no community consultation to decide how to prioritize acquired benefits for new developments using the PPCMOI. While the PPU outlines broad long-term goals for the area, there is no impact analysis study to establish needs associated with population increases from new developments. Finally, only developments requesting variances can be required to provide community benefits, reducing the opportunity for benefit provision for developments conforming to regulations.

Table 15. *Projets particuliers de construction, de modification ou d'occupation d'un immeuble (PPCMOI) evaluation*

	<b>Projets particuliers de construction, de modification ou d'occupation d'un immeuble (PPCMOI)</b>	
<b>Transparency and accountability</b>	Negotiations are discretionary behind closed doors. Furthermore, there is no regular reporting on outcomes and follow-up.	<b>X</b>
<b>Consistency and predictability</b>	Negotiations are made on a case-by-case basis, with no formula for impact estimation or benefits calculations.	<b>X</b>
<b>Balanced stakeholder involvement</b>	While community consultations help inform the development of the PPU, there is no consultation regarding the negotiation process	<b>O</b>
<b>Adaptability to unique contexts</b>	While the discretionary nature of the tool allows for flexibility in different contexts, there is no official policy guiding decision-makers on how to accommodate unique situations	<b>O</b>
<b>Direct relationships between impacts and benefits required</b>	There is no relationship between the variances granted and the benefits required in return. Benefits are more related to PPU goals than the overall impact of new developments. Furthermore, benefits are sometimes provided in areas not in the immediate surroundings of new developments.	<b>X</b>

✓ Successful

O Partially successful

X Unsuccessful

### 4.3 Density for Benefit Agreement (DBA) – Ontario

Density for Benefit Agreements (DBAs) are negotiations made to allow variances in zoning by-laws in regard to building heights and densities in exchange for community benefits (City of Toronto, 2019). In Ontario, DBAs are covered in Section 37 of the Ontario Planning Act. The DBA is a mixture between a direct and an indirect value capture tool, with community benefits required to both improve the neighbourhood and to mitigate impacts. When developers request a variance over a specified amount, they become subject to provisions outlined in Section 37 such as community services and facilities to accommodate new growth. Similar to the PPCMOI, there are no formulas for determining the quantity or type of benefits to be acquired in exchange for variances, leaving room for discretion and inconsistency. Where it differs, however, is developers may opt to either provide the service themselves (in-kind) or provide the funds for the City to develop it themselves (cash-in-lieu). If the developer opts to provide cash-in-lieu, the money is used directly by the city to provide that benefit instead of going into a general account. Slightly over 50% of developers in Toronto provide in-kind benefits, and the remainder pay cash-in-lieu instead (City of Toronto, 2014). Another major difference in the tool is its inclusion of a public consultation process to identify potential benefits to be acquired from each new development. The PPCMOI, in contrast, relies on the planning team, elected officials, and the urban planning advisory committee (*comité consultatif d'urbanisme* (CCU)) instead. While community consultation is incorporated in the development of the PPU, which informs negotiations, the public is not involved in outlining which benefits will be obtained from which developments. Finally, benefits must be in close geographic proximity to the new developments in order to adequately provide gaps in amenities and services, whereas benefits provided through the PPCMOI can be provided in other neighbourhoods.

Like the PPCMOI, if no variances are requested, no benefits can be obtained. This limitation reduces the tool's ability to mitigate impacts of all new developments. However, unlike the PPCMOI, the tool is not meant to be used in isolation, and instead works in tandem with the Development Charges (DC) tool. Unlike the PPCMOI tool, all requirements have the option to be paid for instead of providing the benefit in-kind, which ensures that benefits are provided for, regardless of the decision of the developer. There is also more balanced stakeholder involvement, as community consultation is required on a case-by-case basis to identify benefits acquired in negotiations. Regular reporting on these agreements also contributes to transparency and accountability, but because there is no standard for negotiating benefits, there can be a lack of predictability and consistency. The inconsistency and unpredictability is also related to conflicting aims of the tool: to promote both direct and indirect value capture. Due to many of these issues, the DBA tool is currently being phased out and replaced with the Community Benefits Charges (CBC) tool.

Table 16. Density for Benefits Agreements (CBA) evaluation

	Density for Benefit Agreements (DBA)	
Transparency and accountability	While there is regular reporting on the outcomes of DBAs, it is unclear how each negotiation has been finalized.	○
Consistency and predictability	Negotiations are made on a case-by-case basis, with no formula for impact estimation or benefits calculations.	✗
Balanced stakeholder involvement	There is a public consultation process to identify benefits negotiated for each development seeking variances.	✓
Adaptability to unique contexts	Needs are identified on a case-by-case basis instead of a standardized formula.	✓
Direct relation between impacts and benefits required	If no variances are requested, no benefits can be demanded.	✗

✓ Successful

○ Partially successful

✗ Unsuccessful

#### 4.4 Development Charge (DC) – Ontario

Development Charges (DCs) are fees that are required for most new developments to contribute to the additional costs of infrastructure to accommodate increased densities (City of Toronto, 2021). DCs are indirect value capture tools and are non-negotiable. As opposed to DBAs, DC are not restricted to developments requesting zoning variances. Previously, DCs were commonly used to provide for engineered services (e.g., roads, sanitary sewers, stormwater management), however, many have been reformed to include both engineered services as well as general services (e.g., libraries, parks, childcare) (City of Toronto, 2021).

In Toronto, DCs are calculated by total units for residential developments and by total area for non-residential developments (City of Toronto, 2021). The fees collected are divided up in a fixed manner, with specific percentages dedicated to specific services. The top three service spending categories for fees collected for residential developments are transit, parks and recreation, and subsidized housing (see Table 7). DCs do not fully cover the costs of services required to accommodate increased densities, the remainder is funded through other tools such as DBAs. However, there is evidence that DCs may result in increased home prices instead of reduced developer profit. New units that are sold in Toronto include the required development charges directly in the buyer's Purchase Agreement (GTA Homes, n.d.).



Table 17. Development charge rates in Toronto for residential developments

CITY OF TORONTO							
RESIDENTIAL DEVELOPMENT CHARGES RATES							
\$ PER DWELLING UNIT OR DWELLING ROOM							
EFFECTIVE NOVEMBER 1, 2020							
Service	Residential Charge By Unit Type						Percentage of Charge
	Singles & Semis	Multiples 2+ Bedrooms	Multiples 1 Bed and Bach.	Apartments 2+ Bedrooms	Apartments 1 Bed and Bach.	Dwelling Room	
Spadina Subway Extension	\$2,733	\$2,259	\$1,133	\$1,600	\$1,044	\$741	3.13%
Transit (balance)	\$30,473	\$25,188	\$12,636	\$17,839	\$11,643	\$8,256	34.91%
Parks and Recreation	\$11,224	\$9,277	\$4,654	\$6,570	\$4,289	\$3,042	12.86%
Library	\$1,970	\$1,629	\$817	\$1,153	\$753	\$534	2.26%
Subsidized Housing	\$5,915	\$4,889	\$2,453	\$3,462	\$2,260	\$1,603	6.78%
Shelter	\$991	\$819	\$411	\$580	\$379	\$269	1.13%
Police	\$1,167	\$965	\$484	\$683	\$446	\$316	1.34%
Fire	\$483	\$399	\$200	\$283	\$185	\$131	0.55%
Paramedic Services	\$543	\$449	\$225	\$318	\$207	\$147	0.62%
Development-related Studies	\$552	\$456	\$229	\$323	\$211	\$150	0.63%
Civic Improvements	\$264	\$218	\$109	\$155	\$101	\$72	0.30%
Child Care	\$829	\$685	\$344	\$485	\$317	\$225	0.95%
Health	\$9	\$8	\$4	\$5	\$4	\$3	0.01%
Pedestrian Infrastructure	\$54	\$45	\$22	\$32	\$21	\$15	0.06%
<b>Subtotal General Services</b>	<b>\$57,207</b>	<b>\$47,286</b>	<b>\$23,721</b>	<b>\$33,488</b>	<b>\$21,860</b>	<b>\$15,504</b>	<b>65.5%</b>
Roads and Related	\$13,947	\$11,528	\$5,783	\$8,164	\$5,329	\$3,780	15.98%
Water	\$5,203	\$4,301	\$2,157	\$3,046	\$1,988	\$1,410	5.96%
Sanitary Sewer	\$8,449	\$6,983	\$3,503	\$4,946	\$3,228	\$2,290	9.68%
Storm Water Management	\$2,493	\$2,060	\$1,034	\$1,459	\$953	\$676	2.86%
<b>Subtotal Engineered Services</b>	<b>\$30,092</b>	<b>\$24,872</b>	<b>\$12,477</b>	<b>\$17,615</b>	<b>\$11,498</b>	<b>\$8,156</b>	<b>34.5%</b>
<b>TOTAL CHARGE PER UNIT</b>	<b>\$87,299</b>	<b>\$72,158</b>	<b>\$36,198</b>	<b>\$51,103</b>	<b>\$33,358</b>	<b>\$23,660</b>	<b>100.0%</b>

The formal standards required for benefit contributions increase transparency and predictability of agreements. Furthermore, they reduce the possibility of experienced developers obtaining better agreements and of coercion or corruption of city officials. As the charges are calculated directly from the total number of residential units proposed, there is a direct correlation between

impact and requirements. However, as the percentages allocated to each category of benefit are fixed, there is little room to accommodate needs based on situational contexts. For example, if an area already has adequate library services with excess capacity, yet has a greater need for paramedic services, the library charges cannot be used to increase funding to paramedic services. Additionally, infrastructure and services that are not on the predetermined list cannot be funded through DCs, and all operational costs still must be covered by the City.

Table 18. Development Charge (DC) evaluation

	Development Charge (DC)	
<b>Transparency and accountability</b>	The standardized formula leaves little room for discretion and unfair treatment.	✓
<b>Consistency and predictability</b>	The standardized formula results in consistency and predictability for city officials and developers.	✓
<b>Balanced stakeholder involvement</b>	Community members and coalitions are not consulted in regard to benefit acquisitions.	✗
<b>Adaptability to unique contexts</b>	As the percentages allocated to each benefit are fixed, the tool does not take into account the varying needs in different contexts. Not all areas have the same capacity conditions. For example, an area may have adequate transportation, but inadequate childcare.	✗
<b>Direct relationships between impacts and benefits required</b>	The charges and percentages are directly allocated to reflect increases in densities by residential units. However, municipal-wide charges do not accommodate varying needs.	○

✓ Successful

○ Partially successful

✗ Unsuccessful

## 4.5 Community Benefit Charge (CBC) – Ontario

The Community Benefit Charge (CBC) is a relatively new tool whose objective, in Toronto, is to replace the DBA tool (Section 37) and to complement the DC tool. Like the DC tool, it falls under Bill 108, and is a non-negotiable indirect value capture tool. Unlike with DBAs, the CBC is not limited to developments seeking variances. However, it is limited to residential developments over a specific size. It requires a maximum 4% fee on land value pre-development that goes towards a general fund for infrastructure and services improvements (Ontario Ministry of Municipal Affairs and Housing, 2020). Like DCs, there is a fixed list of possible services for which the fees can be used for. However, unlike with DCs, there are no fixed percentages for different service categories, allowing for increased flexibility in spending (Ontario Ministry of Municipal Affairs and Housing, 2020). The City, however, must provide several reports such as estimated increases in required facilities and services related to developments, identification of existing excess capacities, and capital costs necessary to provide these services (Ontario Ministry of Municipal Affairs and Housing, 2020). Developers may opt to provide for the service themselves

for a reduction in required fees. Finally, CBCs require municipalities to report on progress updates on how the funds are being used. As its implementation is not required until 2022, there are little data regarding its efficacy.

The reporting on expected impacts of each new development as well as progress updates increase transparency in the process as well as promote a direct correlation with benefits required and expected impacts. However, it is unclear whether community consultation will be incorporated in this report. By allowing for a list of eligible services instead of fixed percentages by category, there is increased flexibility to adapt to unique circumstances with unique needs. However, while a fixed percentage cap on land value being devoted to benefits increases predictability, land values may not always correspond to expected impacts. For example, developments with identical densities can be developed on lots of unequal value due to elements such as contamination, proximity to nuisances, or lack of accessibility. These elements do not indicate a lack of infrastructure and service needs for future populations. Additionally, developments may not be identical on lots with equal value. For example, one developer could choose to build at a higher density than the other, increasing their impact on the surrounding area, yet paying the same price as a lower density development.

Table 19. Community Benefit Charge (CBC) evaluation

	Community Benefit Charge (CBC)	
<b>Transparency and accountability</b>	The City is required to report existing capacities and expected impacts to ensure that benefits fulfill existing and future needs. Furthermore, progress updates must be completed to detail how funds have been used.	✓
<b>Consistency and predictability</b>	As the percentages are fixed, charges can be consistent and predictable.	✓
<b>Balanced stakeholder involvement</b>	Community members and coalitions are not consulted for the expected impacts report.	✗
<b>Adaptability to unique contexts</b>	The non-fixed percentages by benefit category allow for evaluation of needs on a case-by-case basis. However, the method used to calculate charges reduces applicability.	○
<b>Direct relationships between impacts and benefits required</b>	The expected impacts report promotes the use of charges for development-related infrastructure and services. However, as the charges are determined by the land value pre-development instead of by number of units, there is a disconnect between impact and requirements.	○

✓ Successful

○ Partially successful

✗ Unsuccessful

#### 4.6 Community Benefit Agreement (CBA) – Ontario

The Community Benefit Agreement tool, used in Toronto since 2019, bolsters the role of community coalitions in the development agreement negotiation processes. It is a direct value capture tool and is negotiable. The aim is to benefit those who are not benefiting directly from the development itself and to ensure that the development does not diminish quality-of-life. In Toronto, this is typically through the implementation of employment, training opportunities, and local and social procurement for local businesses (City of Toronto, n.d.) There are three major stakeholders in the negotiation process: government officials, developers, and community coalitions. The government officials use their role to access leverage such as tax deferrals and other subsidies, developers seek to minimize costs, maximize profits, and to deliver projects quickly, and community coalitions are established groups that develop positions on issues to inform development. Public reports are submitted documenting the spending of funds and progress of developments (City of Toronto, n.d.). A key difference in this tool compared to DCs and CBCs is the community involvement in the identification of goals for the negotiation process.

The CBA tool is successful in ensuring a more balanced stakeholder involvement, with city officials, developers, and community coalitions participating in the negotiation process to capture specific community interests. Transparency and accountability are also high, as regular progress reports summarize how funds are being spent. Additionally, broad categories of potential benefits allow for flexibility for stakeholders to determine needs. However, if community coalitions do not exist in the area, or if they do not agree with one another, this tool may not be applicable or may arise in disputes. The implementation of this tool also requires significant resources to enable all stakeholders to participate in a meaningful way, which may not be possible in all municipalities. Finally, as the benefits acquired are mostly related to employment, there is no indication that other kinds of benefits have been negotiated. Finally, while the tool has been around for several years, according to the City's reporting, there have been very few developments that have implemented it (City of Toronto, n.d.). It is unclear whether the lack of CBAs is related to difficulty in its execution or lack of political will.

Table 20. Community Benefit Agreement (CBA) evaluation

	Community Benefit Agreements (CBA)	
<b>Transparency and accountability</b>	Community involvements and regular reporting promote transparency and accountability	✓
<b>Consistency and predictability</b>	Negotiations are discretionary and on a case-by-case basis, limiting predictability.	✗
<b>Balanced stakeholder involvement</b>	Community members and coalitions are involved in the selection of benefits required.	✓
<b>Adaptability to unique contexts</b>	There is flexibility in the identification of benefits in the negotiation process.	○
<b>Direct relationships between impacts and benefits required</b>	While the tool can address expected impacts, its broad nature makes it unclear on whether negotiations will consistently do so	✗

✓ Successful

○ Partially successful

✗ Unsuccessful

## 4.7 Summary evaluation of development tools

Table 9: Summary evaluation of development tools

Development tool (D: Direct tool I: Indirect tool)	Transparency and accountability	Consistency and predictability	Balanced stakeholder involvement	Adaptability to unique contexts	Direct relationships with impacts and benefits required
<i>Parks Tax (I)</i>	✓	○	✗	○	○
<i>PPCMOI (D)</i>	✗	✗	○	✓	✗
<i>DBA (D)</i>	○	✗	✓	✓	✗
<i>DC (I)</i>	✓	✓	✗	✗	○
<i>CBC (I)</i>	✓	✓	✗	○	○
<i>CBA (D)</i>	✓	✗	✓	○	✗

✓ Successful

○ Partially successful

✗ Unsuccessful

## 4.8 Direct tools versus indirect tools

Direct and indirect tools each come with their own strengths and weaknesses. While direct tools allow for increased value to be redistributed back to the public, indirect tools require developers to contribute to mitigating the impacts of their developments. Direct tools tend to be discretionary, and indirect tools have a tendency to be standardized. Incentive-based tools that are negotiable and offer zoning regulation variances in exchange for community benefits are also more likely to be direct rather than indirect. Problems appear to arise when these tools are implemented or structured inadequately or are combined with one another, resulting in incohesive goals. As Table 9 suggests, direct tools appear to be less successful with transparency and accountability, consistency and transparency, and having a direct relation with impacts and benefits acquired. Indirect tools appear to be less successful with having balanced stakeholder involvement and adaptability to unique contexts.

In terms of **transparency and accountability**, benefits obtained through direct tools seem to be calculated more arbitrarily. Indirect tools, in contrast, are linked to expected impacts, limiting room for discretion. The least transparent tools were the ones that did not use a standardized formula or community consultation for benefit requirements. The most transparent tools include a standardized formula (DC, CBC) as well as regular reporting on how funds are being used and the efficacy of the tools (DBA, DC).

Indirect tools are also more likely to be **consistent and predictable** due to their standardized nature (DC, CBC). However, hybrid direct-indirect value capture tools are likely to be as inconsistent and unpredictable as direct tools, as the aims of the two rationales may conflict with one another. For example, a well-served area that has received significant public investment over the years may justify the requirement of higher levels of direct value capture mechanisms, whereas the same area may also justify lower indirect value capture mechanisms as there would be less impact mitigation required. Additionally, when paired together, one rationale may take precedence over the other. Separating these two tools could promote the attainment of the goals of both direct and indirect rationales.

Direct tools are more likely to have **balanced stakeholder involvement**, as decisions are made on a case-by-case basis. However, direct tools that only require public consultation to determine broad categories of benefits instead of specific benefits according to each development are less balanced (PPCMOI). The tools with the most balanced stakeholder involvement are ones that require community consultation to establish needs before the negotiation of Development Agreements (DBA, CBC, CBA).

Direct, discretionary tools appear to be more **adaptable to unique contexts**, as the typical rigidity of indirect tools offer limited flexibility. The most flexible indirect value capture tool is the CBC tool, as it offers a range of benefits that can be acquired with the charges. However, as the total amount charged is related to land value pre-development, there can arguably be discrepancies in similar developments with unequal land values.

Indirect tools are more likely to encourage a **direct relationship between impacts and benefits** required. However, if they lack a degree of flexibility and/or an identification of expected impacts, their ability to secure impact-related benefits may not be consistent throughout developments. The most successful tools at promoting direct relationships between impacts and required benefits are ones that report on expected impacts before negotiations (CBC, DC) and ones that calculate requirements directly from expected increased densities (DC), such as area or units.

## 5.0 Recommendations and conclusion

### 5.1 Recommendations for Griffintown

The aim of the recommendations provided here is to promote the use of development tools to assure adequate provision of community benefits to increase quality-of-life. The following recommendations take into consideration existing literature on negotiating benefits, the context in Griffintown, and the analysis of development tools in and outside of Quebec. They are also guided by the promotion of transparency, accountability, consistency, predictability, balanced stakeholder involvement, adaptability to unique circumstances, and direct relationships with impacts and required benefits. The recommendations primarily consist of restructuring the existing direct value capture tool (PPCMOI), introducing an indirect value capture tool, and then using both tools together to complement one another.

#### Separate direct and indirect tools

Direct and indirect tools operate by different rationales to obtain benefit provisions from developers. The rationale behind the separation of direct and indirect value capture tools is to ensure that each tool receives equal attention. It appears while the PPCMOI is capable of providing impact-related benefits due to its flexibility, its ability to do so is limited by its structure and implementation. It is recommended that two separate tools (one direct and one indirect) work in tandem, similar to Ontario, to promote the attainment of different types of goals in Griffintown.

#### Create concrete bylaws without the possibility for variances

The rationale behind eliminating the possibility of variances is to promote the justifications behind bylaw implementation and enforce goals of long-term planning. Height and density limits, for example, may reflect aesthetic preferences or capacity concerns that have been collectively determined and adopted through established government procedures. The current permittance of variances in exchange for community benefits using the PPCMOI tool implies that bylaws may be disobeyed if developers pay a certain fee or provide certain benefits to the municipality. It becomes difficult to distinguish these requirements from formalized bribes, as only those who can afford it can steer away from regulatory norms. In addition, negotiations using the PPCMOI tool have no guidelines to help decide what kind and levels of variance can be exchanged for benefits, decreasing transparency and consistency. While eliminating the possibility to request height and density variances may reduce the municipality's leverage in requiring benefits in exchange, formal requirements for all developments of a certain density still result in benefits for the community.

#### Decouple discretionary and direct value capture

The rationale behind decoupling discretionary and direct value capture is to increase transparency, consistency, and balanced stakeholder involvement while still capturing direct value. One way to achieve this is to implement formula-based benefit requirements and increase community consultations. For example, fixed feeds could be imposed according to a mixed calculation of percentage value pre-development with a percentage of the value post-



development. A mixed calculation could address inconsistencies that may exist with developments of equal value pre-development but unequal value post-development. Public consultation is recommended on a case-by-case basis, instead of just through the formation of the PPU, to promote the inclusion of ongoing citizen feedback.

#### Implement indirect value capture tools

The rationale behind the implementation of indirect value capture tools is to ensure that growth pays for and contributes to covering the external costs of growth. Montreal is one of the few large cities in Canada and the USA that does not enforce indirect value capture tools, such as development charges, to contribute to impact mitigation. This absence results in the public subsidizing developer profit with the financial burden of alleviating development impacts.

#### Develop regularly updated quality-of-life standards

The rationale behind the identification of minimum quality-of-life standards is to provide a starting point for determining community wants and needs. These standards can then inform the implementation of formula-based indirect value capture tools aimed at mitigating the impacts of new developments. It is recommended that these standards are established through extensive community consultation processes and are regularly updated to reflect changes in wants, needs, and understandings.

#### Develop area-specific indirect value capture tools

The rationale for developing area-specific requirements is to accommodate locational contexts and to help municipalities guide development according to wider goals. It also promotes appropriate provision of benefits according to situational contexts. For example, rates charged per unit would vary based on existing capacities and needs, both allowing for benefits to be more directly related to expected impacts and incentivising developers to build in well-served areas in exchange for lower fees.

#### Provide annual summaries and evaluations on the outcomes of development agreements

The rationale for providing annual summaries is to promote transparency, accountability, and to encourage and enable re-evaluation of the structure and outcomes of development tools. Reporting and re-evaluation can provide a better picture of overall outcomes, which is currently very difficult to manually assess with the PPCMOI development agreements.

## 5.2 Conclusion

The use of development tools provides a valuable opportunity for cities to promote increased quality-of-life for new and existing residents in relation to new developments. However, their application can often lead to problems with transparency and accountability; consistency and predictability; balanced stakeholder involvement; adaptability to unique contexts; and direct relationships between required benefits and expected impacts. This report offers a set of recommendation to eliminate or minimize these issues in Griffintown, and more broadly, the City of Montreal.

## References

Act respecting land use planning and development, CQLR c A-19.1.

Baarveld, M., Smit, M., & Dewulf, G. P. M. R. (2015). *Negotiation processes in urban redevelopment projects: dealing with conflicts by balancing integrative and distributive approaches*. *Planning Theory and Practice*, 16(3), 363–384.

Biggar, J. (2021). *Approaching negotiations in urban redevelopment projects: a multiple case analysis of stakeholder involvement in community benefit agreements*. *Planning Theory & Practice*, 1-22, 1–22.

Biggar, J., & Siemiatycki, M. (2020). *Tracing discretion in planning and land-use outcomes: perspectives from Toronto, Canada*. *Journal of Planning Education and Research*.

Boyd, J. M., & Padilla, J. D. (2009). *FIDIC and integrity: a status report*. *Leadership and Management in Engineering*, 9(3), 125–128.

British Columbia Ministry of Community Services. (2005). *Development Cost Charge: Best Practices Guide*. Retrieved from [https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/local-governments/finance/dcc\\_best\\_practice\\_guide\\_2005.pdf](https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/local-governments/finance/dcc_best_practice_guide_2005.pdf)

City of Toronto (2007). *Implementation Guidelines for Section 37 of the Planning Act and Protocol Negotiating Section 37 Community Benefits*. Toronto: Toronto City Planning.

City of Toronto (2014). *Section 37/45 Community Benefits Secured*. Toronto: City of Toronto Planning Department.

City of Toronto (n.d.). *Community Benefits Framework*. Retrieved from <https://www.toronto.ca/city-government/accountability-operations-customer-service/long-term-vision-plans-and-strategies/community-benefits-framework/>

City of Toronto (2018). *How Does the City Grow*. <https://www.toronto.ca/wp-content/uploads/2018/07/9108-City-Planning-How-Does-The-City-Grow-July-2018.pdf>

Chiodelli, F., & Moroni, S. (2015). *Corruption in land-use issues: a crucial challenge for planning theory and practice*. *The Town Planning Review*, 86(4), 437–455.

Clinch, J., & O'Neill, E. (2010). *Designing development planning charges: settlement patterns, cost recovery and public facilities*. *Urban Studies*, 47(10), 2149–2171.

Fainstein, S. S. (2012). *Land Value Capture and Justice*. *Value Capture and Land Policies*. Y.-h. Hong and G. Ingram. Cambridge, Mass, Lincoln Institute of Land Policy: 21.

Fox-Rogers, L., & Enda Murphy, F.-R. L. (2015). *From brown envelopes to community benefits: the co-option of planning gain agreements under deepening neoliberalism*. *Geoforum*, 67, 41–50.

Friedmann, J. (2000). *The good city: in defense of utopian thinking*. *International Journal of Urban and Regional Research*, 24(2), 460–472.

Gielen, D. M., & Lenferink, S. (2018). *The role of negotiated developer obligations in financing large public infrastructure after the economic crisis in the Netherlands*. *European Planning Studies*, 26(4), 768–791.

GTA Homes (n.d.). *Development Charges and Levies*. Retrieved from <https://www.gta-homes.com/real-estate-info/what-are-development-charges-levies/>

Handy, S., & Niemeier, D. (1997). *Measuring accessibility: An exploration of issues and alternatives*. *Environment and Planning A*, 29, 1175–1194.

Healey, P., Purdue, M., & Ennis, F. (1996). *Negotiating development: planning gain and mitigating impacts*. *Journal of Property Research*, 13(2), 143–160.

Ingram, G. K., & Hong, Y.-hung. (2012). *Value capture and land policies* (Ser. Land policy series). Lincoln Institute of Land Policy.

Jackson, J. (2018). *Neoliberalism and urban planning in Toronto: How seasoned planners adjust to their changing circumstances*. *International Planning Studies*, 23(2), 144–162.

Kim, M. (2020). *Negotiation or schedule-based?: Examining the strengths and weaknesses of the public benefit exaction strategies of Boston and Seattle*. *Journal of the American Planning Association*, 86(2), 208–221.

Klitgaard, R. E. (1988). *Controlling corruption*. University of California Press.

Kwok, M., Johnson, L., & Pojani, D. (2018). *Discretion and the erosion of community trust in planning: reflections on the post-political*. *Geographical Research*, 56(4), 382–392.

Lefebvre, H. (1991). *The production of space*. Trans. D. Nicholson-Smith. Oxford, U.K.: Blackwell.

Moore, A. A. (2016). *Decentralized decision-making and urban planning: a case study of density for benefit agreements in Toronto and Vancouver*. *Canadian Public Administration*, 59(3), 425–447.

Ontario Ministry of Municipal Affairs and Housing (2020). *Proposed new regulation pertaining to the community benefits authority under the Planning Act*. Retrieved from <https://ero.ontario.ca/notice/019-0183>

Muñoz Gielen D, Maguregui Salas, I., & Burón Cuadrado J. (2017). *International comparison of the changing dynamics of governance approaches to land development and their results for public value capture*. *Cities*, 71, 123–134

Oppio, A., Dell'Ovo, M., Torrieri, F., Miebs, G., & Kadziński Miłosz. (2020). *Understanding the drivers of urban development agreements with the rough set approach and robust decision rules*. *Land Use Policy*, 96.

Owusu, E. K., Chan, A. P. C., & Ameyaw, E. (2019). *Toward a cleaner project procurement: Evaluation of construction projects' vulnerability to corruption in developing countries*. *Journal of Cleaner Production*, 216, 394–407.

Owusu, E. K., Chan, A. P. C., & Wang, T. (2021). *Tackling corruption in urban infrastructure procurement: Dynamic evaluation of the critical constructs and the anti-corruption measures*. *Cities*, 119.

Sabourin, D. (2012). *Griffintown*. In *The Canadian Encyclopedia*. Retrieved from <https://www.thecanadianencyclopedia.ca/en/article/griffintown>

Stanley, M. M., & Matthew, S. (2015). *Have we legalized corruption? The impacts of expanding municipal authority without safeguards in Toronto and Ontario*. *Osgoode Hall Law Journal*, 53(1).

Tasan-Kok, Tuna. (2010). *Entrepreneurial governance: challenges of large-scale property-led urban regeneration projects*. *Tijdschrift Voor Economische En Sociale Geografie*, 101(2), 126–149.

Arrondissement du Sud-Ouest. (2012). *Plan d'action en matière d'inclusion de logements abordables dans les projets résidentiels*. Retrieved from [https://ville.montreal.qc.ca/pls/portal/docs/PAGE/ARROND\\_SOU\\_FR/MEDIA/DOCUMENTS/INCLUSION\\_PLAN%20D'ACTION%20SUD-OUEST\\_5JUIN2012.PDF](https://ville.montreal.qc.ca/pls/portal/docs/PAGE/ARROND_SOU_FR/MEDIA/DOCUMENTS/INCLUSION_PLAN%20D'ACTION%20SUD-OUEST_5JUIN2012.PDF)

Arrondissement du Sud-Ouest. (2012). *Projet particulier de construction et d'occupation d'un immeuble, afin d'autoriser la construction d'un projet résidentiel sur le site délimité par la rue Basin, la rue des Seigneurs, le Parc du Canal de Lachine et la limite ouest des lots 1 573 210 et 1 573 212 – 50, rue des Seigneurs*(Dossier no : 1113823009). Retrieved from <http://www.griffintown.org/projects/sonoco/docs/docInfoProjetParticulierSonoco.pdf>

Arrondissement du Sud-Ouest. (2012). *Projet particulier de construction et d'occupation d'un immeuble afin d'autoriser la construction d'un projet résidentiel sur le site délimité par les rues Ottawa, de la Montagne,*

*William et Eleanor ainsi que sur les lots adjacents 1 853 433 et 1 853 438 – 291, rue de la Montagne* (Dossier no : 1123823003). Retrieved from

[http://ville.montreal.qc.ca/pls/portal/docs/PAGE/ARROND\\_SOU\\_FR/MEDIA/DOCUMENTS/DOCUMENT\\_INFORMATION\\_291\\_DELAMONTAGNE.PDF](http://ville.montreal.qc.ca/pls/portal/docs/PAGE/ARROND_SOU_FR/MEDIA/DOCUMENTS/DOCUMENT_INFORMATION_291_DELAMONTAGNE.PDF)

Arrondissement du Sud-Ouest. (2015). Projet particulier de construction d'un bâtiment institutionnel au 1130-1134, rue William – Pavillon F de l'École de technologie supérieure (Dossier no : 1196347005). Retrieved from [http://ville.montreal.qc.ca/pls/portal/docs/PAGE/ARROND\\_SOU\\_FR/MEDIA/DOCUMENTS/1130\\_WILLIAM\\_SOM.PDF](http://ville.montreal.qc.ca/pls/portal/docs/PAGE/ARROND_SOU_FR/MEDIA/DOCUMENTS/1130_WILLIAM_SOM.PDF)

Arrondissement du Sud-Ouest. (2017). Projet particulier de construction, de modification et d'occupation, afin d'autoriser le redéveloppement de l'îlot formé des rues Guy, William, Barré et du prolongement de la rue Lusignan (Projet Legado / 335, rue Guy) (Dossier no : 1176347023).

Arrondissement du Sud-Ouest. (2017). Projet particulier de construction d'un immeuble situé au 280, rue de la Montagne – Développement de la Montagne (Dossier no : 1176347011). Retrieved from [http://ville.montreal.qc.ca/pls/portal/docs/PAGE/ARROND\\_SOU\\_FR/MEDIA/DOCUMENTS/SOMMAIRE%20280%20DE%20LA%20MONTAGNE.PDF](http://ville.montreal.qc.ca/pls/portal/docs/PAGE/ARROND_SOU_FR/MEDIA/DOCUMENTS/SOMMAIRE%20280%20DE%20LA%20MONTAGNE.PDF)

Arrondissement du Sud-Ouest. (2018). Projet particulier de construction d'un immeuble – 370, rue des Seigneurs (Dossier no : 1176347015). Retrieved from [http://ville.montreal.qc.ca/pls/portal/docs/PAGE/ARROND\\_SOU\\_FR/MEDIA/DOCUMENTS/SOM\\_370SEIGNEURS.PDF](http://ville.montreal.qc.ca/pls/portal/docs/PAGE/ARROND_SOU_FR/MEDIA/DOCUMENTS/SOM_370SEIGNEURS.PDF)

Arrondissement du Sud-Ouest. (2018). Projet particulier de construction et d'occupation d'un immeuble – 1999, rue William (Dossier no : 1184334004). Retrieved from [http://ville.montreal.qc.ca/pls/portal/docs/PAGE/ARROND\\_SOU\\_FR/MEDIA/DOCUMENTS/SOMMAIRE4004\\_INTERNET.PDF](http://ville.montreal.qc.ca/pls/portal/docs/PAGE/ARROND_SOU_FR/MEDIA/DOCUMENTS/SOMMAIRE4004_INTERNET.PDF)

Arrondissement du Sud-Ouest. (2021). Adopter, en vertu du Règlement sur les projets particuliers de construction, de modification ou d'occupation (RCA04 22003), une résolution autorisant la construction d'un projet résidentiel sur le site composé des lots 1 573 213, 1 573 214, 1 573 592 et 1 574 029 (cadastre du Québec)

Ville de Montréal. (2013). Programme particulier d'urbanisme secteur Griffintown. Ville de Montréal. Retrieved from [https://portail-m4s.s3.montreal.ca/pdf/ppu\\_secteur\\_griffintown.pdf](https://portail-m4s.s3.montreal.ca/pdf/ppu_secteur_griffintown.pdf)

Ville de Montréal. (2020). Le Sud-Ouest – Projets particuliers de construction, de modification ou d'occupation d'un immeuble (PPCMOI). Ville de Montréal. Retrieved from <http://www1.ville.montreal.qc.ca/banque311/content/le-sudouest-%E2%80%93-projets-particuliers-de-construction-de-modification-ou-d'occupation->

[dunimmeu#:~:text=Le%20R%C3%A8glement%20sur%20les%20projets,%27urbanisme%20de%20l%27arrondissement](#)

## Appendix

### Amenities and services data sources for accessibility analysis

Table 21. Data sources for location of amenities and services in Griffintown and the Sud-Ouest Borough

Amenity/Service	Data source
Grocery stores	Geoindex food services (extracted markets, fruits and vegetable stores, grocery stores)
Affordable daycares (CPEs)	Google maps
Primary schools	Geoindex dataset on all education institutions (extracted primary schools)
Outdoor public spaces	Montreal Open Data Portal
Playgrounds	Montreal Open Data recreation facilities (extracted “Aires de jeux” for children under 12)
Sports and recreation hubs	Montreal Open Data recreation facilities (extracted fields, courts, pools, etc. and reduced into ‘hubs’)
Clinics and CLSCs	Geoindex health services (extracted medical clinics and CLSCs)
Pharmacies	Google maps
Indoor community spaces	City of Montreal
Montreal roads	Statistics Canada
Montreal Dissemination Blocks	Statistics Canada

#### Accessibility analysis (GIS software)

- » Count points in polygon function to establish how many amenities and services are in each Dissemination block in Montreal
- » Origin-Destination matrix function to determine the distance between the centre of each Dissemination Block to the centre of every other Dissemination Block
- » Extract all distances that are 1,250 m and under (average distance covered in a 15-minute walk)

» Sum the total accessible amenities and services and by category as well as populations for each Dissemination Block

### Accessibility analysis limitations

» According to average walking speed, a 15-minute walk corresponds to 1,250 metres. This measure, however, does not account for typology, as 1,250 metres on an incline may take more than 15-minutes to cover. As a result, while blocks closer to the hill in Griffintown and Little Burgundy may have access to certain amenities and services within 1,250 metres, this distance is not always able to be covered within a 15-minute walk. The extra time required, however, is minimal. In addition, while the hill may simply be a time delay for some, it can also be a physical barrier for others, ultimately limiting access.

» Some of the data is acquired using GeoIndex and Google Maps. As a result, the data may not be comprehensive.

» Populations are calculated using 2016 census data. It is safe to assume that populations have grown in all neighbourhoods in the Sud-Ouest Borough, especially in Griffintown.

» While the maps depict how many people are within 15-minutes from each amenity/service, they do not depict the capacity that each amenity/service can accommodate on a daily basis.

» While the analysis depicts physical accessibility, it does not account for affordability and/or capacity.

### Survey questions

» What is your postal code?

» What is your age range? (under 18, 18-25, 26-30, 31-45, 46-60, 61+

» How long have you lived

» Are you a renter or owner?

» How many people live in your household?

» How many people under 18 live in your household?

» Which factors motivated you the most in wanting to live in Griffintown?

» Do you see yourself living in the area long-term?

» Why or why not?

» Would you recommend Griffintown as a neighbourhood to your friends?

» Please rank the neighbourhood in suitability for different age/lifestyle groups (families, young adults, retirees)

» Considering the expenses of daily life and shelter, how affordable do you find living in Griffintown relative to other parts of Montreal?

» Which of the following amenities are you able to reach within a 15-minute walk from your residence? (groceries, pharmacies, CPE/affordable daycare, primary schools, secondary schools,



medical clinics/CLSCs, public space, playground, public sports facilities, community centres, cultural centres, public transport)

» From the above amenities, write in order of priority what you would like most to see added to Griffintown (up to three choices)

» Do you own a car?

» Which activities do you use your car for the most? (commuting, running errands, social activities, traveling outside of the city, other)

» Do you feel like the community has enough of a voice in the development of the neighbourhood?

» How can Griffintown be improved to better suit your needs?

.

.

