

## **Section 37 Appraisal Terms of Reference**

**Purpose:** To estimate the increase in land value resulting from an increase in density and/or height permitted through a Zoning By-law Amendment pursuant to Section 37 of the *Planning Act*

**Intended Use:** To assist the City of Hamilton in determining the uplift value associated with the proposed height or density increase

**Intended User(s):** Must include the City of Hamilton

**Effective Date:** Current effective date consistent with the date of application of the corresponding Zoning By-law Amendment

**Report Type:** Full narrative

**Valuation Requirements:** The appraisal must estimate:

1. The value of the subject land based on the “as of right” maximum height and density (base density)
2. The value of the subject land based on the proposed height and density (proposed density)
3. The difference in land value between the proposed and base density scenarios

The base density shall be the maximum height and density per the Urban Hamilton Official Plan, Secondary Plan or Zoning By-law applicable to the subject property.

The proposed density shall be the height and density proposed by the applicant, consistent with the Zoning By-law Amendment application.

Both the base and proposed densities shall be provided to the appraiser by City of Hamilton Planning and Real Estate staff. Any assumptions with respect to the buildable

gross floor area under the base and proposed scenarios must be confirmed with Planning and Real Estate staff. The details of the Zoning By-law Amendment application and proposed site plan are to be considered in the land valuation under the proposed density scenario.

**Extraordinary Assumptions  
& Hypothetical Conditions:**

Assumptions may be required if the appraiser's opinion of the highest and best use of the subject property is not consistent with the proposed project as per the Zoning By-law Amendment application.

Any other contemplated extraordinary assumptions or hypothetical conditions must be confirmed with Real Estate staff.

**Delivery:**

An electronic copy of the draft report is to be provided to City of Hamilton Planning and Real Estate staff for review. An electronic copy and two hard copies of the final report are to be provided to the City of Hamilton.