

CITY COUNCIL AGENDA



DATE July 19, 2011 – 6 p.m. – Committee Room C

Council Information Session on the Guelph Innovation District

- | | |
|-----------------------|---|
| 6:00 p.m. | Welcome and Introductions |
| 6:00 – 6:15 p.m. | Overview Presentation <ul style="list-style-type: none">• Status of GID and related initiatives |
| 6:15 – 6:25 p.m. | Preliminary Design Alternatives for the GID |
| 6:25 – 6:40 p.m. | Development Approval Approaches <ul style="list-style-type: none">• Traditional Planning Approach vs. DPS |
| 6:40 – 6:45 p.m. | Questions and Answers |
| 6:45 p.m. – 7:25 p.m. | Potential Use of a Development Permit System for the GID <ul style="list-style-type: none">• Facilitated Discussion |
| 7:25 – 7:30 p.m. | Next Steps |
| 7:30 p.m. | Adjournment |

Attachments:

- GID Secondary Plan Update Council Information Report 11-61, July 7, 2011
- Development Permit System Council Information Report 11-67, July 7, 2011
- Overview Presentation (available at the session)

INFORMATION REPORT



TO Guelph City Council

SERVICE AREA Planning & Building, Engineering and Environment
DATE July 7, 2011

SUBJECT Guelph Innovation District Secondary Plan Update
REPORT NUMBER 11-61

SUMMARY

Purpose of Report:

To provide an overview of the secondary plan process for the Guelph Innovation District (GID) and advise Council on the next steps including the Provincial release of an Expression of Interest on selected Provincial land holdings and announcement of a Federation of Canadian Municipalities (FCM) Green Municipal Fund Grant for the project.

BACKGROUND

The City of Guelph began work on a secondary plan for the Guelph Innovation District (York District Secondary Plan) in early 2005 to determine an appropriate land use and servicing strategy for the area. The 453 hectare area is located south of York Road, east of Victoria Road S., west of Watson Parkway S., and includes lands south of Stone Road S. Approximately 206 hectares of the site is considered gross developable area due in part to the extensive natural and cultural heritage resources located within the area. The majority of the lands are owned by the Province with the City and private land owners each accounting for roughly a quarter of the remaining land area.

The area supports a significant concentration of natural and cultural heritage resources, including the Eramosa River which bisects the site, and selected built and natural heritage features that form part of the former Guelph Correction Centre. Major existing land uses include the City's Waste Resource Innovation Centre, Cargill Meat Solutions, Victoria York Centre, Turfgrass Institute and agri-forestry research. The City of Guelph Official Plan recognizes the majority of the lands as "Special Study Area" due to a number of future land use uncertainties including the closing of the Guelph Correction Centre. The "Special Study Area" designation requires a planning study to be completed by the City to "examine future land uses, servicing, phasing of development, transportation and impact assessment on natural heritage features and cultural heritage resources."

Attachment 1 outlines progress of the secondary plan to date. The Phase I Background Report and Phase II Land Use Concepts Report were completed by the

end of 2005, through the consulting services of planningAlliance. In April 2007 Council directed staff to use the “York District Preferred Land Use Scenario” contained in the Phase II report as the basis for the development of a final land use strategy for the district. The preferred land use concept recognizes the existing employment uses at the City’s Waste Innovation Resource Centre, Cargill Meat Solutions and PDI (Polymer Distribution Inc.). In addition, the residential uses south of Stone Road East, west of Watson Road South are recognized. The land use scenario focuses on additional employment lands, with institutional uses recommended for the former Guelph Correction Centre lands (See Attachment 2).

In 2007, the City paused work on the district to provide the Province with an opportunity to conduct its own research and public consultation process. This work culminated in the release of a report completed by Authenticity for the Province which presents a mixed use business park, live/work development scenario for the lands (See Attachment 3).

In April 2008, two hybrid land use concepts for the area were presented to the public at an urban design charrette which drew upon elements from both the Phase II Land Use Concept Report and Authenticity Report (See Attachment 4). The hybrid introduced the concept of an urban village on the south side of the Eramosa River in the vicinity of the Turfgrass Institute, with the majority of future development still focused on employment uses. Employment mixed use is recognized on the south side of the Eramosa River, east of the proposed urban village, while industrial employment uses are shown on the north side of the Eramosa River, recognizing Cargill Meat Solutions and the Waste Resource Innovation Centre. Neighbourhood and service commercial uses are identified at the northern corners of the site. The lands currently supporting the former Guelph Correction Centre continue to be shown as institutional. Two options are proposed on the southeast corner – residential and industrial employment.

Since the initiation of this study a number of strategic municipal documents have emerged including the Community Energy Initiative, Prosperity 2020, Strategic Plan for the Guelph Agri-Innovation Cluster, and the City of Guelph Local Growth Management Strategy. In addition, the City has revised its Official Plan in response to the Provincial Growth Plan for the Greater Golden Horseshoe and has adopted a Natural Heritage System as part of the City’s Official Plan. The strategic importance of these lands has grown as a vital means to enable the City to meet its sustainability goals and objectives included in the above strategic initiatives.

REPORT

The development of an appropriate land use policy framework for the Guelph Innovation District (GID) is of significant interest to community stakeholders and is a top priority of Council. In fact, all three levels of government are engaged in the development of these lands. The Government of Canada endowed the Federation of Municipalities (FCM) with \$550 million to establish the Green Municipal Fund which leverages partnerships and funding to reach higher standards of air, water and soil quality, and climate protection. The Federation of Canadian Municipalities, is providing the City of Guelph with a \$142,252 Green Municipal Fund grant to help fund the development of a secondary plan to guide the creation of the 453 hectare

Guelph Innovation District. The Province of Ontario is working closely with the City in managing the future of its land holdings in the district. The Province is a major landowner in the district, holding three parcels totaling 233 ha, representing over half of the study area. The disposition process for two of the provincial parcels has been initiated, specifically the Wellington Detention Centre and the Guelph Correction Centre lands. The City has a number of strategic initiatives within various departments that connect with the future development of the district. It is imperative that progress on the secondary plan recognizes and enables these other municipal strategic initiatives.

At this stage of the process hybrid land use concepts have been presented along with a draft vision for the lands, and corresponding planning and design principles. Future work includes the assessment of alternative design scenarios and the development of a land use policy framework for the preferred design.

FCM Role

The expansion and integration demands placed on the land use planning for the Guelph Innovation District prompted City staff to request Council's support to apply to FCM for a Green Municipal Fund Grant. The increased scope of work for the secondary plan, combined with the sustainable/integrated direction of the Plan, makes it an excellent fit with FCM's Green Municipal Funding. On July 27, 2009, City Council formally provided staff direction "to apply for a FCM Green Municipal Fund Grant for the development of the Guelph Innovation District Secondary Plan as a sustainable community plan that includes a sustainable community vision and sustainability targets" (CDES Report 09-65). The City's application included in-kind contributions from the Province of Ontario and the Grand River Conservation Authority. The City's grant request has been approved by FCM and has been announced recently in a news release. The FCM funding agreement includes an April 2012 scheduled approval date for the secondary plan.

Provincial Role

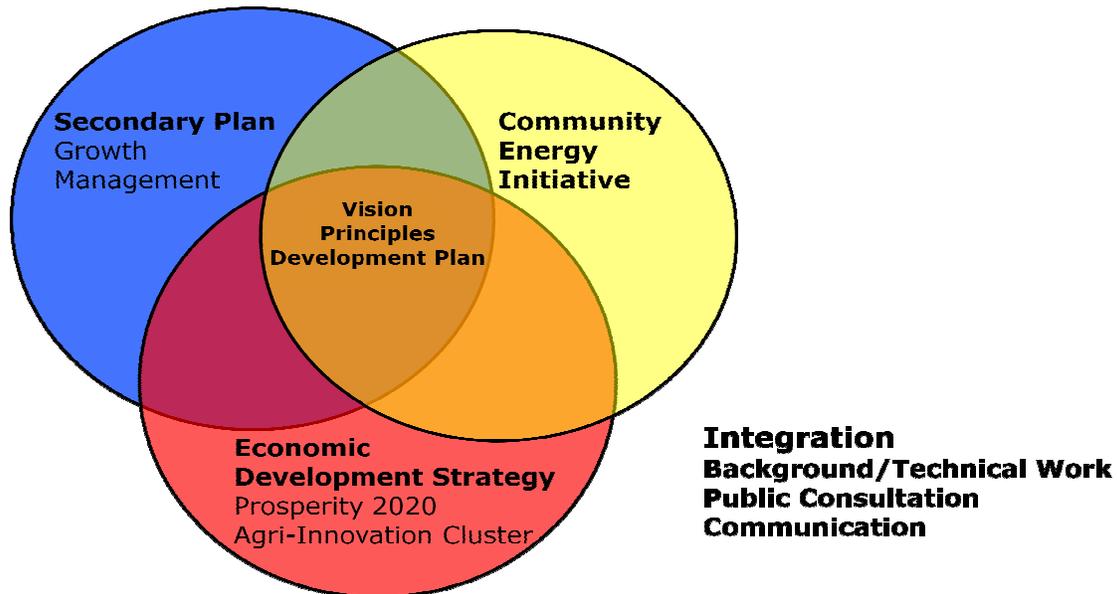
The City continues to work closely with the Province on the development of these lands, formally signing a Memorandum of Understanding in June 2010 to establish the roles, responsibilities and protocols between the City and the Ministry of Infrastructure (MOI). The Memorandum of Understanding serves as the basis for the City and MOI to work cooperatively to put provincially owned property within the area into more productive use through a mutually agreed upon implementation strategy that helps advise the GID goals. The implementation strategy will consider ways of marketing and developing the GID, including the possible implementation of a Development Permitting System under the *Planning Act*, which in effect provides for performance based land use zoning. A separate Council Information Report 11-67 dated July 7, 2011 provides an outline of Development Permit Systems.

The Province has shared a variety of completed land use and due diligence studies, including the commissioned 2007 "York District Lands" study by Authenticity, a Conservation Plan for the Guelph Correctional Centre, top-of-bank surveys, and the completion of Stage 1 and Stage 2 Archaeological studies.

Project Integration

The policy framework established in the secondary plan for the development of the GID lands is important to meeting the City's sustainability goals and objectives included in a number of strategic documents. As a result, the integration of various initiatives is essential (See Figure 1).

Figure 1: GID Secondary Plan Project Integration



Noted under each strategic initiative are examples of opportunities the secondary plan will address as part of the policy framework developed.

Local Growth Management Strategy

- Create a compact mixed use community which integrates live, work, play and learn places for 3,000 – 5,000 people and 8,000 – 10,000 jobs;
- Focus residential growth within an urban village connected with employment lands at a minimum density of 50 persons/jobs per hectare; and
- Provide for affordable housing.

Community Energy Initiative

- Optimize Energy Efficiency: site orientation, building standards, green roofs, grey water recapture;
- Utilize Renewable Energy Sources: possibly solar thermal, solar photovoltaic, wind energy, hydro generation, geothermal; and
- Plan for a Distributed Energy System(s): use of heat from proposed cogeneration (Combined Heat and Power, (CHP)) at Cargill and the Waste Innovation Centre and other locations, linkages with Guelph Hydro and energy from methane, district heating (e.g. existing boiler serves the reformatory lands at present), development of CHP systems and the preparedness of the development to eventually connect to a city-wide district energy network.

Prosperity 2020 and Guelph Agri-Innovation Cluster

- Plan for additional employment lands to diversify Guelph's economy and help balance the residential and employment tax base;
- Support and strengthen the agri-innovation sector: agri-business, food and wellness, and the convergence of agri-technology, advanced manufacturing, bio-sciences, food, health, alternative energy and the environment;
- Create green and innovation sector jobs;
- Attract and develop talent; and
- Accelerate the commercialization of research discoveries.

In addition, the secondary plan will address the conservation of cultural heritage resources, including their protection and integration into the site's development and reuse where appropriate, and the protection of a natural heritage system in alignment with Official Plan policies adopted by City Council.

Draft Vision and Principles

The draft vision for these lands is as follows:

"The Guelph Innovation District will be a new kind of employment area in the City.

It will strive to be carbon neutral;

house an innovation cluster with thousands of employment opportunities; and offer an urban village with appealing places to live, work, play and learn in a setting that is rich in natural and cultural heritage."

The draft planning and design principles for the GID include the following:

- Create a compact, mixed use community at transit supportive densities
- Support a wide range of employment uses including an Agri-Innovation Cluster
- Support a diverse residential mix in a village-like setting
- Preserve and protect a Natural Heritage System, respecting the District's topography and sightlines
- Create an accessible network of parks and public spaces that is connected to the Natural Heritage System
- Encourage the preservation, celebration and adaptive reuse of the District's cultural heritage resources
- Create a framework to work toward carbon neutrality
- Support an integrated energy system
- Integrate the District with the rest of the City
- Encourage urban/architectural design that reflects the District's setting, adjacent uses, and distinguishing characteristics
- Showcase sustainable, green and innovative development
- Provide a rational and efficient transportation system that prioritizes pedestrians, cyclists and transit users
- Support a flexible and phased development implementation strategy

The above vision and principles were presented to Council during a workshop in February 2010, and build on feedback received from the urban design charrette held in April 2008 and a community workshop held in June 2009.

The GID Secondary Plan will address environmental, social, cultural and economic sustainability issues including the protection of natural and cultural heritage resources, the creation of affordable and sustainable live-work opportunities, the use of low impact development and infrastructure design, the implementation of energy planning strategies, and the application of pedestrian and transit-orientated transportation approaches.

Work Plan and Next Steps

The work plan for the GID Secondary Plan builds on the above vision with the intent to help implement the various City strategic initiatives noted earlier in this report. In addition, progress on the secondary plan will be leveraged and coordinated with work being undertaken by the Province. The Province remains supportive in the ongoing planning exercise and will shortly be releasing an Expression of Interest (EOI) for the former Wellington Detention Centre property and an EOI for the Guelph Correctional Centre. The intent of the EOIs is to gauge what interest and reuse ideas interested parties may hold for the two properties. The EOIs include reference to the City's ongoing work on the GID, and requests that respondents demonstrate how they would advance the City's draft vision for the area and other key City initiatives, including the Community Energy Initiative, Prosperity 2020 and the Guelph Agri-Innovation Cluster Report. A link to the two EOI documents will be posted on the City's website www.guelph.ca/innovationdistrict.

The following sets out the City's next significant dates for the completion of the Guelph Innovation District Secondary Plan:

| | |
|------------|---|
| July 2011 | Hold Council Workshop on Alternative Design Scenarios and Implementation Approaches |
| Sept. 2011 | Hold Public Meeting on Alternative Design Scenarios |
| Sept. 2011 | Elaborate Preferred Design Scenario (3D+) |
| Sept. 2011 | Identify Infrastructural Requirements |
| Oct. 2011 | Prepare Design Guidelines (Sustainability/Urban) |
| Oct. 2011 | Define Implementation Plan |
| Nov. 2011 | Release Draft Secondary Plan for Public Review |
| Nov. 2011 | Hold Public Meeting on Draft Secondary Plan |
| Jan. 2012 | Finalize Secondary Plan |
| Feb. 2012 | Conduct Statutory Public Meeting at Council |
| March 2012 | Council Adoption |
| April 2012 | Council Approval (if no appeals) |

The above work plan ensures that Council, community members and other stakeholders are kept informed and engaged in the process, findings, and completion of project milestones. The ultimate goal is to incorporate the secondary plan within the City's Official Plan. A draft secondary plan is scheduled for completion by the end of 2011. A final secondary plan will be developed based on comments received on the draft, followed by a statutory public meeting. Council adoption of the Plan is anticipated in early 2012.

CORPORATE STRATEGIC PLAN

The Guelph Innovation District Secondary Plan addresses all of the following strategic goals:

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- Goal 1: An attractive well-functioning and sustainable City.
Goal 2: A healthy and safe community where life can be lived to the fullest.
Goal 3: A diverse and prosperous local economy.
Goal 4: A vibrant and valued arts, culture and heritage identity.
Goal 5: A community-focused responsive and accountable government.
Goal 6: A leader in conservation and resource protection/enhancement.

FINANCIAL IMPLICATIONS

Capital Budget approval has been given by Council for completion of the secondary plan at \$340,000. The FCM Green Municipal Fund grant will contribute \$142,252 towards the budget.

DEPARTMENTAL CONSULTATION/CONCURRENCE

A staff advisory group has been established to assist with this project. Representation includes staff from Community Energy Initiative; Economic Development & Tourism; Information Services; Legal & Realty Services; Parks Design & Maintenance; and Planning & Building, Engineering and Environment.

COMMUNICATIONS

A comprehensive public consultation process has been followed throughout the development of the secondary plan. Attachment 1 includes public events as part of the project milestones. The Province of Ontario continues to be an active participant along with the Grand River Conservation Authority who have both agreed to provide in-kind support as part of the FCM Green Municipal Fund Grant.

Public and stakeholder consultation will continue throughout the secondary plan process and will provide further opportunities to comment on the work underway. Information on this project continues to be updated on the City's website, www.guelph.ca/innovationdistrict.

ATTACHMENTS

- Attachment 1: Guelph Innovation District Project Milestones
- Attachment 2: City Preferred Land Use Scenario – Phase II Report (2005)
- Attachment 3: Authenticity Development Strategy (2007)
- Attachment 4: Hybrid Land Use Plans (2008)

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Attachment 1: Guelph Innovation District Project Milestones

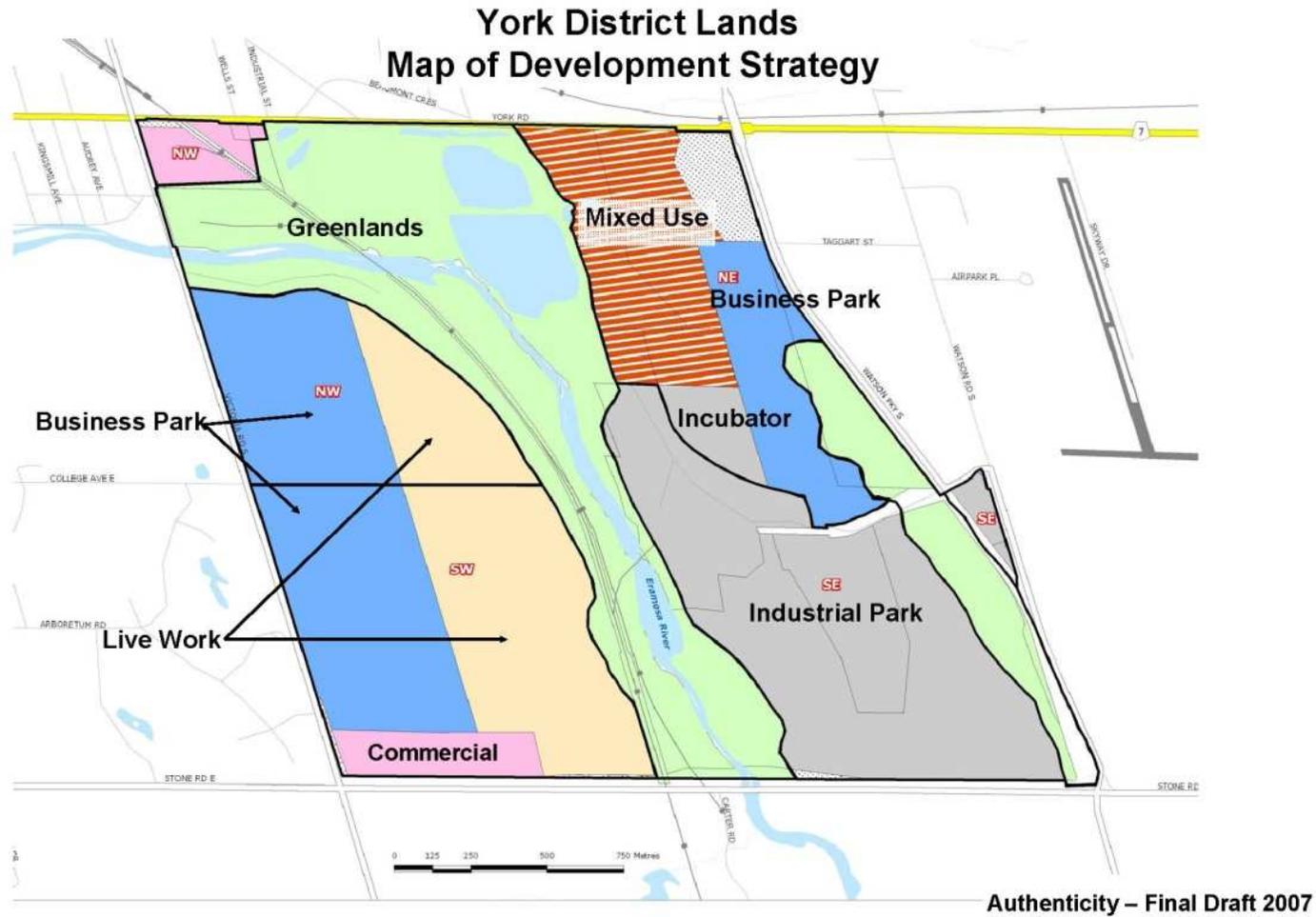
| PHASE ONE – BACKGROUND REPORT | | 2005 |
|---|---|----------------------|
| First Public Consultation Meeting – Royal Canadian Legion | Introduce Project | January 25, 2005 |
| Phase I Consultant Background Report | Background Report Produced | March 17, 2005 |
| PHASE TWO – LAND USE CONCEPTS | | 2005-2007 |
| Community Workshop – Turf Grass Institute | Review and assist in development of land use concepts | April 6, 2005 |
| Phase II Consultant Report | Preferred Land Use Scenario Report Produced – 7 land use options presented with 12 evaluation criteria | Nov. 24, 2005 |
| Presentation of Preferred Scenario to Committee | PET Report 10-128 York District Study Phase 2 – Preferred Land Use Scenario Report released publicly but no action taken | Dec. 12, 2005 |
| Council Information Report | York District Study Update | January 18, 2007 |
| Public Information Session – Royal Canadian Legion | Review Phase II | February 1, 2007 |
| Special Committee Meeting | CD&ES Report 07-25 York District Land Use Study Process | March 23, 2007 |
| Council Resolution | THAT the “York District Preferred Land Use Scenario” be received and used as the basis for the development of a final land use strategy for the York District lands; AND THAT the York District Study Phase 3 workplan be endorsed as presented in Schedule 3 of Community Development & Environmental Services Report No. 07-25. AND THAT the area defined as “lands south of Stone Road” be recognized as a “Specialized Area”. | April 2, 2007 |
| PROVINCIAL PAUSE FOR AUTHENTICITY WORK | | 2007 |
| Special Information Session: York District Lands | Introduce Provincial work to public | April 12, 2007 |
| Roundtable Meetings | Four roundtable groups gather to develop ideas for York District lands A – Research, Development and Innovation B – Light Manufacturing, Office & Retail C – Residential and Mixed-Use D – Culture, Design and Creative Enterprise | Spring – Summer 2007 |
| Public Town Hall 1 | Public review of roundtable ideas for York District | June 18, 2007 |
| Public Town Hall 2 | York District ideas presented based on roundtable work and public input from Public Town Hall 1 Meeting | August 7, 2007 |

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|--|--|--------------------|
| Authenticity Report Released | Final Report and Appendices released | Nov. 19, 2007 |
| PHASE THREE – LAND USE AND SERVICING FINAL REPORT | | 2007 + |
| Information Session for Landowners South of Stone Rd. – Waste Innovation Centre Meeting Room | Update landowners south of Stone Rd. on the process and allow opportunity to share views | Dec. 10, 2007 |
| Urban Design Charrette | Input into the development of land use concepts for the area, including range of land uses | April 5, 2008 |
| Committee Information Report | CD&ES Committee Information Report presented Hybrid Land Use Plans and Phase III update | July 11, 2008 |
| ECONOMIC DEVELOPMENT PAUSE - STRATEGIC PLAN FOR THE GUELPH AGRI-INNOVATION CLUSTER | | 2009 - 2010 |
| Community Workshop | Presented work completed and introduced key connections between the Secondary Plan, Local Growth Management Strategy, Community Energy Initiative, Natural Heritage Strategy, Prosperity 2020, and Strategic Plan for the Guelph Agri-Innovation Cluster | June 18, 2009 |
| Council Workshop | Discussed draft vision, planning and design principles, and governance issues for the lands | February 8, 2010 |

Attachment 2: City Preferred Land Use Scenario – Phase II Report (2005)



Attachment 3: Authenticity Development Strategy (2007)



Attachment 4: Hybrid Land Use Plans (2008)

ALTERNATIVE LAND USE OPTIONS 1A



Legend

- site boundary
- neighbourhood commercial
- service commercial
- institutional
- employment mixed use
- industrial employment
- residential mixed use
- greenlands

ALTERNATIVE LAND USE OPTIONS 1B



Legend

- site boundary
- neighbourhood commercial
- service commercial
- institutional
- employment mixed use
- industrial employment
- residential mixed use
- greenlands

Description of the Hybrid Land Use Plans

The hybrid land use plans focus on the delivery of employment lands, including Industrial Employment and Employment Mixed Use. Industrial Employment focuses on lands immediately surrounding existing industrial uses including Cargill Meat Solutions, the City's Waste Innovation Centre, and PDI (formally Huntsman lands). The lands supporting the provincial reformatory structures and landscapes are identified as Institutional. A Residential Mixed Use node is centered around the Turfgrass building. Neighbourhood and Service Commercial uses are identified at the northern corners of the site. Lands south of Stone Road are largely covered by Greenlands with a Mixed Use Employment node on the southwest corner with two options provided on the southeast corner – Residential and Industrial Employment. A Greenlands corridor bisects the site focusing on the river corridor with additional lands on the district's northern and eastern edges.

Definitions of the land use classifications are described below.

Employment Mixed Use:

Lands that accommodate a range of high quality, light manufacturing, research and development facilities and office development, trade centres, corporate offices, laboratories, administrative centres, utilities, data processing and knowledge based technology. Compatible institutional (government uses, religious uses, daycare centres, indoor community and recreational facilities) and accessory commercial and/or residential development may be permitted so long as the employment focus is maintained. The employment mixed use classification would not preclude ongoing research activities occurring on the Turfgrass and agri-forestry portion of the property but rather broadens the range of possible employment uses for the area from that permitted under the current Institutional designation.

Greenlands:

The large expanse of natural area recognizes important natural features, including floodplains, provincially significant wetlands, significant woodlots, an Area of Natural and Scientific Interest (ANSI) and parks/recreational space, including portions of the city-wide trail system.

Industrial Employment:

Lands that accommodate a range of manufacturing and industrial uses that maybe unsuitable for mixed use development. Examples include: the manufacturing, fabricating, processing, assembly and packaging of goods, foods and raw materials; recycling facilities; research and development facilities; repair and servicing operations; laboratories; etc.

Institutional:

Lands that accommodate a range of institutional uses including public buildings, universities, colleges, social and cultural facilities, research and development facilities, hospitals, residential care and health facilities. Residential development may be permitted so long as it is a functional component of an institutional use (e.g. university residence).

Neighbourhood Commercial:

Lands that accommodate commercial development that primarily serves the shopping needs of residents living and working in nearby neighbourhoods and employment districts. Institutional and small scale office uses may also be permitted where compatible. Medium density multiple unit residential buildings and apartments may also be permitted provided the principle commercial function is maintained.

Residential Mixed Use:

Lands that accommodate a range of residential types in many possible configurations, both within buildings and within the local context, resulting in vibrant pedestrian oriented high density developments. Focus of development is on mixed use residential and live work opportunities. Compatible local commercial, recreational and small scale institutional uses are permitted so long as the residential focus of development is maintained.

Service Commercial:

Commercial uses that serve the local community or highway. Examples include: gas bars, restaurants, hotels, small offices, medical clinics, etc.

INFORMATION REPORT



TO **Guelph City Council**

SERVICE AREA Planning & Building, Engineering and Environment
DATE July 7, 2011

SUBJECT An Outline of Development Permit Systems

REPORT NUMBER 11-67

SUMMARY

Purpose of Report:

To outline the Development Permit System including how it differs from traditional planning approval processes, benefits and challenges, implementation steps, and use in Ontario.

BACKGROUND

The Development Permit System (DPS) is a fairly new form of approval process available to Ontario municipalities. This Planning tool essentially combines the approval process for zoning by-laws, minor variance, and site plan approval into one system creating a streamlined and flexible development approval process. A DPS can also regulate site alteration and vegetation removal thereby replacing a site alteration by-law and/or tree cutting by-law. A DPS does not replace lot creation or building permit processes. The system brings with it a number of additional tools including allowing discretionary uses, conditional approvals, variations to development standard requirements, control of exterior design elements, and control over the removal of vegetation in specific areas. Various forms of this approval system have been used in many municipalities outside of Ontario and in the United States. See Attachment 1 for a Ministry InfoSheet on the DPS.

Changes were made to the *Planning Act* to allow for the use of a DPS in Ontario when Ontario Regulation 608/06 (Development Permits Regulation) came into effect on January 1, 2007. Initially the following five municipalities were enabled to initiate a development permit system: City of Hamilton, City of Toronto, Region of Waterloo, Town of Oakville and the Township of Lake of Bays. Of the five original pilot municipalities, only the Township of Lake of Bays has implemented a DPS for its waterfront areas. Carleton Place is the only other municipality that has a DPS in place. Two other municipalities are close to implementing a DPS, the City of Brampton and the Town of Gananoque. Since 2008, the City of Brampton has been working on a DPS for a portion of its downtown, which is transitioning from

residential to commercial uses. The Town of Gananoque is implementing a DPS for the entire municipality, however it is currently subject to an Ontario Municipal Board (OMB) appeals process.

REPORT

This report is meant to provide a basic understanding of a DPS as it could apply to Ontario municipalities as an optional planning tool. In particular this form of development approval is being considered as one possible implementation model for the Guelph Innovation District lands which are currently the subject of Secondary Plan preparation.

Traditional vs. Development Permit System Development Approval Processes

The City of Guelph currently uses a traditional planning approach to process development applications. Under this system, development applications are often subject to numerous approval processes. While applications can be considered concurrently, but approvals cannot be granted concurrently. For example, a development proposal to reuse a former industrial property for residential use could require an Official Plan Amendment, zone change, or a minor variance to deal with different zone regulations, and site plan approval. Each of these applications has its own application and process requirements, sometimes including public consultation. The minor variance application can be submitted and approved by the Committee of Adjustment while a site plan application is being reviewed by staff. When the variance is finalized and there are no appeals, then site plan approval can be attained.

In contrast, a DPS is a policy led, upfront planning tool intended to provide a simplified and coordinated approach to development approvals. The tool combines the approval processes for zoning, minor variance, and site plan approval. As well, a DPS can also regulate site alteration and vegetation removal. Essentially, a DPS moves the design work upfront in the process and allows greater flexibility to the development industry at the actual development approval stage. Public input and appeals are also moved to an earlier stage. Approval of development applications under an approved DPS can be delegated to staff which can help expedite development reviews by removing the need to tie applications to a Council's meeting schedule and additional public consultation.

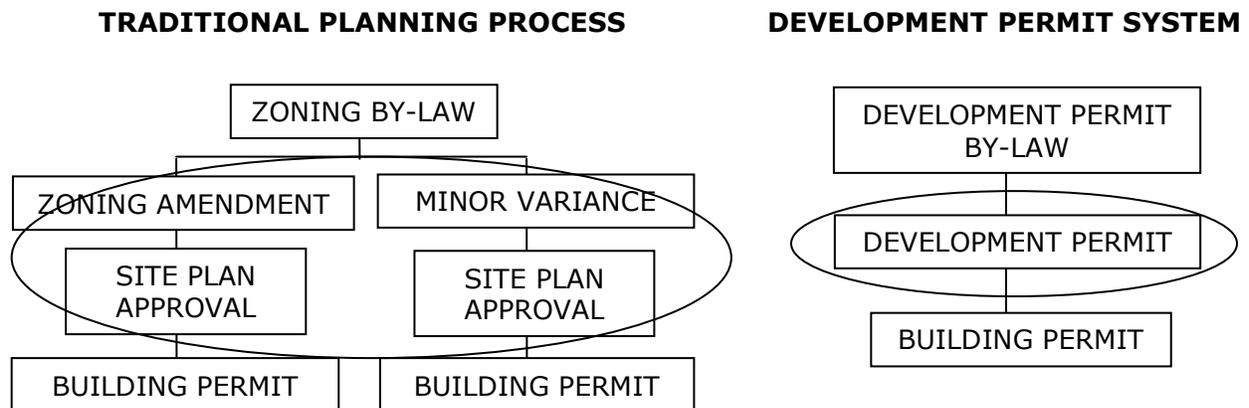
A DPS offers a number of tools which are not currently available through a traditional planning process. These tools combine the ability to:

- Regulate site alteration and vegetation removal
- Incorporate standards and variations from standards
- Identify both permitted and discretionary uses (subject to specific criteria)
- Similar to traditional planning tools, the DPS can regulate exterior and sustainable building design elements, e.g. secure streetscape improvements such as landscaping, street furniture, bicycle parking facilities
- Outline conditions required prior to, or as part of, a development permit approval

DPS can impose conditions of approval. Recently, changes to the *Planning Act* also allow for conditions of zoning. A regulation is expected to clarify the scope of permitted zoning conditions.

Figure 1 presents the key components of a traditional planning process compared to a development permit system.

**Figure 1
Planning Process Comparison**



A detailed comparison of various elements of a traditional planning process compared to development permit system approach is provided in Attachment 2. DPS flowcharts outlining key steps in the Official Plan Process, Development Permit By-law Process and Development Permit Application Process are presented in Attachment 3.

Benefits and Challenges of a Development Permit System

There are both advantages and disadvantages to this system.

Benefits:

- faster approval times
- no appeals except by the applicant once the policy framework is in place
- increased flexibility in design and development standards
- comprehensive evaluation procedures
- articulation of community visions, goals and objectives upfront
- intertwines the design and regulation process by linking land use policies, overall vision, regulatory approval stage and design
- transparency and clarity is enhanced by the declaration the standards of development upfront in the Official Plan
- once in place, no public notice of a permit application is required and processing will be completed within the DPS framework. Municipalities must respond within 45 days compared to a 120 day review period for traditional zoning applications.

Challenges of a DPS:

- determining amount of regulation upfront in process

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- public consultation occurs on a detailed and extensive system at a conceptual policy stage
 - public does not have input opportunities at a later site specific development stage
 - public does not have input into determining the rationale behind discretionary decision items, i.e. permitting discretionary uses or variations in standards
 - moving from a familiar, traditional system to an untested system could present challenges of public acceptance and understanding, particularly when two different planning systems would be practiced in the same municipality

The main difference between the two systems is that within the DPS, staff are granted a significantly greater degree of discretion that is only tested if an application appeals to the OMB. This discretion is applied to design and/or environmental issues that are dealt with through a relatively simple planning process. There is no public involvement and no third party appeals. A drawback could be that this discretion would only be tested if an applicant appeals. The general public would be limited to commenting and/or appealing the DPS policy framework at the onset of its preparation and not during the review of individual applications.

Development Permit System Implementation

To issue development permits, a municipality must establish a framework for the system which includes identifying the subject area, outlining the vision and goals for the area, and providing policy requirements for how the system will work.

The following framework documents are required to implement a DPS:

- Official Plan Amendment – establishes broader rules and regulations along with overarching goals and objectives for the DPS area; and
- Development Permit By-law – amends the zoning by-law to replace existing land uses with new regulations. Sets out rules and regulations, what forms of development require a permit and what is exempt, what can be requested in terms of plans, studies and other submissions, review criteria and other matters related to the review of development permit applications.

Other items of assistance include site plan design standards, urban design guidelines and manual, an application form, and a citizen's guide. Urban design guidelines and a manual would provide detailed considerations for items such as building styles, massing, use of materials, streetscape treatments and landscaping.

Official Plan Policies

A number of parent provisions are required in the Official Plan that provide an overall description of the DPS and its governance. This work will provide the foundation for any future DPS areas that may be established. In addition, other sections of the Official Plan may require amendment to provide policy support to provisions in the Development Permit System By-law and related Guidelines. It is anticipated that fewer land use typologies would be included within the Official Plan with a broader range of uses permitted.

Section 3 of Ontario Regulation 608/06 sets out the following conditions a municipality must establish in the Official Plan Amendment:

- Area covered by the DPS;
- Delegation of development approvals if desired (could limit to certain approvals based on scale and/or type);
- Goals, objectives and policies in proposing a DPS;
- Assessment criteria for determining whether any class of development or any use of land may be permitted by development permit; and
- Conditions that could be applied (must be identified in the Official Plan to be applied).

Under the Regulation a municipality may:

- Specify items that would constitute a complete development permit application;
- Identify uses that could exempt proponents from submitting a complete development permit application; and
- Present bonus ranges that could be granted if certain benefits are provided.

Development Permit By-law

Section 4 of Ontario Regulation 608/06 sets out the following conditions a municipality must establish in the Development Permit By-law:

- Description of area covered by the DPS (must be within area identified in Official Plan);
- Permitted uses (certain uses only permitted if OP criteria met);
- Minimum and maximum development standards;
- Internal review procedures;
- Notice requirements;
- Provide for amendment to a development permit and/or agreement;
- Conditions that may be applied as a condition of development permit approval; and
- Delegation of authority to approve a development permit or exempt someone.

Under the regulation a municipality may:

- Prohibit all development without a development permit, or exempt certain development forms requiring a development permit, e.g. internal change of use;
- Set out a list of possible uses that may be permitted subject to criteria, in accordance with the Official Plan;
- Establish criteria to be considered as part of an application process; and
- Establish how much of a variance could be considered.

Although the Development Permit By-law replaces the zoning provisions in the area, a municipality can decide whether or not to still apply the general provisions of the Zoning By-law to the area.

It is imperative that any condition should be clearly permitted by the Official Plan, shall be reasonable for and related to the appropriate use of the land, and shall not conflict with Federal and Provincial statutes and regulations. Under the Regulations,

conditions must be “clear, precise and quantifiable” and shall not deal with interior design, layout of interior areas, manner of construction and construction standards.

The Regulation includes examples of types of conditions that would otherwise be permitted by the following sections of the *Planning Act*: Section 34 (Zoning), Section 40 (Parking Exemption), Section 41 (Site Plan Control) and Section 42 (Conveyance of Land for Park Purposes).

Urban Design Guidelines and Manual

It is anticipated that design guidelines will be linked to the By-law similar to “form-based codes” found in design-focused regulatory frameworks. A permit application would have to meet the relevant policies in the Official Plan, which could be design guidelines. Generally staff would determine if the design policies of the Official Plan, via the DPS were met, and if so issue the permit. Urban design issues can be implemented either through site plan control/zoning or through a DPS. A DPS would generally give more discretion (as defined by the DPS by-law) and flexibility in implementation when compared to a traditional zoning by-law. Potentially this could result in a more design-focused exercise based on desired policy outcomes rather than one premised on assessing compliance.

Public Consultation and Approval Process

The Official Plan Amendment and the Development Permit By-law are subject to standard *Planning Act* public consultation processes and are appealable. There is an additional requirement to hold an open house for the DPS along with the standard public meeting. However, once the Development Permit By-law is in place, only an applicant can appeal a decision or non-decision within 45 days of submitting a complete application. Similar to site plan approval, appeals of specific development proposals that comply with the Development Permit By-law are not permitted by a third party.

The actual approval of development permit applications can be delegated to staff without a formal public process once the Official Plan Amendment and Development Permit By-law are approved. This approach may lead to a much quicker review period without the need to implement a public review process for each approval as required in the current development process. However, a very substantial pre-consultation process between the applicant and staff is required since the provisions of the by-law are discretionary and clarification is often necessary. Experience in the two municipalities with development permit systems in place suggest that there is no overall time savings once pre-consultation is taken into account. A municipality may also choose to distinguish between minor and major applications. Minor applications could follow a more streamlined approval process with staff approval while major applications could be subject to a more vigorous review with Council approval. The Development Permit By-law would need to establish the variation in process and outline what would be considered minor verses major. For example, a day care centre in a residential area could be approved by staff while a place of worship could be approved by Council. Another example would be staff consideration of a maximum height range of 2.5 to 5 m for a development application and Council consideration of requests involving 5 to 7.5 m.

Municipal Scan of Development Permit Systems

In Ontario only two municipalities have a DPS in place: Township of Lake of Bays and Carleton Place. The Township of Lake of Bays enacted a DPS for waterfront areas on January 1, 2006. The Township supports a permanent population of 3,000 and a seasonal population of 18,000 on 66,000 ha of land. The Township chose to implement a DPS to control shoreline vegetation in its waterfront areas in place of using site plan approval which is considered a more costly and cumbersome process.

Carleton Place enacted a DPS primarily to deal with the character of infill residential development throughout the municipality in June 2008. Carleton Place is a town outside of Ottawa with a population of almost 10,000. The DPS By-law focuses on the character of the community, ensures that infill development matches the style and character of each neighbourhood, and that the size of development generally matches the size of the lot. The municipality uses the system to deal with the character of infill residential development in a manner that minimizes cost and time, and eliminates the mandatory notification of adjacent owners and their rights of appeal. Many of the applications that comply with the DPS regulations are issued permits within 10 days. However, staff use most of their time dealing with pre-consultations.

The City of Brampton is working on a DPS for a portion of its downtown that is transitioning from residential to commercial uses to help streamline the various approval processes a built-up area under transition encounters. A DPS for the entire Town of Gananoque is currently subject to an OMB appeals process. The system includes three classes of development subject to different approval bodies. Class I approvals are reviewed and decided by staff and cover applications that result in a minor variation from approved standards and criteria. Class II approvals are decided by planning committee and cover applications that generally do not meet approved standards and require relief from one or more of those requirements provided that certain conditions can be demonstrated, e.g. no or minor impact to adjacent properties that can be mitigated through on-site works. Class III approvals require a Council decision. Attachment 4 highlights features, rationale and status of DPS in Ontario municipalities.

Situations for Development Permit Systems

Municipalities may choose to implement a DPS for the entire municipality, for a type of development or for a particular geographic area. A DPS approach provides flexibility to meet different needs such as providing discretionary uses, variation in standards, and delegation of approval authority to deal with specific planning goals and objectives including brownfield redevelopment, environmental protection and intensification. Not all situations are appropriate for a DPS, especially if the nature of the anticipated development approval process does not entail combinations of zoning, minor variances and/or site plan approval. A DPS would not deal with lot creation or building permit processes.

A scan of municipal practices has identified systems developed for waterfront areas, the regeneration of a downtown area, and development applications for an entire

town. The Ontario Professional Planners Institute has indicated that DPS hold promise as a means of encouraging infill and other forms of intensification.

Some situations that might lend themselves to consideration of a DPS include:

- Smaller geographic areas
- Areas subject to site alteration and vegetation removal controls
- Built-up areas undergoing transition to help avoid multiple approvals processes
- Built-up areas with clear vision and a desire to influence exterior design elements, e.g. heritage character areas
- Areas where flexibility is desired with discretionary uses
- Areas where conditions could require on-going monitoring

A DPS has not been applied to greenfield and/or vacant land development situations to date, so there is no experience to provide an understanding of the advantages and/or disadvantages of using this system. It is anticipated that this form of development approval is easier to implement in built-up areas where a development vision is more defined since the DPS must make a number of decisions and undertake design work upfront. The local municipality must know what they want the development industry to produce. Also with built-up areas, zone changes and minor variances are often required since newer standards are being applied to older areas. A DPS may also be appropriate for areas where development/redevelopment is sensitive to built-form, needs to compliment the character of an area, warrants standards and design guidelines that are unique to an area, and/or where landlords should be provided with some flexibility in terms of implementation on a case-by-case basis.

In assessing the application of a DPS to the development of lands such as the Guelph Innovation District, Council needs to consider the following:

1. Will applications involve a combination of zoning amendments, minor variances and/or site plan approvals?
2. To what degree does City staff and/or Council want to deal with each application as it comes forward?
3. How specific is the City willing to be about uses, their form and density? (If changes are anticipated there is little benefit to a DPS since amendments to the development permit by-law would be required.)
4. Is the City willing to support two development approval processes – traditional and DPS?
5. Is the City prepared to deal with public consultation approaches that occur at the front-end regulation formation stage of the process as compared to a site specific stage?
6. How much discretion and approval authority is Council willing to delegate to staff?
7. How attractive is the ability to limit third party appeals to the Ontario Municipal Board? (The formation of the DPS is still subject to appeals and applicants may also appeal.)
8. How many applications are anticipated within the GID and what is their timing? (It will take time to develop and approve a DPS and administrative procedures and costs would have to be estimated)

A Council information session has been scheduled for July 19th to discuss in part the implications of a DPS on the GID lands.

CORPORATE STRATEGIC PLAN

Urban Design and Sustainable Growth Goal #1: An attractive, well-functioning and sustainable City.

Government and Community Involvement Goal #5: A community-focused, responsive and accountable government.

Natural Environment Goal #6: A leader in conservation and resource protection/enhancement.

FINANCIAL IMPLICATIONS

The initial research into development permit systems as presented in this report has been undertaken by staff. The actual costs of developing a policy framework and implementing a DPS, should Council decide at a later date to pursue a DPS are unknown at this time and would require further research. Based on the experience of other municipalities the costs and time requirements are substantial, amounting to hundreds of thousands of dollars.

DEPARTMENTAL CONSULTATION/CONCURRENCE

Development approval and urban design staff within the Planning and Building Service Area have been consulted in the development of this report.

COMMUNICATIONS

A Council information session on the Guelph Innovation District Secondary Plan is scheduled on July 19, 2011 which will further discuss and explore a DPS and its fit with the secondary plan.

ATTACHMENTS

Attachment 1 – Ministry InfoSheet on Development Permit System

Attachment 2 – Comparison of Development Permit System with Current Process

Attachment 3 – Development Permit System Flowcharts

Attachment 4 – Municipal Scan of Development Permit Systems

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Attachment 1
Ministry InfoSheet on Development Permit System
(www.mah.gov.on.ca/AssetFactory.aspx?did=4737)

• **InfoSheet** •



DEVELOPMENT PERMIT SYSTEM

Spring 2007



The Development Permit System (DPS) is a new land use planning tool available to all local Ontario municipalities. It provides an alternative approval system which facilitates and streamlines development, promotes community building, and enhances environmental protection. The DPS is part of the government's commitment to provide municipalities with the tools they need to build strong, sustainable communities, and facilitate responsible growth for a strong Ontario.

WHAT IS THE DPS?

The DPS combines zoning, site plan and minor variance into one application and approval process. It promotes development by providing for faster timelines, eliminating potential duplication, incorporating flexibility for uses and development standards, and providing a "one-stop" planning service.

At the same time, the DPS builds upon the fundamental principles of planning in Ontario. It promotes the municipal role in developing the appropriate land use vision and policies for the municipality; it respects and maintains the role of the community in shaping the future of their neighbourhoods; it respects and maintains landowner rights in the development process; and it retains the role of the Ontario Municipal Board in resolving land use disputes.

The DPS does not include the lot creation or building permit processes, which continue to be separate and distinct from the DPS.

HOW DO MUNICIPALITIES IMPLEMENT THE DPS?

Ontario Regulation 608/06 (Development Permits) allows all local municipalities to use the DPS and sets minimum requirements for use of the system.

Before a municipality can issue development permits, the framework for the DPS must first be established in the municipal official plan. Council must amend the official plan to identify the DPS area, outline the vision and goals for the area, and provide the policy requirements for how the system will work.

Council must also pass a development permit by-law for the DPS area. Like a zoning by-law, the development permit by-law contains a list of permitted uses and standards. The by-law may also identify "discretionary" uses (uses that may be permitted subject to fulfilling certain criteria), permit some variation from development standards, and set out conditions that may be applied to the issuance of a development permit.

A development permit by-law is considered to be a zoning by-law under section 34 of the Planning Act.

The DPS helps strengthen a community's vision for its future by contributing to strategic, integrated and long-term planning, and providing certainty, transparency and accountability on the form of future development for an area.

The DPS provides distinct advantages to municipalities as compared to other planning tools. Specifically, the DPS:

- streamlines approvals
- provides for faster approval timelines (45 vs. 120 days)
- focuses third party appeals at the front end of the process, similar to site plan appeals
- provides a more flexible approvals process, which can reduce the need for minor variances
- provides for a broader range of conditions of approval not available through other planning tools
- allows decisions on development permit applications to be delegated to a municipal employee or a committee appointed by Council
- enables municipalities to incorporate their site alteration and tree-cutting bylaws into the DPS
- combines land use and physical design considerations into one process

BENEFITS OF THE DPS

The DPS incorporates many unique features which distinguish it from other planning tools:

DPS Facilitates Development

- **One Approval:** Zoning, site plan, and minor variance are combined into one application and approval process.
- **Flexibility:** The DPS is a flexible approval system, incorporating flexibility in both development standards and permitted uses (see next page).
- **Faster Review Timelines:** Applicants have a right of appeal after 45 days if Council fails to make a decision on an application (this compares to 120 days for a decision on an application to amend a zoning by-law, for example).
- **Appeals to the Ontario Municipal Board:** The DPS requires an official plan amendment and a development permit by-law to become operational, offering members of the public opportunities to share their opinions early in the process. Once the DPS is in place, only the applicant has the right of appeal to the Ontario Municipal Board for a decision on a development permit application that conforms to the requirements set out in the official plan policies and development permit by-law, similar to site plan applications.
- **Complete Application:** To ensure municipalities have all the information needed to make the required decisions, the DPS enables municipalities to enhance information and material requirements for an application for approval of a development permit. Municipalities may also exempt classes of development or uses of land from information and material requirements; this recognizes that it may not be reasonable, in every case, to require an applicant to provide all of the detailed information.
- **Streamlining Other Processes:** The definition of "development" under the DPS builds upon the definition under section 41 of the Planning Act, to also include site alteration and the removal of vegetation. Through this expanded definition, the DPS provides the opportunity to integrate municipal site alteration and tree-cutting by-laws into the DPS.
- **Delegation:** Decisions on development permits can be delegated to either a municipal employee or to a committee appointed by Council. This helps expedite development because decisions on an application do not have to be tied to Council's meeting schedule.



In the DPS, the public continues to have a key role in shaping the form of their communities. By focusing input and appeals at the front-end of the process, the DPS provides more clarity and certainty to the community's future land use vision.

Criteria for discretionary uses may include technical studies to determine whether a proposed use is appropriate, and under what conditions.

Permitted height could be varied by a certain amount (up to 5 per cent, for example) subject to identified criteria being fulfilled, such as stepping back of additional height from the streetline. Variations outside the specified range would require an official plan and/or by-law amendment.

Conditions supporting strong communities may include, for example, conditions related to protecting public health and safety, the natural environment and vegetation, community character, and providing the necessary infrastructure and facilities for a desirable quality of life.



DPS Provides More Flexible Approval Process

- **Flexibility in Uses:** Like a zoning by-law, a development permit by-law must identify and define a list of permitted uses. However, a development permit by-law may also identify discretionary uses that may be permitted if specified criteria are met. This is important for areas such as environmentally sensitive or contaminated areas where appropriate development has, in the past, been prohibited or hindered.
- **Flexibility in Development Standards:** Like a zoning by-law, a development permit by-law must also identify minimum and maximum development standards. However, a development permit by-law may also establish a specified range of variation from these standards, avoiding the need for minor variances for applications that fall within the prescribed range of variation.

DPS Promotes Strong Communities

The DPS supports the development of strong, healthy, and sustainable communities. The system enables a range of conditions of approval to be applied to a development permit. This includes conditions that must be fulfilled before a development permit is issued, as well as conditions imposed on the issuance of a development permit or both. At the municipality's discretion, one or more of these conditions can also be included in a development agreement which may be registered on title.

The DPS also allows municipalities to better ensure compatibility of development with existing or desired community character, by allowing for conditions related to exterior and sustainable building design, as permitted by section 41 of the Planning Act.

DPS Promotes Environmental Protection

- **Development in Environmentally Sensitive Areas:** Through the discretionary use provisions discussed above, the DPS provides municipalities with a greater range of options in dealing with environmentally sensitive or hazardous areas, including those lands described in section 34 of the Planning Act (such as marshy or flood-prone lands and contaminated lands).
- **Ability to Regulate Site Alteration and Removal of Vegetation:** "Development" is defined, in the DPS, to include site alteration and the removal of vegetation. This helps protect water quality, for example, through the requirement for vegetative buffers and erosion control measures.
- **Conditions on Development Permits:** With the DPS, a municipality has the ability to apply conditions that are required to be fulfilled prior to, or imposed upon, the issuance of a development permit. Conditions supporting environmental protection may include, for example, conditions related to ongoing monitoring requirements that are considered necessary for the protection of the natural environment and public health and safety.

DPS Benefits Landowners

The unique advantages of the DPS benefit not only municipalities, but also individual landowners. From the landowner's perspective, for example, the DPS:

- provides a streamlined, integrated and flexible approvals framework
- provides certainty and clarity for landowners and the community by identifying the requirements for development up-front, through the municipality's official plan policies and development permit by-law
- promotes investment and facilitates development by significantly reducing the time required to obtain development permission
- provides the convenience of a "one-window" approach to approvals, eliminating potential duplication
- requires 1 application instead of 3, eliminating the need for separate approvals
- maintains a similar level of certainty for landowners as exists with zoning in key areas such as permitted uses, development standards, and appeal rights on development permit applications
- facilitates and promotes development at the development permit applicant stage, as only the landowner can appeal refusal of a development permit or any conditions on a permit to the Ontario Municipal Board
- provides similar appeal rights to the Ontario Municipal Board for all persons as under zoning, when the requirements for development are being established, or when these are being changed.



From the community's perspective, the DPS also has important public benefits by promoting strategic, long-term planning, and providing certainty, transparency and accountability for the community and other parties in the land use planning system. This is achieved through the up-front, policy-led process of the DPS, which requires community involvement in the development of the appropriate land use vision and requirements for development in the DPS area. Once the system is implemented, the DPS reaffirms and supports the importance of this community vision. Any changes to the requirements for development require community input and participation, and are subject to appeals to the Ontario Municipal Board.

Want to learn more?

**MINISTRY OF MUNICIPAL AFFAIRS
AND HOUSING**

Provincial Planning Policy Branch
(416) 585-8014
Website: www.ontario.ca/mah

MUNICIPAL SERVICES OFFICES:

- Central (Toronto)**
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- Southwest (London)**
(519) 873-4020 or 1-800-265-4736
- East (Kingston)**
(613) 545-2100 or 1-800-267-9438
- Northeast (Sudbury)**
(705) 564-0120 or 1-800-461-1193
- Northwest (Thunder Bay)**
(807) 475-1651 or 1-800-465-5027

This InfoSheet was developed to assist participants in the land use planning process to understand O.Reg. 609/06 made under the Planning Act. As this InfoSheet deals in summarized fashion with complex matters and reflects legislation, policies and practices that are subject to change, it should not be relied upon as a substitute for specialized legal or professional advice in connection with any particular matter. This InfoSheet should not be construed as legal advice and the user is solely responsible for any use or the application of this InfoSheet. Although this InfoSheet has been carefully prepared, the Ministry does not accept any legal responsibility for the contents of this InfoSheet or for any consequences, including direct or indirect liability, arising from its use.

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Système de délivrance de permis
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Building Blocks for Sustainable Planning - 11 in a Series of 12

DEVELOPMENT PERMIT SYSTEM (s. 70.2 and O. Reg. 608/06)

For More Information

Ministry of Municipal Affairs and Housing Website:
ontario.ca/mah
ontario.ca/e-laws
or contact your nearest Municipal Services Office (MSO):

Central MSO
777 Bay Street, 2nd Floor
Toronto ON M5G 2E5
General Inquiry:
416-585-6226
Toll Free: 800-668-0230

Eastern MSO
8 Estate Lane, Rockwood House
Kingston ON K7M 9A8
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London ON N6E 1L3
General Inquiry:
519-873-4020
Toll Free: 800-265-4736

DISCLAIMER

This sheet deals in summarized and conceptualized fashion with complex matters that reflect legislation, policies and practices that are subject to change. All illustrations represent hypothetical scenarios of the application of various tools. For these reasons, this fact sheet should not be relied upon as a substitute for the relevant legislation, regulations and policy documents, or for specialized legal or professional advice when making land-use planning decisions.



Description of Tool

- Combines zoning, site plan control and minor variance into one streamlined application and approval process
- Optional tool that requires official plan (OP) policies and a development permit by-law
- Allows conditions (e.g. providing and maintaining landscaping to mitigate noise) which may be set out in agreements and registered on title
- Does not replace lot creation or the building permit processes

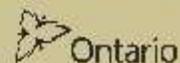
Implementation

- A Development Permit System (DPS) may apply to all or part of a municipality
- Community involvement and appeal rights are focused at the front end of the process in the development of OP policies and a development permit by-law
- Once the DPS is in effect for an area, it replaces the individual zoning, site plan and minor variance processes for the DPS area
- Timeline: when the complete application is received, the approval authority has 45 days to make a decision

Potential Benefits

- May enable conditions relating to the protection of public health and safety and the natural environment by requiring on-going monitoring agreements
- Can enable sustainable streetscape improvements on public boulevards adjoining development sites

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Attachment 2 - Comparison of Development Permit System with Current Process

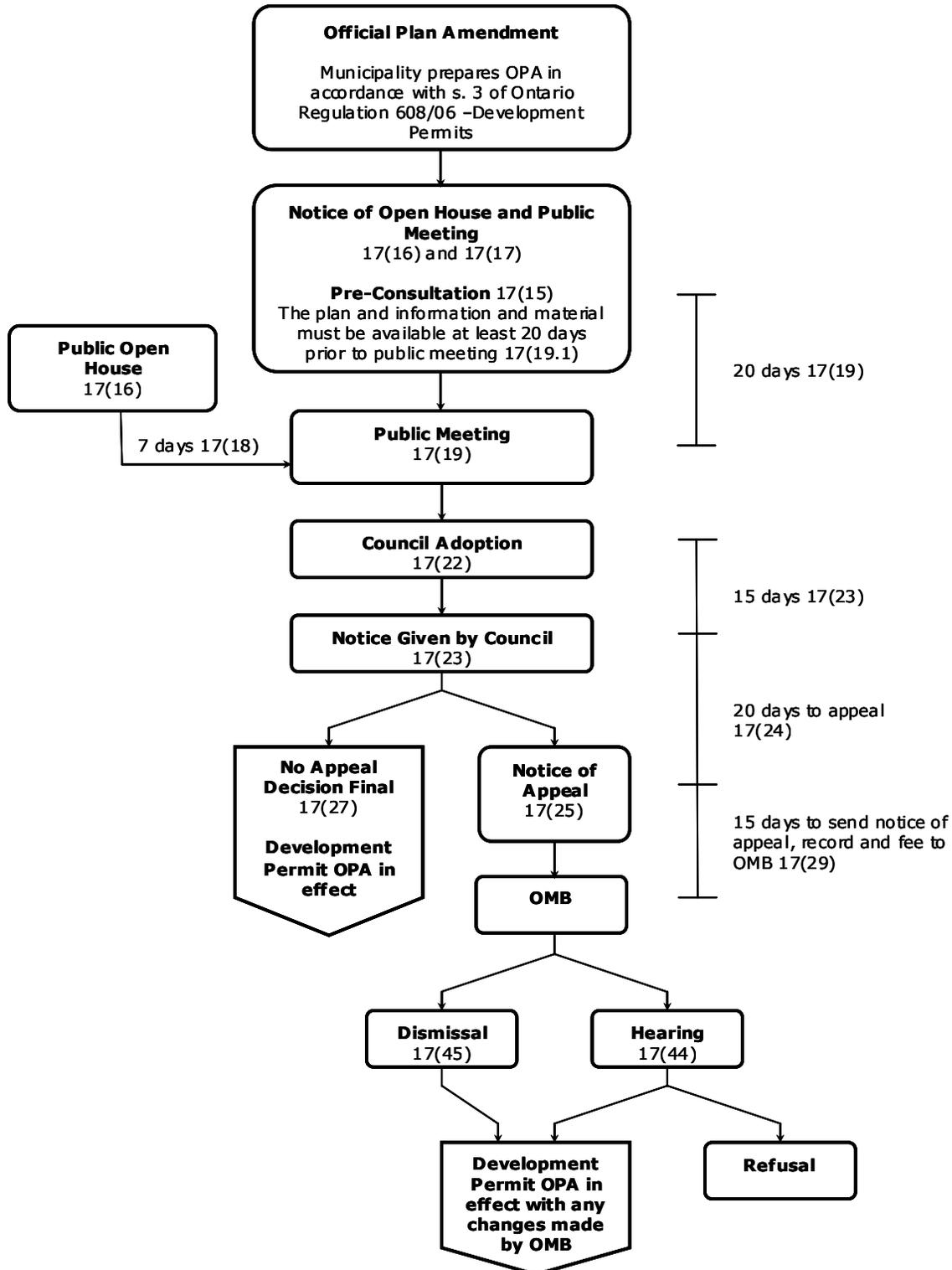
| Features | Development Permit System | Current Process | | |
|-------------------------------|--|--------------------------|--|---|
| | | Zoning By-law | Minor Variance | Site Plan |
| Number of Applications | One | Potentially three | | |
| Permitted Uses | Permitted uses listed, discretionary uses may be permitted if specific criteria met | Yes | n/a | n/a |
| Development Standards | Range of standards can be applied, avoiding minor variance process | Yes – zoning regulations | No | Must conform to zoning (site plan guidelines) |
| Conditions | Can attach certain development conditions before permit issued and/or during time permit in effect, e.g. | No | Yes - The Committee of Adjustment can impose conditions if an application is approved (conditions must be satisfied before a building permit is issued, unless otherwise specified by the Committee) | Yes (conditions may be secured through a site plan control agreement registered on title) |

| | | | | |
|------------------------------|---|---------------|--|--|
| | monitoring | | | |
| Review Time | Anticipate quicker review time. Requires City to provide a decision within 45 days. No public review of application required and approval could be delegated to staff | See flowchart | See minor variance process at guelph.ca/living.cfm?smocid=1923 | See site plan procedures at guelph.ca/living.cfm?itemid=65116&smocid=1915 |
| Public Review Process | No process required once OPA and Development Permit By-law in place | Yes | Yes | No |
| Approval Body | Council? Usually delegated to staff in some manner Can establish different | Council | Committee of Adjustment appointed by Council | Staff |

| | | | | |
|--|---|-----------|----------------|--------------------------|
| | process for minor and major applications | | | |
| Notice of Decision Requirements | Formal notice of decision issued but no appeal period to the decision | See chart | See MV process | See site plan procedures |
| Appeals | Not appealable by third party, applicant can appeal a decision or non-decision within 45 days of submission of complete application | Yes | Yes | Yes – only by applicant |

Attachment 3 –Development Permit System Flowcharts DPS Official Plan Process - Municipality Exempt from Approval

The following flow chart focuses on the basic process, some steps are not shown

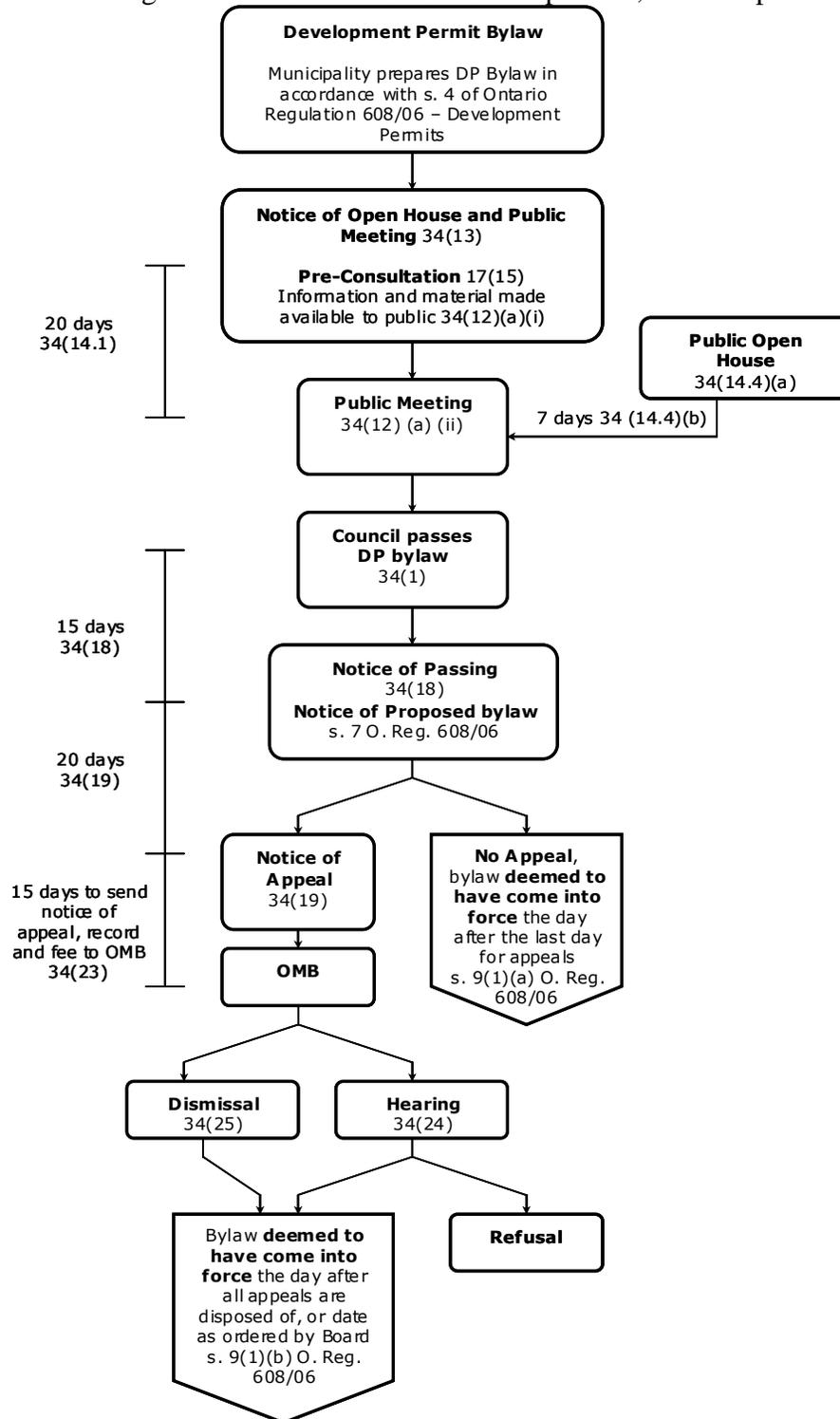


Source: Development Permit System: A Handbook for Municipal Implementation, MMAH, Fall 2008

Attachment 3 –Development Permit System Flowcharts

Development Permit Bylaw Process

The following flow chart focuses on the basic process, some steps are not shown

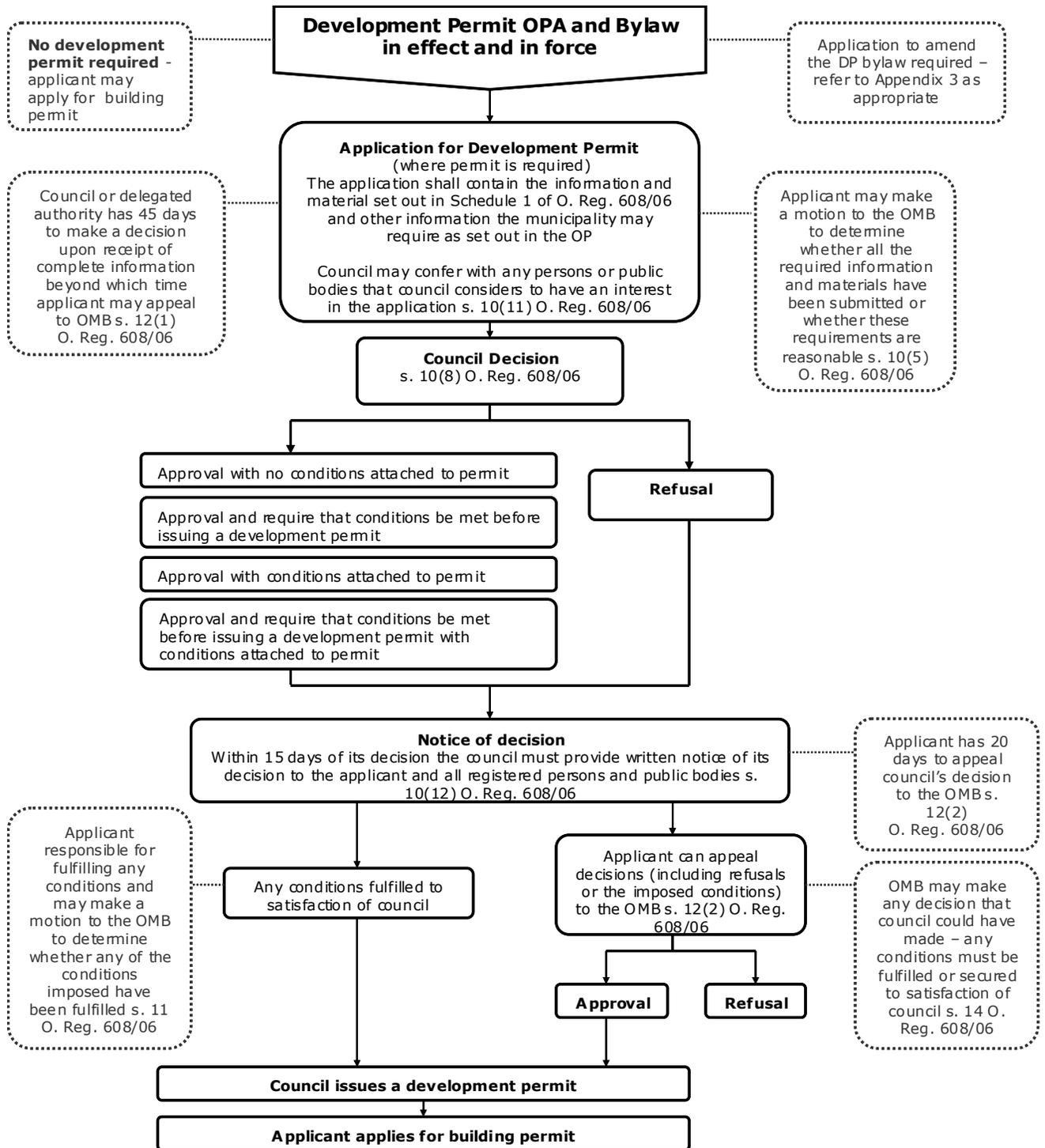


Source: Development Permit System: A Handbook for Municipal Implementation, MMAH, Fall 2008

Attachment 3 –Development Permit System Flowcharts

Development Permit Application Process

The following flow chart focuses on the basic process, some steps are not shown



Source: Development Permit System: A Handbook for Municipal Implementation, MMAH, Fall 2008

Attachment 4
Municipal Scan of Development Permit Systems

| Municipality | Subject Area | Rationale/Other | Status |
|------------------------|---|---|--|
| Brampton, City | 12.2 ha. downtown area A historic residential area that has been transitioning into a more commercial uses along Main St. | Regulates a distinct "Character Area" that serves as an entry point into historic Downtown Brampton. Area has unique and historic lot pattern, older historical dwellings and mature tree canopy. Most development/redevelopment to occur within existing buildings or as additions to existing buildings, many perceive the development process to be onerous and expensive. | Public Information Sessions being held – April 6, 2011 Urban Design Study July 2007, Discussion paper on DPS July 2008 |
| Carleton Place | All lands with Town of Carleton Place | To streamline development and provide for timely reviews of development proposals. To preserve the existing small-town character, improve commercial areas, increase opportunities and diversity of employment land uses, provide a wide range of recreational activities and facilities, preserve a healthy river, and conserve heritage and cultural resources. | Approved in June 2008 |
| Gananoque | All lands within Town of Gananoque. | Presents three classes of permit: Class 1 – approved by Staff Class II – approved by Committee Class III – approved by Council. | Adopted by Council Oct. 5, 2010, appealed to OMB Nov. 1. 2010. |
| Hamilton, City | Historic area of downtown (Gore area) | Ensure compatibility of new development/redevelopment with form and character of historic Gore area in city's downtown | Not in use |
| Lake of Bays, Township | Waterfront Area of the Township | Good tool to deal with shoreline development since it can regulate site | Jan. 1, 2006 came into effect |

| | | | |
|------------------|-------------------------------|--|------------|
| | | alteration and vegetation removal. Streamlines planning process by combining zoning amendment, minor variance and site plan approval processes. Can clearly outline development requirements and conditions, and rules by which applications will be reviewed. Logical extension of innovative community-based planning that has already occurred in municipality through visioning and Official Plan processes. | |
| Oakville, Town | Employment redevelopment area | Facilitate comprehensive mixed use redevelopment, brownfields revitalization, integrated bus and rail transit terminals, and investment in infrastructure. | Not in use |
| Toronto, City | Central waterfront area | Facilitate development/ redevelopment of brownfields, redevelopment of Central waterfront and port lands. | Not in use |
| Waterloo, Region | Wellhead protection areas | Protection of groundwater from potential contamination from existing and approved uses in sensitive wellhead areas. | Not in use |