

Community Permit Planning Systems

Planning and Development Council Presentation

April 8, 2024



OAKVILLE

Purpose of This Presentation

To explore how a Community Planning Permit System may be used to support the Town of Oakville's community building objectives and implement its Official Plan.

Agenda

1. Overview of CPPS Use in Ontario
2. Achieving Community Objectives within a CPPS Framework
3. Municipal Practices in Adopting and Implementing CPPS
4. Next Steps

1. Overview of CPPS Use in Ontario

What is a CPPPS?

Community Planning Permit System

A Community Planning Permit System (CPPS):

- Is a land use planning tool available to municipalities in Ontario, through the Planning Act
- Replaces the municipality's Zoning By-law
- Is sometimes referred to as Development Permit System
- Introduced in 2007 through an update to the Planning Act and first implemented through O.Reg. 608/06, re-introduced as a CPPS through O.Reg. 173/16
- Has the ability to streamline development approvals by combining zoning, site plan and minor variance process



Development Approval

Traditional Process

Scope of Tool

Under Site Plan Control, definition of development is based on Planning Act Sec 41(1).

Residential under 10 units exempt from Site Plan Control.

Approval Time

Minor Zoning By-Law Amendments (ZBA) are delegated to staff.  90 days

Minor Variances (MV) are approved by Committee of Adjustment.  ~30 days

Site Plan Approval (SPA) delegated to staff*.  60 days

Public Consultation and Appeals

Minor ZBA has mandatory notification requirements and are subject to third-party appeals.

MV has mandatory public notice, public comments at hearing, no third-party appeals.

SPA no legislative public consultation/notices.

Community Planning Permit Process

Broader definition of development includes **site alteration and vegetation removal**.

Ability to provide controls for new residential development with **10 units or less**.

Single development permit application may be approved by Council, Committee or Staff in accordance with the class of development, as per the by-law.

 45 days

- **Public meetings/notice** per requirements of the CPP By-law.
- **Only the applicant has the right to appeal** a permit decision to the Ontario Land Tribunal (OLT).

Example: Types of Applications

Class 1 As-of-right

- Meets all development standards of the by-law, no variation is required
- Includes Permitted Use

Typically staff approval

Class 2 Variation

- Variation to a development standard within the Class 2 variation threshold established in the by-law
- Includes a listed Discretionary Use

Typically staff approval (could be Committee)

Class 3 Negotiation

- Variation to development standard beyond the Class 2 threshold established in the by-law
- Includes a range of facilitates, services and matters the municipality may request in exchange for additional height or density

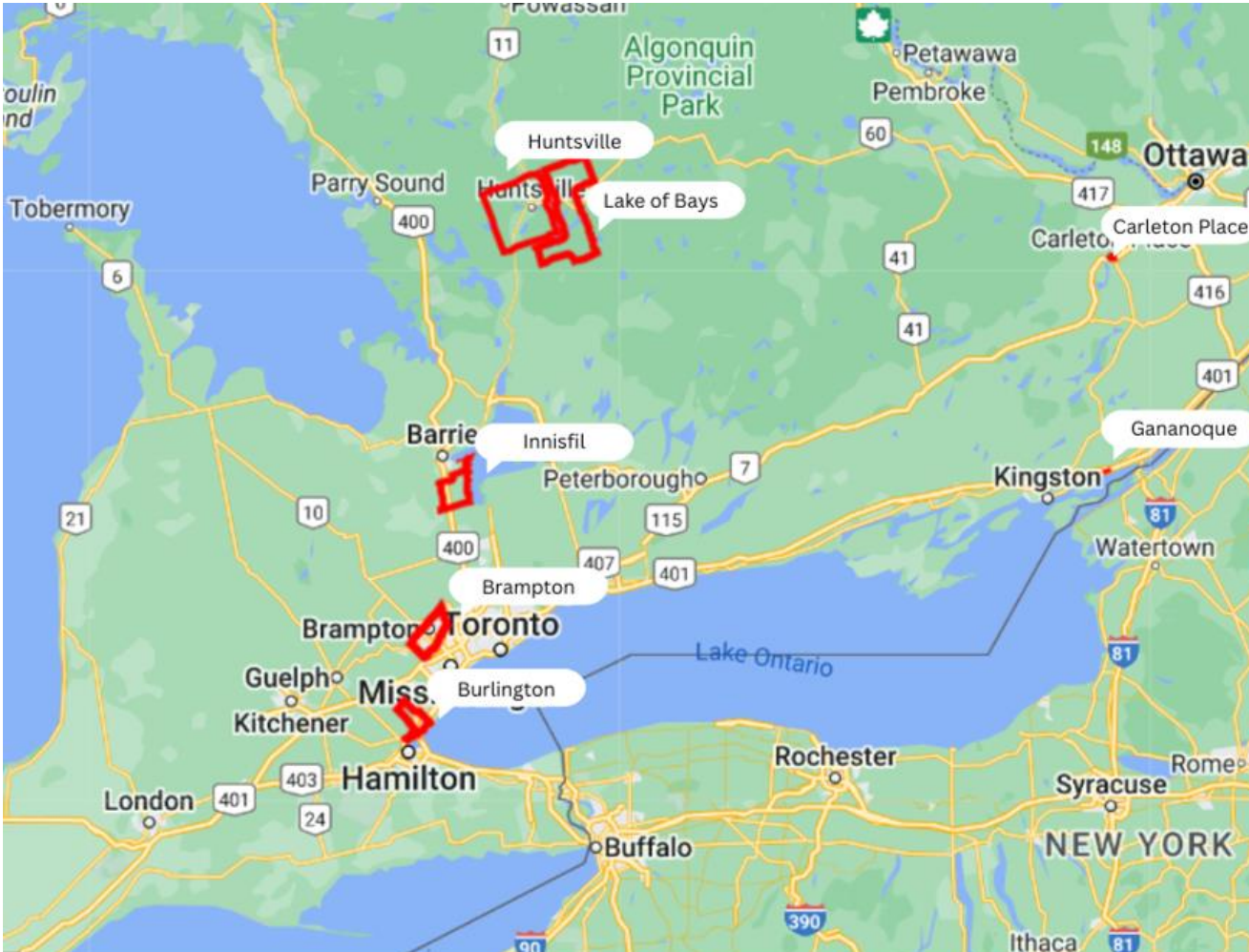
Typically Council approval (could be Committee)

Applicant is required to address **variation criteria** (e.g., Guiding Principles, complete communities, off-site impacts, other policies, regulations, standards and guidelines).

Any applicant may be required to satisfy conditions of approval prior to, at the time of or after permit issuance.

Area-Specific vs. Town-wide CPPS

CPPS use in Ontario



While the CPPS/DPS tool is still underutilized across Ontario, DPS have been used as a planning tool by municipalities in other parts of the Country for many years.

CPPS use in Ontario

Area-specific CPPS

1. City of Brampton (Main Street North) – in effect since 2015, expanding to MTSAs
2. Town of Innisfil (Shoreline) – in effect since 2017
3. City of Burlington (three MTSAs) – draft By-law
4. City of Waterloo (UGC and Intensification Corridor) – in process
5. Township of King (Core Areas) – In process
6. City of Ottawa (Kanata North Economic District) – in process
7. City of Peterborough (SGA) – In process




Municipal-wide CPPS

1. Lake of Bays – in effect since 2021 (previously Shoreline only)
2. Carleton Place – in effect since 2021
3. Town of Gananoque - in effect since 2010
4. Town of Huntsville – in effect since Jan 2023 (2022 bylaw)
5. Town of Innisfil (expanding to Alcona as first phase) - in process




Several other municipalities with some enabling policies or are in the process of exploring the tool

Area-Specific versus Municipal-Wide CPPS

Benefits of Area-Specific

-  Ability to pilot for a specific geography and work through implementation “kinks”
-  Phase in change management process with staff/clerk/council
-  Can focus effort on priority growth areas where there is the biggest “bang for your buck”

Benefits of Municipal-wide

-  Provides a single land use regulatory document that applies to the whole municipality
-  Single internal process to manage for staff/clerk/council
-  Reduce chance of confusion on which process applies for developer and public

2. Achieving Community Objectives Within a CPPS Framework

Achieving Community Objectives through a CPPS



Provision of Public Community Facilities



Provision of Parkland



Achieving Mixed-use Targets within Development



Achieving Affordable Housing Targets



Realizing Sustainability Measures



Realizing Desired Urban Design Elements



Protecting Natural Heritage and Prohibiting Development in Key Areas



Coordinating Development with Infrastructure Service Delivery

Provision of Public Community Facilities



There are several methods municipalities are using CPPS to secure essential community amenities and facilities:

- Permitted uses
- Discretionary uses and criteria
- Facilities, services and matters associated with all permit applications as well as those in exchange for additional height and/or density
- Conditions of approval

Public Realm and Active Transportation



Provision of Parkland



Parkland can be achieved through current municipal parkland by-laws and through facilities, services and matters established in the CPP By-law.

Several municipalities include parkland and public park improvements as elements that may be considered by the municipality in exchange for additional height or density.

1.17 COMMUNITY BENEFITS FOR INCREASED HEIGHT OR DENSITY

- 1.17.1** Where an increase in the **height** of a **building** or **structure** or an increase in density (**lot coverage**) is contemplated, provisions may be made in exchange for specified community facilities or benefits to the satisfaction of Council.
- 1.17.2** Community benefits may include provisions for the following:
- a. Public art on public lands or **buildings**;
 - b. Parkland and public **park** improvements;
 - c. Built form with innovative technological, environmental or design components;
 - d. Provision of public access or improvements to public access to Lake Simcoe, the **shoreline**, beaches or road ends;
 - e. Preservation of community identity or natural environments;
 - f. Off-site streetscape improvements;
 - g. Local improvements to public **parking areas**;
 - h. Land for municipal purposes;
 - i. Provision of special facilities to enhance the environment such as: **vegetation** protection zone enhancements, drainage improvements, tertiary sewer treatment;
 - j. Phosphorous level control measures; and,
 - k. Other local improvements identified through Community Improvement Plans, Secondary Plans, Streetscape Studies, Community Planning Permit By-laws, environmental strategies, sustainable energy strategies, capital budgets, master plans, or other implementation plans or studies.

Achieving Mixed-use Targets within Development



CPPS provides an opportunity to introduce permitted and discretionary uses, with criteria associated with adding a discretionary use.

Table 6.1: Permitted and Discretionary Uses in the Downtown Burlington UGC / Burlington GO MTSA Permit Area

Permitted or Discretionary Use	Precincts									
	Burlington GO Central (B)	Queensway Commons (Q)	Fairview Frequent Transit Corridor (F)	Urban Employment (UE)	Drury Node (D)	Legion Commons (LC)	Leighland Node (LL)	Upper Brant (UB)	Mid-Rise Residential (M)	Low to Mid-Rise Residential (LM)
Rowhouse						D(b)		D(b)	D(b)	P
Dwelling units above the first two storeys in a mixed use building	D(c)	P	P		P	P	P	P	P	
Apartment building, single use		D(b)	D(b)			P	D(b)	D(b)	D	p
Office, single use building	P		P	P	P				D	
Office, mixed use building	P	P	P	P	P	P	P	P(a)	P	

Achieving Affordable Housing Targets



All applications are required to:	Class 1 applications (as-of-right, up to a Class 1 max height) with <u>ownership units</u> are required to:	Class 1 applications with <u>rental units</u> are required to:	Class 2 (Variation, up to Class 2 max height) may be granted based on the applicant demonstrating:
<ul style="list-style-type: none"> • Minimum target of 3-bedroom units • Demonstrate housing strategy vision 	<ul style="list-style-type: none"> • 2%+ of units deeply affordable, or • 7%+ of units moderately affordable, or • 15%+ of units as attainable 	<ul style="list-style-type: none"> • 3%+ of rental units attainable 	<ul style="list-style-type: none"> • Proposed development meets or exceeds one or more of the city-wide annual housing targets and provides: <ul style="list-style-type: none"> • Class 1 requirements plus <ul style="list-style-type: none"> ○ additional affordable ownership units, or ○ affordable rental units, or ○ contribution of land at or above service level target.

Realizing Sustainability Measures



There is an ability to include sustainability measures (above the Building Permit minimums) into the by-law through objectives, criteria for variations, conditions of approval and facilities, services and matters in exchange for additional height and density.



Realizing Desired Urban Design Elements



- Ability to define Precinct areas and specific urban design requirements in the By-law itself
- Can incentivize meeting urban design guidelines
- Can include a variety of methods to achieving a specific design objective
- Recent changes to SPC regarding limits to exterior design does not impact CPPS



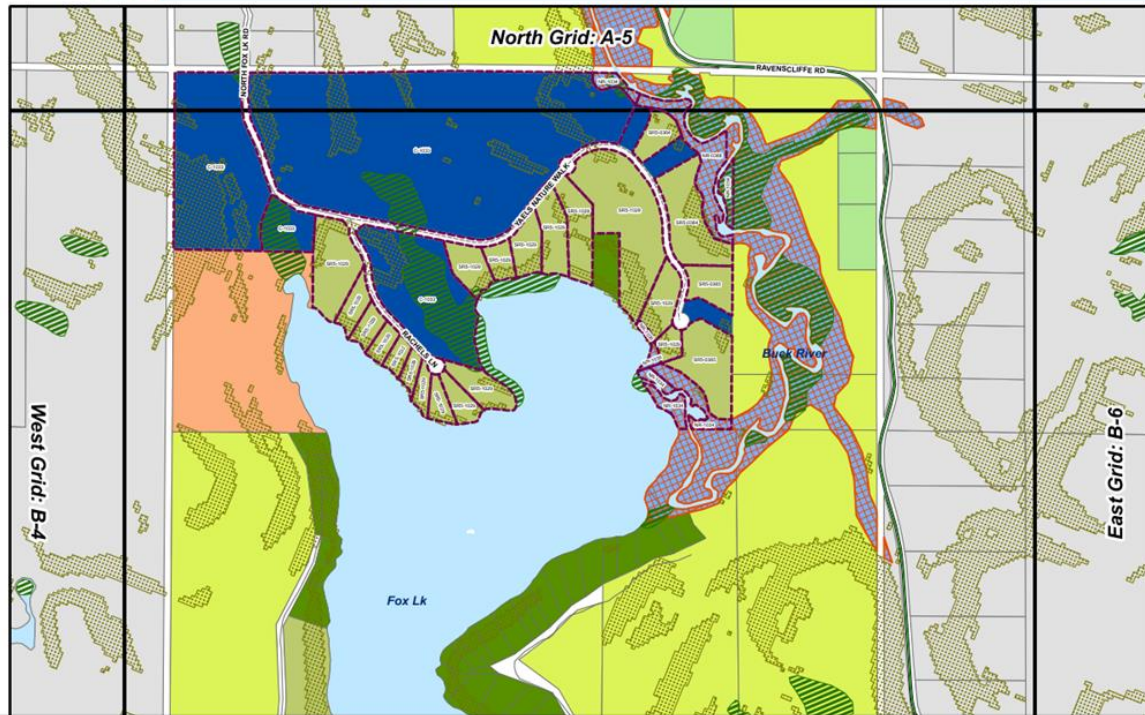
Bomanville GO Station, rendering Dillon Consulting

Protecting Natural Heritage and Prohibiting Development in Key Areas

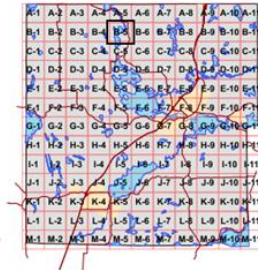


Town of Huntsville - Community Planning Permit By-Law

Schedule B-5
Community Planning
Permit By-Law # 2022-97



Print Size: 11" x 17"
Printed: July 21, 2022
Scale: 1 : 10 000



**Conservation
Precinct**
Flood Zone
Floodway Zone

- 4.10 Conservation Precinct
- 4.10.1 Permitted Uses – Principal Uses

PRECINCT	Conservation
Flood or Erosion Control Facilities	•
Passive Recreational Use	•
Park, Private	• (a)
Park, Public	• (a)
NOTES:	
(a) Provided no building or structure is permitted.	



Coordinating Development with Infrastructure Service Delivery



Burlington - Guiding Principles

- **Development of infrastructure** projects will be coordinated by the **City**. This will include **streetscape** improvements and future road projects, with upgrades to water and sanitary networks in collaboration with the Region of Halton to minimize the impacts of construction on the residents and businesses within the MTSAs.

Huntsville List of Conditions of Approval

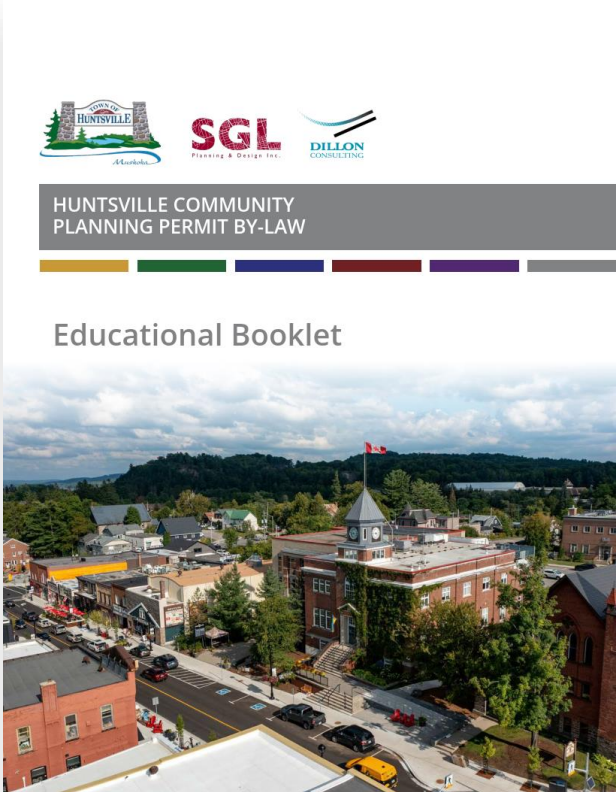
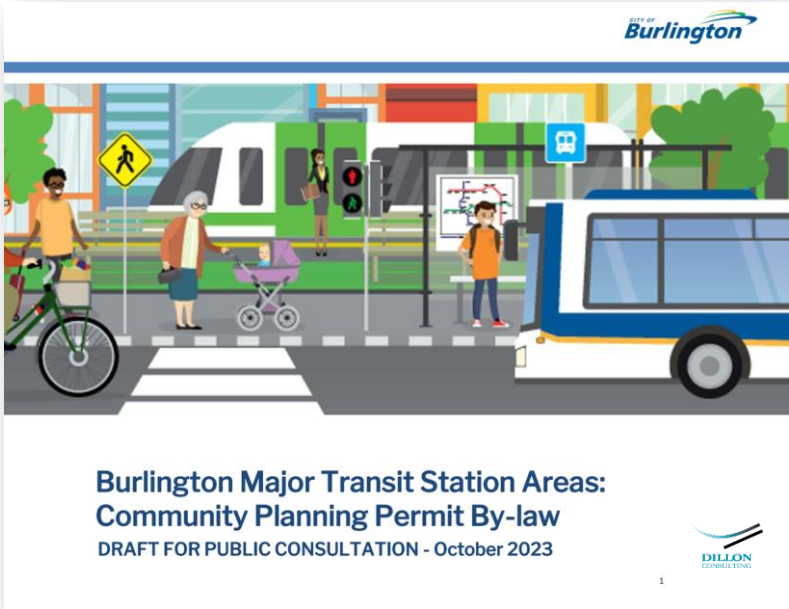
- bb) actions and recommendations as set out in any approved study submitted to support the application;
- cc) an agreement with the Town and/or any regulating bodies, to be registered on title, to confirm that **development** will proceed in accordance with the Community Planning Permit, including the provision of financial securities.

Lake of Bays

3.30.3 *Development and site alteration* shall be subject to a 1000m *setback* from a municipal water supply intake, well or municipal sanitary sewage outfall unless it is subject to a conditional provisional Planning Permit requiring confirmation from the *District of Muskoka* that such *development or site alteration* will not negatively impact the infrastructure.

4. Examples of Municipal Practices in Adopting and Implementing CPPS

Successful Measures to Engage Community and Stakeholders Prior to Adoption



Best Practices in Drafting a CPP By-law

- Involve various interest groups throughout the by-law development process
- Flexibility in permitted and discretionary uses
- Broad range of conditions that may be imposed
- Be specific (e.g., include appropriate number of precincts)
- Use of graphics, visuals and support tools in communicating the intent
- Use criteria to support decision making

Successful Measures to Implement the CPPS Once In-Effect

- Some lessons learned from previous Best Practices Review
 - Identify classes of development to provide efficiency in application approvals and meet 45-day approval timelines
 - Establish internal review teams in accordance with the class of development
 - Include a pre-submission requirement in the approval process to determine class of development and scope application requirements accordingly
 - Establish application fees in accordance with classification
- Educational booklets/guides
- Staff workshops and implementation guides
- Monitoring success, expect to have to do some housekeeping amendments

5. Concluding Remarks

Concluding Remarks

- CPPS is a community building tool that implements the policies of a municipal Official Plan.
- Successful use of the tool starts with community and stakeholder participation in the development of Official Plan enabling policies and preparation of the CPP by-law.
- Tool can be used to help municipalities address the range of complex issues facing their communities today and into the future.
- Ability to establish criteria, discretionary uses, conditions and pre-defined range of variations provides clarity for applicants and decision makers which results in fair and consistent development permit approvals and certainty in policy implementation.

Thank you

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