
TO: GENERAL COMMITTEE

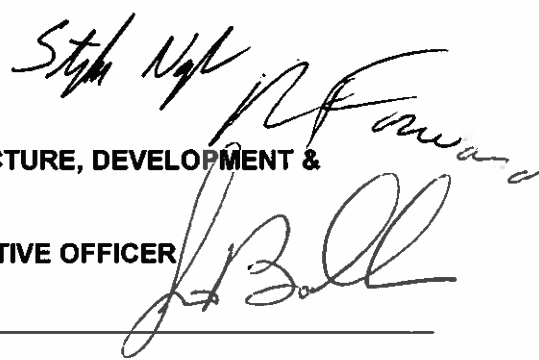
SUBJECT: DEVELOPMENT PERMIT SYSTEM

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RECOMMENDED MOTIONS

1. That staff be directed to investigate the implementation of a Development Permit System in the City of Barrie; and,
2. That staff hold a general Public Information Session about the Development Permit System to obtain feedback from citizens and the development community.

PURPOSE AND BACKGROUND

3. The purpose of this report is to provide Council with a brief overview of the Development Permit System (DPS), a tool available under the *Planning Act* for the processing of development applications.
4. The DPS combines Zoning, Minor Variances and Site Plan Control into one application regulated by a Development Permit By-law. A DPS is implemented in two phases:
 - a) Phase 1 is the preparation of an Official Plan Amendment to define an area of focus and create policies and a vision for a defined area of the municipality. This area would be the area of which the DPS would apply.
 - b) Phase 2 is the creation of a By-law that integrates all aspects of development permissions for properties within the defined area, including; permitted uses, site standards, urban design and other specific criteria, such as site alteration restrictions or consideration for environmental features.
5. In 2001, the Ministry of Municipal Affairs and Housing under Ontario Regulation 246/01 initiated a pilot project for Development Permits for defined areas in five municipalities; The City of Hamilton, The Town of Oakville, The Township of the Lake of Bays, the City of Toronto and the Region of Waterloo.
6. Only one municipality, The Township of the Lake of Bays, completed the DPS implementation process. The Township has applied a Development Permit By-law to all properties designated 'waterfront' to regulate land use with specific consideration for shoreline alteration and vegetation removal.

7. The DPS was updated in 2006 by Ontario Regulation 608/06 (amended by Regulation 448/07) to permit the implementation of the DPS for all municipalities in the Province of Ontario.

ANALYSIS

8. For a municipality to implement a DPS an area of the community must first be designated and a vision, goals and objectives for the future development of that area must be formulated. Direction from Council will allow Planning staff the opportunity to investigate in detail how a DPS is implemented, what the application procedures are, the advantages and disadvantages of a DPS, and to identify any issues specific to the City of Barrie that may impact the use of a DPS. The Public Information Session will provide staff the opportunity to obtain input from the public and development community early on in the process, which is consistent with Council's strategic goals.

Process

9. When implementing the DPS, the vision, goals and objectives for the DPS area would be integrated into the municipal Official Plan via an Official Plan Amendment. The second step in the process is the drafting of a Development Permit By-law. The By-law would establish regulations that implement the goals and objectives of the Official Plan for the future development of the DPS area. Each of these steps would be completed under the regulations of the *Planning Act* including full public and Council involvement.
10. The main function of the By-law is to provide a detailed description of the permitted land uses, site standards and urban design for the entire DPS area, including conditions and additional studies that could be required by the City when considering development applications. For example, one pocket of residential development could be regulated to maintain the architectural character of the neighbourhood, while another could have a predominate focus on new development that includes green buildings and the integration of active transportation initiatives.
11. Using the structure provided by the Development Permit By-law, the DPS combines rezoning, site plan control, and minor variances into one application procedure with a statutory review timeline of 45 days. As such, the applicant has the right to appeal a non-decision by the municipality within 45 days of the application being considered complete. In addition to the combination of application processes, the reduced timeframe is proposed to make a Development Permit application more efficient given that the Development Permit By-law is intended to be drafted in such detail and with significant community involvement at the onset of the implementing the DPS.
12. The Development Permit application should result in significant time savings for many applicants, as existing application processes, such as a minor variance plus a site plan application, generally takes longer than 45 days. The detailed By-law would provide the applicant with the opportunity to meet the municipal regulations with the original submission of an application and potentially reduce the timeline for analysis. The DPS is intended to provide the applicant/owner with development opportunities that are investment ready.

Preliminary Findings

13. Staff have started an initial investigation of the DPS, including discussions with the Town of Carlton Place and the Township of Gananoque. Both have completed a Development Permit By-law for the entire municipality in place of updating their Zoning By-law. However, they are very small municipalities, with populations of approximately 9,500 and 5,500 respectively.

14. Due to the level of detail required to complete a Development Permit By-law, in staff's opinion, it is not practical to consider implementing the DPS for the entire City, however, examples of implementation areas that could be considered include:
- a) All or part of the Urban Growth Centre;
 - b) Intensification Nodes and Corridors; or
 - c) Employment Areas.

Comments

15. The City is fortunate to have relatively new Planning documents, including recent Council approved Official Plan and Zoning By-laws. The Official Plan is now in force and effect and it is expected that the appeals to the Zoning By-law will be resolved and/or a decision will be provided by the Ontario Municipal Board within the next few months. This gives the City the ability to maintain our current decision making processes effectively using updated resources. Alternatively, because these documents have been updated, they will be very useful as background data for the drafting of a Development Permit By-law if a DPS is to be implemented.
16. An important consideration for implementing a DPS is the commitment needed to complete the project. As noted previously in this report, a very clear and distinct vision is required to establish an area for the implementation of the DPS. The crafting of development standards for a DPS area will involve significant Council and public consultation up-front in the process, therefore the objectives initiated for the DPS area must be very concise to ensure an effective By-law is drafted. The drafting of a Development Permit By-law also involves considerable resources, whether from staff or a combination of staff and consultants, over a timeframe of at least one year. This timeframe is necessary to ensure the appropriate level of detail is achieved in the Official Plan and By-law, as well as providing the public with ample opportunity for involvement in the process.

ENVIRONMENTAL MATTERS

17. There are no environmental matters related to the recommendation.

ALTERNATIVES

18. There is one alternative available for consideration by General Committee:

Alternative #1

General Committee could deny the motions and not support the requested investigation into the Development Permit System.

This alternative would limit the opportunity for the City to investigate what could be achieved by the implementation of a Development Permit System. The status quo would continue without the benefit of potential times savings promoted by the development permit process.

FINANCIAL

19. There are no immediate financial implications for the Corporation resulting from the proposed recommendations. The cost associated with the implementation of the DPS will be investigated by staff and included as part of the next phase of this review if Council recommends further action.

20. The Planning Services Department has allocated 328 hours to the review of the DPS as part of the Work Program for 2011. The sufficiency of those hours and any potential alterations to the 2011 Work Program will be considered based on Council's resolution and further investigation of the DPS.

LINKAGE TO COUNCIL STRATEGIC PRIORITIES

21. The recommended motion to allow staff to investigate the implementation of a DPS for parties of the City is not directly related to Council's Strategic Priorities. However, initial research indicates that the implementation of a DPS has the potential to address all of the identified Council priorities. The holding of a public information session early on in the review process is consistent with Council's priority of improving and exploring community involvement and City interactions.