

Draft Official Plan Policies for Implementing a Development Permit System

Date:	November 6, 2013
To:	Planning and Growth Management Committee
From:	Chief Planner and Executive Director, City Planning
Wards:	All Wards
Reference Number:	P:\2013\Cluster B\PLN\PGMC\PG13074

SUMMARY

This report is about a more effective and efficient means of development approval in the City. The development permit system offers an opportunity for an alternative approach to the site specific rezoning approval process. It encompasses area-based planning at a neighbourhood scale and provides an effective means of securing certainty of outcome as well as specified community facilities. The development permit system incorporates all the benefits of a site specific rezoning process without the need for an amendment process and possible subsequent appeal to the Ontario Municipal Board.

The draft Official Plan policies appended to this report (Attachment 1) would authorize the implementation of a development permit system in the City of Toronto. The development permit system is a process for development approval that replaces zoning by-laws, Committee of Adjustment approvals for minor variances and Site Plan approval, by combining these procedures, as well as Section 37 agreements into one. The development permit system would apply on an area basis, at the scale of an individual neighbourhood. A comprehensive plan for the future development of an area would be prepared based on background planning studies and community input. This vision for the area would be captured in a thorough list of development criteria that would be enacted by City Council in a development permit by-law. Subsequently, a development permit would have to be obtained before a building permit could be issued.

The *Planning Act* requires that the Official Plan incorporate policies setting out the regulatory requirements for a development permit system, including the goals, objectives and scope of the delegated authority for issuing development permits. The types of

criteria and conditions that may be included in any development permit by-law must also be set out in policies of the Official Plan.

Adoption of the recommended draft Official Plan policies will not immediately put into effect a development permit system in the City. The policies must be in place for City Council to consider enacting an area-based development permit by-law. The procedural requirements to enact a development permit by-law are similar to those of a zoning by-law: including notice, public consultation and automatic appeal rights.

RECOMMENDATIONS

The Chief Planner and Executive Director, City Planning Division recommends that:

1. The Chief Planner and Executive Director, City Planning Division consult with the public and key stakeholders on the matter of implementing a development permit system based on the draft Official Plan policies appended in Attachment 1 to this report from the Chief Planner and Executive Director, City Planning.
2. The Chief Planner and Executive Director, City Planning Division conduct an open house and community consultation meeting to obtain comments and feedback with respect to the draft Official Plan policies that implement the development permit system.
3. The Chief Planner and Executive Director, City Planning Division submit a Final Recommendations Report with a proposed Official Plan amendment, that includes policies for implementing a development permit system, to a Statutory Public Meeting of the Planning and Growth Management Committee in the first quarter of 2014.

Financial Impact

There is no financial impact beyond what has already been approved in the current year's budget.

DECISION HISTORY

At its meeting held on April 11, 2013, in dealing with the item "Updated City-wide Tall Building Guidelines", the Planning and Growth Management Committee recommended:

3. City Council request the Chief Planner and Executive Director, City Planning to develop a framework for the use of a Development Permit System as a means for managing height.

At its meeting held on May 7, 8, 9, and 10, 2013, City Council adopted the recommendation of the Committee.

COMMENTS

Planning Site by Site

Many development projects, and certainly the larger projects, are approved by way of site specific rezoning applications. This approach to development approval results in part from the as-of-right zoning permissions that are out-dated and in part from a robust economy encouraging investment in development opportunities. Site specific rezoning applications allow the City control over the details of development and redevelopment that are needed with complex projects. However, the process is time consuming and cumbersome with its various statutory requirements.

The Province's initial response for the need to control details of development was to establish the Site Plan Control powers in the Planning Act. Site Plan Control allows Council to control specific aspects of the development as well as attach conditions to the approval. However, Site Plan Control is an as-of-right zoning procedure, that is, zoning must be in place and it cannot alter or vary the zoning permissions.

Section 37 of the Planning Act was introduced to address the impacts of redevelopment where an increase in the density places a burden on existing services and facilities. This is particularly important for the City as most development involves the intensification of existing sites. With the introduction of Section 37 into the Planning Act, the idea of approving development on a site specific basis became understood as an accepted method for controlling the details of development proposals as well as securing needed community benefits resulting from additional density.

A Wider Planning Lens is Needed

The fundamental flaw with the site specific rezoning process is that the cumulative impact of redevelopment is difficult to address. The timing and location of rezoning applications is such that the City is forced most often to have to react to development interests rather than proactively plan for it. It is also difficult to plan for infrastructure improvements on a case by case basis. It is better to plan for infrastructure knowing the full build-out plans for an area. In addition, despite any benefits that may be accrued through the site specific rezoning process, the applicant may appeal to the Ontario Municipal Board.

Area-based plans provide the context for proper longer term planning but most often lack effective means of implementation. Some area-based planning exercises result in amendments to the Official Plan in the form of a secondary plan, which provides some

level of detailed direction. Nevertheless, these secondary plans are still implemented by way of rezoning applications.

Another matter to consider in the site specific rezoning approach is the effectiveness of public input. The public are invited to comment on individual rezoning applications one at a time. Commenting on a single project is often difficult if the context for development in the area is not able to be presented. Attending meetings for each development application is time-consuming and may lead to the public's fatigue and disinterest or anger and frustration with the development process.

This report is about introducing a more effective and efficient means of development approval in the City. The development permit system offers an opportunity for an alternative approach to the site specific rezoning approval process. It applies area-based planning at a neighbourhood scale and provides an effective means of securing certainty of outcome. The development permit system incorporates all the benefits of a site specific rezoning process without the need for an amendment process and possible subsequent appeal to the Ontario Municipal Board.

A Different Approach to Development Approval

The development permit system combines zoning, site plan and minor variance processes, as well as potential agreement for Section 37 type community benefits. The enabling legislation for a development permit system has been in the *Planning Act* since 1996 but its implementation required a regulation made by the Lieutenant Governor in Council. In 2001, an Ontario Regulation (O. Reg.) provided for five pilot areas to examine the potential for a development permit system. Subsequently O. Reg. 608/06 came into effect on January 1, 2007 and permitted all local municipal councils in Ontario to establish a development permit system. Since then, four municipalities have adopted development permit by-laws: Lake of Bays, Carleton Place, Gananoque and Brampton.

The need for regulatory groundwork, coupled with unfamiliarity of this new development approval regulatory process has delayed the adoption of the development permit system. Its use is widespread in British Columbia, Alberta, Saskatchewan, Manitoba and Nova Scotia, but direct comparisons of policies and procedures are difficult to make because the enabling legislation is different in each province.

In Ontario, the development permit system can be understood as a cross between a secondary plan and a zoning by-law. It is applied on an area basis, typically at the scale of an individual neighbourhood. A comprehensive plan for the future development of the neighbourhood area is prepared based on background planning studies and community input. The vision for the area is distilled into a thorough list of development criteria in the development permit by-law. The appropriateness of a development proposal would be determined based on the development criteria in the by-law. To ensure the intent of the development criteria are met, the development permit may attach conditions to the approval of plans. A development permit must be obtained before a building permit may be issued.

Ontario Regulation 608/06 requires specific operational features of a development permit system be described in the Official Plan. This approach encourages a development permit system to be tailored to the needs of each municipality, within the limits of the Regulation. In preparing the draft Official Plan policies in this report, staff have been guided by discussions with Ministry of Municipal Affairs and Housing staff and a review of the existing development permit by-law examples in Ontario.

The Development Permit Regulatory Framework

In the current zoning system of land use regulation, several processes provide a combination of certainty and flexibility in development approval. Certainty regarding permitted land uses and basic built form is found in zoning by-laws. Flexibility is delivered by the Committee of Adjustment's approval of minor variances. Site Plan Approval ensures the details of development comply with City standards and design objectives. These separate processes involve staff from the City Planning Division and the Toronto Building Division and, in the case of the Committee of Adjustment, an independent decision making body appointed by Council.

Under a development permit system, the separate processes of zoning compliance, granting minor variances and Site Plan Approval are combined into a single application for a development permit. The applicant would be required to submit a set of plans and any background information and studies that may be required to form a complete application. The plans would be assessed based on their compliance with the development criteria and standards found in the development permit by-law.

A development permit by-law can include a range of variations to the development standards. For example, there may be a range of possible variations for typical development standards such as setbacks, density and height, but the approval of plans within the range would be subject to meeting specific development criteria. This ensures that the impacts of a proposed development on adjacent properties will be considered in the final design. For example, an increase in the height of a building may be permitted subject to ensuring that there is no shadow impact on abutting properties. If there were shadow impacts, design alternatives would be required before a development permit could be issued.

In recognition of the range of variations possible under the development permit system, the Committee of Adjustment powers to approve minor variances would not be applicable in an area governed by a development permit by-law. The Committee would continue to consider requests for land severance. Similarly, zoning regulations would be repealed when a development permit by-law is approved for a particular area. The development permit would become "applicable law" and must be obtained before a building permit may be issued.

The development permit system also provides for conditions of approval that allow many features of development to be secured. A development permit can specify attributes that contribute to the character of an area, such as exterior design of buildings, including finer

architectural points, texture and window details. Design features of sustainable, energy and resource efficient buildings that are durable, barrier free and high quality can be required. Conditions of approval can protect heritage elements. In addition, ongoing monitoring requirements to safeguard public health and safety or the natural environment can be a condition of approval for a development permit.

The definition of "development" in O. Reg. 608/06 is more expansive than in the *Planning Act*. Site alteration, such as grading or dumping of fill, and removal of vegetation, including trees, may be regulated under the development permit system. Currently, these matters are regulated through separate processes under the *City of Toronto Act*. The development permit system consolidates these processes and incorporates them into the applicable law for the purposes of issuing a building permit.

Area-based Regulatory Regime

The most significant feature of the development permit system is that it considers planning and development on a neighbourhood scale. A detailed land use vision taking into account the Official Plan policies would be developed for areas selected for the development permit system. Studies would consider the potential for growth balanced against the capacity of existing infrastructure and community services. A concept of future direction for growth in the area would be developed with public and stakeholder input. This concept plan would result in development standards, much the same as are found in zoning by-laws, but may include a range of variations. Development seeking approval within the range of variation will be subject to compliance with development criteria and conditions of approval.

Site Specific Amendments and Securing Specified Facilities

The range of variations that may be established within a development permit should preclude the need for site specific amendments. In addition, because the development permit by-law will be based on a comprehensive concept plan for the area, amendments to the development permit by-law should be considered in the context of the overall vision for the area. For example, increases in density should be considered in the context of the entire area to which that density limit applies. Altering the standards on a site by site basis defeats the point of a comprehensive planning framework.

As with the Committee of Adjustment minor variance and Site Plan Control approval processes, the process authorized by Section 37 of the *Planning Act*, which permits the exchange of approvals for increased height or density with facilities, matters or services, would not apply to an area governed by a development permit by-law. Under the development permit system, the provision of specified facilities for increased height or density may occur only where the development permit by-law establishes a proportional relationship between the quantity or monetary value of the facilities and the height or density that may be approved. This "prescriptive" approach is a component of the area-based character of the development permit by-law. The background studies for the area

conducted prior to enacting the by-law can include a review of existing facilities and the need for additional facilities based on the planned growth for the area.

The Development Permit Process

The procedure for enacting a development permit by-law is the same as a zoning by-law, including notice, public meeting, a vote by City Council, and third party appeal rights. Unlike a zoning by-law that becomes applicable law for the building permit approval process the day it is enacted, a development permit by-law would become applicable either the day after the last day for filing appeals, if there are no appeals, or the day after the Ontario Municipal Board has disposed of all appeals. The OMB may order any part of the development permit by-law approved that does not conflict with an ongoing appeal.

Once a development permit by-law is in force, the permits issued under that by-law cannot be appealed by a third party. The applicant has a right to appeal to the OMB for failure to approve within the specified time limit of 45 days. This compares with 30 days for a Site Plan Application.

Draft Official Plan Policies

O. Reg. 608/06 is specific about what must be included in the City's Official Plan to implement a development permit system. The Official Plan must identify the area or areas of the City that could be subject to a development permit by-law. It must set the extent or limitations of any delegation of authority for the approval of development permits. It must describe the City's goals, objectives and policies in proposing a development permit system. It must set out the types of criteria that may be included in development permit by-laws for the purposes of evaluating proposed development. It must include the types of conditions that may be imposed in connection with the issuance of a development permit.

The Official Plan may include additional policies with respect to the type of information and materials that will be required for the submission of a complete development permit application. The Official Plan may also include policies requiring the provision of specific facilities in exchange for increases in height or density within the ranges set out in the development permit by-law. The following is a brief explanation of each of the draft policies attached to this report.

Policy 1 - Goal

The policy establishes that the entire City is subject to a development permit system but that it will be implemented on an area by area basis. In other words, if a development permit by-law is not enacted by Council for a particular area, the development permit system will not apply. The goal of the development is to implement the Official Plan, provide a comprehensive planning framework for any given area, ensure that development is appropriate for the area and streamline the development approval process.

Policy 2 - Objective

The policy stresses that the standards and development criteria of a development permit by-law will be based on a comprehensive planning effort for the area. In this manner, the development permit by-law functions in part like a secondary plan providing a cohesive set of approval requirements particular to development applications in that area.

Policy 3 - Development Permits

The policy explains that a development permit will be required before a building permit will be issued. A development permit is applicable law. The policy provides that some types or sizes of development may be exempt from having to attain a development permit. In those circumstances, the proposed development will be evaluated against the standards in the development permit by-law in the same manner a development proposal today is evaluated against the as-of-right permissions in the zoning by-law.

Policies 4, 5, 6, and 7 - Variations

This section makes it clear that a development permit by-law may set out a range of variations to the minimum and maximum standards together with other requirements that must be fulfilled prior to the variation being approved. This is the equivalent of stating the extent of variances that will be accepted. Policy 7 states that any requests beyond the range of variations, that is, an amendment, will require a comprehensive review within the context of the overall policy framework embedded in the development permit by-law. Policy 9 allows a development permit by-law to incorporate variations outside the range established by Policy 6 provided there are specific development criteria and conditions set in the by-law.

Policies 8 through 13 - Provision of Specified Facilities

The section that these policy statements deal with is best understood as Section 37 requirements. As mentioned previously, the approach to securing community benefits in a development permit system requires that the by-law establish a proportional relationship between the quantity or monetary value of the facilities and the height or density that may be allowed. This proportional relationship is not required to be set out in the Official Plan. The policies require each development permit by-law to establish the proportional relationship between the facilities requested and the amount of increased height and density. This approach should ensure attention to local needs while respecting the ability for different parts of the City to accommodate increases in height or density. The list of community benefits found in Policy 15 is the same as the Official Plan policy respecting Section 37 community benefits. Each development permit by-law will set out thresholds based on the size of the development to determine when the provision of specified facilities in exchange for increases in height or density will be applied.

Policy 14 - Development Criteria

Establishing development criteria in the Official Plan is a requirement of the Regulation. The development criteria will be used to evaluate development proposals to determine what changes must be made prior to the issuance of a development permit. The development criteria will be found in both the Official Plan and each development permit by-law. The difference will be that each development permit by-law will have its own unique and more refined set of development criteria based on the comprehensive study of each area. However, the development criteria in each by-law cannot deviate from those in the Official Plan. Consequently, the criteria in the Official Plan are broad and comprehensive. They reference key sections of the Official Plan to ensure consistency and conformity.

Policy 15 - Types of Conditions

The Regulation requires that any condition connected to the approval of a development permit must be set out in the Official Plan. The Regulation does limit the types of conditions that might be imposed and they are generally the same as may be required under current processes. This policy is a comprehensive list of 20 conditions that, according to circumstances, may be required of applicants for a development permit.

Policy 16, 17 and 18 - Amendments to a Development Permit By-law

Development permit by-laws will be based on comprehensive development strategies. In order to maintain the integrity of this approach, the policies direct Council to consider amendments on an area-wide basis not on a site specific basis. This means that amendments are to be considered as revisions to the development concept for the area. In addition, amendments to the development standards may be considered only after 5 years following the approval of the development permit by-law.

Policy 19 - Complete Applications

Similar to rezoning applications, the City can require specific information that would constitute a complete application for a development permit. It is proposed to add a new column to Schedule 3 of the Official Plan indicating all the material that must be submitted for a development permit application. It will be a cross between the current rezoning application requirements and the Site Plan Control application requirements.

Policy 20 - Delegation

The development permit system is similar to Site Plan Approval in that there are no third party appeals. Consequently, the Policy follows the approach taken with Site Plan whereby the issuance of development permits may be delegated to the Chief Planner. Nevertheless, each development permit by-law may include bump-up procedures.

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ATTACHMENTS

Attachment 1 – Draft Official Plan Policies – Development Permit System

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Attachment 1 - Draft Official Plan Policies - Development Permit System

5.2.3 Development Permits

A development permit system is an alternative land use control regulatory power and framework that may be used in implementing the policies of the Official Plan, addressing local planning issues and promoting community building. It incorporates zoning standards, site plan approval and minor variance permissions into one approval process known as a development permit. As such, the development permit system offers potential for streamlining the development approval process while assuring consistency with planned objectives for the area to which it applies.

The development permit system allows for development standards and permitted uses similar to zoning by-laws but may also include a range of variations from those standards and uses. If variations are sought, they may be attained only if the proposal complies with development criteria and may include conditions related to the approval of the development permit. The development standards, development criteria and conditions of approval will form part of every development permit by-law.

The development permit system will be enacted by by-law on an area by area basis. This approach allows for a policy-led process that:

- Promotes strategic, integrated and long-term planning for the subject area
- Provides certainty, transparency and accountability for the land use vision for a particular area
- Reaffirms and supports the importance of the City's Official Plan vision and directions

A development permit by-law will be based on a comprehensive plan or vision for a defined area, consistent with the Official Plan policies. This process will include extensive community input and participation. Once a development permit by-law is in effect, there will be flexibility within the context of the by-law to review development proposals and provide approvals without the need for site-specific amendments. Amendments will only be considered and applied within the context of the entire development permit by-law and not on a site specific basis.

After the enactment of a development permit by-law, a development permit may be required for all development prior to the issuance of a building permit, unless otherwise exempted by the development permit by-law. Criteria may also be established to be used in evaluating development. Conditions may be attached to the approval of any development permit.

Policies

Goal

1. The goals of the development permit system are to:
 - a) implement the objectives and policies of the Official Plan;
 - b) establish a comprehensive planning framework for the future development and redevelopment of lands within the defined area;
 - c) facilitate and shape development appropriate for the area;
 - d) streamline the development approval process; and
 - e) ensure that any approved development is consistent with the comprehensive planning framework

Objective

2. The objective of the development permit system is to provide for an alternative land use regulatory framework that implements the Official Plan policies or Secondary Plan policies, where applicable, and achieves the goals stated in Policy 1.

Development Permits

3. If a development permit by-law is enacted for an area:
 - a) No development or use of land shall occur unless the development complies with the criteria and standards set out in the development permit by-law.
 - b) Identified types or classes of development, set out in a development permit by-law, shall be subject to the approval of a development permit.
 - c) The development permit by-law shall set out the permitted uses, development standards and any variations thereto as well as criteria and conditions to which any application for development will be subject.
 - d) Each development permit by-law will set out standards, which may be tied to the fulfillment of development criteria, and conditions of approval, which will apply to all development within the area affected by the development permit by-law.

Variations Permitted

4. A development permit by-law may set out a range of possible variations to the base standards, to a specified maximum, and may also set out specific requirements that must be met prior to the variation being approved up to the maximum standard.

5. The development permit by-law may permit increases to height or density or identify additional permitted land uses within the range of variations, subject to compliance with specific development criteria and conditions set out in the development permit by-law.
6. Variations from development standards outside the range stipulated by the development permit by-law require a comprehensive review within the context of the overall policy framework for the applicable development permit by-law area and require an amendment to the development permit by-law.
7. The development permit by-law may establish process requirements with respect to the consideration and review of development proposals.

Provision of Specified Facilities

8. If a development permit by-law permits a range of variations to height or density, specified facilities or monetary contribution may be required in exchange for a specified height or density of development within the permitted range of the standards set out in the development permit by-law.
9. A development permit by-law may require the provision of specified facilities or monetary contribution in accordance with Policy 8 only if they are proportional to the amount of variation in height or density.
10. If a development permit by-law permits specifies heights or densities outside the range of variations, specified facilities or monetary contribution may be required in exchange for the height or density permissions set out in the development permit by-law.
11. A development permit by-law may require the provision of specified facilities or monetary contribution in accordance with Policy 10 only if they are proportional to the amount of variation in height or density.
12. The specified facilities provided in accordance with Policy 8 and 10 may include the following community benefits:
 - a) the conservation of heritage resources that are designated and/or listed on the City of Toronto Inventory of Heritage Properties;
 - b) fully furnished and equipped non-profit child care facilities, including start-up funding;
 - c) public art;
 - d) other non-profit arts, cultural, community or institutional facilities;
 - e) parkland, and/or park improvements;
 - f) public access to ravines and valleys;

- g) streetscape improvements on the public boulevard not abutting the site;
 - h) rental housing to replace demolished rental housing and tenant relocation assistance or preservation of existing rental housing;
 - i) purpose built rental housing with mid-range or affordable rents, land for affordable housing, or, cash-in-lieu of affordable rental units or land;
 - j) local improvements to transit facilities including rapid and surface transit and pedestrian connections to transit facilities;
 - k) land for other municipal purposes;
 - l) substantial contributions to the urban forest on public lands; and
 - m) other local improvements identified through Community Improvement Plans, Secondary Plans, Avenue Studies, Development Permit By-laws, environmental strategies, sustainable energy strategies, the capital budget, community service and facility strategies, or other implementation plans or studies.
13. The development permit by-law may establish a threshold based on the size of the project for the purposes of requiring specified facilities or monetary contribution.

Development Criteria

14. The following criteria will be used In determining whether any development or use of land may be permitted by a development permit by-law:
- a) Relationship to the existing and planned context of buildings, parks and open space including patterns within the built environment, the public realm, building uses and building types, heights, scale, massing, bulk, shape and materials associated with the character of an area in accordance with Policies in Section 3.1 of the Official Plan;
 - b) Compatibility with adjacent and surrounding existing and planned land uses in accordance with Policies in Chapter 4 of the Official Plan;
 - c) Relationship with and impact on existing and proposed streets, parks, open space and neighbouring areas in accordance with Policies in Sections 4.3 and 3.1 of the Official Plan;
 - d) Proximity and adequacy of hard and soft services in accordance with Policies in Section 2.2 of the Official Plan;
 - e) Location and adequacy of public transit in accordance with the Policies in Chapter 2 of the Official Plan;
 - f) Incorporation of sustainable design features that reflect the policies of this Plan in accordance with Policy 5.1.3(3) of the Official Plan;

- h) Compliance with all other policies of the Official Plan and any Secondary Plan policies approved for the area; and
- i) Provision of a full range of housing in accordance with Policy 3.2.1 of the Official Plan.

Types of Conditions

15. As a condition of approving a development permit, an applicant may be required to:
- a) Enter into agreements dealing with such matters as are listed below including the location of buildings, parking and landscaping and any other matter that would be included as a condition pursuant to this Section;
 - b) Post securities, which have the effect of ensuring that any required improvements are made;
 - c) Provide sustainable design features in accordance with Policy 5.1.3(3) of the Official Plan;
 - d) Carry out landscaping enhancements in accordance with an approved landscape plan;
 - e) Carry out grading and drainage improvements to the satisfaction of the City and the Toronto and Region Conservation Authority;
 - f) Provide cash-in-lieu of parkland, if required by a By-law passed pursuant to Section 42 of the Planning Act;
 - g) Use building materials, architectural details, window details and colours in accordance with the requirements and set out in the development permit by-law;
 - h) Satisfy conditions related to site alteration, including but not limited to, the alteration or restoration of the grade of land and the placing or dumping of fill on the lands;
 - i) Require the dedication of land towards the identified ultimate public right-of-way for any abutting public street or public lane;
 - j) Protect, maintain and enhance existing trees and other vegetation on the lands;
 - k) Satisfy requirements related to the removal or restoration of vegetation;
 - l) Provide for the monitoring of the use of lands, provided the monitoring was necessary for the protection of public health and safety and/or the protection of the natural environment;
 - m) Provide mitigating measures that address impacts to air quality, water and sewer supply, groundwater protection, storm water management, natural heritage features and functions, energy conservation and construction phase environmental impacts;
 - n) Provide facilities for access to buildings and other building or site components for persons with disabilities;

- o) Provide easements for the purposes of allowing for shared parking or access to other lots in the specified area as may be required by the City;
- p) Provide services and matters in exchange for specified variations to the development standards as further outlined in the provisions of the specific development permit by-law;
- q) With respect to land described in paragraph 3, 3.1 or 3.2 of subsection 34 (1) of the Planning Act, satisfy a condition that is related to matters that would otherwise be prohibited under those paragraphs;
- r) Improve, enhance, restore or provide items which are not explicitly identified in this Section, but which can form conditions to be provided for pursuant to Sections 34, 40, 41 or 42 of the Planning Act;
- s) Provide affordable or mid-range rental housing, affordable ownership, or land or cash-in-lieu of affordable housing; and
- t) Secure existing rental housing, or replace rental housing to be demolished and provide tenant relocation assistance.

Amendments to a Development Permit By-law

- 16. A development permit by-law may only be amended on an area-wide basis not on a site specific basis.
- 17. Any amendments to the development permit by-law must be considered within the context of the overall vision for the area.
- 18. Amendments to the development standards in a development permit by-law area may be considered by Council only after 5 years following the initial approval of the by-law.

Complete Applications

- 19. Applications for a development permit will comply with the application submission requirements for Development Permit identified in Schedule 3 of this Plan and a development permit by-law.

Delegation

- 20. Where a development permit By-law has been enacted, Council may delegate its authority with respect to O. Reg. 608/06, s. 10(8) respecting development permit applications and paragraph 7 of s. 4(5) respecting the entering of development permit agreements to the Chief Planner and Executive Director, City Planning.