

Attachment 2: Overview of the Community Planning Permit System

What is the Community Planning Permit System?

- The Community Planning Permit System (CPPS) is a land-use planning tool that provides an alternative to the current planning approval process.
- The CPPS combines the three separate planning application processes of Zoning By-law Amendments, Minor Variances, and Site Plan applications, into one application submission and approval process.
- Like a Zoning By-law a CPPS by-law identifies permitted uses and, minimum and maximum development standards for a site or area. However, a CPPS by-law can set conditions for building to those standards as well as additional conditions for variances from them. Conditions might include infrastructure requirements, community contributions, and environmental impact mitigation among others.
- The CPPS was previously known as the Development Permit System (DPS).

How does the Community Planning Permit System work?

- There are 4 key stages to how Toronto would implement the CPPS:

1. Create a framework: New Official Plan policies would need to set out a broad CPPS framework, including the goals and objectives for the CPPS and the general criteria for evaluating development.

2. Undertake community visioning and studies: after establishing the implementing framework, the City would undertake extensive consultation to identify specific boundaries for the Community Planning Permit by-law area, initiate key planning studies to set out a community vision, and create a detailed local CPPS framework, including necessary amendments to the Official Plan.

3. Establish a CPPS by-law based on vision: building on the area-specific framework, a CPPS by-law would include minimum and maximum development standards, criteria for evaluating and testing development proposals, defined formula for community benefit contributions, and clear approval conditions.

4. Review development permit applications: Once a CPPS by-law is in effect, the City must issue a Community Planning Permit before a building permit is issued. The proposal has to fit into the parameters of the CPPS by-law.

- Once a CPPS by-law is approved by Council there is a 20-day appeal period. Once the appeal period passes, the by-law cannot be amended for five years unless Council approves. Applications for a Community Planning Permit must be reviewed within 45 days and decisions can only be appealed by the owner/applicant.

How will the Community Planning Permit System impact development in Toronto?

- The CPPS is intended to improve predictability, transparency and effectiveness in the development review process.
- The system is intended to balance clarity with flexibility by identifying the conditions under which areas should see change through development.
- It is hard to know exactly how the CPPS will impact the development process because the CPPS is a relatively new tool and few municipalities have experience implementing it.
- The CPPS requires significant staffing capacity and time to bring forward comprehensive policies and by-laws.

What is the status of the Community Planning Permit System in Toronto?

- On July 8, 2014 City Council adopted Official Plan policies to implement a City-wide CPPS/Development Permit System.
- The City's policies are currently under appeal at the Ontario Municipal Board. The Board adjourned its hearing on the policy framework until such time as the City brings forward an implementing Development Permit System by-law.
- Council directed the City Solicitor to seek leave to Divisional Court on the Board's decision. At the time of writing no decision on the leave application has been received.

What are the implications of the Community Planning Permit System exclusion in the proposed inclusionary zoning regulation?

- Within CPPS areas, municipalities are not required to provide financial contributions for affordable housing units under inclusionary zoning. Outside of CPPS areas, the proposed regulation imposes onerous financial requirements.
- The first units that could be built under the CPPS would be several years from completion.
- The City will miss significant opportunities to secure affordable housing if the final regulation imposes onerous financial contributions such that inclusionary zoning can only be used in CPPS areas.