An illustration of a vibrant city street scene. In the foreground, a man in an orange shirt is riding a green bicycle with a basket. To his right, an elderly woman in a red jacket and blue skirt is pushing a purple stroller. Further back, a woman in a black business suit is walking. A green and white train is stopped at a station platform. A yellow diamond-shaped pedestrian crossing sign is visible on the left. The background features colorful buildings in shades of orange, yellow, and blue under a clear blue sky.

# Utilizing a Community Planning Permit System to Achieve Burlington's Vision for the MTSAs

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Community Planning, Regulations & Mobility  
Committee Presentation

June 27, 2023

# Agenda

1. About Community Planning Permit System (CPPS)
2. Key Benefits for Burlington's MTSAs
3. Next Steps

## Purpose

*To explore how a Community Planning Permit System may be used to support the City of Burlington's growth objectives in planning for its Major Transit Station Areas (MTSAs).*

# Project Team Introductions



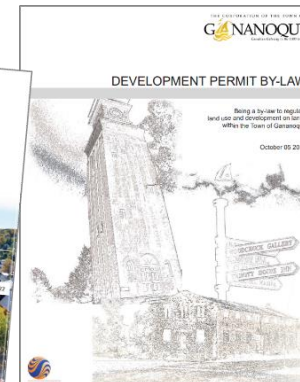
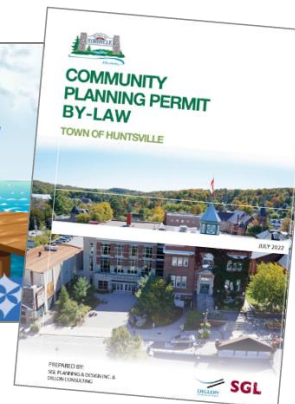
## The Dillon Team:

- Karla Kolli, Project Manager
- Justine Giancola, CPPS Lead
- Amanda-Brea Watson, Development Permit Strategic Advisor
- Anni Buelles, Senior Land Use Planner
- Brandy MacInnis, Development Permit Strategic Advisor
- Camila Ramos-Strankman, Development Permit Specialist
- Kelly Martel, Senior Land Use Planner
- Kristen Harder, Development Permit Specialist
- Lindsay Nooren, Land Use Planner
- Lisa Gregory, Urban Designer
- Martina Braunstein, Urban Design Advisor
- Michael Seasons, Senior Planner



# Community Planning Permit System (CPPS)

- Is a land use planning tool available to municipalities through the *Planning Act*
- Replaces the municipality's Zoning By-law
- Introduced in 2007 as a "Development Permit System", re-introduced as a CPPS through *O.Reg. 173/16*



# Community Planning Permit System

## CURRENT PROCESS

## COMMUNITY PLANNING PERMIT

### Approvals

**Zoning By-Law Amendments (ZBA)** are approved by Council.

 **90 days**

**Minor Variances (MV)** are approved by Committee of Adjustment.

 **Generally ~90 days**

**Site Plan Approval (SPA)** delegated to staff\*.

 **60 days**

**Include classes of approvals**, e.g. Class 1 delegated to staff, Class 2 to Staff or Committee and Class 3 to Council.

 **45 days**

### Public Consultation and Appeals

**ZBA** has mandatory notification requirements, public meetings, 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.

- **No mandatory public meetings/notice** as part of a development application.
- **Only the applicant has the right to appeal** a permit decision to the Ontario Land Tribunal (OLT).

\*Unless a specific application is undelegated



# Why consider a CPPS for Burlington's MTSAs?

- Area Specific Plans identify the vision and core policies to guide development of the MTSAs
- CPPS provides a number of benefits to the City when implementing the ASPs:



Streamlines the development approvals;



Utilizes significant upfront community engagement undertaken as part of the ASPs;



More certainty in implementation and reduced likelihood of appeals;



Broader catchment of projects;



Provides a framework for delegation of approvals;



Flexibility with discretionary uses, ability to capture variations; and



Ability to obtain “services, facilities and matters” for height and density.

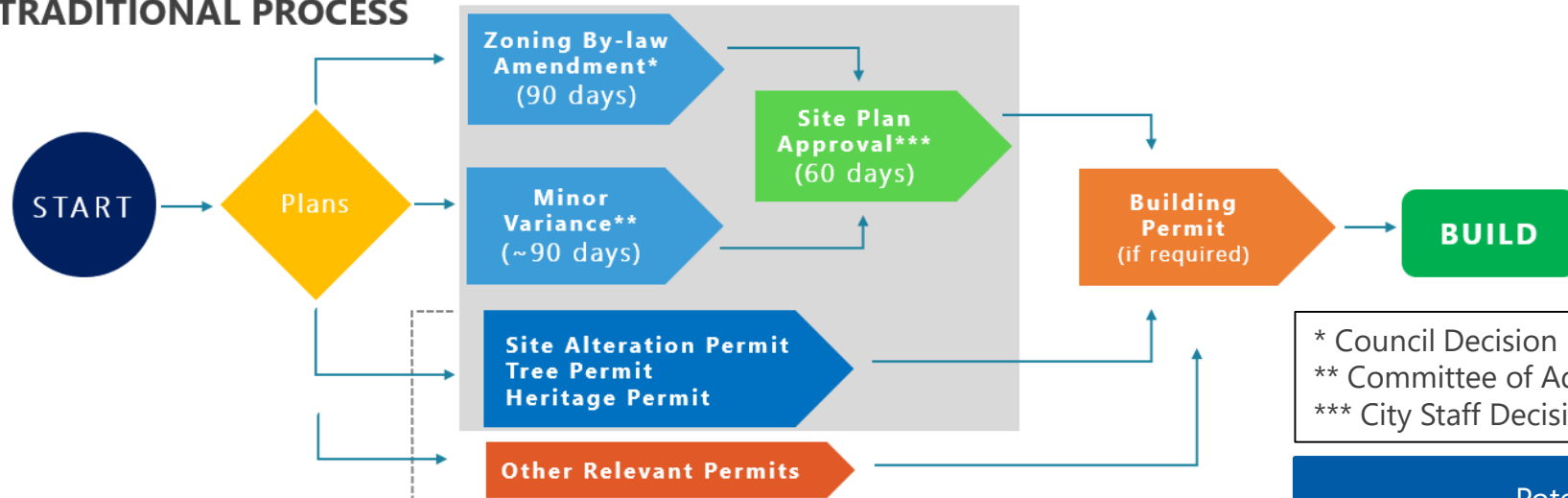
Implementation concerns include the need for:

- Affordable and rental housing
- Community services, facilities and parks
- Employment in mixed use Precincts

# Streamlines development approvals



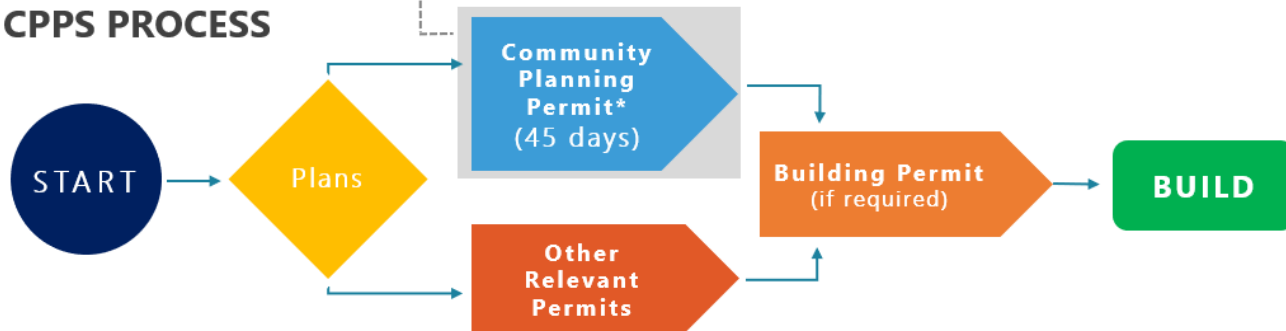
## TRADITIONAL PROCESS



\* Council Decision + Potential Appeal  
 \*\* Committee of Adjustment + Potential Appeal  
 \*\*\* City Staff Decision + Potential for Council to Undelegate

Potential for 3<sup>rd</sup>-party appeals

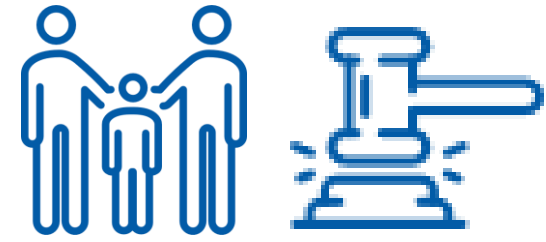
## CPPS PROCESS



**\*There are three Community Planning Permit Classes:**  
 Class 1: Standards Met, Staff Approval  
 Class 2: Staff Variation  
 Class 3: Council Variation

Only applicant can appeal the decision

# More stable planning vision



- Utilizes significant community engagement undertaken as part of the Area Specific Plans
- Requires the community to be involved whenever a change is needed to the planning vision (e.g. CPP By-law amendment)
- Prevents third-party appeals of applications that meet the rules established in the community planning permit by-law
- Avoids amendments for first 5 years after CPP By-law is passed



Image from: City of Burlington, Major Transit Station Areas, Area Specific Plans & Final Report, June 2022





# Framework for delegation of approvals

CPP By-law includes framework for delegation of approval authority based on classes of approvals:

Class 1	Class 2	Class 3
<b>Standards are met</b> Staff Approval	<b>Variation</b> Staff Approval up to % defined through By-law	<b>Variation</b> Committee or Council Approval (above Class 2 threshold)

Delegating Class 1 and Class 2 approvals to staff...

- Expedites application review timelines leading to faster approvals
- Reduces Staff time preparing for Council (e.g., Council reports)
- Opens up Council agendas to focus on strategic issues

# Establish staff variation thresholds for standards



- Ability to set-up staff variation thresholds for each development standard and criteria/conditions that must be met
- Criteria for considering variations may include a range of topics, such as:
  - Land use and compatibility
  - Negative impacts
  - Site constraints
  - Urban design
  - Alignment with other plans and policies

PRECINCT	Central Business District	Urban Mixed Use	Community Mixed Use	Class 2 Variation Limit
Front Yard (Minimum)	6 m (e)	7 m (e)	15 m	up to 20%
Front Yard abutting a watercourse (Minimum)		20 m		up to 20%
Interior Side Yard (Minimum)	1.5 m (c)	3 m (a)(b)	5 m	up to 20%
Interior Side Yard abutting a residential zone (Minimum)	6 m	6 m	12 m	up to 20%
Exterior Side Yard (Minimum)	1.5 m (c)	3 m	5 m	up to 20%

Excerpt: Huntsville, Community Planning Permit By-law

# Flexibility with discretionary uses







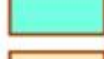





- Allows the municipality to establish conditions in which additional permitted uses will be considered
- Provides municipality flexibility by adding “other similar uses” as a discretionary use, and picking up in **Class 2**

Example of potential approach for GO Central Permitted Uses:

- Office
- Major office
- Retail and service commercial
- Hotel
- Entertainment and Recreation

Discretionary Uses:

- Residential

Precincts	
	Burlington GO Central (B)
	Drury Node (D)
	Fairview/Brant Frequent Transit Corridor (F)
	Legion Node (LG)
	Leighland Node (LL)
	Low to Mid-Rise Residential (LM)
	Mid-Rise Residential (M)
	Queensway Main Street (Q)
	Upper Brant (UB)
	Urban Employment (UE)

# Ability to obtain “services, facilities and matters” for additional height/density



- Under a CPPS, a municipality may identify criteria where increased height and density would be considered and tie this to community benefits
- Given framework, could tie height and density considerations to other community objectives e.g., affordable housing

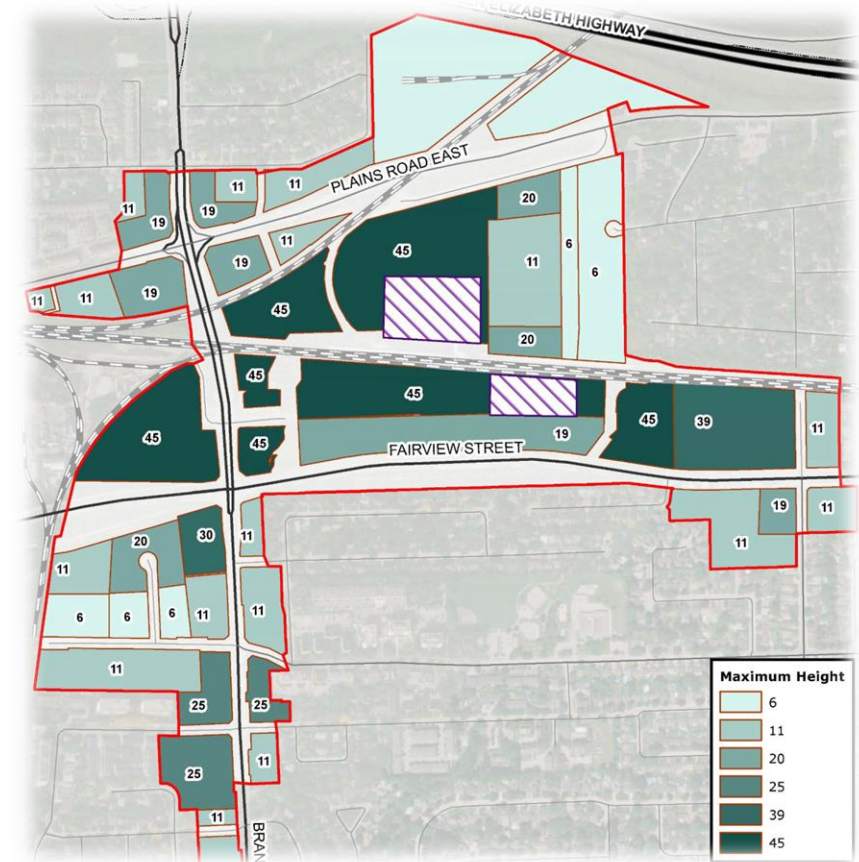


Image from: Major Transit Station Areas, Area Specific Plans & Final Report, June 2022

# Key Benefits for Burlington's MTSAs

- ✓ Streamlines development approvals by combining zoning, site plan and minor variance into one approval process with shorter approval timelines
- ✓ Utilizes significant upfront community engagement undertaken as part of the ASPs
- ✓ Ability to obtain “services, facilities and matters” for height and density
- ✓ Provides flexibility by allowing the municipality to define how land can be used if certain conditions are met
- ✓ Create certainty and transparency for the community, landowners and developers



# Next Steps

- Prepare draft Community Planning Permit By-law – Summer 2023
- Developer Liaison discussions to obtain feedback on the tool
- Engagement on both the Official Plan Amendment and CPP By-law in Fall 2023



Image from: Major Transit Station Areas, Area Specific Plans & Final Report, June 2022