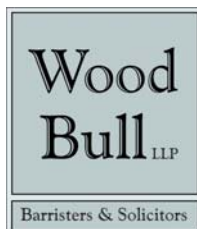


The Planning Act: What's New, What Remains, What You Should Know

Development Permit System

by: Dennis H. Wood

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Municipal, Planning and Development Law

65 Queen Street West, Suite 1400

Toronto ON M5H 2M5

t: (416) 203 – 7160

f: (416) 203 – 8324

e: info@woodbull.ca

www.woodbull.ca

Development Permit System

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Development Permit System

Development Permit System

A little known and so far little used provision of the Act is found in section 70.2, the development permit system (“DPS”) which provides, through regulation, certain municipalities with the ability to demonstrate increased flexibility and efficiency with its development approvals.

Through Ontario Regulation 246/01, the Province delegated to five municipalities the power to establish DPSs within defined areas of those municipalities in the form of pilot projects. These municipalities include: Lake of Bays (waterfront community), Waterloo Region (wellhead protection areas), Hamilton (downtown Gore area), Oakville (employment redevelopment area), and Toronto (central waterfront area).¹

First envisioned in 1993 by the Commission on Development Reform in Ontario (the Sewell Commission) as a way to streamline the planning process, the DPS is intended to replace the traditional planning approval streams of zoning, variance and site plan control with a one-window approach to regulate development, including permitted uses, density, size, conceptual design and setbacks, through conditions of approval attached to a development permit.

In order to implement a DPS, a municipality must first implement official plan policies that designate areas where a development permit will apply and which set out the scope of the delegation of authority, the municipal objectives and the range of conditions and types of criteria that may be included in the by-law by which applications would be evaluated. Charts setting out the working of the DPS are attached.

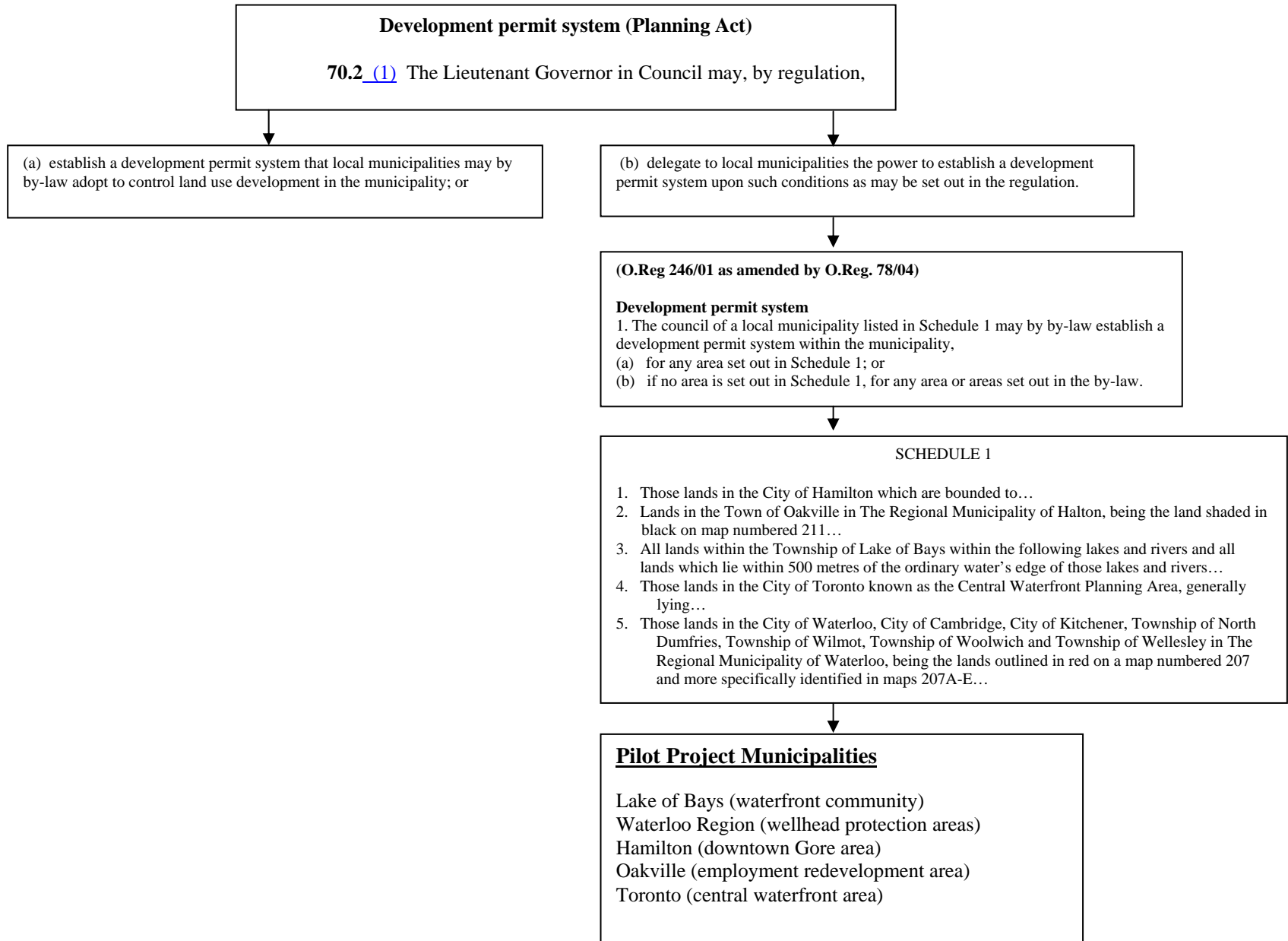
Lake of Bays is the only municipality to date that has enacted a Development Permit By-law. Attached are materials from the Lake of Bays DPS which will provide a basis of understanding as to the nature of the documents that will be required for a DPS.

¹ The City of Toronto reported back to Toronto City Council on the results of its project and is seeking improvements to the DPS, such as the implementation of the equivalent of section 37 benefits: 28 April 2005 Report of the City Manager to the Planning and Transportation Committee, “Evaluation of the Development Permit System for the Central Waterfront”.

Development Permit System

APPENDIX A

Establishment of Development Permit System (Planning Act)

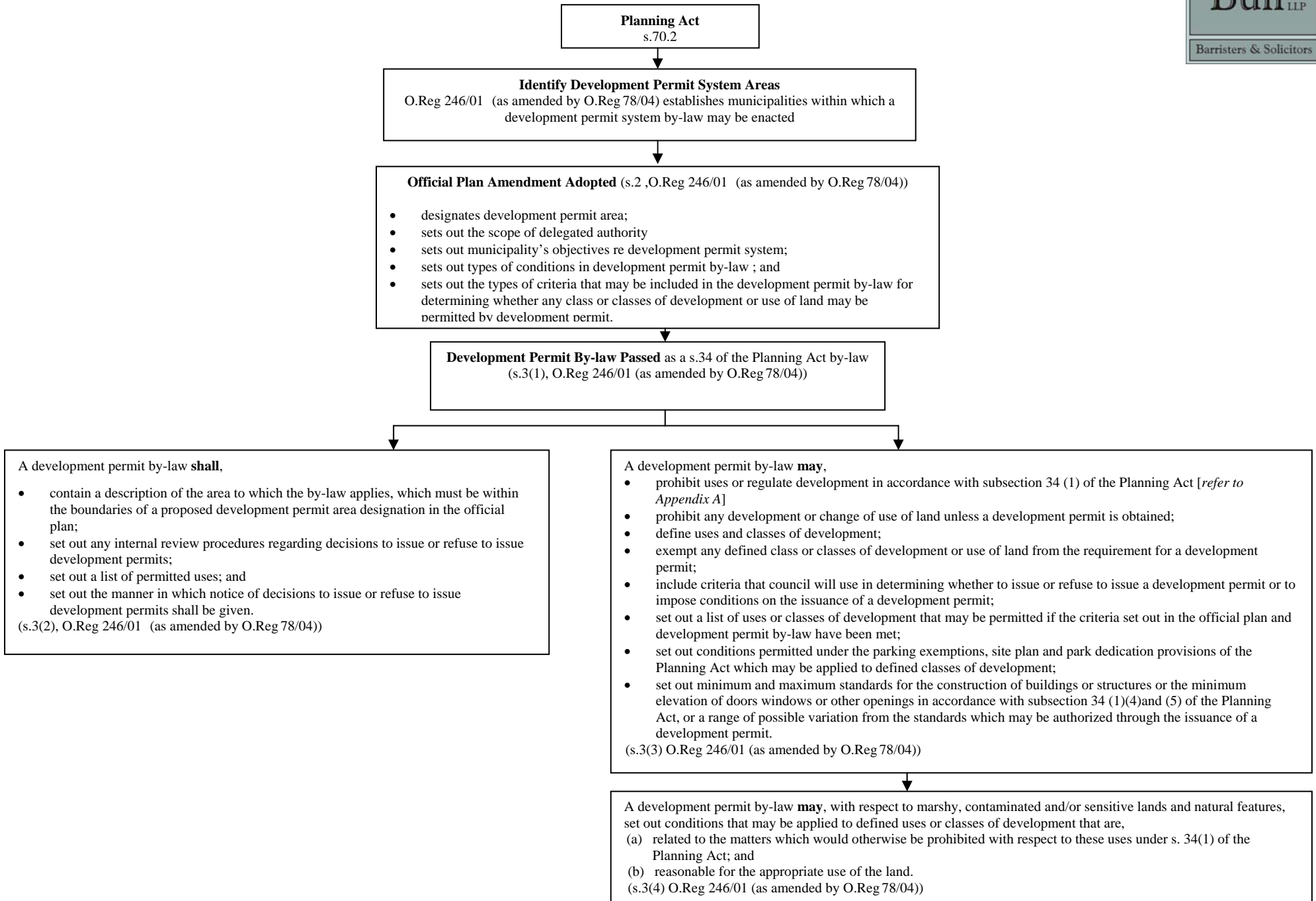


Development Permit System

APPENDIX B

The Development Permit System

(Section 70.2, Planning Act, O. Regulation 246/01 (as amended by O.Reg 78/04))

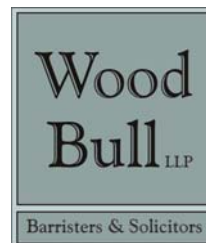


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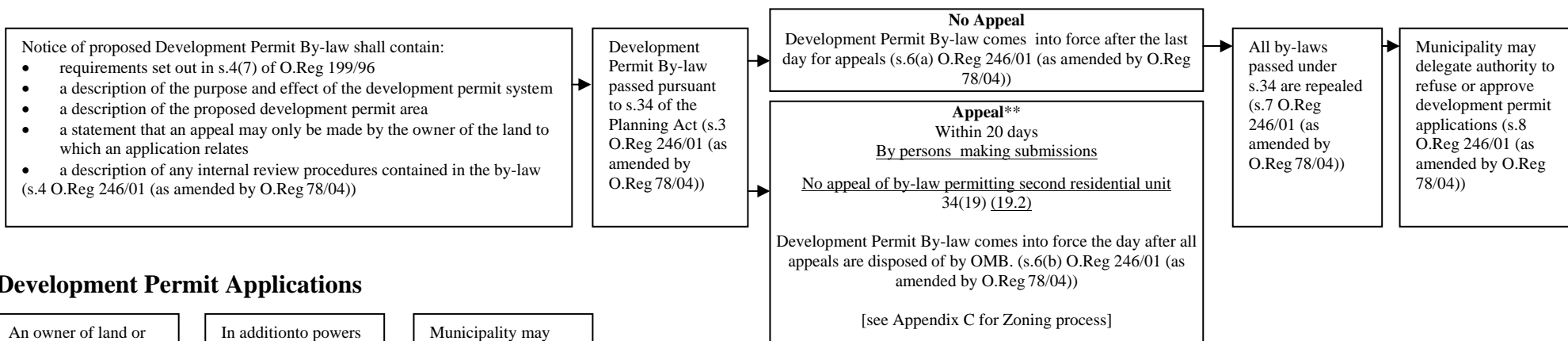
APPENDIX C

The Development Permit By-law and Development Permit Applications

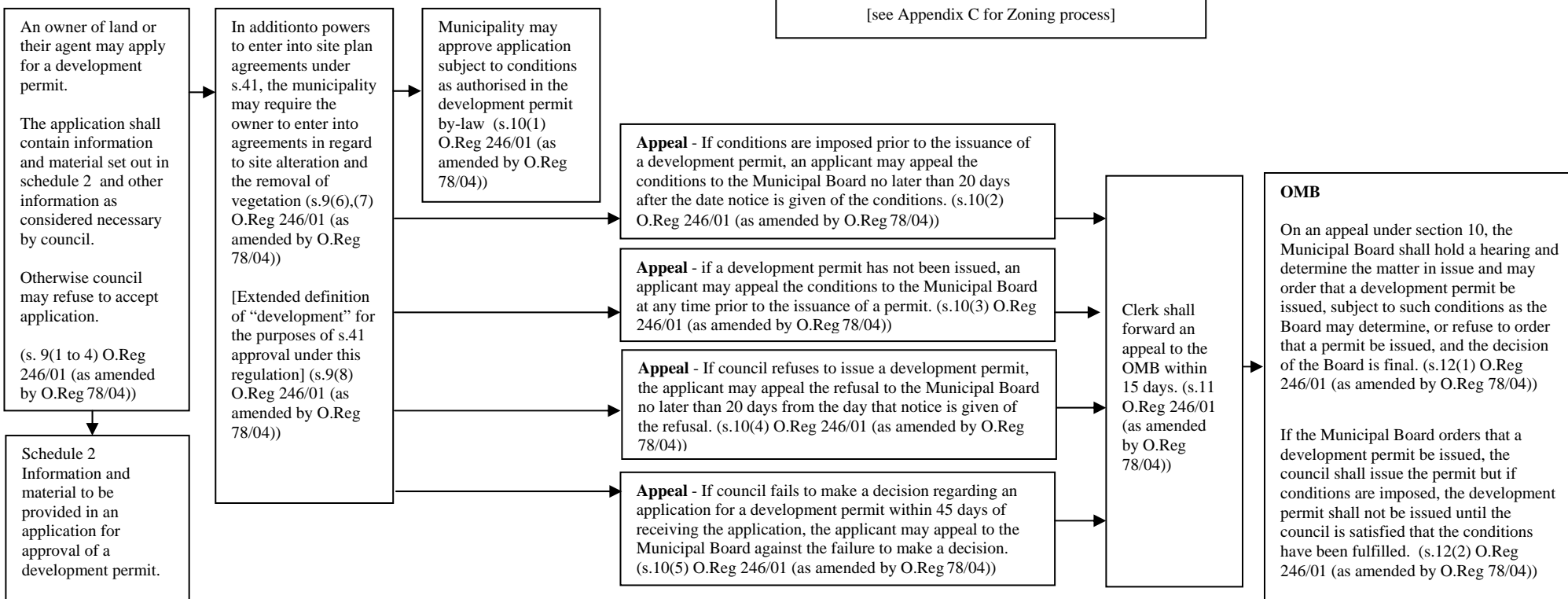
(Section 70.2, Planning Act, O. Regulation 246/01)



The Development Permit By-law



Development Permit Applications



Development Permit System

APPENDIX D

Development Permit System

APPENDIX E

Development Permit System

APPENDIX F