

PEARSON ECO-BUSINESS ZONE POLICY TOOLKIT

PRIMERS

USING DEVELOPMENT PERMITS TO PROMOTE ECO-BUSINESS ZONE ACTIVITY



USING DEVELOPMENT PERMITS TO PROMOTE ECO-BUSINESS ZONE ACTIVITY

Description

This section describes how the new Development Permit System powers under the Planning Act might be adapted to support eco-business zone activity and Partners in Project Green goals. Although a Development Permit System is a significant and complex planning tool to develop, it can offer a number of potential advantages over existing development review procedures, including:

- Streamlining the development process and reducing approvals timelines;
- Flexible approach to permitted and discretionary uses;
- Allowing approval criteria and conditions that support greater environmental protection;
- Community involvement; and,
- Guidance regarding good design and compatible development.

What is the Development Permit System?

One of the regulations accompanying Bill 51 allows municipalities to streamline the development approvals process. The Development Permit System consolidates zoning, site plan approval and minor variance into a single process. With this tool, municipalities can require developers to address issues of sustainability within their project, as well as on adjoining public streetscapes (such as bike parking, tree plantings, public transit uses, permeable paving, pedestrian environment, and so on). For developers, a Development Permit System could mean a significantly reduced approval time, for instance, down from about 120 days to about 45 days.

A Development Permit System allows municipalities to establish conditions that must be met prior to, or at the time of development permit application. Some conditions may even be addressed after the development permit has been issued, for example, long term monitoring. A Development Permit System gives municipalities another tool to request additional information or technical studies to ensure all the necessary information is available to make quick decisions (see Additional Information section in *Links between Ontario Planning Policy and Partners in Project Green* tool). For instance, municipalities could explore the potential for establishing conditions asking businesses for ongoing reporting of annual resource flows (for example energy, water consumed or solid, liquid waste generated), and in this way develop a database to support future eco-business activity.

How Can a Development Permit System Advance Sustainability in the Pearson Eco-Business Zone?

One of the key features of the Development Permit System that could prove useful in supporting the Pearson Eco-Business Zone is the introduction of discretionary uses. In theory, municipalities can use the Development Permit System to allow a range of discretionary uses to support eco-industrial activity, by establishing conditions for approval such as:

- The proposed use takes advantage of existing business activity or infrastructure as a means of reducing the impacts from their own operations, or the overall impacts from business activity in the surrounding area (for example a new company aggregating waste streams of existing businesses and transforming them into a new product or service).
- The proposed use presents an opportunity for shared infrastructure systems with existing businesses (such as water recycling, district heating, and the like).

The Development Permit System can be used to address sustainability as it relates to site development, exterior building design and streetscape improvements in the Pearson Eco-Business Zone. It can also be used as a means of expanding the scope of municipal capacity in supporting Official Plan Policies and Partners in Project Green, as well as an incentive to encourage private sector interest in eco-business zone activity.

HOW ADDITIONAL INFORMATION CAN SUPPORT ECO-BUSINESS ZONES

The EcoStar Program was created to implement eco-industrial activity in Devens, Massachusetts, by providing an award-based incentive for businesses. The program consists of 25 standards, of which participants agree to meet a minimum number. The program is designed to reduce impacts as well as costs for businesses in Devens, and beyond (for example by exerting influence further up the supply chain). It also addresses activity that isn't possible via policy and regulatory tools, such as: business-to-business networking and waste/by-product exchanges, employee training, analyzing packaging requirements, and review of product design. The program acts as an incentive by offering certification (like LEED) which businesses can use in their marketing and branding efforts.

CONSIDERATIONS FOR PARTNERS IN PROJECT GREEN

Although this type of program would likely be developed by a non-municipal partner (such as TRCA), municipalities might explore how the Development Permit System might support such a program, by for instance using provisions for requesting additional information at the time of development

How Can Our Municipality Create a Development Permit System for the Pearson Eco-Business Zone?

The process might vary from municipality to municipality, depending on their staff resources. One or more municipal partners, and one or more Partners in Project Green Project Teams, could be involved in such a process. If retaining third party assistance, consider the following general terms of reference:

- Review existing policies to determine aspects that should be reflected in the Development Permit System;
- Develop and deliver consultation with Partners in Project Green Steering Committee and/or relevant Project Teams to develop a preliminary wish list for Development Permit System requirements;

applications. To illustrate, consider the hypothetical case of a developer who wishes to consolidate and redevelop some existing parcels within the Pearson Eco-Business Zone to build a large cold storage facility. The relevant municipal partner has adopted a Development Permit Bylaw covering this area, in which warehouses are permitted as discretionary uses, conditional upon demonstrating they meet the conditions noted above.

Other Development Permit conditions include the submission of studies or reports the developer feels will help establish a case for approving the proposed discretionary use. For instance, the developer submits a feasibility study indicating there is a good business case for providing a central chilling facility on-site for the proposed use that could reduce their energy needs as well as provide efficient cooling services to a nearby office park and data centre.

- Draft Development Permit System Bylaw;
- Develop and deliver required bylaw adoption consultation, as well as a broad stakeholder workshop targeting Partners in Project Green stakeholders, to obtain feedback on the draft;
- Finalize Development Permit System bylaw text;
- Prepare an accompanying Guide to the Development Permit System Bylaw; and,
- Deliver one launch workshop to explain the requirements and opportunities presented by the Development Permit System.

Complementary Policy Work for a Development Permit System

New types of zoning uses might also be created to take better advantage of a Development Permit System. For example, there are a number of existing zoning definitions for 'green business' or 'environmental business' that broaden the scope of allowable activity to reduce barriers to innovative and progressive clean business.⁷ In conjunction with addressing different types of land use district designations that might better support eco-business zone activity, the Development Permit System could also

be used to provide greater flexibility around traditional zoning bylaw dimensional requirements (maximum/minimum height, coverage, required yards, and so on). The Development Permit System can establish a range of allowable variations from these standards, provide design criteria and direction, and incorporate illustrations, akin to design guidelines in use in other areas. This approach could support eco-business development by:

- Conditional increase in height for warehouses to take advantage of roof space for offices or greenhouses.
- Conditional waiving of required yards for new facilities that are designed to share a wall with another building to reduce energy needs and encourage industrial infill; and,
- Conditional approval of physical connections between buildings on adjacent parcels for the purpose of energy or resource efficiency.

⁷For instance, in Hillsboro, OR: "Sustainable Energy and Environmental Businesses" means and includes industrial businesses and land uses engaged in the research and design or development, manufacturing, processing, marketing (and combinations of such activities) of products or services associated with local, national and international sustainable energy and environmental industries. Such businesses include, but are not limited to large and small firms and companies engaged in high technology research and products development and manufacturing; solar and wind energy products and parts manufacturing; and, other high-tech and sustainable industry operations."

REFERENCE CASE STUDIES

- **Devens Enterprise Commission** – uses a unified development permitting process that includes meeting specific conditions, guidelines, and so on.
- **TaigaNova Eco-Industrial Park** – development permit process amended to provide reduced approvals time, and integrate design guidelines and other conditions relating to sustainability

To view the case studies, please visit
[www.partnersinprojectgreen.com/
policytoolkit](http://www.partnersinprojectgreen.com/policytoolkit)