

Committee of the Whole, February 4, 2025

RE: PBS.25.004, Follow Up Recommendation Report – Official Plan 5 Year Review

Dear Madame Chair and Committee Members:

As concerned residents, we appreciate the Town's efforts to modernize its planning policies and recognize the need to address housing challenges. Thoughtful planning is essential to balancing growth with sustainability, and we acknowledge that the Community Planning Permit System (CPPS) could serve as a tool to achieve these goals.

However, for the CPPS to gain **community trust and buy-in**, it must be structured with **clear, enforceable language** that ensures it delivers real benefits without unintended consequences. In our efforts to ensure what is viable for developers, we must also protect the interests of the community. The current language in **Section E.1.2** of the Draft Official Plan **leaves key issues unresolved**, such as **the enforceability of affordable housing commitments, the scope of the CPPS application, and the level of public oversight**. Addressing these concerns will not only improve the CPPS, but also will bolster public confidence in the Town's approach to planning and development.

We outline below specific recommendations to strengthen the CPPS framework in Section E.1.2 to ensure it serves the community's best interests.

Key Concerns & Recommended Changes

A. Ensuring Affordable Housing is a Mandatory, Enforceable Requirement

- The Official Plan sets a **30% affordable housing target**, but it **lacks a legal mechanism** to require developers to meet this commitment.
- The Official Plan **does not specify** whether the 30% requirement applies to the **entire building or only to the additional height** granted under the CPPS.
- The CPPS provides an opportunity to **make this requirement binding on developers** by making affordability a condition of approval.
- **Request:**
 - Mandate in Section E.1.2 that any development exceeding 3 storeys or using the CPPS incentives (e.g., height or density increases) must provide at least 30% affordable housing.

- Clarify that the 30% requirement applies to the entire building, not just the additional storey.
- Ensure affordability is in perpetuity—otherwise, developers could comply for a few years and then revert to market rates, eliminating the long-term benefit to the community.

B. Geographic Limitations & Mapping: The CPPS Should Apply Only to the Primary Settlement Area with Clearly Defined Boundaries

- The Official Plan states **that the Primary Settlement Area has enough land to meet housing needs until 2046.**
- Allowing the CPPS outside the Primary Settlement Area **could encourage unnecessary sprawl, threaten agricultural lands, and undermine secondary planning efforts.**
- The current draft **allows the CPPS to be activated across the entire Town without clearly identifying where it will apply (Section E.1.2.a).**
- **Request:**
 - Amend Section E.1.2 to explicitly state that the CPPS shall only be applied within the Primary Settlement Area.
 - The CPPS should be mapped in advance within the Official Plan, identifying specific locations within the Primary Settlement Area where it may be activated, so that the public is aware before it is implemented.
 - Ensure that the CPPS cannot be “turned on” in unexpected locations without prior public notice and Council approval.

C. The CPPS Should Not Justify Height Increases Without Enforceable Community Benefits

- The CPPS is being used as a mechanism to allow increased height (from 3 to 4-5 storeys) based on **the assumption that greater height will lead to more affordable housing.**
- If the CPPS **grants height increases without strict affordability guarantees,** developers could take advantage of density incentives **without providing real community benefits.**

- The CPPS allows developers to **gain additional height in exchange for providing services, facilities, or even a cash contribution**. This could lead to a **pay-to-play system rather than ensuring real community benefits (Section E.1.2.m)**.
- **Request:**
 - Mandate a 3+1 model for height, with a maximum of 4 storeys under the CPPS.
 - Ensure that additional height or density is only granted if affordability requirements are met.
 - Require a clear formula linking community benefits to additional height (e.g., number of affordable units per additional storey).
 - Prohibit trading height for any additional amenities, services, or cash contributions. Height increases should only be approved if they meet the affordable housing requirements.

D. Strengthening Public Oversight & Clearly Defining Permitted Uses

- The CPPS allows Council to **delegate decision-making authority** over CPPS applications to **a committee or even a single Town employee** instead of keeping it with elected representatives **(Section E.1.2.j)**.
- This could **remove public accountability** from key development approvals, meaning major projects could be approved without Council review.
- The CPPS allows Council to refine the list of permitted uses after its implementation, meaning that **residents may not have certainty about the types of developments that will be permitted upfront, and changes could be made without further public consultation (Section E.1.2.o)**.
- **Request:**
 - Require Council review for CPPS developments exceeding a certain height, density, or environmental impact threshold.
 - Ensure that CPPS applications cannot be approved solely by staff without public scrutiny.
 - Ensure that all permitted uses are clearly defined within the Official Plan before the CPPS is activated in any area.

- Prevent major changes from occurring under the CPPS without full public consultation.

To ensure the CPPS serves the community effectively and builds public trust, we urge Council to strengthen Section E.1.2 by:

- **Mandating that CPPS developments include 30% affordable housing in perpetuity, ensuring this requirement is stringent and applies to the entire building, not just the extra storey.**
- **Restricting the CPPS to the Primary Settlement Area and clearly mapping where it will apply to prevent uncertainty and unwanted intensification in established neighborhoods.**
- **Ensuring height increases follow a 3+1 model and are only granted in exchange for guaranteed, enforceable community benefits, rather than cash contributions or loosely defined amenities.**
- **Requiring public oversight for the CPPS approvals and ensuring major decisions are not delegated to staff, so the community has a voice in significant developments.**
- **Ensuring that the types of developments allowed under the CPPS are clearly defined in the Official Plan before the system is activated, so residents know what to expect.**

By making these necessary improvements, the Town can ensure that the CPPS is implemented in a way that reflects community priorities and encourages responsible, sustainable growth.

Sincerely,

Paul Reale