

Provincial Planning Reform – Summary of Proposed Changes

Features:

- New Powers for Municipalities
- New Responsibilities for Municipalities
- Ontario Municipal Board Reform

Aims of the proposed legislation:

- ‘Establish clearer rules and support for local decision-making, while protecting broader public interests’
- Provide municipalities with the tools and flexibility to address their needs, including protection of employment lands, sustainable development (e.g. environmentally-friendly design) intensification and brownfields revitalization
- ‘Providing municipalities with more accountability on local planning matters and reducing the number of OMB appeals and duration of hearings.’
- ‘Ensuring a more effective, transparent, accountable and user-friendly OMB’

New Powers for Municipalities :

- Ability to establish maximum/minimum densities
- Ability to establish urban design panel to regulate architectural and urban design features as conditions of site approval.
- Ability to establish a local appeal body to deal with minor variances and consent applications
- Ability to increase planning application standards above the minimum required under the Provincial Planning Act.
- Ability to refuse applications aimed at re-zoning employment lands to other uses, with no right to appeal
- Ability to designate areas to permit second suites with no right to appeal

New Responsibilities for Municipalities:

- Must update Official Plan every five years to ensure it is consistent with the Provincial Policy Statement.
- Must update Zoning By-law within three years of completing or revising a new Official Plan.
- Increase public awareness of local development issues and keep the community informed about any applications for Official Plan and Zoning By-law amendments
- Provide the public with full access and complete application files in advance of the hearing.

Other Changes:

- Enhancing the prescribed information and material that would need to be included in planning applications involving official plan amendments, zoning by-law amendments and subdivision consents.

- A Province-wide development permit system collapsing minor variances, zoning and site-plan control into one streamlined process.

OMB Reform:

Parametres:

1. ‘The OMB would continue to hear appeals on matters related to official plans, zoning, subdivision, site plan and development permits.’
 - *these matters would fall into the ‘broader public interest’ category.*
2. ‘Municipalities would be able to establish local appeal bodies to deal with matters of purely local significance – minor variances, severances, home additions, decks and lot creation.’
 - *new area of municipal responsibility*

OMB Hearing Process - (proposed changes):

- (i) Requiring OMB to “have regard” for decisions made by municipal councils
- (ii) ‘De novo’ hearings – parties must rely solely on information/evidence that was presented to council during local approval process – except where the OMB determines that the information “could not be reasonably have been provided prior to Council making its decision.”
- (iii) Participation in OMB hearings limited to only those parties which took part in the approval process at the local level - except where the OMB determines...
- (iv) Providing OMB with enhanced authority to dismiss appeals in certain instances, such as repeat applications.

Local Appeal Bodies - (proposed framework):

- (i) The province would set minimum criteria for establishing local appeal bodies, processes and standards.
- (ii) Members appointed by City Council with terms of office extending no longer than the term of Council.
- (iii) Decisions of appeal bodies could not be appealed to the OMB

Public Participation:

- (i) Creation of a ‘Citizen Liason Function’ to help members of the public navigate the OMB process.

OMB Members:

- (i) Posting an employment description (encouraging qualified applicants)
- (ii) ‘Considering’ extending tenure for OMB members beyond three year term (reducing political influence)
- (iii) Reviewing compensation of OMB members (encouraging qualified applicants)
- (iv) Providing board members with formal training on land-use planning issues and making it available on an ongoing basis throughout their terms of office.