

RECOMMENDATIONS FROM PED15093		INCLUSION IN BILL 73
90 Day Extension	Recommendation: Bill 73 allow for a lengthened timeframe commencing on the day an application is deemed complete for Official Plan Amendments without the need for giving notice and should be expanded to apply to Zoning By-law Amendments and Plans of Subdivision.	Not included
	Recommendation: The Province should provide municipalities with the ability to restart the timeframe if additional information is deemed necessary by the municipality or conversely the application is amended by the applicant which results in a recirculation of the application to the prescribed agencies/bodies for review and comment.	Not included
	Recommendation: Should the Province proceed with the one time extension, the ability to terminate the 90-day extension be removed.	Not included
Parkland Dedication	Recommendation: The Province provide municipalities with the flexibility to determine their own parkland dedication rate and provide municipalities with the ability to defer dedication through registered agreements.	Not included
Two-year Moratorium to amend Official Plans and Zoning By-Laws	Recommendation: That the Province expand this moratorium to all amendments that constitute a new Official Plan and comprehensive Zoning By-law and provide Council with the ability to determine if an amendment is needed in the case of an error.	Not included – only global replacements
	Recommendation: That Bill 73 remove the right to appeal Official Plan Amendments and Zoning By-law Amendments that support matters that are provincially approved.	Not included – only Places to Grow numbers non-appealable
	Recommendation: The Province meet directly with the City to discuss our experiences with minor variances and what we believe constitutes a minor variance to	Did not occur – municipalities given option to do

	assist the Province with defining Province-wide what constitutes a minor variance.	this
Limited Appeals for Certain Official Plan Matters	Recommendation: The Province remove the ability for Official Plans, Zoning By-laws or related amendments that support all matters that are provincially approved, to be appealed, and refine and narrow the range of appeal permissions under the <i>Planning Act</i> , in particular conformity exercises which implement Provincial Plans.	Not included except for population and employment projections contained in the Growth Plan
Dispute Resolution	Recommendation: The Province expand the use of ADR techniques to minor variances. Recommendation: The Province modify and streamline the existing approval and appeal processes for minor variance and consent applications.	Not included Not included - appeal process may be reviewed through upcoming OMB reform
Dismissal Without a Hearing	Recommendation: The Province require, as part of an appeal, demonstration that the appellant has engaged the municipality in a fulsome way.	Not included
Notice of Decisions	Recommendation: The Province develop clear guidelines that identify the information to be included in a notice of decision and how this information is to be shared.	Not included – may be provided in the form of regulations from the Province
Official Plan Reviews	Recommendation: That Bill 73 be revised to require the Province to align its own policy reviews and increase the mandatory 5-year Official Plan review period to 10-years.	Not included
Planning Advisory Committee	Recommendation: The Province define the role and scope of the planning advisory committee and confirm that the City’s existing citizen advisory committees meet the intent of the regulation and that no further committees are required.	Not included

<p>Inclusionary Zoning</p>	<p>Recommendation: The Province should investigate providing municipalities with the authority to seek affordable housing through the use of inclusionary zoning (a share of new construction to be affordable by people with low to moderate incomes) to support the City’s Housing and Homelessness Action Plan to increase affordable housing projects in the City.</p>	<p>Not included in Bill 73 but on May 16, 2016, the Province introduced legislation (Bill 204) that would allow municipalities to require private sector developers to include affordable housing units developments. In the coming months, the Province will consult with municipalities, developers and other interested parties.</p>
<p>Additional Recommendations</p>	<p>Recommendation: The Province align the review of major Provincial plans and policy documents.</p> <p>Recommendation: The Province eliminate the right to appeal for non-decision, defer the 120/180 day period to the date an application is deemed complete (as opposed to accepted), or alternatively refine the permissions for appeals for non-decision.</p> <p>Recommendation: The Province is encouraged to develop a Regulation for Section 34(16) of the <i>Planning Act</i> (zoning with conditions).</p> <p>Recommendation: The Province amend the <i>Planning Act</i> to make pre-consultation with municipalities mandatory for applications under the <i>Planning Act</i>, except minor variance and consent applications, and ensure that an application cannot be deemed complete unless all required applications are submitted as a complete package.</p>	<p>Partially implemented – excludes PPS</p> <p>Not included</p> <p>Not included</p> <p>Not included.</p>

	<p>Recommendation: The Province amend the <i>Planning Act</i> to include the requirement/discretion for further consultation with a pause in the timing for review of a <i>Planning Act</i> applications if there are outstanding issues.</p>	Not included
	<p>Recommendation: The Province amend the <i>Planning Act</i> to require giving notice through means other than newspapers or mail, and to expand the notification requirements to include tenants</p>	Not included - Has been expanded to include email except for Minor Variance decisions
	<p>Recommendation: The Province make the appropriate legislative changes to allow municipalities to plan for a 50-year planning horizon instead of 20 years.</p>	Not included
	<p>Recommendation: The Province make the appropriate legislative changes to give more power to municipalities to protect future employment lands and uses, and make provision for “soft infrastructure” for the long-term benefit of the municipality.</p>	Not included
	<p>Recommendation: That notification be provided by first class Canada Post Mail, and that the notification be provided to each and every resident within 500m around the subject property, with the additional postage cost be at full cost recovery.</p>	Not included
	<p>Recommendation: That applicants be required to hold appropriate neighbourhood public meeting(s) as part of the consultation process with respect to all major applications i.e., official plan, development, zoning and that where applicable, the Neighbourhood Associations be advised of such public meetings.</p>	Not included – draft regulations on EBR regarding consultation. Details to be determined
	<p>Recommendation: The Province should amend the transportation and land use planning policies to better support the achievement of compact, complete communities with increased active transportation and public transit use through changes to the <i>Planning Act</i>, the land use appeal process and the OMB’s mandate.</p>	Not included
	<p>Recommendation: The Province should support a public health perspective on the achievement of healthy,</p>	

	compact, complete communities by actively supporting the involvement of health units in land use planning in municipalities.	Not included
Ontario Municipal Board	<p>Recommendation: The Province should expand the scope of the Provincial review to include the OMB operations, practices and procedures. This review should investigate whether the OMB should be eliminated, scoped or replaced with a different system. A comparison of other models and narrowing of appeal permissions should be investigated.</p> <p>Recommendation: The Province conduct a review of the current OMB process and investigate different tribunal models for appeals to Minor Variance and Consent applications.</p> <p>Recommendation: The Province create stronger criteria for determining frivolous and vexatious appeals.</p> <p>Recommendation: The Province make the necessary legislative changes to disallow <i>de novo</i> appeals.</p> <p>Recommendation: The Province require that no new information be presented at OMB Hearings, and in circumstances where new information is presented, it be referred back to Council for a decision.</p> <p>Recommendation: That the OMB take into consideration the state of the soft infrastructure around any subject property and include it into their decision regarding the timing of the subject property for that approval.</p>	Not addressed by Bill 73. All of these recommendations may be reviewed during the upcoming OMB reform review