



INFORMATION REPORT

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	February 28, 2017
SUBJECT/REPORT NO:	Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (City Wide) (PED17038)
WARD(S) AFFECTED:	City Wide
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SIGNATURE:	

Council Direction:

At the June 16, 2015 Planning Committee, staff were “directed to report back to the Planning Committee with a reporting tool that seeks to monitor applications where the 120 or the 180 day statutory timeframe applies”.

This Report provides a status of all active Zoning By-law Amendment, Official Plan Amendment and Plan of Subdivision Applications relative to the 120 or the 180 day statutory timeframe provisions of the *Planning Act* for non-decision appeals.

Policy Implications and Legislative Requirements

Land use planning is guided by the *Planning Act* which sets out how land use decisions are made and how and when they can be appealed to the Ontario Municipal Board (OMB). The *Planning Act* prescribes the situations in which an applicant may file an appeal for Official Plan Amendments, Zoning By-law Amendments and Plans of Subdivision for lack of a decision by Council.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

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For Zoning By-law Amendments, Section 34 (11) of the *Planning Act* states that:

“Where an application to the council for an amendment to a by-law passed under this section or a predecessor of this section is refused or the council refuses or neglects to make a decision on it within 120 days after the receipt by the clerk of the application, any of the following may appeal to the Municipal Board by filing a notice of appeal with the clerk of the municipality:

1. The applicant.”

For Official Plan Amendments, Section 17(40) of the *Planning Act* states that:

“If the approval authority fails to give notice of a decision in respect of all or part of a plan within 180 days after the day the plan is received by the approval authority, any person of public body may appeal to the Municipal Board with respect to all or any part of the plan in respect of which no notice of a decision was given by filing a notice of appeal with the approval authority”.

For Plans of Subdivision, Section 50(34) of the *Planning Act* states that:

“If an application is made for approval of a plan of subdivision and the approval authority fails to make a decision under subsection (31) on it within 180 days after the day the application is received by the approval authority, the applicant may appeal to the Municipal Board with respect to the proposed subdivision by filing a notice with the approval authority, accompanied by the fee prescribed under the Ontario Municipal Board Act.”

Information:

Staff was directed to report back to Planning Committee with a reporting tool that seeks to monitor applications where the applicable 120 or the 180 day statutory timeframe applies. This reporting tool would be used to track the status of all active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications.

Attached as Appendix “A” to Report PED17038 is a table outlining the active applications, sorted by Ward, from oldest application to newest.

As of January 25, 2017 there were 35 active Official Plan Amendment Applications, 74 active Zoning By-law Amendment Applications and 23 active Plan of Subdivision Applications. This does not include any applications that have been appealed to the Ontario Municipal Board for non-decision. Combined to reflect property addresses, this results in 74 active development proposals. Forty-three of the proposals are 2016 files while 31 proposals are pre-2016 files.

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Within 60 to 90 days of February 28, 2017, 22 applications will be approaching the 120 or the 180 day statutory timeframe and will be eligible for appeal. Fifty-two applications have passed the 120 or 180 day statutory timeframe.

Summary of 2016

In 2016, the Development Planning, Heritage and Design Section received 27 Official Plan Amendment Applications, 67 Zoning By-law Amendment Applications and 18 Plans of Subdivision, for a total of 112 applications. In addition, the following applications were presented to Planning Committee:

- 22 Official Plan Amendment Applications;
- 44 Zoning By-law Amendment Applications; and,
- 11 Plans of Subdivision.

This resulted in 29% more applications brought forward in 2016 compared to 2015. The average processing time for an application brought forward to Planning Committee decreased by 25% in 2016 compared to 2015 and the backlog of active files decreased from 110 to 90, (20% decrease) by the end of 2016 compared to 2015.

Appendices and Schedules Attached:

Appendix "A": List of Active Development Applications

JG:jp