

PED14004

**Provincial Review of Land Use Planning
and Appeal System**

General Issues Committee: February 5, 2014



Why

- “Ensure that the land use planning and appeal system in Ontario is predictable, transparent, cost-effective and responsive to the changing needs of communities”



Our Approach

- Circulated to Senior Management
- Met with:
 - Planning Division
 - General Manager's Office
 - Growth Management
 - Legal Services
- Response based on staff expertise and experiences with the planning system



“Big Picture” Recommendations

- Alignment of Policy Review
- Increase of Mandatory Review Period
- No appeals for Conformity Exercises
- Investigate tribunal models for Minor Variance and Consent applications
- Strengthen Municipal Decisions
- Increase the Planning Horizon
- Powers to Protect Future Employment Lands



Process/Technical Recommendations

- Removal of right to appeal entire municipal documents
- Refinement of “non-decision” appeal rights and provisions
- Extending the timeframe under which a decision must be made on development applications
- Engaging citizens – Opportunities for further engagement
- Providing alternate means of notification
- Clarifications for existing planning tools permitted by the Planning Act



OMB Recommendations

- Meaningful changes to the appeal system and Ontario Municipal Board are necessary.
- It is necessary to conduct a thorough review of the OMB operations, practices and procedures including, but not limited to:
 - Should OMB be eliminated? scoped? or replaced?
 - Scheduling of hearings
 - Hearing costs
 - Long wait times for decisions
 - Requirement for mandatory discussions between appellants and municipalities prior to appeals being filed
 - Consideration for more than one Board member for complex hearings
 - Improvement to administrative process, including a staff person to record all OMB proceedings.





Hamilton

Thank you