



Why Planning Reform?

Planning reform:

- needed to build stronger, better communities
- part of government's **Strong Communities Initiative**

Government has stated that the status quo is no longer acceptable because of:

- transportation congestion
- rising infrastructure costs
- loss of greenspace and resources
- environmental degradation
- urban sprawl

Other Strong Communities Initiatives:

- Growth Management Plan, Source Water Protection, Golden Horseshoe Greenbelt, Rural Plan



Planning Reform: Bill 26

Bill 26 - Strong Communities (Planning Amendment) Act, 2004

Four main components propose:

1. no appeals where municipality does not support applications to expand settlement area boundaries
2. increase time for decision-making
3. strengthen application of provincial policies by requiring consistency of decisions with provincial policies
4. reinstate provision allowing Province to declare "provincial interest" before OMB

Planning Reform: Bill 26

1. Right-of-Appeal

Existing *Planning Act* Provisions

- Permits the right-of-appeal for all applications to amend official plans and zoning by-laws
- Right is triggered when council/approval authority fails to make decisions within 90 days of application's receipt or when application is refused

Planning Reform: Bill 26

1. Right-of-Appeal

Proposed *Planning Act* Changes

- **Eliminate right-of-appeal:**
 - on a proponent initiated amendment related to the alteration of all or part of an urban settlement area boundary or the creation of a new urban settlement area, and
 - municipality/approval authority has not supported amendment

Planning Reform: Bill 26

1. Right-of-Appeal

Basis for Change

- Ability to appeal urban boundary decisions/non-decisions has frustrated municipalities
- Approved official plans already the subject of substantial public consultation, expense and staff resources
- Appeals have resulted in additional municipal expense and use of resources to defend approved official plans before the OMB

Planning Reform: Bill 26

2. Proposed Increase in Decision Timelines

	Pre-Bill 26	Post-Bill 26
Subdivision plans, Condo plans & OPAs	90 days	180 days
Zoning by-laws, Holding by-laws	90 days	120 days
Consents/ Severances	60 days	90 days
Notice of public meeting (OPA)	45 days	Eliminate timeline for appeal trigger
Deadline to hold a public meeting (OPA)	65 days	Eliminate timeline for appeal trigger

Planning Reform: Bill 26

2. Proposed Increase in Decision Timelines

Basis for Change

- Municipalities found that the *Planning Act* provides insufficient time to give meaningful consideration to planning applications
- Public not able to fully participate in planning process because of limited application review periods

Planning Reform: Bill 26

3. Proposed change to the Implementation Standard

Existing *Planning Act* Provisions

- Decision-makers “shall have regard to” policy statements issued under the *Planning Act* in exercising any authority that affects a planning matter

Proposed *Planning Act* Changes

- Decisions of the decision maker “shall be consistent with” policy statements issued under the *Planning Act* in exercising any authority affecting a planning matter

Planning Reform: Bill 26

3. Proposed change to the Implementation Standard

Basis for Change

- Government is committed to, amongst other matters, stronger protection of the province's natural environment, prime agricultural lands, mineral resources while supporting strong and sustainable communities
- It believes the *Planning Act* requirement of "shall have regard to" is not strong enough to implement government policies

Planning Reform: Bill 26

4. Declaration of Provincial Interest

Existing *Planning Act* Provisions

- The *Planning Act* does not allow the province to declare provincial interests on matters before the OMB
- Province does not make final decision on matters before the OMB

Planning Reform: Bill 26

4. Declaration of Provincial Interest

Proposed *Planning Act* Changes

- For OP/As, Zoning by-laws, Holding by-laws, the Minister would have authority to declare a matter before the OMB, to be a provincial interest
- If declared, province would make final decision

Planning Reform: Bill 26

4. Declaration of Provincial Interest

Basis for Change

- Situations arise where conflicts could result in decisions which adversely affect stated provincial interests
- Province believes it needs to have this mechanism to protect provincial interests

Planning Reform: Bill 26

Transitional Matters

- If passed, legislation is deemed to have come into force on December 15, 2003
- Municipalities need to make planning decisions keeping the proposed planning reform legislation in mind
- Legislation would allow for regulations to deal with transitional matters
- Municipalities may need to discuss specific cases with applicants and where necessary, with appropriate Ministry staff



Planning Reform: Consultation

Consultation: June 1 – August 31

- **Three consultation discussion papers**
 1. *Planning Act* Reform and Implementation Tools
 2. Provincial Policy Statement
 3. Ontario Municipal Board Reform

- **Regional Stakeholder Workshops**

June 10 Vaughan	July 6 London
June 15 Toronto Downtown	July 8 Thunder Bay
June 22 Hamilton/Niagara	July 15 Sudbury
June 29 Kingston	July 20 Ottawa

Planning Reform: Consultation

- **Public Information Sessions / Town Hall Meetings**

June 8 Windsor	June 29 Kingston
June 10 Vaughan	July 6 London
June 15 Toronto Downtown	July 8 Thunder Bay
June 16 Toronto East	July 12 Ottawa
June 17 Toronto West	July 13 Oakville
June 22 Hamilton/Niagara	July 15 Sudbury
June 24 Pickering	

- **E-consultation, Mail/fax**

- **Environmental Bill of Rights Registry (90 day period)**

Planning Reform	PF04E0003
Draft PPS Policies	PF04E0004



Planning Act

- Provides the basis for land use planning in Ontario
- Sets out how land uses may be controlled and who may control them

Planning Act Reform

“Complete Application”

- adequacy of information to allow complete review of development proposals

Require Updating of Planning Documents to Meet Today’s Needs

- municipalities need up to date planning documents which reflect current provincial policies

Redevelopment, Intensification and Compact Form

- facilitate compact development forms in communities

Implementation Tools

Community Improvement Plans

- expand scope of plans that revitalize communities

Development Permit System

- allow more municipalities to streamline planning approvals & better respond to community needs

Provincial Standards

- review standards which apply to urban infill, intensification and brownfields redevelopment

Implementation Support Materials

- develop best practice guides and other materials to facilitate policy implementation



Ontario Municipal Board Reform

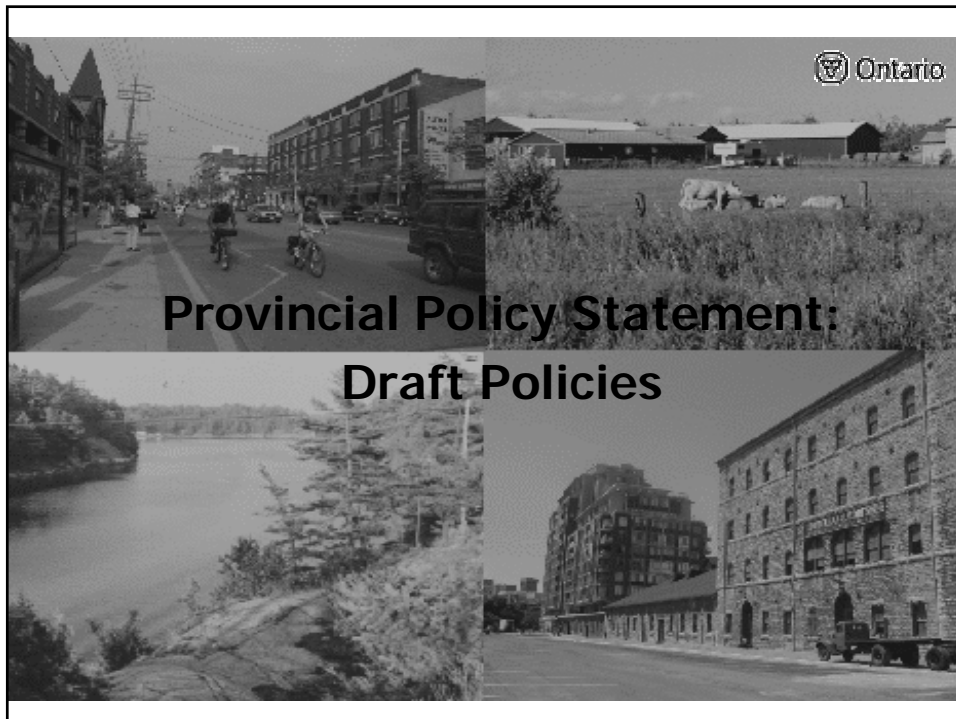
Ontario Municipal Board Reform

- An independent body to which municipal land-use decisions can be appealed
- **Made up of a Chair, Vice Chair and Members:**
 - Government appoints Members
 - 3 year term
 - Diverse backgrounds / from different parts of the province

Ontario Municipal Board Reform

Issues:

- scope of matters which may be appealed
- use of alternative dispute resolution mechanisms
- qualifications, method and term of appointment of Board members
- ability of Board to substitute its decision for those of local Councils
- whether Board should hear matters in entirety (hearings “de novo”)
- ease of public participation in Board hearings



Provincial Policy Statement: Draft Policies

- Articulates Provincial policy interests in land-use planning
- Reflects planning reform priorities
- Guides municipalities in creating their planning policies
- Stronger test for provincial policies proposed through Bill 26 - **"shall be consistent with"**

Provincial Policy Statement: Draft Policies

Key policy areas:

- Building Strong Communities
- Wise Use and Management of Resources
- Protecting Public Health and Safety

Strong Communities: Highlights

Managing Growth & Promoting Cities, Towns, Villages & Hamlets:

- municipal review required prior to expansion
- no expansions onto specialty crop lands
- priority to intensify existing areas & re-develop brownfields
- set intensification & density targets
- orderly growth patterns, compact form, mix of uses/densities

Strong Communities: Highlights

Strong Economy

- ensure sufficient land / opportunities for employment needs
- support diversified economic base, range / choice of employment lands
- support opportunities provided through tourism / recreation
- ensure adequate supply of mineral & other resources to meet long-term needs
- recognize that good planning provides economic advantage

Strong Communities: Highlights

Rural Areas:

- range of uses to support vitality, while protecting rural character
- test set out for development outside settlement areas

Housing:

- adequate supply to meet needs of all residents
- municipalities set targets for affordable housing

Strong Communities: Highlights

Transit Supportive & Strategic Transportation Planning:

- more support for public transit and alternatives to car
- encourage housing and jobs in close proximity
- protect future transportation corridors

Air Quality & Energy:

- link between land use, air quality and energy efficiency
- support urban greening
- encourage alternative energy systems

Wise Resource Management: Highlights

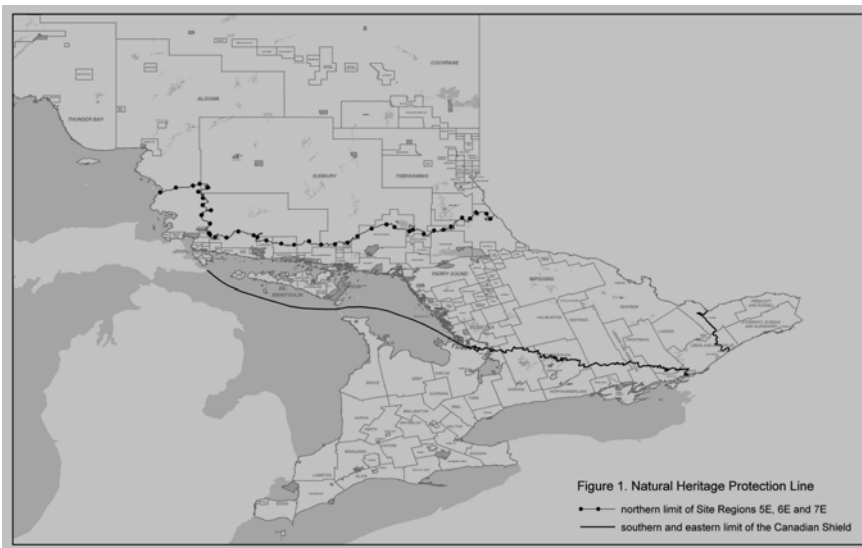
Protecting water resources through:

- watershed-based planning
- protecting surface / ground water features and functions
- controlling development close to sensitive water resources

More protection for significant:

- wetlands
- coastal wetlands
- habitat of endangered and threatened species

Wise Resource Management: Highlights



Wise Resource Management: Highlights

Protecting prime agricultural lands:

- no residential severances
- restricting growth expansions
- no growth expansions onto specialty croplands

Stronger protection for significant cultural resources:

- development on adjacent lands to conserve heritage attributes of designated heritage building



Planning Reform: Next Steps

Bill 26 - Strong Communities (Planning Amendment) Act, 2004

Standing Committee - Oral presentations will be heard during the week of September 20

Clause by Clause - Following week

Planning Reform: Next Steps

***Planning Act* Reform & Implementation Tools**

Ontario Municipal Board Reform

Provincial Policy Statement

Planning Reform: Next Steps

Common Themes

- transparency
- simple / streamlined process
- public involvement
- linkage to other priorities and initiatives
- accountability
- regional differences
- rural and urban area differences

Planning Reform: Next Steps

Discussion...



Thank You