



PLANNING A GREAT CITY
TOGETHER

Bill 73

Smart Growth for Our Communities Act, 2015

**PGM Committee
Staff Presentation
May 14, 2015**

Bill 73 - Background

- October 2013 Province launches a review of Ontario's land use planning & appeal system
- December 16, 2013 Council adopts detailed recommendations re the review that are forwarded to the Province
- March 5, 2015 Province introduces Bill 73, *Smart Growth for Our Communities Act, 2015* to amend the *Planning Act* & the *Development Charges Act*
- Province sets up a working group of stakeholders which includes Staff representation to review the definition of minor variance; notice requirements and other matters
- No date set for the Bill to be referred to a Standing Committee where there would be additional opportunities to present comments

Areas of Impact – Bill 73

1. **LIMITING OMB APPEALS OF RECENTLY APPROVED OFFICIAL PLANS, ZONING BY-LAWS & DEVELOPMENT PERMIT BY-LAWS**

- ✓ No global appeals of new official plans
- ✓ Freeze on amendments for 2-years following adoption of a new official plan and/or new comprehensive zoning by-law
- ✓ No appeals of official plan policies that identify population & employment growth forecasts as per the Growth Plan for the Greater Golden Horseshoe
- ✓ Notice of appeal requirements expanded to include a mandatory explanation of how Council decisions dealing with Provincial conformity exercises are inconsistent or conflict with Provincial policies or plans
- ✓ Freeze on privately initiated applications for amendments to newly approved development permit by-laws and related official plan provisions for 5-years (also requires amendment to DPS Regulation)

Areas of Impact – Bill 73 (cont'd.)

2. GIVING GREATER WEIGHT TO COUNCIL DECISIONS REGARDING OFFICIAL PLAN AMENDMENTS AND RE-ZONINGS

- ✓ First statutory update of a new official plan extended from 5 to 10 years and at 5-year intervals thereafter
- ✓ Removal of mandatory 5-year review period (MCR) for employment lands
- ✓ 2-year freeze on minor variances following any privately initiated site-specific rezoning, unless Council decides otherwise
- ✓ Council or applicants given the option to seek a suspension of the 180 day “no decision by an approval authority” timeline for triggering appeals of official plans and OPAs for a one-time 90 day period
- ✓ Council given option of requiring a 60-day period for alternative dispute resolution after an appeal has been made
- ✓ New Regulations to be put in place (after stakeholder consultation) defining what constitutes a minor variance and updating notice provisions

Areas of Impact – Bill 73 (cont'd.)

3. RECORDING (CODIFYING) PUBLIC CONSULTATION & ENGAGEMENT OUTCOMES

- ✓ Council & the C of A are required to provide a brief explanation in a notice of decision for planning applications of the effect, if any, that written & oral submissions made at the statutory public meetings, had on their decisions
- ✓ Introduction of minimum mandatory Official Plan public consultation policies for: OPs, OPAs, zoning by-laws, plans of subdivision & consents
- ✓ Introduction of mandatory Planning Advisory Committees (PAC) with the scope and terms of reference for each PAC being left up to each municipality to determine
- ✓ Ability to introduce alternative measures for public notices and for obtaining the views of the public broadened to include more planning application types and if alternative measures are included in the Official Plan, then these provisions replace the prescribed minimum requirements in the *Planning Act*

Areas of Impact – Bill 73 (cont'd.)

4. IMPROVING ACCOUNTABILITY FOR THE USE OF SECTIONS 37 & 42 – PLANNING ACT

- ✓ New provisions require monies collected under Section 37 and Section 42 to be paid into a special dedicated account with new annual reporting requirements made available to the public
- ✓ Parks Plan required prior to a municipality establishing alternative requirements for parkland dedication and payment-in-lieu on a go forward basis
- ✓ New legislated minimum for cash-in-lieu collected under the alternative requirement of one hectare per 500 dwelling units

Next Steps - Bill 73

- City's deadline for commenting on Bill 73 is June 3, 2015
- Province wide working group of stakeholders meetings to commence in June 2015
- Bill 73 will be sent to a Standing Committee where there will be a further opportunity to comment on proposed changes
- Standing Committee dates have not yet been set
- The Bill would come into force if it received 3 Readings and Royal Assent