

# Ontario Municipal Board Review

Presentation to  
**Council**

**Paul Freeman**

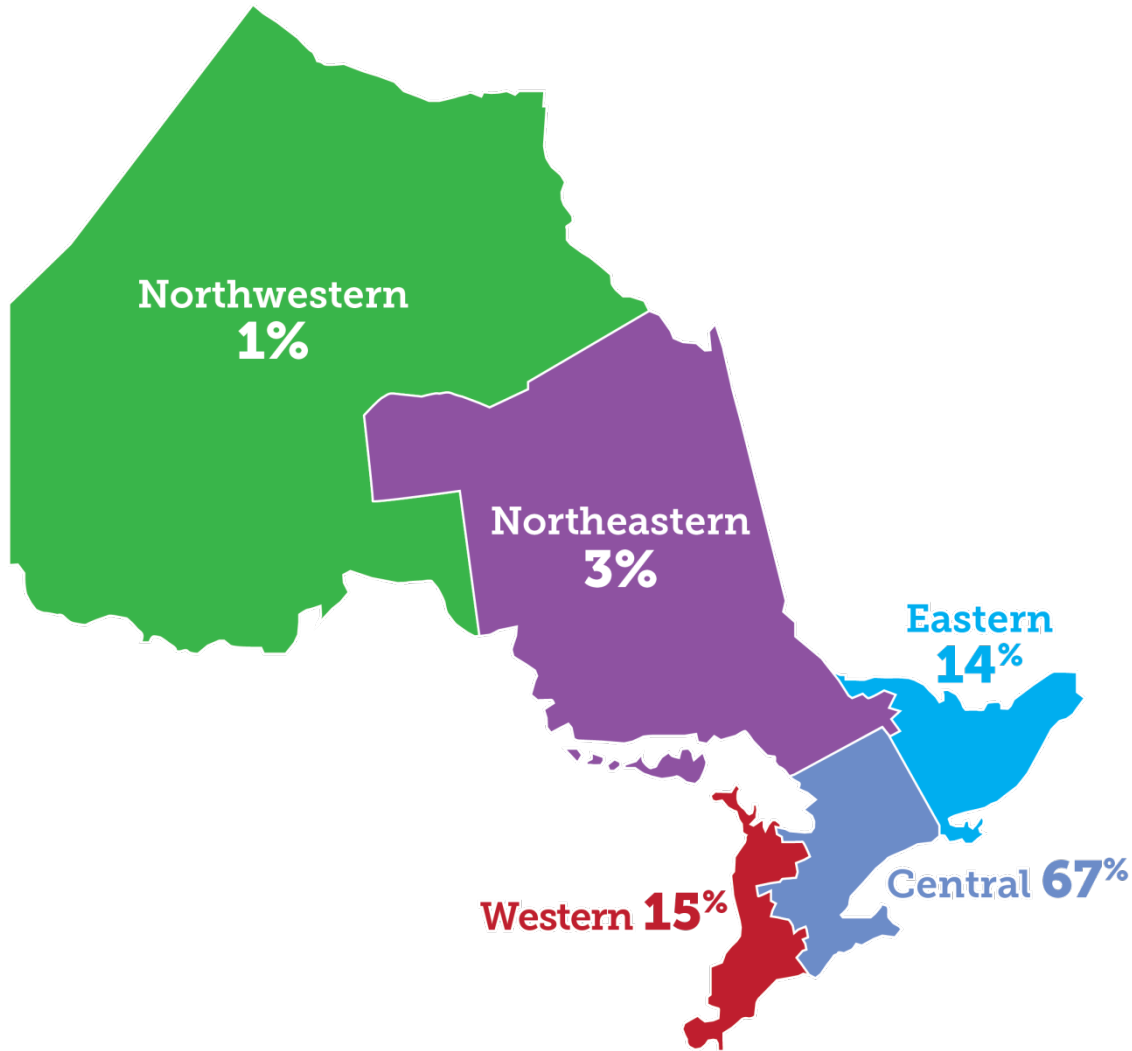
December 15, 2016



# Overview

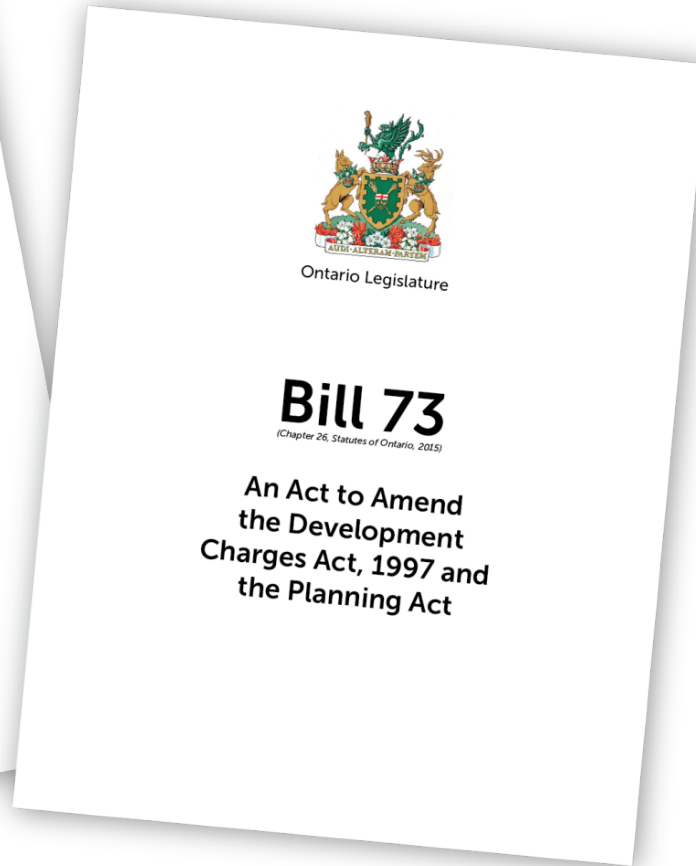
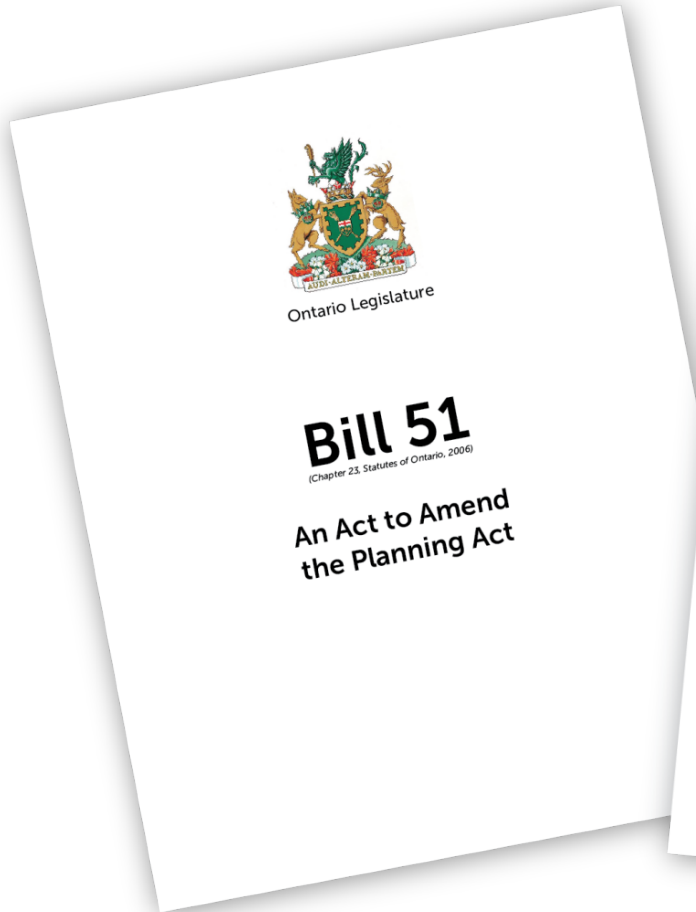
1. Background
2. Previous OMB Reform
3. Regional Planning Commissioners Report on OMB Reform
4. Province's Public Consultation Document: Five Discussion Themes (October 2016)
5. Next Steps

# OMB Background



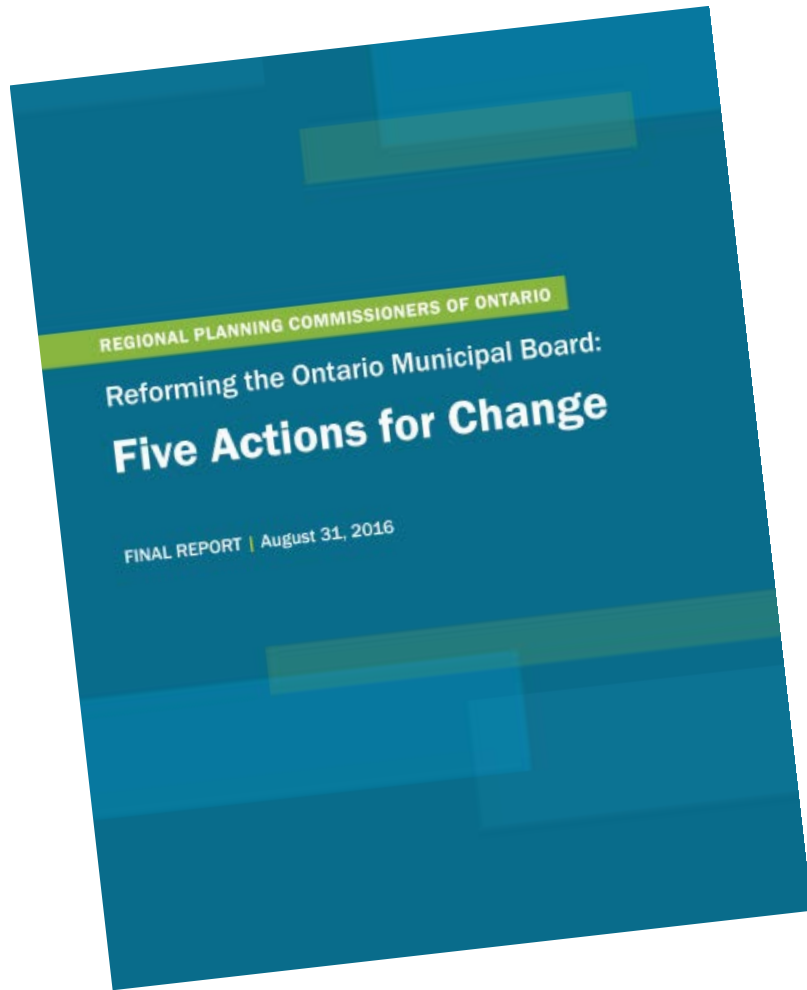
No other Province has a tribunal with same extent of jurisdiction

# Previous OMB Reform



No fundamental changes to the OMB

# Regional Planning Commissioners of Ontario OMB Review Report – August 2016



## 26 Recommendations to Reform OMB:

- Filter matters from appeal
- Sharpen procedures
- Strengthen members
- Resolve disputes
- Step up actions

# Province's Five Key Theme Areas for Consultation



**OMB's jurisdiction and powers**



**Citizen participation and local perspective**



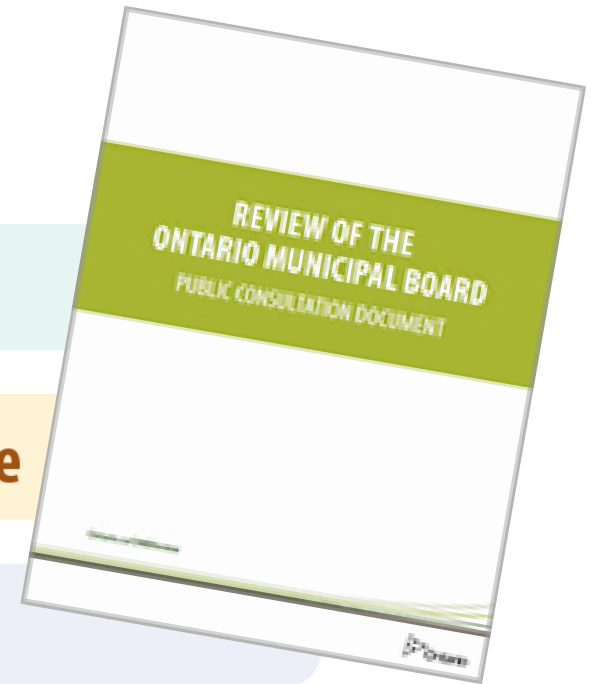
**Clear and predictable decision-making**



**Modern procedures and faster decisions**



**Alternative dispute resolution and fewer hearings**



# Theme 1: OMB's Jurisdiction and Powers

- ✓ Exempt or limit appeals of OPs approved by Province, or where municipalities are implementing provincial policy
- ✓ Eliminate de novo (as new) hearings
- ✓ Send significant new information back to municipal council

## York Requests:

- Exempt municipally-initiated OPs that conform to Provincial legislation and policies from appeal

Limit scope of issues dealt with by the Board

# Theme 2: Citizen Participation and Local Perspective

- ✓ Expand Citizen Liaison Office
- ✓ Increase staff, including in-house planning experts and lawyers
- ✓ Funding tools for citizens

## York Requests:

- User-friendly website with expanded educational materials

Addressing concerns about public ability to participate in OMB hearings



# Theme 3: Clear and Predictable Decision-making

- ✓ Complex hearings to be heard by multi-member panels
- ✓ Increase number of OMB members with necessary skills
- ✓ Clearly worded, plain-language decisions

## York Requests:

- Better compensation for board members
- Performance review for board members
- Standard case book and document book

# Theme 4: Modern Procedures and Faster Decisions

- ✓ Less complex and more accessible tribunal procedures
- ✓ Allow active adjudication
- ✓ Flexibility on how evidence is heard
- ✓ More hearings in writing
- ✓ Faster decision timelines
- ✓ Clear rules

Addressing concern that hearings are too long and complex

# Theme 5: Alternative Dispute Resolution and Fewer Hearings

- ✓ Promote mediation
- ✓ Require appeals to first be considered by a mediator
- ✓ Stronger case management

## York Requests:

- Review and update fee structure
- Case management to reduce duplication of evidence
- Update OMB rules of practice and procedure

Encouraging more use of mediation

# Next Steps

- Comments to Province by Monday, December 19<sup>th</sup> deadline
- Draft legislation expected spring 2017 – opportunity to comment

# Recommendations

- Council endorse Attachment 1 as the Region's formal submission to the Province in response to the Consultation on the role of the Ontario Municipal Board in Ontario's land use planning system
- The report be circulated as part of the Region's submission to the Province