



Corporate Services
Planning and Economic Development

Memorandum

TO: Members of Regional Council

FROM: Valerie Shuttleworth, MCIP, RPP
Chief Planner, Corporate Services

Bill Hughes
Commissioner, Finance

DATE: May 21, 2015

RE: **Proposed Amendments to the Planning Act and Development
Charges Act under Bill 73 – Clause 19, Report 10 of Committee of the
Whole**

This memorandum is provided further to Clause 19 of Report No. 10 of the Committee of the Whole Meeting held on May 14, 2015, Proposed Amendments to the Planning Act and Development Charges Act under Bill 73.

1. Attachment 1 to the report is a table outlining the responsiveness of Bill 73 to the Region's submission of January 2014. Attachment 1 did not address the following 2014 request:

that "the Province also consider possible legislative changes to the Planning Act that would allow approval authorities to place time limits on zoning approval, similar to those lapsing provisions already available on plans of subdivision"

In order to ensure that this request is addressed in the pending submission to the Province, the attached double sided page is to replace pages 5 and 6 of Attachment 1 to the report considered by Committee of the Whole on May 14, 2015. It has the effect of adding this additional comment to the summary table as item No. 24.

2. In response to the Committee discussion, it is also recommended that Recommendation 3 be replaced with the following:

“The Regional Clerk circulate this report to all nine municipalities, the Association of Municipalities of Ontario, the Municipal Finance Officers’ Association and the Bill 73 Development Charges Steering Committee”

Valerie Shuttleworth, MCIP, RPP
Chief Planner

Bill Hughes, Commissioner, Finance

Attachment (1)

York- #6091142

	then focus on implementation through Secondary Plan exercises, zoning by-laws and urban design guidelines.	
18.	Citizen advisory groups for larger planning initiatives are sometimes effective, but legislation requiring them is not necessary.	Bill 73 makes an Advisory Committee mandatory for upper and single tier municipalities. The Region supports the proposal provided municipalities can establish the Terms of Reference for the role of the Planning Advisory Committees.
19.	Currently, the <i>Planning Act</i> regulates the wording used in statutory notices to advise the public of complete applications, public meetings and decisions. This language needs to be revised and provided in “plain language”.	Not addressed. Recommend Province considers further amendments in Bill 73.
20.	The <i>Planning Act</i> should be updated to allow the use of electronic notices in addition to or instead of newspaper ads.	Partially addressed. Alternative measures for informing the public is currently permitted for official plans and zoning by-laws and have now have been expanded to include provisions for plans of subdivision and consents. However, the sole use of electronic notices is still not permitted. It is also recommended that the regulations which prescribe the means for giving notice related to official plans, zoning by-laws and plans of subdivision, be amended to permit municipalities to provide notice in electronic format to listed persons and public bodies, provided those persons and public bodies consent to receiving such notices electronically.
21.	York Region already explains how citizen input was considered during the review of a planning/development proposal. However, to require reporting on all citizen input can be very time consuming and perhaps burdensome on lower-tier municipalities who receive much more input. Such an arduous process should only be undertaken if the Ontario Municipal Board places some amount of weight on the consideration.	Partially addressed. Bill 73 would require the OMB to have regard to written and oral submissions received by a municipal council. In addition, Bill 73 would make it mandatory for Notices of Adoption to explain the effect of written and oral submissions on the decision to adopt an official plan or official plan amendment, and for Notices of Decision to explain the effect of written submissions on the decision of an approval authority to approve, or to refuse to approve, an adopted official plan. The Region supports the added transparency with respect to documenting how input was addressed. However, the reference to oral

		<p>submissions should be removed.</p> <p>Official documentation and response to oral submissions may be problematic for both the commenter and reviewer, given that not all municipalities are equipped to scribe and capture oral submissions.</p>
22.	The Province should prohibit the conversion of employment lands, unless initiated through an upper-tier municipal comprehensive review.	An existing requirement in s. 26 (1) to revise an official plan if it contains policies dealing with areas of employment, including policies dealing with the removal of employment lands to ensure that those policies are confirmed or amended will be removed from the <i>Planning Act</i> .
23.	There is a need for mechanisms to streamline the infrastructure planning and approval processes under the Planning and Environmental Assessment Acts. As an example, the requirements of infrastructure master plans are often duplicated through the secondary plan process. Explicitly recognizing master plans in the <i>Planning Act</i> would eliminate this duplication.	<p>Not addressed.</p> <p>Recommend Province considers further amendments in Bill 73.</p>
24.	The Province consider legislative changes to the Planning Act that would allow approval authorities to place time limits on zoning approvals, similar to those lapsing provisions already available on plans of subdivision.	<p>Not addressed.</p> <p>Recommend Province considers further amendments in Bill 73.</p>