APPENDIX C

Bill 73 – An Act to amend the Development Charges Act, 1997 and the Planning Act

The following table outlines amendments proposed to the Planning Act, as provided in the Bill 73 as it appeared at 1st reading the Provincial House of Commons dated March 5, 2015. The table provides a description of each proposed amendment and compares that with the direction provided by HAPP Joint Submission dated December 2013 and Planning Services staff report PD-019-14 provided to Planning and Development Council on January 13, 2014. The last column provides a follow up comment from the town's Planning Services department.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
11(1)	**(1) Subsection 1 (1) of the *Planning Act* is amended by adding the following definition:** "payment in lieu" means a payment of money in lieu of a conveyance otherwise required under section 42, 51.1 or 53;	Technical amendment.	No comment.	No comment.
11(2)	**(2) Subsection 1 (2) of the Act is amended by striking out "subsections 17 (24), (36) and (40), 22 (7.4), 34 (19), 38 (4), 45 (12), 51 (39), (43) and (48) and 53 (19) and (27)" at the end and substituting "subsections 17 (24), (36), (40) and (44.1), 22 (7.4), 34 (19) and (24.1), 38 (4), 45 (12), 51 (39), (43), (48) and (52.1) and 53 (19) and (27)".**	Technical amendment.	No comment.	No comment.
12	**Section 2.1 of the Act is repealed and the following substituted:** **Approval authorities and Municipal Board to have regard to certain matters** **2.1** (1) When an approval authority or the Municipal Board makes a decision under this Act that relates to a planning matter, it shall have regard to, (a) any decision that is made under this Act by a municipal council or by an approval authority and relates to the same planning matter; and	Section 2.1 currently requires approval authorities and the OMB, when they make decisions relating to planning matters, to "have regard to" decisions (relating to planning matters) of municipal councils and approval authorities relating to the same planning matter, and to any supporting information and material they considered in making those decisions.	HAPP suggested that protocols be developed for Board Members to clarify the implementation of Bill 51 as it relates to the restriction of parties and evidence brought before the Board. HAPP suggested amending legislation to restrict appeals on Council's non-decision on, or refusal of, a privately initiated official plan	This amendment partially addresses comments provided through HAPP. The amendment provides clarity for which evidence can be brought before the Board when there is a failure of a municipal council or approval authority to make a decision. This amendment does not address HAPP's suggestion to

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	(b) any information and material that the municipal council or approval authority considered in making the decision described in clause (a). **Same, Municipal Board** (2) When the Municipal Board makes a decision under this Act that relates to a planning matter that is appealed because of the failure of a municipal council or approval authority to make a decision, the Board shall have regard to any information and material that the municipal council or approval authority received in relation to the matter. **Same** (3) For greater certainty, references to information and material in subsections (1) and (2) include, without limitation, written and oral submissions from the public relating to the planning matter.	The section is rewritten to impose a similar requirement when the OMB deals with appeals resulting from the failure of a municipal council or approval authority to make a decision. The Board is required to "have regard to" the information and material that the municipal council or approval authority received in relation to the matter. Subsection 2.1 (3) clarifies that references to "information and material" include written and oral submissions from the public relating to the planning matter.	amendment outside of the five year review.	restrict appeals to Council's non-decision on privately initiated official plan amendments outside the five year review.
13	**Subsection 3 (10) of the Act is amended by striking out "five years" and substituting "10 years".**	Policy statements under subsection 3 (1) are to be re-viewed at 10-year rather than five-year intervals.	HAPP recommended that the Province consider legislation that requires the Province to harmonize its review and release of plans and policies to a consistent 10-year cycle to allow municipalities to complete their conformity exercises with greater efficiency.	HAPP's recommendation has been addressed.
14(1)	**Subsection 4 (1) of the Act is amended by striking out "including, without limiting the generality of the foregoing, the referral of any matter to the Municipal Board" at the end.**	Technical update to the delegation of Minister's powers.	No comment.	No comment.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
14(2)	**Subsection 4 (2) of the Act is amended by striking out "including, without limiting the generality of the foregoing, the referral of any matter to the Municipal Board" at the end.**	Technical update to the delegation of Minister's powers.	No comment.	No comment.
15	**Section 8 of the Act is repealed and the following substituted:** **Planning advisory committee** **Mandatory for certain municipalities** **8.** (1) The council of every upper-tier municipality and the council of every single-tier municipality that is not in a territorial district, except the council of the Township of Pelee, shall appoint a planning advisory committee in accordance with this section. **Optional for other municipalities** (2) The council of a lower-tier municipality, the council of a single-tier municipality that is in a territorial district or the council of the Township of Pelee may appoint a planning advisory committee in accordance with this section. **Joint planning by agreement** (3) The councils of two or more municipalities described in subsection (2) may enter into an agreement to provide for the joint undertaking of such matters of a planning nature as may be agreed upon and may appoint a joint planning advisory committee in accordance with this section. **Membership** (4) The members of a planning advisory committee shall be chosen by the council and shall include at least one resident of the municipality who is neither a member of a municipal council nor an employee of the municipality. **Same** (5) Subsection (4) applies with respect to a joint planning	Section 8, which currently makes planning advisory committees optional for all municipalities, is rewritten to make them mandatory for upper-tier municipalities and for single-tier municipalities in southern Ontario (except the Township of Pelee). All planning advisory committees are required to have at least one member who is neither a councillor nor a municipal employee.	No comment.	The amendment is intended to provide more meaningful public input in community planning. For the Town of Oakville, a formalized planning advisory committee is optional. The Town would request that representation from the Town of Oakville be considered for inclusion on the Planning Advisory Committee struck by the Region of Halton. The town already exceeds the minimum required consultation under the *Planning Act*.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	advisory committee, with necessary modifications. **Remuneration** (6) Persons appointed to a committee under this section may be paid such remuneration and expenses as the council or councils may determine, and where a joint committee is appointed, the councils may by agreement provide for apportioning the costs of the payments to their respective municipalities.			
16	**Subsections 16 (1) and (2) of the Act are re-pealed and the following substituted:** **Contents of official plan** (1) An official plan shall contain, (a) goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the municipality or part of it, or an area that is without municipal organization; (b) a description of the measures and procedures for informing and obtaining the views of the public in respect of, (i) proposed amendments to the official plan or proposed revisions of the plan, (ii) proposed zoning by-laws, (iii) proposed plans of subdivision, and (iv) proposed consents under section 53; and (c) such other matters as may be prescribed. **Same** (2) An official plan may contain, (a) a description of the measures and procedures proposed	Currently, it is permitted but not mandatory to include, in official plans, descriptions of the measures and procedures for informing and obtaining the views of the public in respect of certain planning documents. Including such descriptions is made mandatory for a broader category of planning documents.	Staff report PD-019-24 notes that town "Planning staff's analysis always provides for a clear explanation of how citizen input has not only been considered but how it has effectively been utilized. Good planning processes should already be doing this."	A public engagement framework describing the measures and procedures for informing and obtaining the views of the public will be required in Official Plans.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	to attain the objectives of the plan; (b) a description of the measures and procedures for informing and obtaining the views of the public in respect of planning matters not mentioned in clause (1) (b); and (c) such other matters as may be prescribed.			
17(1)	**Section 17 of the Act is amended by adding the following subsections:** **Time for provision of copy to Minister** (17.1) A copy of the current proposed plan or official plan amendment shall be submitted to the Minister at least 90 days before the municipality gives notice under subsection (17) if, (a) the Minister is the approval authority in respect of the plan or amendment; and (b) the plan or amendment is not exempt from approval. **Transition** (17.2) Subsection (17.1) does not apply if the notice is given within 120 days after subsection 17 (1) of the *Smart Growth for Our Communities Act, 2015* comes into force.	Official Plan amendments, for which the Minister is the approval authority or the amendment is not exempt from approval, must be provided to the Minister 90 days prior to the public meeting notice being given.	HAPP recommended introducing legislation that requires the Province to be involved in upper-tier Official Plan Reviews prior to upper-tier Council adoption so that the Province is able to approve the Official Plan Amendment within 180 days. HAPP suggested creating a protocol that provides direction as to the involvement of the Province at the outset of an Official Plan Review process for which they are the approval authority. Further, HAPP suggested that as part of such a protocol, the use of a Project Charter that would commit the Province and other relevant Ministries to strategic participation throughout the process, resulting in actively working together towards consensus.	HAPP comments have been partially addressed. The requirement for upper-tier municipalities to submit Official Plan Amendments 90 days prior to municipal approval will assist with streamlining approvals to meet the 180 approval period. However, the Bill does not propose amendments to require the Minister to issue a decision within 180 days of its receipt of a Notice of Council's adoption, nor does it allow the extension of the 180 day period for an additional 90 days at the request of the local municipality. The Bill does not propose a protocol to involve the Province throughout the Official Plan Review processes.
17(2)	**Subsection 17 (17.2) of the Act, as enacted by subsection**	Technical amendment.	No comment.	No comment.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	(1), is repealed.			
17(3)	**Subsections 17 (19.3) and (19.4) of the Act are repealed and the following substituted:** **Alternative measures** (19.3) If an official plan sets out alternative measures for informing and obtaining the views of the public in respect of amendments that may be proposed for the plan and if the measures are complied with, subsections (15) to (19.2) and clause 22 (6.4) (a) do not apply to the proposed amendments, but subsection (19.6) does apply. **Same** (19.4) In the course of preparing the official plan, before including alternative measures described in subsection (19.3), the council shall consider whether it would be desirable for the measures to allow for notice of the proposed amendments to the prescribed persons and public bodies mentioned in clause (17) (a). **Transition** (19.4.1) For greater certainty, subsection (19.4) does not apply with respect to alternative measures that are included in an official plan before the day subsection 17 (3) of the *Smart Growth for Our Communities Act, 2015* comes into force.	The bill expands alternative measures for informing and obtaining the views of the public in connection with proposed official plan amendments.	HAPP recommended amendments to notice regulations that move away from dated approaches for public participation and overly legalistic notification so that alternative, innovative social media notification methods (e.g. web-based, e-mail, Facebook, etc.), written in plain language, can be used.	The section regarding official plan open houses has been repealed with an emphasis placed on alternative procedures which must be identified in an Official Plan. Staff notes that the coordination of alternative measures are linked with the requirements for an Official Plan to contain a public engagement framework as per amendments made to subsections 16 (1) and 16 (2).
17(4)	**Subsection 17 (23) of the Act is repealed and the following substituted:** **Notice** (23) The council shall ensure that written notice of the adoption of the plan is given, no later than 15 days after the day it was adopted, (a) to the appropriate approval authority, whether or not	Various decision-makers are required to explain the effect of written and oral submissions on their decisions (subsections 17 (23.1). See also 17 (35.1), 22 (6.7), 34 (10.10) and (18.1), 45 (8.1), 51 (38), 53 (18)).	Staff report PD-019-24 notes that town "Planning staff's analysis always provides for a clear explanation of how citizen input has not only been considered but how it has effectively been utilized. Good planning processes should already be doing this."	Written notices of the adoption of a plan must now contain how public input effected a decision makers decision. This is intended to create a more transparent process by identifying how public input effects planning decision.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	the plan is exempt from approval, unless the approval authority has notified the municipality that it does not wish to receive copies of the notices of adoption; (b) to each person or public body that filed with the clerk of the municipality a written request to be notified if the plan is adopted; and (c) to any other person or public body that is pre-scribed. **Contents** (23.1) The notice under subsection (23) shall contain, (a) a brief explanation of the effect, if any, that the written and oral submissions mentioned in subsection (23.2) had on the decision; and (b) any other information that is prescribed. **Written and oral submissions** (23.2) Clause (23.1) (a) applies to, (a) any written submissions relating to the plan that were made to the council before its decision; and (b) any oral submissions relating to the plan that were made at a public meeting.			Currently, Planning staff identifies how public input was considered and incorporated, as applicable, as part of a study or development application within staff reports. Further consideration will need to be given to the record at the Public meeting to ensure we have adequately recorded the comments provided by the public and the Council's resolution adequately reflects the impact of the public comments. Future regulation may also identify additional prescribed information to be provided within the content of a notice.
17(5)	**Subsection 17 (24.2) of the Act is repealed and the following substituted:** **No global appeal** (24.2) Despite subsection (24), in the case of a new official plan there is no appeal in respect of all of the decision of council to adopt all of the plan. **Same**	Global appeals of new official plans (appeals of the entire decision with respect to the entire plan) are not permitted (subsections 17 (24.2) and (36.2)). Appeals of official plans in connection with specified matters are likewise not permitted (subsections 17	HAPP recommended dismissing appeals that are broad and without basis. *(i.e. no global appeals (24.2))* HAPP recommended that the distribution of Regional growth (population and employment) in the Regional Official Plan,	HAPP recommendations regarding no "global appeals" and no appeals regarding population and employment growth as required to conform to a provincial plan have been incorporated. The town notes that subsection

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	(24.3) For greater certainty, subsection (24.2) does not prevent an appeal relating to a part of the decision or a part of the plan, as authorized by subsection (24). **No appeal re certain matters** (24.4) Despite subsection (24), there is no appeal in respect of a part of an official plan that is described in subsection (24.5). **Same** (24.5) Subsections (24.4) and (36.4) apply to a part of an official plan that, (a) identifies an area as being within the boundary of, (i) a vulnerable area as defined in subsection 2 (1) of the *Clean Water Act, 2006*, (ii) the Lake Simcoe watershed as defined in section 2 of the *Lake Simcoe Protection Act, 2008*, (iii) the Greenbelt Area or Protected Countryside as defined in subsection 1 (1) of the *Greenbelt Act, 2005*, or within the boundary of a specialty crop area designated by the Greenbelt Plan established under that Act, or (iv) the Oak Ridges Moraine Conservation Plan Area as defined in subsection 3 (1) of the Oak Ridges Moraine Conservation Plan established under the *Oak Ridges Moraine Conservation Act, 2001*; (b) identifies forecasted population and employment growth as set out in a growth plan that, (i) is approved under the *Places to Grow Act, 2005*, and (ii) applies to the Greater Golden Horseshoe growth plan area designated in Ontario Regulation 416/05 (Growth Plan Areas) made under that Act; (c) in the case of the official plan of a lower-tier municipality in the Greater Golden Horseshoe growth plan area mentioned in subclause (b) (ii), identifies forecasted	(24.4), (24.5) and (36.4)).	required to conform to Provincial plans, be restricted from third-party OMB appeals *(i.e. no appeal re certain matters (24.4) and (24.5))*	17 (24.5) (c), requires that the Regional Official Plan, which must allocate growth to lower-tier municipalities, must be approved by the Minister in order for the town to be sheltered from appeals regarding growth conformity exercises.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	population and employment growth as allocated to the lower-tier municipality in the upper-tier municipality's official plan, but only if the upper-tier municipality's plan has been approved by the Minister; or (d) in the case of the official plan of a lower-tier municipality, identifies the boundary of an area of settlement to reflect the boundary set out in the upper-tier municipality's official plan, but only if the upper-tier municipality's plan has been approved by the Minister.			
17(6)	**Clause 17 (25) (a) of the Act is amended by striking out "if the notice does not apply to all of the plan" at the end.**	Technical amendment to implement amendments as per subsection 17(24.2).	No comment.	No comment.
17(7)	**Section 17 of the Act is amended by adding the following subsections:** (25.1) If the appellant intends to argue that the appealed decision is inconsistent with a policy statement issued under subsection 3 (1), fails to conform with or conflicts with a provincial plan or, in the case of the official plan of a lower-tier municipality, fails to conform with the upper-tier municipality's official plan, the notice of appeal must also explain how the decision is inconsistent with, fails to conform with or conflicts with the other document. **Use of dispute resolution techniques** (26.1) When a notice of appeal is filed under subsection (24), the council may use mediation, conciliation or other dispute resolution techniques to attempt to resolve the dispute. **Notice and invitation** (26.2) If the council decides to act under subsection (26.1), (a) it shall give a notice of its intention to use dispute	Appellants who intend to argue that appealed decisions are inconsistent with provincial policy statements, provincial plans or upper-tier official plans must identify the issues in their notices of appeal (subsections 17 (25.1) and (37.1) and 34 (19.0.1)). If an appellant fails to do so, the Ontario Municipal Board may dismiss all or part of the appeal without a hearing (subsections 17 (45) and 34 (25)). Decision-makers are permitted to use mediation, conciliation and other dispute resolution techniques in certain appeals. When a decision-maker gives notice of an intention to use dispute resolution techniques,	HAPP recommended requiring scoping of appeals to be specific and substantiated. To achieve this, HAPP supports changes to the system to grant an appellant an additional 40-day period to fully scope their appeal and for the Board, prior to a formal hearing, to dismiss any appeals that are not scoped. HAPP recommended re-evaluating the mediation process as it can often be beneficial to the hearing process. However, due to limited Board resources, the Board mediator's availability is limited which can lengthen the appeal process. If mediation does not occur early in the	HAPPs recommendations are partially addressed. Appellants, who appeal decisions pertaining to inconsistency with a policy statement, or failure to conform with a provincial plan or upper-tier official plan, must identify and explain how in their notice of appeal. This addresses HAPPs recommendation for scoping of appeals. Counter to HAPPs suggestion, no extended timeframe to allow for scoping of appeals has been provided. That said, the newly introduced dispute resolution techniques, as outlined below, offers

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	resolution techniques to all the appellants; and (b) it shall give an invitation to participate in the dispute resolution process to, (i) as many of the appellants as the council considers appropriate, (ii) in the case of a request to amend the plan, the person or public body that made the request, (iii) the Minister, (iv) the appropriate approval authority, and (v) any other persons or public bodies that the council considers appropriate. **Extension of time** (26.3) When the council gives a notice under clause (26.2) (a), the 15-day period mentioned in clauses (29) (b) and (c) and subsections (29.1) and (29.2) is extended to 75 days. **Participation voluntary** (26.4) Participation in the dispute resolution process by the persons and public bodies who receive invitations under clause (26.2) (b) is voluntary.	the time for submitting the record to the Ontario Municipal Board is extended by 60 days (subsections 17 (26.1) to (26.4), 17 (37.2) to (37.5), 22 (8.1) to (8.4), 34 (11.0.0.1) to (11.0.0.4), 34 (20.1) to (20.4), 51 (49.1) to (49.4) and 53 (27.1) to (27.4)).	process, or if it is not shown to be as prompt as a decision, it is not an effective approach. HAPP recommends that additional resources be given to the Board to hire additional staff to mediate appeals.	additional time to mediate potential appeals after an appeal has been filed. Council is now permitted to use mediation, conciliation and other dispute resolution techniques prior to the OMB process. If council decides to use these techniques, council must provide a notice of this to all appellants and seek participation by others. After this, the filing of a notice to appeal is extended to 75 days, up from the current 15 days, to provide opportunities to resolve potential appeals before adjudication at the Board. This addresses HAPPs comment insofar as the mediation process is formally introduced into the decision making process. However, there is no indication that the board will provide additional resources to mediate appeals.
17(8)	**Section 17 of the Act is amended by adding the following subsections:** **Exception, non-conforming lower-tier plan** (34.1) Despite subsection (34), an approval authority shall not approve any part of a lower-tier municipality's plan if the plan or any part of it does not, in the approval authority's opinion, conform with,	An approval authority shall not approve the new official plan of a lower-tier municipality under subsection 17 (34) if it does not conform with the upper-tier municipality's official plan. This also applies if the upper-tier municipality's official plan has been adopted	No comment.	Staff continue to work with the Region of Halton to coordinate planning initiatives and conformity exercises. This approach may create difficulties for local municipalities who want to advance planning matters,

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	(a) the upper-tier municipality's official plan; (b) a new official plan of the upper-tier municipality that was adopted before the 180th day after the lower-tier municipality adopted its plan, but is not yet in effect; or (c) a revision of the upper-tier municipality's official plan that was adopted in accordance with section 26, before the 180th day after the lower-tier municipality adopted its plan, but is not yet in effect. **No restriction** (34.2) Nothing in subsection (34.1) derogates from an approval authority's ability to modify a lower-tier municipality's plan and approve it as modified if the modifications remove any non-conformity described in that sub-section.	but is not yet in effect, or if a revision of it has been adopted in accordance with section 26 but is not yet in effect. The same restriction affects approval of lower-tier municipalities' revisions of their official plans under section 26. If the approval authority states that the lower-tier municipality's plan does not conform, appeals under subsection 17 (40) of the approval authority's failure to give notice of a decision are not available until the non-conformity is addressed (subsections 17 (34.1) and (34.2), 17 (40.2) to (40.4) and 21 (2)).		studies, or conformity exercises but are required to wait for upper-tier municipalities to finalize their reviews before local official plan amendments can take place.
17(9)	**Subsection 17 (35) of the Act is repealed and the following substituted:** **Notice** (35) If the approval authority makes a decision under subsection (34), it shall ensure that written notice of its decision is given to, (a) the council or planning board that adopted the plan; (b) each person or public body that made a written request to be notified of the decision; (c) each municipality or planning board to which the plan would apply if approved; and	Various decision-makers are required to explain the effect of written and oral submissions on their decisions (subsections 17 (35.1). See also 17 (23.1), 22 (6.7), 34 (10.10) and (18.1), 45 (8.1), 51 (38), 53 (18)).	Staff report PD-019-24 notes that town "Planning staff's analysis always provides for a clear explanation of how citizen input has not only been considered but how it has effectively been utilized. Good planning processes should already be doing this."	Written notices of the adoption of a plan must now contain how public input effected a decision makers decision. This is intended to create a more transparent process by identifying how public input effects planning decision. Currently, Planning staff identifies how public input was considered and incorporated, as applicable, as part of a study or development application within staff reports.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	(d) any other person or public body that is prescribed. **Contents** (35.1) The notice under subsection (35) shall contain, (a) a brief explanation of the effect, if any, that the written submissions mentioned in subsection (35.2) had on the decision; and (b) any other information that is prescribed. **Written submissions** (35.2) Clause (35.1) (a) applies to any written submissions relating to the plan that were made to the approval authority before its decision. **Exception** (35.3) If the notice under subsection (35) is given by the Minister and he or she is also giving notice of the matter in accordance with section 36 of the *Environmental Bill of Rights, 1993*, the brief explanation referred to in clause (35.1) (a) is not required.			Further consideration will need to be given to the record at the Public meeting to ensure we have adequately recorded the comments provided by the public and the Council's resolution adequately reflects the impact of the public comments. Future regulation may also identify additional prescribed information to be provided within the content of a notice.
17(10)	**Subsection 17 (36.2) of the Act is repealed and the following substituted:** **No global appeal** (36.2) Despite subsection (36), in the case of a new official plan there is no appeal in respect of all of the decision of the approval authority to approve all of the plan, with or without modifications. **Same** (36.3) For greater certainty, subsection (36.2) does not prevent an appeal relating to a part of the decision or a part of the plan, as authorized by subsection (36).	Global appeals of new official plans (appeals of the entire decision with respect to the entire plan) are not permitted (subsections 17 (24.2) and (36.2)). Appeals of official plans in connection with specified matters are likewise not permitted (subsections 17 (24.4), (24.5) and (36.4)).	HAPP recommended that the distribution of Regional growth (population and employment) in the Regional Official Plan, required to conform to Provincial plans, be restricted from third-party OMB appeals. Restricting appeals on certain conformity matters will enable municipalities to implement Provincial policy requirements in a consistent and timely manner. This will shelter upper-tier municipalities from	HAPPs comments are partially addressed in that no appeals regarding certain matters, including forecasted population and employment growth as set out in a growth plan, are permitted. However, it does not specify third-party appeals only.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	No appeal re certain matters (36.4) Despite subsection (36), there is no appeal in respect of a part of an official plan that is described in subsection (24.5).		costly and time consuming adjudicative processes.	
17(11)	**Clause 17 (37) (a) of the Act is amended by striking out "unless the notice applies to all of the plan" at the end.**	Technical amendment to reflect that global appeals are not permitted.	No comment.	No comment.
17(12)	**Section 17 of the Act is amended by adding the following subsections:** **Same** (37.1) If the appellant intends to argue that the appealed decision is inconsistent with a policy statement issued under subsection 3 (1), fails to conform with or conflicts with a provincial plan or, in the case of the official plan of a lower-tier municipality, fails to conform with the upper-tier municipality's official plan, the notice of appeal must also explain how the decision is inconsistent with, fails to conform with or conflicts with the other document. **Use of dispute resolution techniques** (37.2) When a notice of appeal is filed under subsection (36), the approval authority may use mediation, conciliation or other dispute resolution techniques to attempt to resolve the dispute. **Notice and invitation** (37.3) If the approval authority decides to act under subsection (37.2), (a) it shall give a notice of its intention to use dispute resolution techniques to all the appellants; (b) it shall give an invitation to participate in the dispute resolution process to, i) as many of the appellants as the approval authority	Appellants who intend to argue that appealed decisions are inconsistent with provincial policy statements, provincial plans or upper-tier official plans must identify the issues in their notices of appeal (subsections 17 (25.1) and (37.1) and 34 (19.0.1)). If an appellant fails to do so, the Ontario Municipal Board may dismiss all or part of the appeal without a hearing (subsections 17 (45) and 34 (25)). Decision-makers are permitted to use mediation, conciliation and other dispute resolution techniques in certain appeals. When a decision-maker gives notice of an intention to use dispute resolution techniques, the time for submitting the record to the Ontario Municipal Board is extended by 60 days (subsections 17 (26.1) to (26.4), 17 (37.2) to (37.5), 22 (8.1) to (8.4), 34 (11.0.0.1) to	HAPP recommended requiring scoping of appeals to be specific and substantiated. To achieve this, HAPP supports changes to the system to grant an appellant an additional 40-day period to fully scope their appeal and for the Board, prior to a formal hearing, to dismiss any appeals that are not scoped. HAPP recommended re-evaluating the mediation process as it can often be beneficial to the hearing process. However, due to limited Board resources, the Board mediator's availability is limited which can lengthen the appeal process. If mediation does not occur early in the process, or if it is not shown to be as prompt as a decision, it is not an effective approach. HAPP recommends that additional resources be given to the Board to hire additional	HAPPs recommendations are partially addressed. Appellants, who appeal decisions pertaining to inconsistency with a policy statement, or failure to conform with a provincial plan or upper-tier official plan, must identify and explain how in their notice of appeal. This addresses HAPPs recommendation for scoping of appeals. Counter to HAPPs suggestion, no extended timeframe to allow for scoping of appeals has been provided. That said, the newly introduced dispute resolution techniques, as outlined below, offers additional time to mediate potential appeals after an appeal has been filed. Council is now permitted to use mediation, conciliation and

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	considers appropriate, (ii) in the case of a request to amend the plan, the person or public body that made the request, (iii) the Minister, (iv) the municipality that adopted the plan, and (v) any other persons or public bodies that the approval authority considers appropriate. **Extension of time** (37.4) When the approval authority gives a notice under clause (37.3) (a), the 15-day period mentioned in clause (42) (b) and subsections (42.1) and (42.2) is extended to 75 days. **Participation voluntary** (37.5) Participation in the dispute resolution process by the persons and public bodies who receive invitations under clause (37.3) (b) is voluntary.	(11.0.0.4), 34 (20.1) to (20.4), 51 (49.1) to (49.4) and 53 (27.1) to (27.4)).	staff to mediate appeals.	other dispute resolution techniques prior to the OMB process. If council decides to use these techniques, council must provide a notice of this to all appellants and seek participation by others. After this, the filing of a notice to appeal is extended to 75 days, up from the current 15 days, to provide opportunities to resolve potential appeals before adjudication at the Board. This addresses HAPPs comment insofar as the mediation process is formally introduced into the decision making process. However, there is no indication that the board will provide additional resources to mediate appeals.
17(13)	**Subsection 17 (40) of the Act is repealed and the following substituted:** **Appeal to O.M.B.** (40) If the approval authority fails to give notice of a decision in respect of all or part of a plan within 180 days after the day the plan is received by the approval authority, or within the longer period determined under subsection (40.1), any person or public body may appeal to the Municipal Board with respect to all or any part of the plan in respect of which no notice of a decision was given by filing a notice of appeal with the approval authority, subject to subsection (41.1). **Extension of time for appeal**	Currently, subsection 17 (40) allows any person or public body to appeal an approval authority's failure to give notice of a decision in respect of an official plan within 180 days after receiving the plan. New subsection 17 (40.1) deals with extensions of the 180-day period.	HAPP suggested amending legislation to require the Province to provide a decision within 180 days for a planning document for which they are the approval authority.	HAPPs suggestion is not addressed. The opportunity to extend the timeframe for up to 90 days by providing written notice before an appeal on non-decision can take place provides additional time to work toward a collaborative solution prior to filing an appeal. However, it further extends the timeframe for approval.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	(40.1) The 180-day period referred to in subsection (40) may be extended in accordance with the following rules: 1. In the case of an amendment requested under section 22, the person or public body that made the request may extend the period for up to 90 days by written notice to the approval authority. 2. In all other cases, the municipality may extend the period for up to 90 days by written notice to the approval authority. 3. The approval authority may extend the period for up to 90 days by written notice to the person or public body or to the municipality, as the case may be. 4. The notice must be given before the expiry of the 180-day period. 5. Only one extension is permitted. If both sides give a notice extending the period, the notice that is given first governs. 6. The person, public body, municipality or approval authority that gave or received a notice extending the period may terminate the extension at any time by another written notice. 7. No notice of an extension or of the termination of an extension need be given to any other person or entity.			
17(14)	**Section 17 of the Act is amended by adding the following subsections:** **Exception, non-conforming lower-tier plan** (40.2) Despite subsection (40), there is no appeal with respect to any part of the plan of a lower-tier municipality	An approval authority shall not approve the new official plan of a lower-tier municipality under subsection 17 (34) if it does not conform with the upper-tier municipality's	No comment.	Staff continue to work with the Region of Halton to coordinate planning initiatives and conformity exercises. This approach may create

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	if, within 180 days after receiving the plan, the approval authority states that the plan or any part of it does not, in the approval authority's opinion, conform with, (a) the upper-tier municipality's official plan; (b) a new official plan of the upper-tier municipality that was adopted before the 180th day after the lower-tier municipality adopted its plan, but is not yet in effect; or (c) a revision of the upper-tier municipality's official plan that was adopted in accordance with section 26, before the 180th day after the lower-tier municipality adopted its plan, but is not yet in effect. **No review** (40.3) The approval authority's opinion mentioned in subsection (40.2) is not subject to review by the Municipal Board. **Time for appeal** (40.4) If the approval authority states an opinion as described in subsection (40.2), the 180-day period mentioned in subsection (40) does not begin to run until the approval authority confirms that the non-conformity is resolved.	official plan. This also applies if the upper-tier municipality's official plan has been adopted but is not yet in effect, or if a revision of it has been adopted in accordance with section 26 but is not yet in effect. The same restriction affects approval of lower-tier municipalities' revisions of their official plans under section 26. If the approval authority states that the lower-tier municipality's plan does not conform, appeals under subsection 17 (40) of the approval authority's failure to give notice of a decision are not available until the non-conformity is addressed (subsections 17 (34.1) and (34.2), 17 (40.2) to (40.4) and 21 (2)).		difficulties for local municipalities who want to advance planning matters, studies, or conformity exercises but are required to wait for upper-tier municipalities to finalize their reviews before local official plan amendments can take place.
17(15)	**Section 17 of the Act is amended by adding the following subsection:** **Notice limiting appeal period** (41.1) At any time after receiving a notice of appeal under subsection (40), an approval authority may give the persons and public bodies listed in clauses (35) (a) to (d) a written notice, relating to the relevant plan and including the prescribed information; on and after the day that is 21 days after the date of the notice, no person or public body is	At any time after receiving a notice of appeal under sub-section 17 (40), the approval authority may give a notice that has the effect of requiring other potential appellants who wish to appeal to do so within 20 days after the date of the notice (subsection 17 (41.1)).	HAPP suggested amending the legislation to add a 20-day appeal period that begins once an approval authority has failed to make a decision after 180 days.	HAPPs suggestion has been partially addressed by the Bill, providing municipalities the option to issue a notice to begin the 20-day appeal period once an appeal has already been filed.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	entitled to appeal under subsection (40) with respect to the relevant plan.			
17(16)	**Subsection 17 (42.3) of the Act is amended by striking out "15 days after the last day for filing a notice of appeal" and substituting "15 days after the first notice of appeal under subsection (40) was filed".**	Technical amendment to implement revisions for subsection 17(40).	No comment.	No comment.
17(17)	**(17) Subsection 17 (45) of the Act is amended by adding the following clause:** (c.1) the appellant intends to argue a matter mentioned in subsection (25.1) or (37.1) but has not provided the explanations required by that subsection;	Appellants who intend to argue that appealed decisions are inconsistent with provincial policy statements, provincial plans or upper-tier official plans must identify the issues in their notices of appeal (subsections 17 (25.1) and (37.1) and 34 (19.0.1)). If an appellant fails to do so, the Ontario Municipal Board may dismiss all or part of the appeal without a hearing (subsections 17 (45) and 34 (25)).	HAPP recommended requiring scoping of appeals to be specific and substantiated. To achieve this, HAPP supports changes to the system to grant an appellant an additional 40-day period to fully scope their appeal and for the Board, prior to a formal hearing, to dismiss any appeals that are not scoped.	HAPPs recommendations are partially addressed. Appellants, who appeal decisions pertaining to inconsistency with a policy statement, or failure to conform with a provincial plan or upper-tier official plan, must identify and explain how in their notice of appeal. This addresses HAPPs recommendation for scoping of appeals. Counter to HAPPs suggestion, no extended timeframe to allow for scoping of appeals has been provided. Rather, further emphasis has been placed on providing information on notices of appeal upfront otherwise there is an increased potential for dismissal of the appeal without hearing.
18	**Subsection 18 (3) of the Act is amended by striking out "subsections 17 (23), (32), (33) and (34)" at the end and**	Technical amendment to refer to new section numbering.	No comment.	No comment.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	substituting "subsections 17 (23), (32) and (33)".			
19(1)	**Subsection 21 (1) of the Act is amended by striking out "Except as hereinafter provided" at the beginning and substituting "Except as hereinafter provided and except where the context requires otherwise".**	Technical amendment to implement new subsection 21(2).	No comment.	No comment.
19(2)	**Section 21 of the Act is amended by adding the following subsection:** **Exception** (2) Subsections 17 (34.1) and (40.2) apply to an amendment to a lower-tier municipality's official plan only if it is a revision that is adopted in accordance with section 26.	An approval authority shall not approve the new official plan of a lower-tier municipality under subsection 17 (34) if it does not conform with the upper-tier municipality's official plan. This also applies if the upper-tier municipality's official plan has been adopted but is not yet in effect, or if a revision of it has been adopted in accordance with section 26 but is not yet in effect. The same restriction affects approval of lower-tier municipalities' revisions of their official plans under section 26. If the approval authority states that the lower-tier municipality's plan does not conform, appeals under subsection 17 (40) of the approval authority's failure to give notice of a decision are not available until the non-conformity is addressed (subsections 17 (34.1) and (34.2), 17 (40.2) to (40.4) and 21 (2)).	No comment.	The Town would continue to work with the Region of Halton to address conformity matters in a timely manner and which address the local planning context. This approach may create difficulties for local municipalities who want to advance planning matters, studies, or conformity exercises but are required to wait for upper-tier municipalities to finalize their reviews before local official plan amendments can take place.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
20(1)	**Section 22 of the Act is amended by adding the following subsection:** **Two-year period, no request for amendment** (2.1) No person or public body shall request an amendment to a new official plan before the second anniversary of the first day any part of the plan comes into effect.	During the two-year period following the adoption of a new official plan or the global replacement of a municipality's zoning by-laws, no applications for amendment are permitted (subsections 22 (2.1) and 34 (10.0.0.1)).	HAPP recommended that private official plan appeals should be restricted outside of the five year review unless such amendments are specifically contemplated or provided for in the municipality's Official Plan.	HAPPs comments are partially addressed in that a moratorium on appeals is provided for a two year period, but not outright. Further, Bill 73 allows for official plans to be reviewed every 10 years, rather than 5 which, may have an impact on comments previously provided by HAPP.
20(2)	**Subsection 22 (6.4) of the Act is amended by striking out "advises the clerk" in the portion before clause (a) and substituting "advises the clerk of the municipality or the secretary-treasurer of the planning board".**	Technical amendment to include secretary-treasurer of a planning board for whom the Municipal Board can advise.	No comment.	No comment.
20(3)	**Subsection 22 (6.6) of the Act is repealed and the following substituted:** **Notice of refusal** (6.6) A council or planning board that refuses a request to amend its official plan shall ensure that written notice of the refusal is given, no later than 15 days after the day of the refusal, (a) to the person or public body that made the request; (b) to each person or public body that filed a written request to be notified of a refusal; (c) to the appropriate approval authority; and (d) to any prescribed person or public body. **Contents** (6.7) The notice under subsection (6.6) shall contain,	Various decision-makers are required to explain the effect of written and oral submissions on their decisions (subsections 22 (6.7). See also 17 (23.1), 17 (35.1), 34 (10.10) and (18.1), 45 (8.1), 51 (38), 53 (18).	Staff report PD-019-24 notes that town "Planning staff's analysis always provides for a clear explanation of how citizen input has not only been considered but how it has effectively been utilized. Good planning processes should already be doing this."	Written notices of refusal must now contain how public input effected council decision, if at all. This is intended to create a more transparent process by identifying how public input effects planning decision. Currently, Planning staff identifies how public input was considered and incorporated, as applicable, as part of a study or development application within staff reports. Further consideration will need to be given to the record at the Public meeting to ensure we have adequately recorded the comments provided by the

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	(a) a brief explanation of the effect, if any, that the written and oral submissions mentioned in subsection (6.8) had on the decision; and (b) any other information that is prescribed. **Written and oral submissions** (6.8) Clause (6.7) (a) applies to, (a) any written submissions relating to the request that were made to the council or planning board before its decision; and (b) any oral submissions relating to the request that were made at a public meeting.			public and the Council's resolution adequately reflects the impact of the public comments. Future regulation may also identify additional prescribed information to be provided within the content of a notice.
20(4)	**Section 22 of the Act is amended by adding the following subsections:** **Use of dispute resolution techniques** (8.1) If an appeal under subsection (7) is brought in accordance with paragraph 3 or 4 of subsection (7.0.2), the council or planning board may use mediation, conciliation or other dispute resolution techniques to attempt to resolve the dispute. **Notice and invitation** (8.2) If the council or planning board decides to act under subsection (8.1), (a) it shall give a notice of its intention to use dispute resolution techniques to all the appellants; and (b) it shall give an invitation to participate in the dispute resolution process to, (i) as many of the appellants as the council or planning	Decision-makers are permitted to use mediation, conciliation and other dispute resolution techniques in certain appeals. When a decision-maker gives notice of an intention to use dispute resolution techniques, the time for submitting the record to the Ontario Municipal Board is extended by 60 days (subsections 17 (26.1) to (26.4), 17 (37.2) to (37.5), 22 (8.1) to (8.4), 34 (11.0.0.1) to (11.0.0.4), 34 (20.1) to (20.4), 51 (49.1) to (49.4) and 53 (27.1) to (27.4)).	HAPP recommended re-evaluating the mediation process as it can often be beneficial to the hearing process. However, due to limited Board resources, the Board mediator's availability is limited which can lengthen the appeal process. If mediation does not occur early in the process, or if it is not shown to be as prompt as a decision, it is not an effective approach. HAPP recommends that additional resources be given to the Board to hire additional staff to mediate appeals.	HAPPs recommendations are partially addressed. Council is now permitted to use mediation, conciliation and other dispute resolution techniques prior to the OMB process. If council decides to use these techniques, council must provide a notice of this to all appellants and seek participation by others. After this, the filing of a notice to appeal is extended to 75 days, up from the current 15 days, to provide opportunities to resolve potential appeals before adjudication at the Board. This addresses HAPPs comment insofar as the

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	board considers appropriate, (ii) the person or public body that made the re-quest to amend the plan, (iii) the Minister, (iv) the appropriate approval authority, and (v) any other persons or public bodies that the council or planning board considers appropriate. **Extension of time** (8.3) When the council or planning board gives a no-tice under clause (8.2) (a), the 15-day period mentioned in subclauses (9) (b) (ii) and (9) (c) (ii), in clauses (9.1) (b) and (9.1.1) (c) and in subsection (9.3) is extended to 75 days. **Participation voluntary** (8.4) Participation in the dispute resolution process by the persons and public bodies who receive invitations under clause (8.2) (b) is voluntary.			mediation process is formally introduced into the decision making process. However, there is no indication that the board will provide additional resources to mediate appeals.
20(5)	**Subsection 22 (9) of the Act is repealed and the following substituted:** **Record** (9) The clerk of a municipality or the secretary-treasurer of a planning board who receives a notice of appeal under subsection (7) shall ensure that, (a) a record is compiled which includes the prescribed information and material; (b) the notice of appeal, the record and the fee are forwarded to the Municipal Board, (i) in the case of an appeal brought in accordance with paragraph 1 or 2 of subsection (7.0.2), within 15 days after the notice is filed, (ii) in the case of an appeal brought in accordance with paragraph 3 or 4 of subsection (7.0.2), within 15 days	Technical amendment outlining timing required to provide a notice of appeal to the OMB and approval authority.	No comment.	No comment.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	after the last day for filing a notice of appeal; (c) the notice of appeal and the record are forwarded to the appropriate approval authority, whether or not the plan is exempt from approval, (i) in the case of an appeal brought in accordance with paragraph 1 or 2 of subsection (7.0.2), within 15 days after the notice is filed, (ii) in the case of an appeal brought in accordance with paragraph 3 or 4 of subsection (7.0.2), within 15 days after the last day for filing a notice of appeal; and (d) such other information or material as the Municipal Board may require in respect of the appeal is forwarded to the Board.			
20(6)	**Subsection 22 (9.1) of the Act is repealed and the following substituted:** **Exception** (9.1) Clauses (9) (b) and (d) do not apply, (a) in the case of an appeal brought in accordance with paragraph 1 or 2 of subsection (7.0.2), if the appeal is withdrawn within 15 days after the notice is filed; (b) in the case of an appeal brought in accordance with paragraph 3 or 4 of subsection (7.0.2), if all appeals under subsection (7) are withdrawn within 15 days after the last day for filing a notice of appeal. **Same** (9.1.1) Clause (9) (c) does not apply, (a) if the approval authority has notified the municipality or the planning board that it does not wish to receive copies of the notices of appeal and the records;	Technical amendment altering procedures for providing notices of appeal to the applicable authority.	No comment.	No comment.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	(b) in the case of an appeal brought in accordance with paragraph 1 or 2 of subsection (7.0.2), if the appeal is withdrawn within 15 days after the notice is filed; (c) in the case of an appeal brought in accordance with paragraph 3 or 4 of subsection (7.0.2), if all appeals under subsection (7) are withdrawn within 15 days after the last day for filing a notice of appeal.			
21	**The Act is amended by adding the following section:** **Interpretation of transitional provisions** **22.1** A reference, in any Act or regulation, to the day on which a request for an official plan amendment is received shall be read as a reference to the day on which the council or planning board receives the information and material required under subsections 22 (4) and (5), if any, and any fee under section 69.	New section 22.1 deals with the interpretation of provisions, in any Act or regulation, that refer to the day on which requests for official plan amendments are received.	No comment.	Provides additional clarity for planning process.
22(1)	**Subsection 23 (1) of the Act is repealed and the following substituted:** **Matter of provincial interest affected by official plan** (1) If the Minister is of the opinion that a matter of provincial interest as set out in a policy statement issued under subsection 3 (1) is, or is likely to be, affected by an official plan, the Minister may, (a) advise the council of the municipality that adopted the plan about the issue; and (b) invite the council to submit, within the time specified by the Minister, proposals for resolving the is-sue. **Power to amend plan** (1.1) If the council fails to submit proposals to resolve the	Technical amendment to clarify existing section 23.	No comment.	Provides additional clarity for planning process.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	issue within the specified time, or if, after consultation with the Minister on the proposals, the issue cannot be resolved and the Minister so advises the council, the Minister may by order amend the plan so that it is no longer likely to affect the matter of provincial interest. **Effect of order** (1.2) The Minister's order has the same effect as an amendment to the plan adopted by the council and approved by the appropriate approval authority.			
22(2)	**Section 23 of the Act is amended by adding the following subsection:** **Non-application of *Legislation Act, 2006*, Part III** (7) The following are not regulations within the meaning of Part III (Regulations) of the *Legislation Act, 2006*: 1. An order made by the Minister under subsection (1.1) or pursuant to the Lieutenant Governor in Council's direction under subsection (6). 2. An order made by the Lieutenant Governor in Council under subsection (6).	Technical amendment to clarify role of *Legislation Act, 2006 Part III* on regulations.	No comment.	No comment.
23(1)	**Subsection 26 (1) of the Act is repealed and the following substituted:** **Updating official plan** (1) If an official plan is in effect in a municipality, the council of the municipality that adopted the official plan shall, in accordance with subsection (1.1), revise the official plan as required to ensure that it, (a) conforms with provincial plans or does not conflict with them, as the case may be;	Currently, subsection 26 (1) requires a municipality to revise its official plan at five-year intervals, to ensure that it aligns with provincial plans and policy statements and has regard to matters of provincial interest. The revision schedule is adjusted to require revision 10 years after the plan comes into force and at five-year intervals thereafter. An existing	HAPP recommended that the Province consider legislation that requires the Province to harmonize its review and release of plans and policies to a consistent 10-year cycle.	The Official Plan review period being extended to 10 years after a new Official Plan comes into force allows for better coordination to complete conformity/policy statement reviews with provincial reviews also reviewed on a 10 year cycle. Town staff continues to review timing implications on work

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	(b) has regard to the matters of provincial interest listed in section 2; and (c) is consistent with policy statements issued under subsection 3 (1). **Same** (1.1) The council shall revise the plan no less frequently than, (a) 10 years after it comes into effect as a new official plan; and (b) every five years thereafter, unless the plan has been replaced by another new official plan. **Same** (1.2) For the purposes of establishing the 10-year and five-year periods mentioned in subsection (1.1), a plan is considered to have come into effect even if there are out-standing appeals relating to those parts of the plan that propose to specifically designate land uses.	requirement to revise the plan in relation to policies dealing with areas of employment is removed.		programs and other review Official Plan review initiatives.
23(2)	**Subsection 26 (2) of the Act is repealed and the following substituted:** **Municipal discretion to combine** (2) For greater certainty, (a) the council has discretion to combine a provincial plan conformity exercise with a revision under subsection (1); and (b) if the council exercises the discretion described in clause (a), it must comply with clauses (1) (a), (b) and (c) and with all the procedural requirements of this section, in connection both with the revision and with the provincial	Technical amendment to provide clarity regarding revisions to Official Plans and provincial plan conformity exercises.	No comment.	Provides additional clarity for the planning process.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	plan conformity exercise. **Provincial plan conformity exercise** (2.1) For the purposes of subsection (2), a provincial plan conformity exercise is the process whereby the council amends the official plan, in accordance with another Act, to conform with a provincial plan.			
	(3) Subsection 26 (7) of the Act is amended by striking out "subclauses (1) (a) (i), (ii) and (iii)" at the end and substituting "clauses (1) (a), (b) and (c)".	Technical amendment to reflect numbering changes.	No comment.	No comment.
24	**Clause 28 (3) (a) of the Act is repealed and the following substituted:** (a) acquire land within the community improvement project area;	Removes the requirement to obtain approval from the Minister to acquire land before a Community Improvement Plan comes into effect.	No comment.	The town does not currently have a community improvement plan for the purpose of acquiring land.
25(1)	**Section 34 of the Act is amended by adding the following subsection:** **Two-year period, no application for amendment** (10.0.0.1) If the council carries out the requirements of subsection 26 (9) by simultaneously repealing and replacing all the zoning by-laws in effect in the municipality, no person or public body shall submit an application for an amendment to any of the by-laws before the second anniversary of the day on which the council repeals and re-places them.	During the two-year period following the adoption of a new official plan or the global replacement of a municipality's zoning by-laws, no applications for amendment are permitted (subsections 22 (2.1) and 34 (10.0.0.1)).	No comment regarding zoning by-laws.	The town recently completed the InZone process to globally repeal and replace the town's zoning by-law 1984-63. In future, this amendment would help to guard the town from amendments during a time when the by-law is under appeal and both by-laws are required to be amended.
25(2)	**Subsection 34 (10.9) of the Act is repealed and the following substituted:** **Notice of refusal** (10.9) When a council refuses an application to amend its by-law, it shall ensure that written notice of the refusal is given, no later than 15 days after the day of the refusal,	Various decision-makers are required to explain the effect of written and oral submissions on their decisions (subsections 34 (10.10). See also 17 (23.1), 17 (35.1), 22	Staff report PD-019-24 notes that town "Planning staff's analysis always provides for a clear explanation of how citizen input has not only been considered but how it has effectively been utilized. Good	Written notices of the adoption of a plan must now contain how public input effected a decision makers decision. This is intended to create a more transparent process by identifying how public input

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	(a) to the person or public body that made the application; (b) to each person and public body that filed a written request to be notified of a refusal; and (c) to any prescribed person or public body. **Contents** (10.10) The notice under subsection (10.9) shall contain, (a) a brief explanation of the effect, if any, that the written and oral submissions mentioned in subsection (10.11) had on the decision; and (b) any other information that is prescribed. **Written and oral submissions** (10.11) Clause (10.10) (a) applies to, (a) any written submissions relating to the application that were made to the council before its decision; and (b) any oral submissions relating to the application that were made at a public meeting.	(6.7), 34 (18.1), 45 (8.1), 51 (38), 53 (18).	planning processes should already be doing this."	effects planning decision. Currently, Planning staff identifies how public input was considered and incorporated, as applicable, as part of a study or development application within staff reports. Further consideration will need to be given to the record at the Public meeting to ensure we have adequately recorded the comments provided by the public and the Council's resolution adequately reflects the impact of the public comments. Future regulation may also identify additional prescribed information to be provided within the content of a notice.
25(3)	**Subsection 34 (11) of the Act is amended by striking out "by filing a notice of appeal with the clerk of the municipality" in the portion before paragraph 1 and substituting "by filing with the clerk of the municipality a notice of appeal, accompanied by the fee prescribed under the *Ontario Municipal Board Act*".**	Technical amendment to require fees be included as part of a notice of appeal.	No comment.	No comment.
25(4)	**Section 34 of the Act is amended by adding the following subsections:** **Use of dispute resolution techniques**	Decision-makers are permitted to use mediation, conciliation and other dispute resolution techniques in certain appeals.	HAPP recommended re-evaluating the mediation process as it can often be beneficial to the hearing	HAPPs recommendations are partially addressed. Council is now permitted to

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	(11.0.0.1) If an application for an amendment is refused as described in subsection (11) and a notice of appeal is filed under that subsection, the council may use mediation, conciliation or other dispute resolution techniques to attempt to resolve the dispute. **Notice and invitation** (11.0.0.2) If the council decides to act under subsection (11.0.0.1), (a) it shall give a notice of its intention to use dispute resolution techniques to all the appellants; and (b) it shall give an invitation to participate in the dispute resolution process to, (i) as many of the appellants as the council con-siders appropriate, (ii) the applicant, if the applicant is not an appellant, and (iii) any other persons or public bodies that the council considers appropriate. **Extension of time** (11.0.0.3) When the council gives a notice under clause (11.0.0.2) (a), the 15-day period mentioned in clause (23) (b) is extended to 75 days. **Participation voluntary** (11.0.0.4) Participation in the dispute resolution pro-cess by the persons and public bodies who receive invitations under clause (11.0.0.2) (b) is voluntary.	When a decision-maker gives notice of an intention to use dispute resolution techniques, the time for submitting the record to the Ontario Municipal Board is extended by 60 days (subsections 17 (26.1) to (26.4), 17 (37.2) to (37.5), 22 (8.1) to (8.4), 34 (11.0.0.1) to (11.0.0.4), 34 (20.1) to (20.4), 51 (49.1) to (49.4) and 53 (27.1) to (27.4)).	process. However, due to limited Board resources, the Board mediator's availability is limited which can lengthen the appeal process. If mediation does not occur early in the process, or if it is not shown to be as prompt as a decision, it is not an effective approach. HAPP recommends that additional resources be given to the Board to hire additional staff to mediate appeals.	use mediation, conciliation and other dispute resolution techniques prior to the OMB process. If council decides to use these techniques, council must provide a notice of this to all appellants and seek participation by others. After this, the filing of a notice to appeal is extended to 75 days, up from the current 15 days, to provide opportunities to resolve potential appeals before adjudication at the Board. This addresses HAPPs comment insofar as the mediation process is formally introduced into the decision making process. However, there is no indication that the board will provide additional resources to mediate appeals.
25(5)	**Subsections 34 (14.3) and (14.4) of the Act are repealed and the following substituted:** **Alternative measures** (14.3) If an official plan sets out alternative measures for informing and obtaining the views of the public in respect of	The bill expands alternative measures for informing and obtaining the views of the public in connection with proposed zoning by-law amendments.	HAPP recommended amendments to notice regulations that move away from dated approaches for public participation and overly legalistic notification so that	The section regarding zoning by-law open houses has been repealed with an emphasis placed on alternative procedures which must be identified in an Official Plan.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	proposed zoning by-laws, and if the measures are complied with, clause (10.7) (a) and subsections (12) to (14.2) do not apply to the proposed by-laws, but subsection (14.6) does apply. **Same** (14.4) In the course of preparing the official plan, before including alternative measures described in subsection (14.3), the council shall consider whether it would be desirable for the measures to allow for notice of the proposed by-laws to the prescribed persons and public bodies mentioned in clause (13) (a). **Transition** (14.4.1) For greater certainty, subsection (14.4) does not apply with respect to alternative measures that were included in an official plan before the day subsection 25 (5) of the *Smart Growth for Our Communities Act, 2015* comes into force.		alternative, innovative social media notification methods (e.g. web-based, e-mail, Facebook, etc.), written in plain language, can be used.	Staff notes that the coordination of alternative measures are linked with the requirements for an Official Plan to contain a public engagement framework. This may apply in respect to proposed zoning by-laws as per subsection 34 (14.6).
25(6)	**The English version of subsection 34 (14.6) of the Act is amended by striking out "securing" and substituting "obtaining".**	Technical amendment.	No comment.	No comment.
25(7)	**Subsection 34 (18) of the Act is repealed and the following substituted:** **Notice of passing of by-law** (18) If the council passes a by-law under this section, except a by-law passed pursuant to an order of the Municipal Board made under subsection (11.0.2) or (26), the clerk of the municipality shall give written notice of the passing of the by-law no later than 15 days after the day the by-law is passed, in the prescribed manner and form and to the prescribed persons and public bodies. **Contents**	Various decision-makers are required to explain the effect of written and oral submissions on their decisions (subsections 34 (18.1). See also 17 (23.1), 17 (35.1), 22 (6.7), 34 (10.10), 45 (8.1), 51 (38), 53 (18).	Staff report PD-019-24 notes that town "Planning staff's analysis always provides for a clear explanation of how citizen input has not only been considered but how it has effectively been utilized. Good planning processes should already be doing this."	Written notices of the adoption of a by-law must now contain how public input effected a decision-makers decision. This is intended to create a more transparent process by identifying how public input effects planning decision. Currently, Planning staff identifies how public input was considered and incorporated, as applicable, as part of a study

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	(18.1) The notice under subsection (18) shall contain, (a) a brief explanation of the effect, if any, that the written and oral submissions mentioned in subsection (18.2) had on the decision; and (b) any other information that is prescribed.			or development application within staff reports. Further consideration will need to be given to the record at the Public meeting to ensure we have adequately recorded the comments provided by the public and the Council's resolution adequately reflects the impact of the public comments. Future regulation may also identify additional prescribed information to be provided within the content of a notice.
25(8)	**Section 34 of the Act is amended by adding the following subsection:** **Same** (19.0.1) If the appellant intends to argue that the by-law is inconsistent with a policy statement issued under subsection 3 (1), fails to conform with or conflicts with a provincial plan or fails to conform with an applicable official plan, the notice of appeal must also explain how the by-law is inconsistent with, fails to conform with or conflicts with the other document.	Appellants who intend to argue that appealed decisions are inconsistent with provincial policy statements, provincial plans or official plans must identify the issues in their notices of appeal (subsection 34 (19.0.1)). If an appellant fails to do so, the Ontario Municipal Board may dismiss all or part of the appeal without a hearing (subsections 34 (25)).	HAPP recommended requiring scoping of appeals to be specific and substantiated. To achieve this, HAPP supports changes to the system to grant an appellant an additional 40-day period to fully scope their appeal and for the Board, prior to a formal hearing, to dismiss any appeals that are not scoped.	HAPPs recommendation to scope appeals is addressed. However, additional time has not been provided to help in this process.
25(9)	**Section 34 of the Act is amended by adding the following subsections:** **Use of dispute resolution techniques** (20.1) When a notice of appeal is filed under subsection (19), the council may use mediation, conciliation or other dispute resolution techniques to attempt to resolve the dispute.	Decision-makers are permitted to use mediation, conciliation and other dispute resolution techniques in certain appeals. When a decision-maker gives notice of an intention to use dispute resolution techniques, the time for submitting the	HAPP recommended re-evaluating the mediation process as it can often be beneficial to the hearing process. However, due to limited Board resources, the Board mediator's availability is limited which can lengthen the	HAPPs recommendations are partially addressed. Council is now permitted to use mediation, conciliation and other dispute resolution techniques prior to the OMB process. If council decides to

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	Notice and invitation (20.2) If the council decides to act under subsection (20.1), (a) it shall give a notice of its intention to use dispute resolution techniques to all the appellants; and (b) it shall give an invitation to participate in the dispute resolution process to, (i) as many of the appellants as the council con-siders appropriate, (ii) the applicant, if there is an applicant who is not an appellant, and (iii) any other persons or public bodies that the council considers appropriate. **Extension of time** (20.3) When the council gives a notice under clause (20.2) (a), the 15-day period mentioned in clause (23) (b) and subsections (23.2) and (23.3) is extended to 75 days. **Participation voluntary** (20.4) Participation in the dispute resolution process by the persons and public bodies who receive invitations under clause (20.2) (b) is voluntary.	record to the Ontario Municipal Board is extended by 60 days (subsections 17 (26.1) to (26.4), 17 (37.2) to (37.5), 22 (8.1) to (8.4), 34 (11.0.0.1) to (11.0.0.4), 34 (20.1) to (20.4), 51 (49.1) to (49.4) and 53 (27.1) to (27.4)).	appeal process. If mediation does not occur early in the process, or if it is not shown to be as prompt as a decision, it is not an effective approach. HAPP recommends that additional resources be given to the Board to hire additional staff to mediate appeals.	use these techniques, council must provide a notice of this to all appellants and seek participation by others. After this, the filing of a notice to appeal is extended to 75 days, up from the current 15 days, to provide opportunities to resolve potential appeals before adjudication at the Board. This addresses HAPPs comment insofar as the mediation process is formally introduced into the decision making process. However, there is no indication that the board will provide additional resources to mediate appeals.
25(10)	**Clause 34 (23) (b) of the Act is repealed and the following substituted:** (b) the notice of appeal, record and fee are forwarded to the Municipal Board, (i) within 15 days after the last day for filing a notice of appeal under subsection (11.0.3) or (19), as the case may be, or (ii) within 15 days after a notice of appeal is filed under subsection (11) with respect to refusal or neglect to make a decision; and	Technical amendment outlining timing required to provide a notice of appeal to the OMB and approval authority.	No comment.	No comment.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
25(11)	**Subsection 34 (25) of the Act is amended by adding the following clause:** (b.1) the appellant intends to argue a matter mentioned in subsection (19.0.1) but has not provided the explanations required by that subsection;	Appellants who intend to argue that appealed decisions are inconsistent with provincial policy statements, provincial plans or official plans must identify the issues in their notices of appeal. If an appellant fails to do so, the Ontario Municipal Board may dismiss all or part of the appeal without a hearing (subsections 17 (45) and 34 (25)).	HAPP recommended requiring scoping of appeals to be specific and substantiated. To achieve this, HAPP supports changes to the system to grant an appellant an additional 40-day period to fully scope their appeal and for the Board, prior to a formal hearing, to dismiss any appeals that are not scoped.	Appellants, who appeal decisions pertaining to inconsistency with a policy statement, or failure to conform with a provincial plan or official plan, must identify and explain how in their notice of appeal. This addresses HAPPs recommendation for scoping of appeals. Further, the Board can dismiss any appeals that are not scoped to identify this.
26	**Section 37 of the Act is amended by adding the following subsections:** **Special account** (5) All money received by the municipality under this section shall be paid into a special account and spent only for facilities, services and other matters specified in the by-law. **Investments** (6) The money in the special account may be invested in securities in which the municipality is permitted to invest under the *Municipal Act, 2001* or the *City of Toronto Act, 2006*, as the case may be, and the earnings derived from the investment of the money shall be paid into the special account, and the auditor in the auditor's annual report shall report on the activities and status of the account. **Treasurer's statement** (7) The treasurer of the municipality shall each year, on or before the date specified by the council, give the council a financial statement relating to the special account.	Section 37 is amended to require that money collected under the section be kept in a special account, about which the treasurer is required to make an annual financial statement.	No comment.	Enhances transparency to the planning process of how funds collected through bonusing are allocated. The Finance Department may have to implement a new program to implement this requirement.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	Requirements (8) The statement shall include, for the preceding year, (a) statements of the opening and closing balances of the special account and of the transactions relating to the account; (b) statements identifying, (i) any facilities, services or other matters specified in the by-law for which funds from the special account have been spent during the year, (ii) details of the amounts spent, and (iii) for each facility, service or other matter mentioned in subclause (i), the manner in which any capital cost not funded from the special account was or will be funded; and (c) any other information that is prescribed. **Copy to Minister** (9) The treasurer shall give a copy of the statement to the Minister on request. **Statement available to public** (10) The council shall ensure that the statement is made available to the public.			
27(1)	**Section 42 of the Act is amended by adding the following subsection:** **Definitions** (0.1) In this section, "dwelling unit" means any property that is used or de-signed for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals;	Relocates definition of "dwelling unit" from subsection 42 (2). Provides a definition of "effective date" for clarification of new subsections of section 42.	No comment.	No comment.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	"effective date" means the day subsection 27 (1) of the *Smart Growth for Our Communities Act, 2015* comes into force.			
27(2)	**Subsection 42 (2) of the Act is repealed.**	Technical amendment to move definition of "dwelling unit" to subsection 42 (0.1).	No comment.	No comment.
27(3)	**Section 42 of the Act is amended by adding the following subsections:** **Parks plan** (4.1) Before adopting the official plan policies described in subsection (4), the local municipality shall prepare and make available to the public a parks plan that examines the need for parkland in the municipality. **Same** (4.2) In preparing the parks plan, the municipality, (a) shall consult with every school board that has jurisdiction in the municipality; and (b) may consult with any other persons or public bodies that the municipality considers appropriate. **Same** (4.3) For greater certainty, subsection (4.1) and clause (4.2) (a) do not apply with respect to official plan policies adopted before the effective date.	Before a municipality adopts official plan policies allowing it to pass by-laws under subsection 42 (3) (parkland, alternative requirement), it must have a parks plan that examines the need for parkland in the municipality.	No comment.	A parks plan will be required to be prepared that examines the need for parkland. The Parks and Open Space Department would need to address these changes for upcoming parkland reviews. To a great extent this issues is addressed through the Town's Master Plan process.
27(4)	**Subsection 42 (6) of the Act is repealed and the following substituted:** **Payment in lieu** (6) If a rate authorized by subsection (1) applies, the council	Cash-in-lieu collected under the alternative requirement is currently limited to the value of one hectare of land for each 300 dwelling units proposed;	No comment.	The cash-in-lieu requirement has been reduced whichwill impact the funds collected in order to provide for parkland improvements.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	may require a payment in lieu, to the value of the land otherwise required to be conveyed. **Same** (6.0.1) If a rate authorized by subsection (3) applies, the council may require a payment in lieu, calculated by using a rate of one hectare for each 500 dwelling units proposed or such lesser rate as may be specified in the by-law. **Deemed amendment of by-law** (6.0.2) If a by-law passed under this section requires a payment in lieu that exceeds the amount calculated under subsection (6.0.1), in circumstances where the alternative requirement set out in subsection (3) applies, the by-law is deemed to be amended to be consistent with subsection (6.0.1). **Transition** (6.0.3) If, on or before the effective date, in circumstances where the alternative requirement set out in sub-section (3) applies, a payment in lieu has been made or arrangements for a payment in lieu that are satisfactory to the council have been made, subsections (6.0.1) and (6.0.2) do not apply.	the new limit is one hectare per 500 dwelling units (subsection 42 (6.0.1)). New subsections 42 (17) and (18) require the treasurer to make an annual financial statement about the special account established under subsection 42 (15).		
27(5)	**Subsection 42 (6.1) of the Act is amended by striking out "under subsection (6)" and substituting "under subsection (6) or (6.0.1)".**	Technical amendment.	No comment.	No comment.
27(6)	**Subsection 42 (6.2) of the Act is amended by striking out "under subsection (6)" and substituting "under subsection (6) or (6.0.1)".**	Technical amendment.	No comment.	No comment.
27(7)	**Paragraph 1 of subsection 42 (6.3) of the Act is amended by striking out "under subsection (6)" at the end and substituting "under subsection (6) or (6.0.1)".**	Technical amendment.	No comment.	No comment.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
27(8)	**Subsection 42 (6.4) of the Act is amended by striking out "subsections (6) and (6.2)" and substituting "subsections (6), (6.0.1) and (6.2)".**	Technical amendment.	No comment.	No comment.
27(9)	**Subsection 42 (7) of the Act is amended by striking out "a payment of money in lieu of such conveyance" in the portion before clause (a) and substituting "a payment in lieu".**	Technical amendment.	No comment.	No comment.
27(10)	**Subsection 42 (15) of the Act is amended by striking out "under subsections (6) and (14)" and substituting "under subsections (6), (6.0.1) and (14)".**	Technical amendment.	No comment.	No comment.
27(11)	**Section 42 of the Act is amended by adding the following subsections:** **Treasurer's statement** (17) The treasurer of the municipality shall each year, on or before the date specified by the council, give the council a financial statement relating to the special account. **Requirements** (18) The statement shall include, for the preceding year, (a) statements of the opening and closing balances of the special account and of the transactions relating to the account; (b) statements identifying, (i) any land or machinery acquired during the year with funds from the special account, (ii) any building erected, improved or repaired during the year with funds from the special account, (iii) details of the amounts spent, and (iv) for each asset mentioned in subclauses (i) and (ii), the manner in which any capital cost not funded from the special account was or will be funded; and	New subsections 42 (17) and (18) require the treasurer to make an annual financial statement about the special account established under subsection 42 (15).	No comment.	Enhances transparency to the planning process of how funds collected through payment-in-lieu of parkland and park purposes are allocated. The Finance Department may have to implement a new program to implement this requirement.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	(c) any other information that is prescribed. **Copy to Minister** (19) The treasurer shall give a copy of the statement to the Minister on request. **Statement available to public** (20) The council shall ensure that the statement is made available to the public.			
28(1)	**Section 45 of the Act is amended by adding the following subsection:** **Prescribed criteria** (1.0.1) The committee of adjustment shall authorize a minor variance under subsection (1) only if, in addition to satisfying the requirements of that subsection, the minor variance conforms with the prescribed criteria, if any.	When committees of adjustment make decisions about minor variances, they are required to apply prescribed criteria (subsection 45 (1.0.1)) as well as the matters set out in subsection 45 (1).	No comment.	'Prescribed criteria' are to be determined through Regulation (70(a)) which are not included within Bill 73. It is understood at this time that a definition for what constitutes a "minor variance" is to be included.
28(2)	**Section 45 of the Act is amended by adding the following subsections:** **When subs. (1.3) applies** (1.2) Subsection (1.3) applies when a by-law is amended in response to an application by the owner of any land, building or structure affected by the by-law, or in response to an application by a person authorized in writing by the owner. **Two-year period, no application for minor variance** (1.3) No person shall apply for a minor variance from the provisions of the by-law in respect of the land, building or structure before the second anniversary of the day on which the by-law was amended, unless the council has declared by resolution that the application for the minor variance is permitted.	During the two-year period following an owner-initiated site-specific rezoning, applications for minor variances are permitted only with council approval (sub-section 45 (1.3)).	No comment.	This process would ensure that zoning by-law amendments, when first undertaken, more accurately reflect the intent of the proposed development. However, there may be required variances as part of a site plan process that are truly minor in nature and which may cause difficulties for timely approvals when they are required to go through Council.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
28(3)	**Subsection 45 (8) of the Act is repealed and the following substituted:** **Decision** (8) No decision of the committee on an application is valid unless it is concurred in by the majority of the members of the committee that heard the application. **Same** (8.1) The decision of the committee, whether granting or refusing an application, shall be in writing, shall be signed by the members who concur in the decision and shall, (a) set out the reasons for the decision; and (b) contain a brief explanation of the effect, if any, that the written and oral submissions mentioned in subsection (8.2) had on the decision. **Written and oral submissions** (8.2) Clause (8.1) (a) applies to, (a) any written submissions relating to the application that were made to the committee before its decision; and (b) any oral submissions relating to the application that were made at a hearing.	Various decision-makers are required to explain the effect of written and oral submissions on their decisions (subsections 34 (18.1). See also 17 (23.1), 17 (35.1), 22 (6.7), 34 (10.10), 45 (8.1), 51 (38), 53 (18).	Staff report PD-019-24 notes that town "Planning staff's analysis always provides for a clear explanation of how citizen input has not only been considered but how it has effectively been utilized. Good planning processes should already be doing this."	Written notices of decision must now contain how public input effected a decision-makers decision. This is intended to create a more transparent process by identifying how public input effects planning decision. Further consideration will need to be given to the record of the Committee's decision to ensure it adequately reflects the impact of the public comments. Notification documents would need to be updated to reflect this.
28(4)	**Subsection 45 (13) of the Act is repealed and the following substituted:** **Record** (13) On receiving a notice of appeal filed under subsection (12), the secretary-treasurer of the committee shall promptly forward to the Municipal Board, by registered mail,	Technical amendment for clarity.	No comment.	No comment.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	(a) the notice of appeal; (b) the amount of the fee mentioned in subsection (12); (c) all documents filed with the committee relating to the matter appealed from; (d) such other documents as may be required by the Board; and (e) any other prescribed information and material.			
29(1)	**Clause 50 (3) (d) of the Act is amended by striking out "electricity transmission line, hydrocarbon distribution line or hydrocarbon transmission line" and substituting "electricity transmission line or hydrocarbon line".**	Technical amendment.	No comment.	No comment.
29(2)	**Clause 50 (3) (g) of the Act is amended by striking out "electricity transmission line, hydrocarbon distribution line or hydrocarbon transmission line" and substituting "electricity transmission line or hydrocarbon line".**	Technical amendment.	No comment.	No comment.
29(3)	**Subsection 50 (14) of the Act is amended by striking out "*Condominium Act*" and substituting "*Condominium Act, 1998*".**	Technical amendment.	No comment.	No comment.
30(1)	**Section 51 of the Act is amended by adding the following subsections:** **Alternative measures** (19.3.1) Subject to subsection (19.3.3), if the official plan sets out alternative measures for informing and obtaining the views of the public in respect of proposed plans of subdivision and if the measures are complied with, clause (19.4) (a) and subsections (20) and (21) do not apply.	The Bill would permit alternative measures for informing and obtaining the views of the public in connection with plans of subdivision.	HAPP recommended amendments to notice regulations that move away from dated approaches for public participation and overly legalistic notification so that alternative, innovative social media notification methods (e.g. web-based, e-mail, Facebook, etc.), written in plain	Enhanced alternative notice measures are provided for, so long as the process is described in the Official Plan. Staff notes that the coordination of alternative measures are linked with the requirements for an Official Plan to contain a public

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	Same (19.3.2) In the course of preparing the official plan, before including alternative measures described in subsection (19.3.1), the council shall consider whether it would be desirable for the measures to allow for notice of the proposed plans of subdivision to the prescribed persons and public bodies mentioned in clause (19.4) (a). **Restriction** (19.3.3) Subsection (19.3.1) applies only in the case of an application for approval that is made to an approval authority other than the Minister.		language, can be used.	engagement framework as per amendments made to subsections 16 (1) and 16 (2).
30(2)	**Subsection 51 (35.1) of the Act is amended by striking out "after the last day for filing a notice of appeal" and substituting "after the first notice of appeal is filed".**	Technical amendment.	No comment.	No comment.
30(3)	**Subsection 51 (35.2) of the Act is amended by striking out "after the last day for filing a notice of appeal" and substituting "after the first notice of appeal is filed".**	Technical amendment.	No comment.	No comment.
30(4)	**Subsection 51 (37) of the Act is repealed and the following substituted:** **Notice** (37) If the approval authority gives or refuses to give approval to a draft plan of subdivision, the approval authority shall, within 15 days of its decision, give written notice of it to, (a) the applicant; (b) each person or public body that made a written request to be notified of the decision; (c) a municipality or a planning board for a planning area in which the land to be subdivided is situated; and	Various decision-makers are required to explain the effect of written and oral submissions on their decisions (subsection 51 (38)). See also 17 (23.1), 17 (35.1), 22 (6.7), 34 (10.10), 34 (18.1), 45 (8.1), 53 (18).	Staff report PD-019-24 notes that town "Planning staff's analysis always provides for a clear explanation of how citizen input has not only been considered but how it has effectively been utilized. Good planning processes should already be doing this."	Written notices of the adoption of a plan of subdivision must now contain how public input effected a decision-makers decision. This is intended to create a more transparent process by identifying how public input effects planning decision. Currently, Planning staff identifies how public input was considered and incorporated, as applicable, as part of a study or development application within staff reports.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	(d) any other person or public body that is prescribed. **Contents** (38) The notice under subsection (37) shall contain, (a) a brief explanation of the effect, if any, that the written and oral submissions mentioned in subsection (38.1) had on the decision; and (b) any other information that is prescribed. **Exception** (38.2) If the notice under subsection (37) is given by the Minister and he or she is also giving notice of the matter in accordance with section 36 of the *Environmental Bill of Rights, 1993*, the brief explanation referred to in clause (38) (a) is not required.			Further consideration will need to be given to the record at the Public meeting to ensure we have adequately recorded the comments provided by the public and the Council's resolution adequately reflects the impact of the public comments. Future regulation may also identify additional prescribed information to be provided within the content of a notice.
30(5)	**Section 51 of the Act is amended by adding the following subsections:** **Use of dispute resolution techniques** (49.1) When a notice of appeal is filed under subsection (39), (43) or (48), the approval authority may use mediation, conciliation or other dispute resolution techniques to attempt to resolve the dispute. **Notice and invitation** (49.2) If the approval authority decides to act under subsection (49.1), (a) it shall give a notice of its intention to use dispute resolution techniques to all the appellants; and (b) it shall give an invitation to participate in the dispute resolution process to,	Decision-makers are permitted to use mediation, conciliation and other dispute resolution techniques in certain appeals. When a decision-maker gives notice of an intention to use dispute resolution techniques, the time for submitting the record to the Ontario Municipal Board is extended by 60 days (subsections 17 (26.1) to (26.4), 17 (37.2) to (37.5), 22 (8.1) to (8.4), 34 (11.0.0.1) to (11.0.0.4), 34 (20.1) to (20.4), 51 (49.1) to (49.4) and 53 (27.1) to (27.4)).	HAPP recommended re-evaluating the mediation process as it can often be beneficial to the hearing process. However, due to limited Board resources, the Board mediator's availability is limited which can lengthen the appeal process. If mediation does not occur early in the process, or if it is not shown to be as prompt as a decision, it is not an effective approach. HAPP recommends that additional resources be given to the Board to hire additional staff to mediate appeals.	HAPPs recommendations are partially addressed. Council is now permitted to use mediation, conciliation and other dispute resolution techniques prior to the OMB process. If council decides to use these techniques, council must provide a notice of this to all appellants and seek participation by others. After this, the filing of a notice to appeal is extended to 75 days, up from the current 15 days, to provide opportunities to resolve potential appeals before adjudication at the

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	(i) as many of the appellants as the approval authority considers appropriate, (ii) the applicant, if the applicant is not an appellant, and (iii) any other persons or public bodies that the approval authority considers appropriate. **Extension of time** (49.3) When the approval authority gives a notice un-der clause (49.2) (a), the 15-day period mentioned in clause (50) (b) and subsections (50.1) and (50.2) is ex-tended to 75 days. **Participation voluntary** (49.4) Participation in the dispute resolution process by the persons and public bodies who receive invitations under clause (49.2) (b) is voluntary.			Board. This addresses HAPPs comment insofar as the mediation process is formally introduced into the decision making process. However, there is no indication that the board will provide additional resources to mediate appeals.
31(1)	**Section 51.1 of the Act is amended by adding the following subsections:** **Definitions** (0.1) In this section, "dwelling unit" means any property that is used or de-signed for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals; ("logement") "effective date" means the day subsection 31 (1) of the *Smart Growth for Our Communities Act, 2015* comes into force. ("date d'effet") **Parks plan** (2.1) Before adopting the official plan policies described in subsection (2), the municipality shall prepare and make available to the public a parks plan that examines the need for parkland in the municipality.	Changes similar to the ones affecting section 42 are made to section 51.1, which deals with parkland conveyances and cash-in-lieu in the context of subdivision approval.	No comment.	A parks plan will be required to be prepared that examines the need for parkland. The Parks and Open Space Department would need to address these changes for upcoming parkland reviews. Typically these review are completed through the Town's Master Plan process

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	Same (2.2) In preparing the parks plan, the municipality, (a) shall consult with every school board that has jurisdiction in the municipality; and (b) may consult with any other persons or public bodies that the municipality considers appropriate. **Same** (2.3) For greater certainty, subsection (2.1) and clause (2.2) (a) do not apply with respect to official plan policies adopted before the effective date.			
31(2)	**Subsection 51.1 (3) of the Act is repealed and the following substituted:** **Payment in lieu** (3) If the approval authority has imposed a condition under subsection (1) requiring land to be conveyed to the municipality and subsection (2) does not apply, the municipality may require a payment in lieu, to the value of the land otherwise required to be conveyed. **Same** (3.1) If the approval authority has imposed a condition under subsection (1) requiring land to be conveyed to the municipality and subsection (2) applies, the municipality may require a payment in lieu, calculated by using a rate of one hectare for each 500 dwelling units proposed or such lesser rate as may be determined by the municipality. **Transition** (3.2) If the draft plan of subdivision is approved on or before the effective date, the approval authority has imposed a condition under subsection (1) requiring land to be	Changes similar to the ones affecting section 42 are made to section 51.1, which deals with parkland conveyances and cash-in-lieu in the context of subdivision approval.	No comment.	The cash-in-lieu requirement has been reduced which will impact the funds collected in order to provide for parkland improvements.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	conveyed to the municipality and subsection (2) applies, (a) subsection (3.1) does not apply; and (b) subsection (3), as it reads on the day before the effective date, continues to apply.			
31(3)	**Subsection 51.1 (4) of the Act is amended by striking out "under subsection (3)" and substituting "under subsection (3) or (3.1)".**	Technical amendment.	No comment.	No comment.
31(4)	**Subsection 51.1 (5) of the Act is amended by striking out "(12) to (16)" and substituting "(12) to (20)".**	Technical amendment.	No comment.	No comment.
32(1)	**Section 53 of the Act is amended by adding the following subsections:** **Alternative measures** (4.3) In the case of an application for consent that is made to a council, if the official plan sets out alternative measures for informing and obtaining the views of the public in respect of applications for consent and if the measures are complied with, (a) subsection (5) does not apply; and (b) subsections (6) and (7) do not apply with respect to notice of the application. **Same** (4.4) Subsection (4.3) also applies in the case of a council or planning board to which the Minister has delegated authority under section 4. **Same** (4.5) In the course of preparing the official plan, before including alternative measures described in subsection	The Bill would permit alternative measures for informing and obtaining the views of the public in connection with consents.	HAPP recommended amendments to notice regulations that move away from dated approaches for public participation and overly legalistic notification so that alternative, innovative social media notification methods (e.g. web-based, e-mail, Facebook, etc.), written in plain language, can be used.	Enhanced alternative notice measures are provided for, so long as the process is described in the Official Plan. Staff notes that the coordination of alternative measures are linked with the requirements for an Official Plan to contain a public engagement framework as per amendments made to subsections 16 (1) and 16 (2).

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	(4.3), the council shall consider whether it would be desirable for the measures to allow for notice of the application for consent to the prescribed persons and public bodies mentioned in clause (5) (a).			
32(2)	**Subsection 53 (13) of the Act is amended by striking out "the payment of money to the value of the land in lieu of the conveyance" and substituting "a payment in lieu".**	Technical amendment to reflect payment-in-lieu process.	No comment.	No comment.
32(3)	**Subsection 53 (16.1) of the Act is amended by striking out "after the last day for filing a notice of appeal" and substituting "after the first notice of appeal is filed".**	Technical amendment.	No comment.	No comment.
32(4)	**Subsection 53 (16.2) of the Act is amended by striking out "after the last day for filing a notice of appeal" and substituting "after the first notice of appeal is filed".**	Technical amendment.	No comment.	No comment.
32(5)	**Subsection 53 (17) of the Act is repealed and the following substituted:** **Notice of decision** (17) If the council or the Minister gives or refuses to give a provisional consent, the council or the Minister shall ensure that written notice of it is given within 15 days to, (a) the applicant; (b) each person or public body that made a written request to be notified of the decision or conditions; (c) the Minister, with respect to a decision by a council to give a provisional consent, if the Minister has notified the council that he or she wishes to receive a copy of all decisions made to give a provisional consent; and (d) any other person or public body that is prescribed.	Various decision-makers are required to explain the effect of written and oral submissions on their decisions (subsection 53 (18)). See also 17 (23.1), 17 (35.1), 22 (6.7), 34 (10.10), 34 (18.1), 45 (8.1), 51 (38).	Staff report PD-019-24 notes that town "Planning staff's analysis always provides for a clear explanation of how citizen input has not only been considered but how it has effectively been utilized. Good planning processes should already be doing this."	Written notices of decision for consents must now contain how public input effected a decision-makers decision. This is intended to create a more transparent process by identifying how public input effects planning decision. Notification documents would need to be updated to reflect this and the Committee will need to be explicit in their decisions on how the public impacted their decision making. Future regulation may also identify additional prescribed information to be provided

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	Contents (18) The notice under subsection (17) shall contain, (a) a brief explanation of the effect, if any, that the written and oral submissions mentioned in subsection (18.1) had on the decision; and (b) the prescribed information. **Written and oral submissions** (a) a brief explanation of the effect, if any, that the written and oral submissions mentioned in subsection (18.1) had on the decision; and (b) the prescribed information. **Written and oral submissions** (18.1) Clause (18) (a) applies to, (a) any written submissions relating to the provisional consent that were made to the council before its decision; and (b) any oral submissions relating to the provisional consent that were made at a public meeting. **Exception** (18.2) If the notice under subsection (17) is given by the Minister and he or she is also giving notice of the matter in accordance with section 36 of the *Environmental Bill of Rights, 1993*, the brief explanation referred to in clause (18) (a) is not required.			within the content of a notice.
32(6)	**Section 53 of the Act is amended by adding the following subsections:** **Use of dispute resolution techniques**	Decision-makers are permitted to use mediation, conciliation and other dispute resolution techniques in certain appeals.	HAPP recommended re-evaluating the mediation process as it can often be beneficial to the hearing	HAPPs recommendations are partially addressed. Council is now permitted to

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	(27.1) When a notice of appeal is filed under subsection (19) or (27), the council or the Minister may use mediation, conciliation or other dispute resolution techniques to attempt to resolve the dispute. **Notice and invitation** (27.2) If the council or the Minister decides to act under subsection (27.1), (a) the council or Minister shall give a notice of its intention to use dispute resolution techniques to all the appellants; and (b) the council or Minister shall give an invitation to participate in the dispute resolution process to, (i) as many of the appellants as the council or Minister considers appropriate, (ii) the applicant, if the applicant is not an appellant, and (iii) any other persons or public bodies that the council or Minister considers appropriate. **Extension of time** (27.3) When the council or Minister gives a notice under clause (27.2) (a), the 15-day period mentioned in clause (28) (b) and in subsections (29.1) and (29.2) is extended to 75 days. **Participation voluntary** (27.4) Participation in the dispute resolution process by the persons and public bodies who receive invitations under clause (27.2) (b) is voluntary.	When a decision-maker gives notice of an intention to use dispute resolution techniques, the time for submitting the record to the Ontario Municipal Board is extended by 60 days (subsections 17 (26.1) to (26.4), 17 (37.2) to (37.5), 22 (8.1) to (8.4), 34 (11.0.0.1) to (11.0.0.4), 34 (20.1) to (20.4), 51 (49.1) to (49.4) and 53 (27.1) to (27.4)).	process. However, due to limited Board resources, the Board mediator's availability is limited which can lengthen the appeal process. If mediation does not occur early in the process, or if it is not shown to be as prompt as a decision, it is not an effective approach. HAPP recommends that additional resources be given to the Board to hire additional staff to mediate appeals.	use mediation, conciliation and other dispute resolution techniques prior to the OMB process. If council decides to use these techniques, council must provide a notice of this to all appellants and seek participation by others. After this, the filing of a notice to appeal is extended to 75 days, up from the current 15 days, to provide opportunities to resolve potential appeals before adjudication at the Board. This addresses HAPPs comment insofar as the mediation process is formally introduced into the decision making process. However, there is no indication that the board will provide additional resources to mediate appeals.
33	**Section 70 of the Act is amended by adding the following clause:** (a) prescribing criteria for the purposes of subsection 45 (1.0.1);	When committees of adjustment make decisions about minor variances, they are required to apply prescribed criteria (subsection	No comment.	'Prescribed criteria' are to be determined through Regulation (70(a)) which are not included within Bill 73. It is understood at this time that a definition for

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
		45 (1.0.1)) as well as the matters set out in subsection 45 (1).		what constitutes a "minor variance" is to be included.
34(1)	**Paragraph 15 of subsection 70.1 (1) of the Act is amended by striking out "clause 16 (1) (b)" and substituting "clause 16 (1) (c)".**	Technical amendment.	No comment.	No comment.
34(2)	**Subsection 70.1 (1) of the Act is amended by adding the following paragraphs:** 24.1 prescribing information for the purposes of clause 37 (8) (c); 24.2 prescribing information for the purposes of clause 42 (18) (c);	New subsections 70.1 (1) 24.1 and 70.1 (1) 24.2 allow the Minister to make regulations for prescribing information for annual financial statement (treasurers statement) regarding the special accounts established for bonusing monies [37 (8) (c)], and parkland dedication monies [42 (18) (c)].	No comment.	Enhances transparency to the planning process and how funds are allocated for the purpose of monies collected through bonusing and cash-in-lieu of parkland.
35(1)	**The French version of clause 70.2 (2) (q) of the Act is amended by striking out "système de déli-vrance des permis d'exploitation" at the end and substituting "système de délivrance de permis d'exploitation".**	Technical amendment.	No comment.	No comment.
35(2)	**Section 70.2 of the Act is amended by adding the following subsection:** **Same, five-year period** (2.1) A regulation under subsection (1) may, (a) provide that when a by-law adopting or establishing a development permit system is passed, no person or public body shall apply to amend the relevant official plan with respect to policies prescribed under clause (2) (f) before the fifth anniversary of the day the by-law is passed;	Subsection 70.2 (1) currently authorizes the Lieutenant Governor in Council to make regulations establishing a "development permit system" that local municipalities may adopt, or delegating to local municipalities the power to establish such a system. New subsection 70.2 (2.1) authorizes the Lieutenant Governor in Council to make	No comment.	The town does not currently have a development permit system.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	(b) provide that no person or public body shall apply to amend a by-law adopting or establishing a development permit system before the fifth anniversary of the day the by-law is passed.	regulations preventing applications for amendments to new development permit by-laws, and to the related official plan provisions, during an initial five-year period.		
36	**The Act is amended by adding the following sections:** **Use of alternate terminology** **70.2.1** (1) A regulation made under subsection 70.2 (1), an order made under section 70.2.2 or a by-law passed under section 70.2 or 70.2.2 may refer to development permits as community planning permits. **Same** (2) When a regulation, order or by-law refers to development permits as community planning permits, as described in subsection (1), (a) the effect of the regulation, order or by-law is the same for all purposes as if the expression "development permit" were used; and (b) a permit that is referred to as a community planning permit is a development permit for all purposes. **Same** (3) Subsections (1) and (2) also apply with respect to combined expressions such as "development permit system" and "development permit by-law". **Orders and by-laws re development permit system** **Orders** **70.2.2** (1) The Minister may, by order,	New section 70.2.1 provides that regulations made under section 70.2, orders made under section 70.2.2 and municipal by-laws made under both sections may refer to development permits as "community planning permits", without changing the legal effect. The same is true of combined expressions such as "development permit system" and "development permit by-law". New section 70.2.2 authorizes the Minister to make an order requiring a local municipality to adopt a development permit	No comment.	The town does not currently have a development permit system. The amendment would make it possible for the Minister and the Region of Halton to require the Town to develop and implement a development permit system for certain matters.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	(a) require a local municipality to adopt or establish a development permit system for one or more purposes specified under subsection (5); or (b) require an upper-tier municipality to act under sub-section (3). **Non-application of *Legislation Act, 2006*, Part III** (2) Part III (Regulations) of the *Legislation Act, 2006* does not apply to an order made under subsection (1). **By-laws** (3) An upper-tier municipality may, by by-law, require a local municipality that is its lower-tier municipality to adopt or establish a development permit system for one or more purposes specified under subsection (5). **Effect of order or by-law** (4) When an order made under subsection (1) or a by-law passed under subsection (3) is in effect, the local municipality, (a) shall adopt or establish a development permit system; and (b) has discretion to determine what parts of its geographic area are to be governed by the development permit system. **Regulations** (5) The Lieutenant Governor in Council may, by regulation, specify purposes in respect of which orders and by-laws requiring the adoption or establishment of development permit systems may be made under subsections (1) and (3).	system for prescribed purposes. It also authorizes upper-tier municipalities to make by-laws imposing similar requirements on their lower-tier municipalities, and authorizes the Minister to make an order requiring an upper-tier municipality to make such a by-law.		
37	**The Act is amended by adding the following section:** **Regulations re transitional matters, 2015 amendments**	New section 70.6 authorizes the Minister to make regulations providing for	No comment.	To date, no regulations have been brought forward for transition matters with respect

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	70.6 (1) The Minister may make regulations providing for transitional matters respecting matters and proceedings that were commenced before or after the effective date. **Same** (2) A regulation under subsection (1) may, without limitation, (a) determine which matters and proceedings may be continued and disposed of under this Act, as it read on the day before the effective date, and which matters and proceedings must be continued and disposed of under this Act, as it read on the effective date; (b) for the purpose of that subsection, deem a matter or proceeding to have been commenced on the date or in the circumstances prescribed in the regulation. **Conflict** (3) A regulation under subsection (1) prevails over any provision of this Act specifically mentioned in the regulation. **Definition** (4) In this section, "effective date" means the date on which section 37 of the *Smart Growth for Our Communities Act, 2015* comes into force.	transitional matters.		to the proposed Planning Act amendments. Staff continue to work with HAPP to provide comments.
38(1)	**COMMENCEMENT AND SHORT TITLE** **Commencement** **Subject to subsections (2) and (3), this Act comes into force on a day to be named by proclamation of the Lieutenant Governor.**	Timing of in-force and effect.	No comment.	No comment.
38(2)	**Same**	Timing of in-force and effect.	No comment.	No comment.

Bill Sec.	Amendment (Planning Act)	Description	HAPP Joint Response & Staff Report	Comment
	Subsection 11 (2) and sections 13, 14 and 21 come into force on the day this Act receives Royal Assent.			
38(3)	**Same** **Subsection 17 (2) comes into force on the day that is 121 days after the day subsection 17 (1) comes into force.**	Timing of in-force and effect.	No comment.	No comment.
39	**Short title** **The short title of this Act is the *Smart Growth for Our Communities Act, 2015*.**	Technical reference.	No comment.	No comment.