

Bill 109 – Changes to Planning Application Review Process



Planning & Environment Committee
November 28, 2022

Bill 109 Background

- More Homes for Everyone Act, 2022
- Royal Assent – April 14, 2022
- Changes to the Planning Act including Mandatory refund of application fees
- In force for applications submitted after January 1, 2023

Application Type	50% Refund	75% Refund	100% Refund
ZBA & OPA	120 days	180 days	240 days
ZBA	90 days	150 days	180 days
Site Plan	60 days	90 days	120 days



Planning Application Fee Refunds

- 2021 Application Activity

Application Type	Application Fees	No Refund	50% Refund	75% Refund	100% Refund	Total Refund	Refund %
ZBA & OPA	\$ 375,792	7	7	2	8	\$ 222,800	59%
ZBA	\$ 399,095	1	20	5	9	\$ 259,419	65%
Site Plan	\$ 520,565	120	0	0	0	\$ 0.00	0%

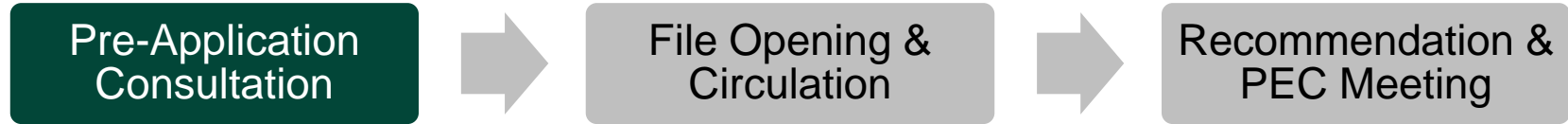
Zoning By-law Amendments





Zoning By-law Amendments

Pre-Application Consultation



- Greater emphasis on pre-application consultation for issue resolution and public engagement
- Record of Pre-Application Consultation (RPAC) to provide additional details of what needs to be addressed in required reports/studies
- RPAC may require more work prior to submission, such as a public information meeting or review by the Urban Design Peer Review Panel



Zoning By-law Amendments

File Opening & Circulation



- For an application to be complete it must address all issues/provide all required information described in the RPAC
- Planning & Environment Committee Meeting date to be determined as part of file opening
- Application will be considered final once deemed complete
 - No major revisions requiring recirculation will be accepted
- Comments received through the circulation to be geared to Council to assist in decision making

Zoning By-law Amendments Recommendation & PEC Meeting



- May see increase in recommendations for refusal
 - Unresolved technical issues may result recommendation for refusal
 - Reasons for Refusal will identify issues that could be addressed in a future application
 - A revised development proposal should be considered in a new application
- Direction to Site Plan Approval Authority may be used to address minor issues

Next Steps

- January 1, 2023 – Bill 109 changes in force
- Future Actions:
 - Fees Review –scheduled for 2023, will consider impacts of new application process
 - Update Terms of Reference for Required Reports/Studies
 - Longer term actions may consider resource need changes as part of multi-year budget process
 - Other actions may be required based on observations after implementation of new process