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PROVINCIAL RELEASE OF DISCUSSION PAPERS ON PLANNING REFORM DRAFT PROVINCIAL POLICY STATEMENT AND OMB REFORM

The Planning and Economic Development Committee recommends the following:

- 1. The presentation by James Stiver, Senior Planner, Community Planning, be received;**
- 2. The recommendations contained in the following report, June 11, 2004, from the Commissioner of Planning and Development Services, be adopted, with the request to the Minister of Municipal Affairs and Housing that the following items be considered by the Minister as part of his consultations:**
 - (a) That the Province be requested to consider requiring a higher requirement of conformity to Provincial Policy than the proposed “shall be consistent with” standard as that wording remains ambiguous and subject to interpretation;**
 - (b) That the Province provide additional tools (such as a review of section 42 of the Planning Act dealing with parkland dedications), financial arrangements (such as but not limited to development charges and tax incentives) and Policy to permit municipalities to protect and acquire key natural heritage features;**
 - (c) That the Provincial Policy Statement be amended to more clearly address the need for municipalities to maintain adequate employment lands as opposed to retail commercial employment lands in their planning documents.**

1. RECOMMENDATIONS

It is recommended that:

- 1. Issues raised in this report form the basis of submissions to the Province as part of the stakeholder meetings during June and July.**
- 2. That the attached report be forwarded to the Ministry of Municipal Affairs and Housing and the local municipalities for their information and use.**
- 3. Regional staff continue to work with Provincial staff regarding the detailed comments on these discussions papers and initiatives**

2. PURPOSE

On June 1, 2004, in a presentation to the Canadian Urban Institute, the Honourable John Gerretsen, Minister of Municipal Affairs and Housing released discussion papers on the following issues (*Attachment 1* to this report):

- Bill 26 the Strong Communities Act and Planning Reform
- Provincial Policy Statement Review and Draft PPS
- Ontario Municipal Board Reform

As well, the Province announced a schedule of consultation meetings to occur during June and July, with a comment deadline of August 31, 2004.

The purpose of this staff report is to review and comment on the contents of the discussion papers and make recommendations to Committee and Council for further submissions to the Province as part of the Consultation process.

3. BACKGROUND

3.1 Overview of Provincial Planning Reform

The direction of the Provincial initiatives and the proposed planning reform reinforce the direction in which the Region is currently heading. The key messages or principles being advanced by the Province are:

- Urban areas must have stronger policy to encourage intensification, redevelopment and compact forms of development.
- The identification of priority growth areas to direct growth to appropriate areas.
- Giving more tools to municipalities to contain growth and develop municipality-specific growth management strategies.
- Providing tools to assist in the protection of prime agricultural lands and specialty crop areas.
- The role and function of the Ontario Municipal Board needs to be reviewed, to ensure that the decisions are relevant and consistent and that Hearings are more accessible to the public.

A number of key Regional initiatives are consistent with the Province's reform initiatives. Principles being advanced by the policies of the Regional Official Plan (ROP) include:

- Priority growth areas are identified and growth is directed to settlement areas.
- Intensification and compact urban form is encouraged.
- Identification and preservation of key natural areas through the Regional Greenlands System.

Since assuming office in the Fall of 2003, the Government has launched initiatives in a number of areas to protect open space, clean water and deal with urban sprawl. The announcements of June 1 complement the efforts of the Greenbelt Task Force and the

Bill 27 deliberations and Source Water protection. Further information on the Province's Golden Horseshoe Growth Management Plan is anticipated shortly, as the plan is soon to be released for consultation.

The Province has also initiated a "Smart Growth" program to ensure that decisions on public investment take into consideration impact on the provincial economy, natural environment, the livability of our communities and transportation choice. The Smart Growth Secretariat, a part of the Ministry of Public Infrastructure Renewal, was established to work closely with partner ministries, stakeholders and communities to make sure decisions on growth-related issues are co-ordinated government-wide to manage growth in Ontario.

3.2 Regional Planning in the Context of Planning Reform

Over the past 5 years alone, York Region has undertaken a number of initiatives to advance public policy in the Region. These initiatives include:

- The completion and endorsement of Vision 2026 and the Vision Report Card .
- Release of the Transportation Master Plan.
- Regional assumption of amalgamated Transit operations on January 1, 2001 and the YRT Quick Start initiative.
- Implementation of the Oak Ridges Moraine Conservation Plan.
- The York Region Greening Strategy and the Greenlands Property Securement Strategy.
- The Human Services Strategy.
- Adoption of the report of the Homelessness Task Force and the release of the Regional Housing Supply Strategy.
- The regional Centres and Corridors Strategy and the concomitant Regional Official Plan Amendment (ROPA 43).

As a result, the Regional Corporation is well positioned to strategically serve its residents in an efficient, cost effective and comprehensive way. However, the Regional initiatives must be supported by both Provincial policy and by Programs and Funding to assist in implementation.

Key Community Building policy areas are presently being advanced by the Regional Official Plan that are important to building and sustaining viable communities well into the future. We have been told repeatedly in our own regional consultations that it is time for action, not further planning. Now is the time for more Provincial involvement and assistance in the implementation of programs. To better support the Region's initiatives to this end, Regional Planning staff recommend a change in Provincial direction. The recommended changes are:

- Urban areas must have stronger policy to promote their viability and sustainability.
- Stronger policies and a more streamlined process should be introduced for priority growth areas.

- The Provincial ministries should be better integrated with respect to a land use planning policy and the implementation thereof. Ministry decisions should be benchmarked against the Smart Growth principles.
- Provincial policies and programs should be introduced that assist in the coordination of local and upper-tier plans. These actions will serve to better direct growth and identify key development areas.
- New tools and policy need to be introduced rather than simply capitalizing on existing.
- Environmental/greenlands are well defined – Provincial ministries should reinforce Regional policy and do more to implement.
- Province should assist in the implementation of the Region’s Agricultural Action Plan.
- Critical infrastructure projects must be supported to support healthy and safe communities. There appears to be a disconnect between Provincial agencies with respect to the support and implementation of critical infrastructure projects to accommodate and support growth.

The following sections of this report review the new Provincial provisions and establish the Regional position regarding each.

4. ANALYSIS AND OPTIONS

The three components of *Bill 26* (proposed changes to the Planning Act), *the Provincial Policy Statement*, and *OMB Reform* are discussed in the following sections, with a staff commentary on the changes in the context of Regional initiatives, following each section.

4.1 Planning Reform – Bill 26

Bill 26 - *The Strong Communities Act* was introduced in the legislature on December 15, 2003. Regional Council at its meeting of February 19, 2004 endorsed Clause 2 of Report 2 of the Regional Planning and Economic Development Committee. This report reviewed the four main provisions of proposed Bill 26 and recommended that the provisions be endorsed subject to the Province consulting with municipalities on matters of Provincial Interest. *Attachment 2* to this report is a copy of that report. These recommendations remain valid.

On June 1, 2004, the Province released a Bill 26 discussion paper and invited comment from municipalities through a number of consultation sessions scheduled to be held throughout the province during June, July and August. The Provincial discussion paper on Planning Reform is arranged in sections that identify the changes that have been made through Bill 26 and then poses a series of questions for further changes which could enhance the planning process and promote good planning in the Province. The proposed changes include:

- Require that planning decisions be “consistent with” the Provincial Policy Statement in place of the current “have regard to”.

- Increase time for municipalities to make decisions on planning applications before appealed to the OMB.
- Prohibit appeals to the OMB of private applications for urban boundary expansions.
- Permit Cabinet to make the final decision on applications for “matters of provincial interest”.

4.1.1 Staff Comments on Bill 26

Attachment 3 to this report contains a matrix of all proposed Planning Act reforms identified in the Province’s Bill 26 as well as staff’s comments on each.

Generally staff support the proposed changes. The key changes that will assist in achieving the Region’s initiatives in Regional Centres and Corridors and Transit include providing municipal tools to encourage redevelopment, infilling and intensification and compact urban form. These tools include maintaining bonusing provisions in the Planning Act and codifying the ability to transfer development rights between parcels. As well, the Province appears of the opinion that existing tools, with some minor changes, such as community improvement plans, development permit systems and changes to provincial standards for matters relating to land-use planning in urban areas could be utilized to encourage city building.

There appears to be no discussion or consideration of new implementation tools to make city building a reality in the Province. Such tools are needed to help municipalities direct development to priority areas.

4.2 Draft Provincial Policy Statement

The current Provincial Policy Statement (PPS) came into effect on May 22, 1996. The PPS sets out a policy direction on land use planning matters to which the Provincial Government has an interest. The PPS gives guidance with respect to protecting areas of provincial interest including:

- Public health and safety.
- Economic diversity and quality.
- Preservation of the natural environment.

In the current Planning Act, planning authorities must “have regard to” the Provincial Policy Statements.

Since 2001, the Ministry of Municipal Affairs and Housing (MMAH) has been undertaking a five-year review of the PPS to ensure that it is achieving its objectives “to promote and manage growth in ways that sustain a strong economy, build strong communities, and promote a healthy environment.” Province-wide stakeholder consultations were undertaken to look at:

- Scope and structure.
- Consistency with the Smart Growth initiative.
- Growth management.
- Environment and natural heritage.

- Transportation and infrastructure.
- Housing.
- Agriculture.
- Outdated policies.

On June 1, 2004, Minister Gerretsen announced the proposed policy directions for revisions to the PPS and provided draft policies that outline Provincial interests in relation to building strong communities, protecting the environment and supporting a strong economy. *Attachment 4* to this report provides a comparison of existing PPS provisions, proposed PPS provisions and existing ROP policies along with Regional staff comments. In most cases, the proposed PPS provisions offer more detail than the existing PPS framework and provides greater direction for planning authorities in undertaking their responsibilities. The key changes to the PPS are:

- Stronger direction to promote intensification, redevelopment and compact forms of development.
- The identification of priority growth areas to direct growth to appropriate areas.
- Providing tools to municipalities to contain growth and develop municipality-specific growth management strategies.
- Providing tools to assist in the protection of prime agricultural lands and specialty crop areas.

In considering the policy changes proposed it is important to remember that one of the key changes proposed through the Bill 26 *Planning Act* amendments, is that the decisions of Planning Authorities must “be consistent with” the PPS. This standard requires a higher level of compliance than the previous “have regard to” standard of the PPS.

Generally, Planning staff support the proposed changes to the PPS as they are positive, consistent and support the policies of the ROP. In fact, as discussed in the Background Section above, in many areas the Region already implements the policy changes proposed by the Province. However, there are a number of areas where further assistance and direction from the Province, new policy and implementation tools, financial mechanisms and consultation with upper and lower tier municipalities should be explored to implement the Vision for growth in the Province and, more particularly, in south-central Ontario. The following paragraphs summarize the proposed changes to the proposed PPS, by key policy area, according to the background information provided. Staff’s comments on the changes and their effect on the Region’s initiatives are summarized in Section 4.2.4, immediately following the summary paragraphs.

4.2.1 Building Strong Communities

It is the Province’s goal to promote land use and development patterns that support strong, liveable and healthy communities over the long term. To achieve this goal, revisions to the “Strong Communities” policies of the PPS are organized by policy theme area and discussed in the following paragraphs:

a) Promoting intensification, infill and brownfield development.

The revisions specify that new development should take place in designated growth areas and in a compact form that comprises a mix of uses and densities that allow for the efficient use of land and infrastructure. Opportunities for intensification and redevelopment of “brownfields”, defunct industrial lands that are often in need of environmental rehabilitation, should be utilized prior to considering the extension of growth into new “greenfield” areas.

Alteration of any part of a settlement area boundary will only be permitted after a comprehensive review of the supply of land, intensification and infill opportunities has been undertaken and it has been determined that there is an insufficient supply of land for an appropriate mix of housing over a 20 year planning horizon.

b) Promoting the revitalization of existing settlement areas, downtowns and mainstreets.

The revisions specify that the vitality and viability of downtowns and mainstreets are to be maintained and that focused investment through identification of priority growth areas shall be undertaken.

c) Permitting upper tier municipalities to establish minimum density and intensification targets for urban areas and corridors and the identification of priority growth areas.

The revisions specify that upper-tier municipalities will be encouraged to establish minimum densities in appropriate areas and that priority growth areas are to be identified to direct growth to the appropriate areas. The policies of the proposed PPS state that it is an upper-tier municipality’s role to direct growth including the allocation of population, housing and employment projections for lower-tier municipalities and ensure an adequate supply of land and opportunities to accommodate range/mix of industrial, commercial and other employment uses to meet long-term needs.

d) Supporting a full range and mix of housing including affordable and special needs.

The revisions require that municipalities set minimum targets for the provision of housing which is affordable to low and moderate income households. The term “affordable” is defined as:

- “a) in the case of ownership housing, the least expensive of:
 - i) housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or
 - ii) housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;
- b) in the case of rental housing, the least expensive of:

- i) *a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or*
- ii) *a unit for which the rent is at or below the average market rent of a unit in the regional market area.”*

The proposed PPS defines “low and moderate income households” as: “...households with incomes in the lowest 60% of the income distribution for the regional market area.”

The revisions to the PPS specify that all planning authorities will provide a full range of housing densities and types to meet projected demographic, market and special needs and minimize the costs of housing by facilitating a compact urban form. New housing development is to be directed towards locations where appropriate levels of infrastructure and public services are or will be available to support it.

- e) *Supporting an improved jobs/housing balance to promote people working within their communities.*

The revisions specify that efficient and balanced land use patterns that meet the long-term needs of municipalities will be promoted.

4.2.2 Protecting The Environment

Within this Policy theme are a number of policy areas dealing with the wise use and management of Resources. To achieve this goal, revisions to the “Protecting the Environment” policies, dealing with Natural Heritage, Agriculture, Mineral Aggregates and Sewer and Water of the PPS are discussed in the following paragraphs:

- a) *Natural Heritage*

The revisions specify that the diversity and long-term ecological function of natural heritage systems should be maintained. Development and site alteration will not be permitted in significant habitat of endangered and threatened species, significant wetlands, and significant coastal wetlands in specified geographic regions. Furthermore, development will not be permitted on lands adjacent those lands unless the ecological function of the natural features has been evaluated.

- b) *Protecting prime agricultural and specialty crop areas.*

The revisions specify that all planning authorities will protect prime agricultural areas for long-term use for agriculture; prime agricultural areas are defined as lands identified as predominantly Classes 1 to 3 soils by the Canada Land Inventory index. Lot creation in prime agricultural areas will be discouraged and only permitted for agricultural and related uses and infrastructure.

- c) *Mineral Aggregate Resources*

Policies dealing with Mineral Aggregate Resources have been expanded from the current PPS to include a statement that prevents the requirement for a demonstration of need, including a supply/demand analysis, for a mineral aggregate resource.

d) Sewer and water infrastructure.

The revisions specify that all Planning Authorities will provide a long-term approach to protecting and improving the quality and quantity of water resources using watersheds as a basis for comprehensive land use planning. Restrictions on development and site alteration shall be identified with a view to protecting sources of municipal drinking water and to protect and restore sensitive surface and groundwater features.

All planning authorities shall provide a comprehensive, integrated long-term approach to municipal sewage services with a view to accommodating expected population growth in an efficient manner. Where municipal water and wastewater services are not available, limited private and communal systems will be permitted subject to specific criteria.

4.2.3 Supporting a Strong Economy

It is the Province's goal to achieve long-term prosperity based on growth and resource management. This will be supported by a diversified economic base that supports a range of available employment lands. To achieve this goal, revisions to the policies of the PPS are organized by policy area and discussed in the following paragraphs:

a) Ensuring an adequate supply of land and opportunities to create an employment/residential balance.

Consistent with the Strong Community policies discussed in Subsections 4.2.1(b) and (f) above, the revisions to the PPS state the importance of optimizing the long-term availability of land and resources to provide a balance of land uses and in maintaining the viability of downtowns and mainstreets. While these goals are essential to sustaining a strong economy, they will also work towards promoting a higher quality of life for area residents. Providing an efficient and sustainable mix of land uses will support the introduction of alternative forms of transportation and activity.

b) Recognizing that long-term prosperity depends on a diversified economy.

The revisions to the PPS specify that maintaining a variety of available employment lands and fostering a land use planning context that supports a broad spectrum of industrial and commercial uses, will diversify the Province's economy. Diversification is key to reducing the negative impacts of economic down-turns.

c) Requiring that municipalities identify priority growth areas.

The revisions to the PPS specify that appropriate areas should be identified to direct growth. This will ensure the most effective and efficient use of infrastructure and it supports logical development patterns and reduces the need for greenfield development.

d) Requiring the linking of infrastructure planning and land use planning.

The revisions to the PPS specify that a coordinated effort needs to be used to ensure that there is a timely, logical provision of infrastructure to support growth.

4.2.4 Staff Comments on Revision to PPS

Planning staff generally support the proposed changes to the PPS as they are consistent with the policies of the ROP. The Region, through the ROP, already:

- Promotes intensification, infill and growth in identified settlement areas.
- Promotes the vitality of downtowns.
- Is working towards setting minimum density targets in and along key centres and corridors through the ROPA 43 initiative.
- Establishes a target for the provision of affordable housing across the Region.

Staff have identified a number of areas where further assistance and direction from the Province and consultation is required to implement the change of direction proposed through the PPS. The following paragraphs summarize Staff's comments on the changes and their effect on the Region's initiatives by policy area.

a) Building Strong Communities Through Directing Growth and Intensification

The proposed changes are consistent with existing ROP policies and emerging directions through ROPA 43, the Centres and Corridors Amendment.

However, more detailed principles of managing growth, consistent with Smart Growth, should be embodied in the policies of the PPS. As discussed in a Regional Planning staff report to Planning and Economic Development Committee, adopted by Council on October 11, 2001, the Regional Planning Commissioners of Ontario (RPCO) paper on Smart Growth, contains a number of specific recommendations that should be reflected as Provincial policy to achieve the stated growth management objectives. These are:

- Maintain a firm urban boundary to accommodate long-term growth.
- Change urban boundaries only if the target densities are being achieved and it is considered as part of a comprehensive official plan review.
- Establish and monitor targets for minimum residential and employment densities.
- Give priority to infill development and redevelopment within urban areas over greenfield forms of development.

The proposed PPS introduces policy that is in keeping with and addresses each of these RPCO issues.

The ROP designates Urban Areas and Towns and Villages throughout the Region. These areas will be the location of growth for the long-term. This sets out a sustainable regional structure that protects the Regional Greenlands System, ensures the protection of agricultural, rural and resource areas and allows for long-term infrastructure planning.

Designating areas as "priority growth areas" should have a positive impact on human services and improve the overall quality of life in our communities. Staff recommend that stronger policies and a more streamlined process be introduced for those areas identified as priority growth areas. Furthermore, a more up-to-date and comprehensive definition of "public services" be included in the PPS to include human services and

programs that support a safe, caring and healthy community and promote a high quality of life.

b) Affordable Housing

The ROP currently requires that a minimum of 25% of new units across the Region be affordable and defines “affordable housing” as:

“Housing that would have a price or rent that is affordable to households of low and moderate income. Households of low and moderate income are defined as households within the lowest 60% of the income distribution for the housing market area.”

The Region has undertaken a Housing Strategy and the policies of the ROP are consistent with those of the proposed PPS.

While staff support of the changes there are a number of improvements that could be made in this section. Regional staff suggest there be separate statements for the need and definitions for both “low income households” and “moderate income households” and that provision of second-suites in existing dwellings be included as options for the achievement of affordable housing.

It is understood any such targets for “low income households” cannot be achieved in the normal course by private market developers and as such the Province would need to identify, with municipalities, their respective affordable housing needs, and assist with measures that cannot be met through normal development processes in the private housing market.

Housing affordability is now a Regional issue as 30 percent of residents are spending more than 30 percent of their gross household income on housing. Furthermore, the Region cannot accept downloaded costs for meeting provincially imposed requirements.

c) Setting and Achieving a Jobs/Housing Balance

These policy directions are consistent with the existing ROP policies but, the PPS should provide more specific direction with respect to targets and provide municipalities the practical tools to work towards creating:

- More balanced live-work communities.
- Implement the principles of the Centres and Corridors initiative.
- Prepare Provincially endorsed Regional and area-specific population and employment targets.

The Province should support upper-tier municipalities in the preparation and implementation of the area-specific balance/mix targets.

d) Protecting the Environment

The Draft Natural Heritage and Water Policies of the PPS, while representing supportable improvements over the current policy framework, require more specificity and strength to

assist at least the GTA municipalities in protecting remaining natural heritage features and functions. Further, on-going work at the Provincial level in Source Water Protection must be integrated into the Water section of the Draft Policy Statement. It is staff's understanding is that this work is a key Provincial Initiative to be implemented province-wide to ensure safe potable water supplies for Ontario residents.

Detailed analysis of the draft policies is on-going and additional specific issues will be identified for review with Provincial staff, Regional staff have identified the following key areas where improvements are required:

- Inclusion of the mandatory “shall” where words such as “should” are currently used, such as in the preamble to the Natural Heritage Policies.
- Assistance in protecting “evaluated” not just “provincially significant wetlands” from development and site alteration.
- Applications of a strong consistent policy framework for key natural heritage and hydrologic features, including wetlands, woodlands, streams with fish habitat and Life Science Areas of Natural and Scientific Interest (ANSIs).
- Expansion of Draft policy 2.1.3.1 to identify that while existing agricultural operations may continue in natural heritage features, new agricultural operations and expansions of existing uses may not.
- References should be made to the preparation and implementation of Source Water Protection Plans and Water Balance and Budgets in a manner similar to those in place on the Oak Ridges Moraine.
- Definitions common to the Provincial Source Water Protection works and the ORMCP should be used throughout the PPS.
- Assistance in protecting significant woodlots.
- Assistance in protecting the middle reaches of river watersheds, between the protected areas of the Oak Ridges Moraine and the identification of the major river corridors.

e) Protecting Agricultural Areas

Staff support the changes to discourage lot creation in prime agricultural areas. The PPS should articulate that agriculture is important from an economic, lifestyle and production basis. The focus should be on making the agricultural industry viable as a first principle and promote flexibility in farm-related uses to support the industry.

f) Mineral Aggregate Resources

In this rapidly urbanizing area, the proposed policy addition that prevents the requirement for a demonstration of need, including a supply/demand analysis, for a mineral aggregate resource raises a Regional issue. The demonstration of need for marginal resource quality, particularly those marginal resources found in close proximity to existing development, should be required. It is a Regional concern that without a supply/demand analysis, applications for aggregate extraction of low quality aggregate cannot reasonably be assessed against other competing uses in near urban situations.

g) *Link Between Infrastructure and Land Use Planning*

The capital projects of the Region intended to support growth projections are set out in a 10-year plan. A difficulty in accommodating the long-term growth of the rapidly urbanizing Region is the timely provision of essential infrastructure. The PPS needs to speak to the Province's support of the planning and implementation of critical infrastructure projects to accommodate and support growth. There appears to be a disconnect between Provincial agencies in this regard. For example, the onerous nature of the current Environmental Assessment process for essential public infrastructure needs to be revisited and the Ministry of Transportation's policies with respect to investment in highways have a direct impact on land use patterns and growth pressure throughout the Province.

The proposed changes are generally consistent and supportive of the policies of the ROP. However, as discussed above, much of the policy direction being considered by the Province is already being implemented by the Region. New policy, implementation tools and financial mechanisms are needed to implement and advance the Province's vision for growth in Ontario.

4.3 OMB Reform

Over the past several years, the government has heard a number of concerns about the Ontario Municipal Board (OMB) including concerns that the OMB substitutes its opinions for those of the elected officials, is inaccessible to the public and requires municipalities to devote scarce resources to defending decisions that have already dealt with through the planning process and that the municipal planning review process can be circumvented by early appeals to the OMB before a municipality has had an opportunity to review applications.

The revisions proposed to the *Planning Act* through Bill 26 include preventing appeals to the OMB on urban expansions that are opposed by municipal councils and increasing the length of time available for review and public consultation of planning applications before they may be appealed to the OMB. Another change proposed in Bill 26 that is likely to affect the OMB is the proposal to require that land-use decisions "be consistent with" provincial policies. This would replace the current wording of the Act, which says that decision-makers should "have regard to" provincial policies.

4.3.1 Staff Comments on OMB Reform

The OMB is an important body to ensure that good planning, based on a broad perspective of planning (not political issues) is practiced throughout the Province and that Provincial interests are protected.

In the past several years there have been a number of reports commenting on the functions of the Ontario Municipal Board undertaken both by the Board itself and by outside agencies. In response to the GTA Task Force on OMB Reform, in March, 2003, Regional Council adopted Clause 1 of Report 5 of the Planning and Economic Development Committee which recommended the following in regard to Ontario Municipal Board reform:

- That decisions of municipal councils should not be appealable, unless an error or impropriety has taken place. If an error can be demonstrated (and the onus is on the complaining party) then the OMB would hold a hearing “de novo”. The Ministry should review implementation of this proposal.
- That the *Planning Act* be amended to increase the appeal period to 150 days and the 150 day period not start until the application is complete and all supporting information necessary to review the application has been received.
- That the OMB be an independent and fair tribunal by: increasing the term of office of OMB members to six years, developing a job description, solicit qualified candidates widely, interview candidates by a multi-party screening committee before recommendation to Cabinet and provide open performance evaluation process
- That the GTA Task Force recommendation on supporting public participation through intervener funding be considered only after an evaluation of its advantages and disadvantages is carried out by the OMB and be limited to consideration of such funding only in the context of significant policy matters, and
- That the Ministry of Municipal Affairs and Housing review sections 17, 21 and 51 of the *Planning Act* in order to provide approval authorities with greater ability to scope appeals to official Plan Amendments and plans of subdivision.

A number of these changes have either been made within the Bill 26 amendments or are offered as part of the discussion and questions within the OMB discussion paper. It appears that the Province wishes to obtain more comments from the general public before further OMB reforms are considered. Regional staff continue to support the changes endorsed by Council in March 2003 and will continue to monitor the OMB reform process.

4.4 Relationship to Vision 2026

Many of the goal areas in Vision 2026 compliment and support the proposed Provincial Policy Statement including Quality Communities for a Diverse Population; Enhanced Environment, Heritage and Culture; A Vibrant Economy; Housing Choices for Our Residents; Managed and Balanced Growth; Infrastructure for a Growing Region, and; Engaged Communities and a Responsive Region.

5. FINANCIAL IMPLICATIONS

Efforts to streamline and rationalize the planning process and reduce the dependence and time spent at the Ontario Municipal Board will, in the long run assist the Region and its residents in achieving an efficient and fiscally responsible community.

The proposed planning reforms will assist the Region in achieving its objectives in city-building and transit, the protection of agricultural lands and the protection and securement of key environmental lands.

On the basis of the policies proposed to-date, few changes of more than a minor technical nature will be required to the Regional Official Plan.

Decisions regarding the financing of urban services have a direct impact on urban growth. Municipal financial tools and tax policy will have to be explored to encourage the private sector to build the compact urban form that is now being promoted by the Province. Currently, the Region has a limited ability to affect fiscal policy as many of the tools presently available, such as property taxes and development charges, are governed and defined by Provincial legislation.

6. LOCAL MUNICIPAL IMPACT

Changes in the planning process in the Province have been under discussion for some time and the Region and its area municipalities are proceeding to discuss issues and find common themes within these proposed reforms. All municipalities have the opportunity to have input into this process and will be consulted on an on-going basis.

7. CONCLUSION

The Province's move towards reforming the planning system is a positive exercise. The proposed changes should provide municipalities with greater direction and abilities to plan for appropriate long-term growth.

The implementation of the proposed Planning Reform changes will require the involvement of all levels of government. Like other municipalities in Ontario, the Region needs to secure additional long-term sources of revenue to provide the infrastructure needed to support development, redevelopment and intensification. More involvement is required from senior levels of government to ensure that the Region is provided the financial tools and funding mechanisms essential for the development of a compact and sustainable urban structure that is in keeping with Provincial policy.

There remain a number areas that staff have identified as areas that need more thought, including.

- Urban areas must have stronger Provincial policy.
- Development or changes in priority growth areas should be expedited.
- The Provincial ministries should be better integrated with respect to a land use planning approach.
- Now is the time for more Provincial involvement in implementation of programs.
- Critical infrastructure projects must be supported to support healthy and safe communities.

Regional staff will continue to work with Provincial staff regarding the detailed comments on these discussions papers and initiatives through the consultation process with a view to protecting the Region's planning and development goals and objectives.

The Senior Management Group has reviewed this report.

(A copy of the attachments referred to in the foregoing is included with this report and is also on file in the Regional Clerk's Office.)