

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 7, 2016

Item 25, Report No. 24, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 7, 2016, as follows:

By receiving Confidential Communication C4, from the Deputy City Manager, Legal & Human Resources, dated June 7, 2016.

**25 REQUESTED AMENDMENT TO THE PLANNING ACT TO ADDRESS ISSUES WITH
OFFICIAL PLAN AMENDMENTS THAT FOLLOW THE COMPLETION OF A
COMPREHENSIVE OFFICIAL PLAN REVIEW**

The Committee of the Whole recommends that the following resolution submitted by Regional Councillor Rosati, dated May 31, 2016, be approved subject to adding the following clause 4:

4. That in cases where a municipally initiated study such as a secondary plan or transportation study is underway that municipalities be provided the discretion under the *Planning Act* to determine whether or not a complete development application in the same area should proceed to consideration at a Statutory Public Hearing or to a Committee of Council, so that the amended resolution reads as follows:

Whereas, the Ontario Planning Act allows landowners to apply for official plan amendments at any time subject to the requirement for a complete application; and

Whereas, municipalities are required to process any such official plan amendment applications; and

Whereas, if a municipality fails to process such application or refuses the application, the applicant has the right to appeal to the Ontario Municipal Board; and

Whereas, the number of such applications has become more frequent in recent years; and

Whereas, Council and community members are becoming more and more frustrated in dealing with such amendment requests; and

Whereas, the Vaughan Official Plan 2010, which emerged from the City's previous Municipal Comprehensive Review, resulted in appeals that are complex, difficult, time-consuming and costly to resolve; and

Whereas, municipalities are required to review their Official Plans every five (5) years as per the Planning Act, and will have to take into account the requirements of the Places to Grow Act and other Acts and Plans; and

Whereas, Bill 73, an Act to amend the Development Charges Act, 1997, and the Planning Act, provides that during the two year period following the adoption of a new official plan, applications for amendments to the official plan will only be permitted with the approval of the municipal council; and

Whereas, there is a desire to ensure that there is a stable planning framework between official plan reviews that members of the public can rely on to define their communities and shape their investment decisions, without the need to consider piecemeal amendments to the plan.

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NOW THEREFORE BE IT RESOLVED:

1. That the Planning Act and other Acts as necessary be amended, to provide that once an official plan, or amendments resulting from a Municipal Comprehensive Review, is approved by the pertinent approval authority, municipalities be given the right to decline consideration of any applications to amend the approved Plan;
2. That such applications be held in abeyance until the next Municipal Comprehensive Review, and that the applicants no longer have the right to appeal the municipality's refusal to consider such Official Plan amendment applications to the Ontario Municipal Board until their consideration at the next Municipal Comprehensive Review;
3. That once an official plan, or amendments thereto resulting from a Municipal Comprehensive Review, is approved by the pertinent approval authority and the appeal period has closed following the issuance of the Notice of Decision, the disposition of the appeals be expedited by the Ontario Municipal Board such that they be resolved, generally, within one year of the first pre-hearing conference;
4. That in cases where a municipally initiated study such as a secondary plan or transportation study is underway that municipalities be provided the discretion under the *Planning Act* to determine whether or not a complete development application in the same area should proceed to consideration at a Statutory Public Hearing or to a Committee of Council; and
5. That this resolution be circulated to:
 - The Minister of Municipal Affairs and Housing;
 - The Regional Municipality of York;
 - GTA Municipalities;
 - The Honourable MP Deb Schulte;
 - The Honourable MP Francesco Sorbara; and
 - The Honourable MPP Steven Del Duca, Minister of Transportation.

Member's Resolution

Submitted by Regional Councillor Gino Rosati.

Whereas, the Ontario Planning Act allows landowners to apply for official plan amendments at any time subject to the requirement for a complete application; and

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Whereas, if a municipality fails to process such application or refuses the application, the applicant has the right to appeal to the Ontario Municipal Board; and

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Whereas, the Vaughan Official Plan 2010, which emerged from the City's previous Municipal Comprehensive Review, resulted in appeals that are complex, difficult, time-consuming and costly to resolve; and

Whereas, municipalities are required to review their Official Plans every five (5) years as per the Planning Act, and will have to take into account the requirements of the Places to Grow Act and other Acts and Plans; and

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 - The Honourable MP Francesco Sorbara; and
 - The Honourable MPP Steven Del Duca, Minister of Transportation.



MEMBER'S RESOLUTION

Date:	COMMITTEE OF THE WHOLE - MAY 31, 2016
Title:	REQUESTED AMENDMENT TO THE PLANNING ACT TO ADDRESS ISSUES WITH OFFICIAL PLAN AMENDMENTS THAT FOLLOW THE COMPLETION OF A COMPREHENSIVE OFFICIAL PLAN REVIEW
Submitted by:	REGIONAL COUNCILLOR GINO ROSATI

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4. That this resolution be circulated to:
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 - The Honourable MP Deb Schulte;
 - The Honourable MP Francesco Sorbara; and
 - The Honourable MPP Steven Del Duca, Minister of Transportation.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Rosati'.

Gino Rosati
Local and Regional Councillor