

Appendix 1: Planning Act Amendments

Through Bill 97, the following amendments to the *Planning Act* are proposed:

Fee Refund Provisions

- Delay the requirement for municipalities to refund zoning by-law and site plan application fees. The requirement will take effect on applications submitted on or after July 1, 2023.

Additional Residential Units

- Clarify that official plans can contain policies requiring more than one parking space be provided for the primary residential unit.
- Clarify that additional residential units are not limited to parcels of “urban” residential lands.

Employment Area Protections

- The definition of area of employment is replaced. The new definition includes manufacturing, warehousing and their associated retail or offices uses. The new definition excludes institutional uses and commercial, retail or office that are not associated with a manufacturing or warehousing use.

Appeals of Interim Control By-laws

- Enable the right to appeal the initial passing of an interim control by-law, in addition to the extension thereof.
- Reduce the requirement to give notice of the adoption of an interim control by-law to 20 days from 30, and set the appeal deadline 50 days after the date of passing of the by-law.

Minister’s Zoning Orders

- Allow the use of a Minister’s Zoning Order to exempt the application of the policy statements, provincial plans and official plan policies in order to establish a use permitted by the Minister’s zoning order.

Ministerial Authority to Require Development Agreements

- Provide the Minister of Municipal Affairs and Housing with the authority to require landowners to enter development agreements in relation to lands that have been assigned to the Provincial Land and Development Facilitator.

Regulation-Making Authority for Site Plan Control for 10 Units or Less

- Create regulation-making authority to prescribe specific circumstances where site plan control could be used for residential developments of 10 units or less.
- The proposed regulations would permit the use of site plan for parcels of land:
 - Any part of which is located within 120 metres of a shoreline; and

- Any part of which is located within 300 metres of a railway line.
- The changes are proposed to come into effect immediately on filing of the regulation.

