



MEMORANDUM

FROM: Arvin Prasad, Commissioner of Development Services

TO: Mayor and members of Council

PREPARED BY: Biju Karumanchery, Director of Planning and Urban Design

DATE: May 27, 2019

RE: Overview of Approval Processes and timelines for Official Plan Amendment; Zoning By-law Amendment; Draft Plan of Subdivision; and Site Plan Control

PURPOSE:

The purpose of this memorandum is to provide an overview of the approval processes and timelines for Official Plan Amendment (OPA); Zoning By-law Amendment (ZBA); Draft Plan of Subdivision (DPS); and Site Plan Control (SPC).

DISCUSSION:

While the approval processes for OPA, ZBA and DPS applications are not identical, they include the following main steps:

- Submission of a complete application
- Application circulation (4 to 6 weeks)
- Preparation of a Preliminary Report to DSC
- Statutory Public Meeting
- Recommendation Report to DSC
- DSC/ Council decision

The Planning Act sets out timelines for each of these application that establish when an application may be appealed due to non-decision by the City. The chart below identifies the timelines established in the Planning Act for each application, as well as the timing by which each of the key stages in the approval process would need to be completed in order to meet these prescribed timelines. It should be noted that the Planning Act only establishes the total timeline from submission of a Complete Application to the decision of the approval authority (far right column) not the intervening steps noted in this chart:

Application	Complete Application	Preliminary Report	Statutory Public Meeting	Recommendation Report	Decision of approval authority
OPA	0 Days	40 Days	90 Days	180 Days	210 Days
ZBA	0 Days	40 Days	60 Days	120 Days	150 Days
DPS	0 Days	40 Days	60 Days	150 Days	180 Days

When OPA and ZBA applications are filed at the same time, the planning act defers to the longest prescribed timelines and so the OPA timeline will apply to both applications.

It should also be noted that the City is the approval authority for ZBA and DPS applications. However, the Region of York is the approval authority for OPAs. When an OPA is deemed to be of local significance, the Region typically delegates final approval to the City. However, for major OPAs that affect Regional interests, the Region retains its approval authority and after Council adopts an Official Plan Amendment it does not come into effect until it receives Regional approval and an application may be appealed if Region does not make its decision within the 210 Day timeline.

The key stages in the SPC process include:

- Application submission
- Application circulation
- Recommendation report to Development Services Committee (if the Site Plan Approval By-law does not delegate approval to staff)
- Site Plan Endorsement
- Preparation and execution of Site Plan Agreement
- Site Plan Approval

The Planning Act establishes that a Site Plan Application may be referred to the LPAT if it is not approved within **30** days. This timeline has been in place for many years and has not been revised by any recent or proposed changes to the legislation. Given the steps involved even for a simple site plan approval, this timeline is often not met. Nevertheless, SPC applications are rarely appealed, and can only be appealed by the applicant.