

Bill 73 Amendments to the *Planning Act*

The following table provides a comparison of the *Planning Act*, with the amendments of Bill 73 *Smart Growth for Our Communities Act, 2015* (shown in red), which received Royal Assent on 3 December 2015. Sections 1.01-1.1, 5-7, 8.1-15, 16.1, 17.1, 19-20, 24-25, 27, 29-33, 35-36, 38-41, 43-44, 46-49.1, 50.1, 51.2-52, 54-69.2, 70.3-70.5, 71-77 of the *Planning Act* are not included in the table because Bill 73 does not make any amendments to those sections.

This table was prepared by Wood Bull LLP for convenience purposes only. For the most accurate reference, users should consult the official version of the Bill 73 at http://www.ontla.on.ca/web/bills/bills_detail.do?BillID=3176

<i>Planning Act</i>	<i>Planning Act with Bill 73 Amendments (3 December 2015)</i>
Planning Act R.S.O. 1990, CHAPTER P.13	Planning Act R.S.O. 1990, CHAPTER P.13
Interpretation	Interpretation
1. (1) In this Act,	1. (1) In this Act,
“area of employment” means an area of land designated in an official plan for clusters of business and economic uses including, without limitation, the uses listed in subsection (5), or as otherwise prescribed by regulation; (“zone d’emploi”)	“area of employment” means an area of land designated in an official plan for clusters of business and economic uses including, without limitation, the uses listed in subsection (5), or as otherwise prescribed by regulation; (“zone d’emploi”)
“area of settlement” means an area of land designated in an official plan for urban uses including urban areas, urban policy areas, towns, villages, hamlets, rural clusters, rural settlement areas, urban systems, rural service centres or future urban use areas, or as otherwise prescribed by regulation; (“zone de peuplement”)	“area of settlement” means an area of land designated in an official plan for urban uses including urban areas, urban policy areas, towns, villages, hamlets, rural clusters, rural settlement areas, urban systems, rural service centres or future urban use areas, or as otherwise prescribed by regulation; (“zone de peuplement”)
“committee of adjustment” means a committee of adjustment constituted under section 44; (“comité de dérogation”)	“committee of adjustment” means a committee of adjustment constituted under section 44; (“comité de dérogation”)
“First Nation” means a band as defined in the <i>Indian Act</i> (Canada); (“Première Nation”)	“First Nation” means a band as defined in the <i>Indian Act</i> (Canada); (“Première Nation”)
“land division committee” means a land division committee constituted under section 56; (“comité de morcellement des terres”)	“land division committee” means a land division committee constituted under section 56; (“comité de morcellement des terres”)
“local appeal body” means an appeal body for certain local land use planning matters, constituted under section 8.1; (“organisme d’appel local”)	“local appeal body” means an appeal body for certain local land use planning matters, constituted under section 8.1; (“organisme d’appel local”)
“local board” means any school board, public utility commission, transportation commission, public library board, board of park management, board of health, police services board, planning board or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes of a municipality or of two or more municipalities or portions thereof; (“conseil local”)	“local board” means any school board, public utility commission, transportation commission, public library board, board of park management, board of health, police services board, planning board or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes of a municipality or of two or more municipalities or portions thereof; (“conseil local”)
“Minister” means the Minister of Municipal Affairs and Housing; (“ministre”)	“Minister” means the Minister of Municipal Affairs and Housing; (“ministre”)

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“Municipal Board” means the Ontario Municipal Board; (“Commission des affaires municipales”)	“Municipal Board” means the Ontario Municipal Board; (“Commission des affaires municipales”)
	“payment in lieu” means a payment of money in lieu of a conveyance otherwise required under section 42, 51.1 or 53; (“paiement tenant lieu de cession”)
“prescribed” means prescribed by the regulations; (“prescrit”)	“prescribed” means prescribed by the regulations; (“prescrit”)
“provincial plan” means,	“provincial plan” means,
(a) the Greenbelt Plan established under section 3 of the <i>Greenbelt Act, 2005</i> ,	(a) the Greenbelt Plan established under section 3 of the <i>Greenbelt Act, 2005</i> ,
(b) the Niagara Escarpment Plan established under section 3 of the <i>Niagara Escarpment Planning and Development Act</i> ,	(b) the Niagara Escarpment Plan established under section 3 of the <i>Niagara Escarpment Planning and Development Act</i> ,
(c) the Oak Ridges Moraine Conservation Plan established under section 3 of the <i>Oak Ridges Moraine Conservation Act, 2001</i> ,	(c) the Oak Ridges Moraine Conservation Plan established under section 3 of the <i>Oak Ridges Moraine Conservation Act, 2001</i> ,
(d) a development plan approved under the <i>Ontario Planning and Development Act, 1994</i> ,	(d) a development plan approved under the <i>Ontario Planning and Development Act, 1994</i> ,
(e) a growth plan approved under the <i>Places to Grow Act, 2005</i> , or	(e) a growth plan approved under the <i>Places to Grow Act, 2005</i> , or
(f) a prescribed plan or policy or a prescribed provision of a prescribed plan or policy made or approved by the Lieutenant Governor in Council, a minister of the Crown, a ministry or a board, commission or agency of the Government of Ontario; (“plan provincial”)	(f) a prescribed plan or policy or a prescribed provision of a prescribed plan or policy made or approved by the Lieutenant Governor in Council, a minister of the Crown, a ministry or a board, commission or agency of the Government of Ontario; (“plan provincial”)
“public body” means a municipality, a local board, a ministry, department, board, commission, agency or official of a provincial or federal government or a First Nation; (“organisme public”)	“public body” means a municipality, a local board, a ministry, department, board, commission, agency or official of a provincial or federal government or a First Nation; (“organisme public”)
“public work” means any improvement of a structural nature or other undertaking that is within the jurisdiction of the council of a municipality or a local board; (“travaux publics”)	“public work” means any improvement of a structural nature or other undertaking that is within the jurisdiction of the council of a municipality or a local board; (“travaux publics”)
“regulations” means regulations made under this Act. (“règlements”)	“regulations” means regulations made under this Act. (“règlements”)
“renewable energy generation facility” has the same meaning as in the <i>Electricity Act, 1998</i> ; (“installation de production d’énergie renouvelable”)	“renewable energy generation facility” has the same meaning as in the <i>Electricity Act, 1998</i> ; (“installation de production d’énergie renouvelable”)
“renewable energy project” has the same meaning as in the <i>Green Energy Act, 2009</i> ; (“projet d’énergie renouvelable”)	“renewable energy project” has the same meaning as in the <i>Green Energy Act, 2009</i> ; (“projet d’énergie renouvelable”)

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“renewable energy testing facility” has the same meaning as in the <i>Green Energy Act, 2009</i> ; (“installation d’évaluation du potentiel en énergie renouvelable”)	“renewable energy testing facility” has the same meaning as in the <i>Green Energy Act, 2009</i> ; (“installation d’évaluation du potentiel en énergie renouvelable”)
“renewable energy testing project” has the same meaning as in the <i>Green Energy Act, 2009</i> ; (“projet d’évaluation du potentiel en énergie renouvelable”)	“renewable energy testing project” has the same meaning as in the <i>Green Energy Act, 2009</i> ; (“projet d’évaluation du potentiel en énergie renouvelable”)
“renewable energy undertaking” means a renewable energy generation facility, a renewable energy project, a renewable energy testing facility or a renewable energy testing project; (“entreprise d’énergie renouvelable”)	“renewable energy undertaking” means a renewable energy generation facility, a renewable energy project, a renewable energy testing facility or a renewable energy testing project; (“entreprise d’énergie renouvelable”)
“residential unit” means a unit that,	“residential unit” means a unit that,
(a) consists of a self-contained set of rooms located in a building or structure,	(a) consists of a self-contained set of rooms located in a building or structure,
(b) is used or intended for use as residential premises, and	(b) is used or intended for use as residential premises, and
(c) contains kitchen and bathroom facilities that are intended for the use of the unit only. (“unité d’habitation”)	(c) contains kitchen and bathroom facilities that are intended for the use of the unit only. (“unité d’habitation”)
Limitation	Limitation
(2) The term “public body” in subsection (1) excludes all ministries of the Province of Ontario except the Ministry of Municipal Affairs and Housing in respect of subsections 17 (24), (36) and (40), 22 (7.4), 34 (19), 38 (4), 45 (12), 51 (39), (43) and (48) and 53 (19) and (27).	(2) The term “public body” in subsection (1) excludes all ministries of the Province of Ontario except the Ministry of Municipal Affairs and Housing in respect of subsections 17 (24), (36), and (40) and (44.1), 22 (7.4), 34 (19) and (24.1), 38 (4), 45 (12), 51 (39), (43), and (48) and (52.1) and 53 (19) and (27).
Designation	Designation
(3) Despite subsection (2), the Minister may by regulation designate any other ministry of the Province of Ontario to be a public body for the purpose of the provisions referred to in subsection (2).	(3) Despite subsection (2), the Minister may by regulation designate any other ministry of the Province of Ontario to be a public body for the purpose of the provisions referred to in subsection (2).
Exclusion	Exclusion
(4) The Minister may by regulation exclude any board, commission, agency or official of the Province of Ontario from the definition of “public body” set out in subsection (1) in respect of the provisions referred to in subsection (2).	(4) The Minister may by regulation exclude any board, commission, agency or official of the Province of Ontario from the definition of “public body” set out in subsection (1) in respect of the provisions referred to in subsection (2).
Uses re “area of employment”	Uses re “area of employment”
(5) The uses referred to in the definition of “area of employment” in subsection (1) are,	(5) The uses referred to in the definition of “area of employment” in subsection (1) are,
(a) manufacturing uses;	(a) manufacturing uses;
(b) warehousing uses;	(b) warehousing uses;
(c) office uses;	(c) office uses;

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(d) retail uses that are associated with uses mentioned in clauses (a) to (c); and	(d) retail uses that are associated with uses mentioned in clauses (a) to (c); and
(e) facilities that are ancillary to uses mentioned in clauses (a) to (d).	(e) facilities that are ancillary to uses mentioned in clauses (a) to (d).
<i>[Sections 1.01 - 1.1]</i>	<i>[No amendments to Sections 1.01 - 1.1]</i>
PART I PROVINCIAL ADMINISTRATION	PART I PROVINCIAL ADMINISTRATION
Provincial interest	Provincial interest
2. The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,	2. The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,
(a) the protection of ecological systems, including natural areas, features and functions;	(a) the protection of ecological systems, including natural areas, features and functions;
(b) the protection of the agricultural resources of the Province;	(b) the protection of the agricultural resources of the Province;
(c) the conservation and management of natural resources and the mineral resource base;	(c) the conservation and management of natural resources and the mineral resource base;
(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;	(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
(e) the supply, efficient use and conservation of energy and water;	(e) the supply, efficient use and conservation of energy and water;
(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;	(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
(g) the minimization of waste;	(g) the minimization of waste;
(h) the orderly development of safe and healthy communities;	(h) the orderly development of safe and healthy communities;
(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;	(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;
(i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;	(i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;
(j) the adequate provision of a full range of housing, including affordable housing;	(j) the adequate provision of a full range of housing, including affordable housing;
(k) the adequate provision of employment opportunities;	(k) the adequate provision of employment opportunities;
(l) the protection of the financial and economic well-being of the Province and its municipalities;	(l) the protection of the financial and economic well-being of the Province and its municipalities;
(m) the co-ordination of planning activities of public bodies;	(m) the co-ordination of planning activities of public bodies;

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(n) the resolution of planning conflicts involving public and private interests;	(n) the resolution of planning conflicts involving public and private interests;
(o) the protection of public health and safety;	(o) the protection of public health and safety;
(p) the appropriate location of growth and development;	(p) the appropriate location of growth and development;
(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.	(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians
	(r) the promotion of built form that, (i) is well-designed, (ii) encourages a sense of place, and (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.
Decisions of councils and approval authorities	Decisions of councils and Approval authorities and Municipal Board to have regard to certain matters
2.1 When an approval authority or the Municipal Board makes a decision under this Act that relates to a planning matter, it shall have regard to,	2.1 (1) When an approval authority or the Municipal Board makes a decision under this Act that relates to a planning matter, it shall have regard to,
(a) any decision that is made under this Act by a municipal council or by an approval authority and relates to the same planning matter; and	(a) any decision that is made under this Act by a municipal council or by an approval authority and relates to the same planning matter; and
(b) any supporting information and material that the municipal council or approval authority considered in making the decision described in clause (a).	(b) any supporting information and material that the municipal council or approval authority considered in making the decision described in clause (a).
	Same, Municipal Board
	(2) When the Municipal Board makes a decision under this Act that relates to a planning matter that is appealed because of the failure of a municipal council or approval authority to make a decision, the Board shall have regard to any information and material that the municipal council or approval authority received in relation to the matter..
	Same
	(3) For greater certainty, references to information and material in subsections (1) and (2) include, without limitation, written and oral submissions from the public relating to the planning matter.
Policy statements	Policy statements
3. (1) The Minister, or the Minister together with any other minister of the Crown, may from time to time issue policy statements that have been approved by the Lieutenant Governor in Council on matters relating to municipal planning that in the opinion of the Minister are of provincial interest.	3. (1) The Minister, or the Minister together with any other minister of the Crown, may from time to time issue policy statements that have been approved by the Lieutenant Governor in Council on matters relating to municipal planning that in the opinion of the Minister are of provincial interest.

<i>Planning Act</i>	Planning Act with Bill 73 Amendments (3 December 2015)
Minister to confer	Minister to confer
(2) Before issuing a policy statement, the Minister shall confer with such persons or public bodies that the Minister considers have an interest in the proposed statement.	(2) Before issuing a policy statement, the Minister shall confer with such persons or public bodies that the Minister considers have an interest in the proposed statement.
Notice	Notice
(3) If a policy statement is issued under subsection (1), the Minister shall cause it to be published in <i>The Ontario Gazette</i> and shall give such further notice of it, in such manner as the Minister considers appropriate, to all members of the Assembly and to any other persons or public bodies that the Minister considers have an interest in the statement.	(3) If a policy statement is issued under subsection (1), the Minister shall cause it to be published in <i>The Ontario Gazette</i> and shall give such further notice of it, in such manner as the Minister considers appropriate, to all members of the Assembly and to any other persons or public bodies that the Minister considers have an interest in the statement.
Idem	Idem
(4) Each municipality that receives notice of a policy statement under subsection (3) shall in turn give notice of the statement to each local board of the municipality that it considers has an interest in the statement.	(4) Each municipality that receives notice of a policy statement under subsection (3) shall in turn give notice of the statement to each local board of the municipality that it considers has an interest in the statement.
Policy statements and provincial plans	Policy statements and provincial plans
(5) A decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Municipal Board, in respect of the exercise of any authority that affects a planning matter,	(5) A decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Municipal Board, in respect of the exercise of any authority that affects a planning matter,
(a) shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision; and	(a) shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision; and
(b) shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be.	(b) shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be.
Same	Same
(6) Comments, submissions or advice affecting a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government,	(6) Comments, submissions or advice affecting a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government,
(a) shall be consistent with the policy statements issued under subsection (1) that are in effect on the date the comments, submissions or advice are provided; and	(a) shall be consistent with the policy statements issued under subsection (1) that are in effect on the date the comments, submissions or advice are provided; and
(b) shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be.	(b) shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be.
Duties of Minister unaffected	Duties of Minister unaffected
(7) Except as provided in subsections (5) and (6), nothing in this section affects nor restricts the Minister in carrying out the Minister's duties and responsibilities under this Act.	(7) Except as provided in subsections (5) and (6), nothing in this section affects nor restricts the Minister in carrying out the Minister's duties and responsibilities under this Act.

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(8), (9) Repealed: 1996, c. 4, s. 3.	(8), (9) Repealed: 1996, c. 4, s. 3.
Review	Review
(10) The Minister shall, at least every five years from the date that a policy statement is issued under subsection (1), ensure that a review of the policy statement is undertaken for the purpose of determining the need for a revision of the policy statement.	(10) The Minister shall, at least every five 10 years from the date that a policy statement is issued under subsection (1), ensure that a review of the policy statement is undertaken for the purpose of determining the need for a revision of the policy statement.
Delegation of Minister's powers	Delegation of Minister's powers
4. (1) The Minister, on the request of the council of any municipality, may, by order, delegate to the council any of the Minister's authority under this Act, other than the authority to approve or the authority to exempt from approval the official plan or amendments to the official plan of the municipality of which it is the council and, where the Minister has delegated any such authority, the council has, in lieu of the Minister, all the powers and rights of the Minister in respect thereof and the council shall be responsible for all matters pertaining thereto, including, without limiting the generality of the foregoing, the referral of any matter to the Municipal Board.	4. (1) The Minister, on the request of the council of any municipality, may, by order, delegate to the council any of the Minister's authority under this Act, other than the authority to approve or the authority to exempt from approval the official plan or amendments to the official plan of the municipality of which it is the council and, where the Minister has delegated any such authority, the council has, in lieu of the Minister, all the powers and rights of the Minister in respect thereof and the council shall be responsible for all matters pertaining thereto, including, without limiting the generality of the foregoing, the referral of any matter to the Municipal Board.
Same	Same
(2) The Minister, on the request of the planning board of any planning area in a territorial district, may, by order, delegate to the planning board any of the Minister's authority under this Act, other than the authority to approve or the authority to exempt from approval an official plan or amendments to an official plan, and where the Minister has delegated any such authority the planning board has, in lieu of the Minister, all the powers and rights of the Minister in respect thereof and the planning board shall be responsible for all matters pertaining thereto, including, without limiting the generality of the foregoing, the referral of any matter to the Municipal Board.	(2) The Minister, on the request of the planning board of any planning area in a territorial district, may, by order, delegate to the planning board any of the Minister's authority under this Act, other than the authority to approve or the authority to exempt from approval an official plan or amendments to an official plan, and where the Minister has delegated any such authority the planning board has, in lieu of the Minister, all the powers and rights of the Minister in respect thereof and the planning board shall be responsible for all matters pertaining thereto, including, without limiting the generality of the foregoing, the referral of any matter to the Municipal Board.
Delegation where no request is made	Delegation where no request is made
(2.1) The Minister may, after the prescribed notice is given, by order delegate to the council of an upper-tier municipality or a single-tier municipality any of the Minister's authority described in subsection (1) if the municipality has an official plan.	(2.1) The Minister may, after the prescribed notice is given, by order delegate to the council of an upper-tier municipality or a single-tier municipality any of the Minister's authority described in subsection (1) if the municipality has an official plan.
Delegation to planning board	Delegation to planning board
(2.2) The Minister may, after the prescribed notice is given, by order delegate to a planning board any of the Minister's authority described in subsection (2) if the planning board has an official plan.	(2.2) The Minister may, after the prescribed notice is given, by order delegate to a planning board any of the Minister's authority described in subsection (2) if the planning board has an official plan.
(3) Repealed: 1994, c. 23, s. 7.	(3) Repealed: 1994, c. 23, s. 7.

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Conditions	Conditions
(4) A delegation made by the Minister under this section may be subject to such conditions as the Minister may by order provide.	(4) A delegation made by the Minister under this section may be subject to such conditions as the Minister may by order provide.
Withdrawal of delegation of powers	Withdrawal of delegation of powers
(5) The Minister may by order, accompanied by a written explanation therefor, withdraw any delegation made under this section and, without limiting the generality of the foregoing, such withdrawal may be either in respect of one or more applications for approval specified in the order or in respect of any or all applications for approval made subsequent to the withdrawal of the delegation, and immediately following any such withdrawal the council or the planning board, as the case may be, shall forward to the Minister all papers, plans, documents and other material in the possession of the municipal corporation or the planning board that relate to any matter in respect of which the authority was withdrawn and of which a final disposition was not made by the council or the planning board prior to such withdrawal.	(5) The Minister may by order, accompanied by a written explanation therefor, withdraw any delegation made under this section and, without limiting the generality of the foregoing, such withdrawal may be either in respect of one or more applications for approval specified in the order or in respect of any or all applications for approval made subsequent to the withdrawal of the delegation, and immediately following any such withdrawal the council or the planning board, as the case may be, shall forward to the Minister all papers, plans, documents and other material in the possession of the municipal corporation or the planning board that relate to any matter in respect of which the authority was withdrawn and of which a final disposition was not made by the council or the planning board prior to such withdrawal.
<i>[Sections 5 - 7]</i>	<i>[No amendments to Sections 5 - 7]</i>
PART II LOCAL PLANNING ADMINISTRATION	PART II LOCAL PLANNING ADMINISTRATION
Planning advisory committee	Planning advisory committee
	Mandatory for certain municipalities
8. (1) The council of a municipality may appoint a planning advisory committee composed of such persons as the council may determine.	8. (1) The council of a every upper-tier municipality and the council of every single-tier municipality that is not in a territorial district, except the council of the Township of Pelee, shall may appoint a planning advisory committee composed of such persons as the council may determine in accordance with this section.
	Optional for other municipalities
	(2) The council of a lower-tier municipality, the council of a single-tier municipality that is in a territorial district or the council of the Township of Pelee may appoint a planning advisory committee in accordance with this section.
Joint planning by agreement	Joint planning by agreement
(2) The councils of two or more municipalities may enter into agreement to provide for the joint undertaking of such matters of a planning nature as may be agreed upon and may appoint a joint planning advisory committee composed of such persons as they may determine.	(3)-(2) The councils of two or more municipalities described in subsection (2) may enter into an agreement to provide for the joint undertaking of such matters of a planning nature as may be agreed upon and may appoint a joint planning advisory committee composed of such persons as they may determine in accordance with this section.

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	Membership
	(4) The members of a planning advisory committee shall be chosen by the council and shall include at least one resident of the municipality who is neither a member of a municipal council nor an employee of the municipality.
	Same
	(5) Subsection (4) applies with respect to a joint planning advisory committee, with necessary modifications.
Remuneration	Remuneration
(3) Persons appointed to a committee under this section may be paid such remuneration and expenses as the council or councils may determine, and where a joint committee is appointed, the councils may by agreement provide for apportioning to their respective municipalities the costs of the payments.	(6) (3) Persons appointed to a committee under this section may be paid such remuneration and expenses as the council or councils may determine, and where a joint committee is appointed, the councils may by agreement provide for apportioning the costs of the payments to their respective municipalities the costs of the payments .
<i>[Sections 8.1 - 15]</i>	<i>[No amendments to Sections 8.1-15]</i>
PART III OFFICIAL PLANS	PART III OFFICIAL PLANS
Contents of official plan	Contents of official plan
16. (1) An official plan shall contain,	16. (1) An official plan shall contain,
(a) goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the municipality or part of it, or an area that is without municipal organization; and	(a) goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the municipality or part of it, or an area that is without municipal organization; and
	(b) a description of the measures and procedures for informing and obtaining the views of the public in respect of,
	(i) proposed amendments to the official plan or proposed revisions of the plan,
	(ii) proposed zoning by-laws,
	(iii) proposed plans of subdivision, and
	(iv) proposed consents under section 53; and
(b) such other matters as may be prescribed.	(c) (b) such other matters as may be prescribed.
Same	Same
(2) An official plan may contain,	(2) An official plan may contain,
(a) a description of the measures and procedures proposed to attain the objectives of the plan;	(a) a description of the measures and procedures proposed to attain the objectives of the plan;

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(b) a description of the measures and procedures for informing and obtaining the views of the public in respect of a proposed amendment to the official plan or proposed revision of the plan or in respect of a proposed zoning by-law; and	(b) a description of the measures and procedures for informing and obtaining the views of the public in respect of a proposed amendment to the official plan or proposed revision of the plan or in respect of a proposed zoning by-law planning matters not mentioned in clause (1) (b); and
(c) such other matters as may be prescribed.	(c) such other matters as may be prescribed.
Second unit policies	Second unit policies
(3) Without limiting what an official plan is required to or may contain under subsection (1) or (2), an official plan shall contain policies that authorize the use of a second residential unit by authorizing,	(3) Without limiting what an official plan is required to or may contain under subsection (1) or (2), an official plan shall contain policies that authorize the use of a second residential unit by authorizing,
(a) the use of two residential units in a detached house, semi-detached house or rowhouse if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains a residential unit; and	(a) the use of two residential units in a detached house, semi-detached house or rowhouse if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains a residential unit; and
(b) the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse if the detached house, semi-detached house or rowhouse contains a single residential unit.	(b) the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse if the detached house, semi-detached house or rowhouse contains a single residential unit.
(4) Repealed: 1996, c. 4, s. 8 (2).	(4) Repealed: 1996, c. 4, s. 8 (2).
[Section 16.1]	[No amendments to Section 16.1]
Approvals	Approvals
17. (1) Except as otherwise provided in this section, the Minister is the approval authority in respect of the approval of a plan as an official plan for the purposes of this section.	17. (1) Except as otherwise provided in this section, the Minister is the approval authority in respect of the approval of a plan as an official plan for the purposes of this section.
Approval by upper-tier municipality	Approval by upper-tier municipality
(2) An upper-tier municipality is the approval authority in respect of an official plan of a lower-tier municipality for the purposes of this section if the upper-tier municipality has an approved official plan.	(2) An upper-tier municipality is the approval authority in respect of an official plan of a lower-tier municipality for the purposes of this section if the upper-tier municipality has an approved official plan.
(3) Repealed: 2002, c. 17, Sched. B, s. 5 (2).	(3) Repealed: 2002, c. 17, Sched. B, s. 5 (2).
Upper-tier become approval authority	Upper-tier become approval authority
(4) On the day that all or part of a plan that covers an upper-tier municipality comes into effect as the official plan of a municipality, the upper-tier municipality is the approval authority in respect of the approval of a plan as an official plan of a lower-tier municipality.	(4) On the day that all or part of a plan that covers an upper-tier municipality comes into effect as the official plan of a municipality, the upper-tier municipality is the approval authority in respect of the approval of a plan as an official plan of a lower-tier municipality.
(5) Repealed: 2002, c. 17, Sched. B, s. 5 (4).	(5) Repealed: 2002, c. 17, Sched. B, s. 5 (4).
Removal of power	Removal of power
(6) The Minister may by order, accompanied by a written explanation for it, remove the power given under subsection (2) or (4) and the order may be in respect of the plan or	(6) The Minister may by order, accompanied by a written explanation for it, remove the power given under subsection (2) or (4) and the order may be in respect of the plan or

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proposed official plan amendment specified in the order or in respect of any or all plans or proposed official plan amendments submitted for approval after the order is made.	proposed official plan amendment specified in the order or in respect of any or all plans or proposed official plan amendments submitted for approval after the order is made.
Transfer of approval authority	Transfer of approval authority
(7) If an order is made under subsection (6), the Minister becomes the approval authority in respect of the plans and proposed official plan amendments to which the order relates and the council of the former approval authority shall forward to the Minister all papers, plans, documents and other material that relate to any matter in respect of which the power was removed and of which a final disposition was not made by the approval authority.	(7) If an order is made under subsection (6), the Minister becomes the approval authority in respect of the plans and proposed official plan amendments to which the order relates and the council of the former approval authority shall forward to the Minister all papers, plans, documents and other material that relate to any matter in respect of which the power was removed and of which a final disposition was not made by the approval authority.
Revocation	Revocation
(8) If the Minister revokes the order or part of the order made under subsection (6), the council reverts back to being the approval authority in respect of all plans or proposed official plan amendments to which the revoked order or revoked part of the order applied.	(8) If the Minister revokes the order or part of the order made under subsection (6), the council reverts back to being the approval authority in respect of all plans or proposed official plan amendments to which the revoked order or revoked part of the order applied.
Exemption	Exemption
(9) Subject to subsection 26 (6), the Minister may by order exempt a plan or proposed official plan amendment from his or her approval under this section and the order may be in respect of the plan or proposed official plan amendment specified in the order or in respect of any or all plans or proposed official plan amendments.	(9) Subject to subsection 26 (6), the Minister may by order exempt a plan or proposed official plan amendment from his or her approval under this section and the order may be in respect of the plan or proposed official plan amendment specified in the order or in respect of any or all plans or proposed official plan amendments.
Authority to exempt	Authority to exempt
(10) The Minister may by order authorize an approval authority to pass a by-law,	(10) The Minister may by order authorize an approval authority to pass a by-law,
(a) exempting any or all plans or proposed official plan amendments from its approval under this section; and	(a) exempting any or all plans or proposed official plan amendments from its approval under this section; and
(b) exempting a plan or proposed official plan amendment from its approval under this section.	(b) exempting a plan or proposed official plan amendment from its approval under this section.
Conditions	Conditions
(11) An exemption under subsection (9) or (10) or an authorization under subsection (10) may be subject to such conditions as the Minister or the approval authority may provide in the order or by-law.	(11) An exemption under subsection (9) or (10) or an authorization under subsection (10) may be subject to such conditions as the Minister or the approval authority may provide in the order or by-law.
Removal of exemption or authorization	Removal of exemption or authorization
(12) The Minister may by order or an approval authority may by by-law, accompanied by a written explanation for it, remove any exemption made under subsection (9) or (10) or any authorization made under subsection (10).	(12) The Minister may by order or an approval authority may by by-law, accompanied by a written explanation for it, remove any exemption made under subsection (9) or (10) or any authorization made under subsection (10).

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Mandatory adoption	Mandatory adoption
(13) A plan shall be prepared and adopted and, unless exempt from approval, submitted for approval by the council of a prescribed municipality.	(13) A plan shall be prepared and adopted and, unless exempt from approval, submitted for approval by the council of a prescribed municipality.
Discretionary adoption	Discretionary adoption
(14) The council of a municipality not prescribed under subsection (13) may prepare and adopt a plan and, unless the plan is exempt from approval, submit it for approval.	(14) The council of a municipality not prescribed under subsection (13) may prepare and adopt a plan and, unless the plan is exempt from approval, submit it for approval.
Consultation and public meeting	Consultation and public meeting
(15) In the course of the preparation of a plan, the council shall ensure that,	(15) In the course of the preparation of a plan, the council shall ensure that,
(a) the appropriate approval authority is consulted on the preparation of the plan and given an opportunity to review all supporting information and material and any other prescribed information and material, even if the plan is exempt from approval;	(a) the appropriate approval authority is consulted on the preparation of the plan and given an opportunity to review all supporting information and material and any other prescribed information and material, even if the plan is exempt from approval;
(b) the prescribed public bodies are consulted on the preparation of the plan and given an opportunity to review all supporting information and material and any other prescribed information and material;	(b) the prescribed public bodies are consulted on the preparation of the plan and given an opportunity to review all supporting information and material and any other prescribed information and material;
(c) adequate information and material, including a copy of the current proposed plan, is made available to the public, in the prescribed manner, if any; and	(c) adequate information and material, including a copy of the current proposed plan, is made available to the public, in the prescribed manner, if any; and
(d) at least one public meeting is held for the purpose of giving the public an opportunity to make representations in respect of the current proposed plan.	(d) at least one public meeting is held for the purpose of giving the public an opportunity to make representations in respect of the current proposed plan.
Open house	Open house
(16) If the plan is being revised under section 26 or amended in relation to a development permit system, the council shall ensure that at least one open house is held for the purpose of giving the public an opportunity to review and ask questions about the information and material made available under clause (15) (c).	(16) If the plan is being revised under section 26 or amended in relation to a development permit system, the council shall ensure that at least one open house is held for the purpose of giving the public an opportunity to review and ask questions about the information and material made available under clause (15) (c).
Notice	Notice
(17) Notice of the public meeting required under clause (15) (d) and of the open house, if any, required under subsection (16) shall,	(17) Notice of the public meeting required under clause (15) (d) and of the open house, if any, required under subsection (16) shall,
(a) be given to the prescribed persons and public bodies, in the prescribed manner; and	(a) be given to the prescribed persons and public bodies, in the prescribed manner; and
(b) be accompanied by the prescribed information.	(b) be accompanied by the prescribed information.

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	Time for provision of copy to Minister
	(17.1) A copy of the current proposed plan or official plan amendment shall be submitted to the Minister at least 90 days before the municipality gives notice under sub-section (17) if,
	(a) the Minister is the approval authority in respect of the plan or amendment; and
	(b) the plan or amendment is not exempt from approval.
	Transition
	(17.2) Subsection (17.1) does not apply if the notice is given within 120 days after subsection 18 (1) of the <i>Smart Growth for Our Communities Act, 2015</i> comes into force.
Timing of open house	Timing of open house
(18) If an open house is required under subsection (16), it shall be held no later than seven days before the public meeting required under clause (15) (d) is held.	(18) If an open house is required under subsection (16), it shall be held no later than seven days before the public meeting required under clause (15) (d) is held.
Timing of public meeting	Timing of public meeting
(19) The public meeting required under clause (15) (d) shall be held no earlier than 20 days after the requirements for giving notice have been complied with.	(19) The public meeting required under clause (15) (d) shall be held no earlier than 20 days after the requirements for giving notice have been complied with.
Information and material	Information and material
(19.1) The information and material referred to in clause (15) (c), including a copy of the current proposed plan, shall be made available to the public at least 20 days before the public meeting required under clause (15) (d) is held.	(19.1) The information and material referred to in clause (15) (c), including a copy of the current proposed plan, shall be made available to the public at least 20 days before the public meeting required under clause (15) (d) is held.
Participation in public meeting	Participation in public meeting
(19.2) Every person who attends a public meeting required under clause (15) (d) shall be given an opportunity to make representations in respect of the current proposed plan.	(19.2) Every person who attends a public meeting required under clause (15) (d) shall be given an opportunity to make representations in respect of the current proposed plan.
Alternative procedure	Alternative procedure
(19.3) If an official plan sets out alternative measures for informing and obtaining the views of the public in respect of amendments that may be proposed for the plan and if the measures are complied with, subsections (15) to (19.2) do not apply to the proposed amendments, but subsections (19.4) and (19.6) do apply.	(19.3) If an official plan sets out alternative measures for informing and obtaining the views of the public in respect of amendments that may be proposed for the plan and if the measures are complied with, subsections (15) to (19.2) and clause 22(6.4) (a) do not apply to the proposed amendments, but subsections (19.4) and (19.6) does apply.
	Same
	(19.4) In the course of preparing the official plan, before including alternative measures described in subsection (19.3), the council shall consider whether it would be desirable for the measures to allow for notice of the proposed amendments to the prescribed persons and public bodies mentioned in clause (17) (a).

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	Transition
	(19.4.1) For greater certainty, subsection (19.4) does not apply with respect to alternative measures that are included in an official plan before the day subsection 18 (3) of the <i>Smart Growth for Our Communities Act, 2015</i> comes into force.
Open house	Open house
(19.4) If subsection (19.3) applies and the plan is being revised under section 26 or amended in relation to a development permit system,	(19.4) If subsection (19.3) applies and the plan is being revised under section 26 or amended in relation to a development permit system;
(a) the council shall ensure that at least one open house is held for the purpose of giving the public an opportunity to review and ask questions about the proposed amendments; and	(a) the council shall ensure that at least one open house is held for the purpose of giving the public an opportunity to review and ask questions about the proposed amendments; and
(b) if a public meeting is also held, the open house shall be held no later than seven days before the public meeting.	(b) if a public meeting is also held, the open house shall be held no later than seven days before the public meeting.
Information	Information
(19.5) At a public meeting under clause (15) (d), the council shall ensure that information is made available to the public regarding who is entitled to appeal under subsections (24) and (36).	(19.5) At a public meeting under clause (15) (d), the council shall ensure that information is made available to the public regarding who is entitled to appeal under subsections (24) and (36).
Where alternative procedures followed	Where alternative procedures followed
(19.6) If subsection (19.3) applies, the information required under subsection (19.5) shall be made available to the public at a public meeting or in the manner set out in the official plan for informing and obtaining the views of the public in respect of the proposed amendments.	(19.6) If subsection (19.3) applies, the information required under subsection (19.5) shall be made available to the public at a public meeting or in the manner set out in the official plan for informing and obtaining the views of the public in respect of the proposed amendments.
Submissions	Submissions
(20) Any person or public body may make written submissions to the council before a plan is adopted.	(20) Any person or public body may make written submissions to the council before a plan is adopted.
Comments	Comments
(21) The council shall provide to any person or public body that the council considers may have an interest in the plan adequate information and material, including a copy of the plan and, before adopting the plan, shall give them an opportunity to submit comments on it up to the time specified by the council.	(21) The council shall provide to any person or public body that the council considers may have an interest in the plan adequate information and material, including a copy of the plan and, before adopting the plan, shall give them an opportunity to submit comments on it up to the time specified by the council.
Adoption of plan	Adoption of plan
(22) When the requirements of subsections (15) to (21), as appropriate, have been met and the council is satisfied that the plan as finally prepared is suitable for adoption, the council may by by-law adopt all or part of the plan and, unless the plan is exempt from approval, submit it for approval.	(22) When the requirements of subsections (15) to (21), as appropriate, have been met and the council is satisfied that the plan as finally prepared is suitable for adoption, the council may by by-law adopt all or part of the plan and, unless the plan is exempt from approval, submit it for approval.

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Notice	Notice
(23) The council shall, not later than 15 days after the day the plan was adopted, ensure that written notice is given of its adoption containing the prescribed information to,	(23) The council shall, not later than 15 days after the day the plan was adopted , ensure that written notice of the adoption of the plan is given of its adoption containing in the prescribed manner-information to , no later than 15 days after the day it was adopted,
(a) the appropriate approval authority, whether or not the plan is exempt from approval, unless the approval authority has notified the municipality that it does not wish to receive copies of the notices of adoption;	(a) to the appropriate approval authority, whether or not the plan is exempt from approval, unless the approval authority has notified the municipality that it does not wish to receive copies of the notices of adoption;
(b) each person or public body that filed with the clerk of the municipality a written request to be notified if the plan is adopted; and	(b) to each person or public body that filed with the clerk of the municipality a written request to be notified if the plan is adopted; and
(c) any other person or public body prescribed.	(c) to any other person or public body that is prescribed.
	Contents
	(23.1) The notice under subsection (23) shall contain,
	(a) a brief explanation of the effect, if any, that the written and oral submissions mentioned in subsection (23.2) had on the decision; and
	(b) any other information that is prescribed.
	Written and oral submissions
	(23.2) Clause (23.1) (a) applies to,
	(a) any written submissions relating to the plan that were made to the council before its decision; and
	(b) any oral submissions relating to the plan that were made at a public meeting.
Right to appeal	Right to appeal
(24) If the plan is exempt from approval, any of the following may, not later than 20 days after the day that the giving of notice under subsection (23) is completed, appeal all or part of the decision of council to adopt all or part of the plan to the Municipal Board by filing a notice of appeal with the clerk of the municipality:	(24) If the plan is exempt from approval, any of the following may, not later than 20 days after the day that the giving of notice under subsection (23) is completed, appeal all or part of the decision of council to adopt all or part of the plan to the Municipal Board by filing a notice of appeal with the clerk of the municipality:
1. A person or public body who, before the plan was adopted, made oral submissions at a public meeting or written submissions to the council.	1. A person or public body who, before the plan was adopted, made oral submissions at a public meeting or written submissions to the council.
2. The Minister.	2. The Minister.
3. The appropriate approval authority.	3. The appropriate approval authority.
4. In the case of a request to amend the plan, the person or public body that made the request.	4. In the case of a request to amend the plan, the person or public body that made the request.

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No appeal re second unit policies	No appeal re second unit policies
(24.1) Despite subsection (24), there is no appeal in respect of the policies described in subsection 16 (3), including, for greater certainty, any requirements or standards that are part of such policies.	(24.1) Despite subsection (24), there is no appeal in respect of the policies described in subsection 16 (3), including, for greater certainty, any requirements or standards that are part of such policies.
Exception	Exception
(24.2) Subsection (24.1) does not apply to an official plan or official plan amendment adopted in accordance with subsection 26 (1).	(24.2) Subsection (24.1) does not apply to an official plan or official plan amendment adopted in accordance with subsection 26 (1).
	No global appeal
	(24.2) Despite subsection (24), in the case of a new official plan there is no appeal in respect of all of the decision of council to adopt all of the plan.
	Same
	(24.3) For greater certainty, subsection (24.2) does not prevent an appeal relating to a part of the decision or a part of the plan, as authorized by subsection (24).
	No appeal re certain matters
	(24.4) Despite subsection (24), there is no appeal in respect of a part of an official plan that is described in subsection (24.5).
	Same
	(24.5) Subsections (24.4) and (36.4) apply to a part of an official plan that,
	(a) identifies an area as being within the boundary of,
	(i) a vulnerable area as defined in subsection 2 (1) of the Clean Water Act, 2006,
	(ii) the Lake Simcoe watershed as defined in section 2 of the Lake Simcoe Protection Act, 2008,
	(iii) the Greenbelt Area or Protected Countryside as defined in subsection 1 (1) of the Greenbelt Act, 2005, or within the boundary of a specialty crop area designated by the Greenbelt Plan established under that Act, or
	(iv) the Oak Ridges Moraine Conservation Plan Area as defined in subsection 3 (1) of the Oak Ridges Moraine Conservation Plan established under the Oak Ridges Moraine Conservation Act, 2001;
	(b) identifies forecasted population and employment growth as set out in a growth plan that,
	(i) is approved under the Places to Grow Act, 2005, and

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	(ii) applies to the Greater Golden Horseshoe growth plan area designated in Ontario Regulation 416/05 (Growth Plan Areas) made under that Act;
	(c) in the case of the official plan of a lower-tier municipality in the Greater Golden Horseshoe growth plan area mentioned in subclause (b) (ii), identifies forecasted population and employment growth as allocated to the lower-tier municipality in the upper-tier municipality's official plan, but only if the upper-tier municipality's plan has been approved by the Minister; or
	(d) in the case of the official plan of a lower-tier municipality, identifies the boundary of an area of settlement to reflect the boundary set out in the upper-tier municipality's official plan, but only if the upper-tier municipality's plan has been approved by the Minister.
Notice of appeal	Notice of appeal
(25) The notice of appeal filed under subsection (24) must,	(25) The notice of appeal filed under subsection (24) must,
(a) set out the specific part of the plan to which the notice applies, if the notice does not apply to all of the plan;	(a) set out the specific part of the plan to which the notice applies, if the notice does not apply to all of the plan;
(b) set out the reasons for the appeal; and	(b) set out the reasons for the appeal; and
(c) be accompanied by the fee prescribed under the <i>Ontario Municipal Board Act</i> .	(c) be accompanied by the fee prescribed under the <i>Ontario Municipal Board Act</i> .
	Same
	(25.1) If the appellant intends to argue that the appealed decision is inconsistent with a policy statement issued under subsection 3 (1), fails to conform with or conflicts with a provincial plan or, in the case of the official plan of a lower-tier municipality, fails to conform with the upper-tier municipality's official plan, the notice of appeal must also explain how the decision is inconsistent with, fails to conform with or conflicts with the other document.
Timing	Timing
(26) For the purposes of subsections (24) and (36), the giving of written notice shall be deemed to be completed,	(26) For the purposes of subsections (24), and (36); and (41.1) the giving of written notice shall be deemed to be completed,
(a) where notice is given by personal service, on the day that the serving of all required notices is completed;	(a) where notice is given by personal service, on the day that the serving of all required notices is completed;
	(a.1) where notice is given by e-mail, on the day that the sending by e-mail of all required notices is completed;
(b) where notice is given by mail, on the day that the mailing of all required notices is completed; and	(b) where notice is given by mail, on the day that the mailing of all required notices is completed; and

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(c) where notice is given by telephone transmission of a facsimile of the notice, on the day that the transmission of all required notices is completed.	(c) where notice is given by telephone transmission of a facsimile of the notice, on the day that the transmission of all required notices is completed.
	Use of dispute resolution techniques
	(26.1) When a notice of appeal is filed under subsection (24), the council may use mediation, conciliation or other dispute resolution techniques to attempt to resolve the dispute.
	Notice and invitation
	(26.2) If the council decides to act under subsection (26.1),
	(a) it shall give a notice of its intention to use dispute resolution techniques to all the appellants; and
	(b) it shall give an invitation to participate in the dispute resolution process to,
	(i) as many of the appellants as the council considers appropriate,
	(ii) in the case of a request to amend the plan, the person or public body that made the request,
	(iii) the Minister,
	(iv) the appropriate approval authority, and
	(v) any other persons or public bodies that the council considers appropriate.
	Extension of time
	(26.3) When the council gives a notice under clause (26.2) (a), the 15-day period mentioned in clauses (29) (b) and (c) and subsections (29.1) and (29.2) is extended to 75 days.
	Participation voluntary
	(26.4) Participation in the dispute resolution process by the persons and public bodies who receive invitations under clause (26.2) (b) is voluntary.
Decision final	Decision final
(27) If no notice of appeal is filed under subsection (24) in respect of all or part of the decision of council and the time for filing appeals has expired,	(27) If no notice of appeal is filed under subsection (24) in respect of all or part of the decision of council and the time for filing appeals has expired,
(a) the decision of council or the part of the decision that is not the subject of an appeal is final; and	(a) the decision of council or the part of the decision that is not the subject of an appeal is final; and
(b) the plan or part of the plan that was adopted and that is not the subject of an appeal comes into effect as an official plan or part of an official plan on the day after the last day for filing a notice of appeal.	(b) the plan or part of the plan that was adopted and that is not the subject of an appeal comes into effect as an official plan or part of an official plan on the day after the last day for filing a notice of appeal.

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Declaration	Declaration
(28) A sworn declaration of an employee of the municipality or of the approval authority that notice was given as required by subsection (23) or (35) or that no notice of appeal was filed under subsection (24) or (36) within the time allowed for appeal is conclusive evidence of the facts stated in it.	(28) A sworn declaration of an employee of the municipality or of the approval authority that notice was given as required by subsection (23) or (35) or that no notice of appeal was filed under subsection (24) or (36) within the time allowed for appeal is conclusive evidence of the facts stated in it.
Forwarding of record, etc.	Forwarding of record, etc.
(29) If a notice of appeal under subsection (24) is filed, the clerk of the municipality shall ensure that,	(29) If a notice of appeal under subsection (24) is filed, the clerk of the municipality shall ensure that,
(a) a record is compiled which includes the prescribed information and material;	(a) a record is compiled which includes the prescribed information and material;
(b) the record, the notice of appeal and the fee prescribed under the <i>Ontario Municipal Board Act</i> are forwarded to the Municipal Board within 15 days after the last day for filing a notice of appeal;	(b) the record, the notice of appeal and the fee prescribed under the <i>Ontario Municipal Board Act</i> are forwarded to the Municipal Board within 15 days after the last day for filing a notice of appeal;
(c) the notice of appeal and the record are forwarded to the appropriate approval authority within 15 days after the last day for filing a notice of appeal, whether or not the plan is exempt from the requirement for an approval, unless the approval authority has notified the municipality that it does not wish to receive copies of the notices of appeal and the records; and	(c) the notice of appeal and the record are forwarded to the appropriate approval authority within 15 days after the last day for filing a notice of appeal, whether or not the plan is exempt from the requirement for an approval, unless the approval authority has notified the municipality that it does not wish to receive copies of the notices of appeal and the records; and
(d) such other information or material as the Municipal Board may require in respect of the appeal is forwarded to the Board.	(d) such other information or material as the Municipal Board may require in respect of the appeal is forwarded to the Board.
Exception	Exception
(29.1) Despite clause (29) (b), if all appeals under subsection (24) in respect of all or part of the decision of council are withdrawn within 15 days after the last day for filing a notice of appeal, the municipality is not required to forward the materials described under clauses (29) (b) and (d) to the Municipal Board and under clause (29) (c) to the appropriate approval authority.	(29.1) Despite clause (29) (b), if all appeals under subsection (24) in respect of all or part of the decision of council are withdrawn within 15 days after the last day for filing a notice of appeal, the municipality is not required to forward the materials described under clauses (29) (b) and (d) to the Municipal Board and under clause (29) (c) to the appropriate approval authority.
Where appeals withdrawn	Where appeals withdrawn
(29.2) If all appeals under subsection (24) in respect of all or part of the decision of council are withdrawn within 15 days after the last day for filing a notice of appeal, clauses (30) (a) and (b) apply.	(29.2) If all appeals under subsection (24) in respect of all or part of the decision of council are withdrawn within 15 days after the last day for filing a notice of appeal, clauses (30) (a) and (b) apply.
Withdrawal of appeals	Withdrawal of appeals
(30) If all appeals under subsection (24) in respect of all or part of the decision of council are withdrawn and the time for filing appeals has expired, the secretary of the Municipal Board shall notify the clerk of the municipality that made the decision and,	(30) If all appeals under subsection (24) in respect of all or part of the decision of council are withdrawn and the time for filing appeals has expired, the secretary of the Municipal Board shall notify the clerk of the municipality that made the decision and,

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(a) the decision or the part of the decision that was the subject of an appeal is final; and	(a) the decision or the part of the decision that was the subject of an appeal is final; and
(b) the plan or part of the plan that was adopted and in respect of which all appeals have been withdrawn comes into effect as an official plan or part of an official plan on the day the last outstanding appeal has been withdrawn.	(b) the plan or part of the plan that was adopted and in respect of which all appeals have been withdrawn comes into effect as an official plan or part of an official plan on the day the last outstanding appeal has been withdrawn.
Same	Same
(30.1) Subsection (30) also applies, with necessary modifications, when there is no longer any appeal with respect to a particular part of the decision of council as the result of a partial withdrawal of one or more appeals.	(30.1) Subsection (30) also applies, with necessary modifications, when there is no longer any appeal with respect to a particular part of the decision of council as the result of a partial withdrawal of one or more appeals.
Record	Record
(31) If the plan is not exempt from approval, the council shall cause to be compiled and forwarded to the approval authority, not later than 15 days after the day the plan was adopted, a record which shall include the prescribed information and material and any fee under section 69 or 69.1.	(31) If the plan is not exempt from approval, the council shall cause to be compiled and forwarded to the approval authority, not later than 15 days after the day the plan was adopted, a record which shall include the prescribed information and material and any fee under section 69 or 69.1.
Other information	Other information
(32) An approval authority may require that a council provide such other information or material that the approval authority considers it may need.	(32) An approval authority may require that a council provide such other information or material that the approval authority considers it may need.
Refusal to consider	Refusal to consider
(33) Until the approval authority has received the information, material and fee referred to in subsection (31),	(33) Until the approval authority has received the information, material and fee referred to in subsection (31),
(a) the approval authority may refuse to accept or further consider the plan; and	(a) the approval authority may refuse to accept or further consider the plan; and
(b) the time period referred to in subsection (40) does not begin.	(b) the time period referred to in subsection (40) does not begin.
Action by approval authority	Action by approval authority
(34) The approval authority may confer with any person or public body that it considers may have an interest in the plan and may,	(34) The approval authority may confer with any person or public body that it considers may have an interest in the plan and may,
(a) approve, modify and approve as modified or refuse to approve a plan; or	(a) approve, modify and approve as modified or refuse to approve a plan; or
(b) approve, modify and approve as modified or refuse to approve part or parts of the plan.	(b) approve, modify and approve as modified or refuse to approve part or parts of the plan.
	Exception, non-conforming lower-tier plan
	(34.1) Despite subsection (34), an approval authority shall not approve any part of a lower-tier municipality's plan if the plan or any part of it does not, in the approval authority's

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	opinion, conform with,
	(a) the upper-tier municipality's official plan;
	(b) a new official plan of the upper-tier municipality that was adopted before the 180th day after the lower-tier municipality adopted its plan, but is not yet in effect; or
	(c) a revision of the upper-tier municipality's official plan that was adopted in accordance with section 26, before the 180th day after the lower-tier municipality adopted its plan, but is not yet in effect.
	No restriction
	(34.2) Nothing in subsection (34.1) derogates from an approval authority's ability to modify a lower-tier municipality's plan and approve it as modified if the modifications remove any non-conformity described in that sub-section.
Notice	Notice
(35) If the approval authority makes a decision under subsection (34) it shall ensure that written notice of its decision containing the prescribed information is given to,	(35) If the approval authority makes a decision under subsection (34) it shall ensure that written notice of its decision containing the prescribed information is given to,
(a) the council or planning board that adopted the plan;	(a) the council or planning board that adopted the plan;
(b) each person or public body that made a written request to be notified of the decision;	(b) each person or public body that made a written request to be notified of the decision;
(c) each municipality or planning board to which the plan would apply if approved; and	(c) each municipality or planning board to which the plan would apply if approved; and
(d) any other person or public body prescribed.	(d) any other person or public body that is prescribed.
	Contents
	(35.1) The notice under subsection (35) shall contain,
	(a) a brief explanation of the effect, if any, that the written submissions mentioned in subsection (35.2) had on the decision; and
	(b) any other information that is prescribed.
	Written submissions
	(35.2) Clause (35.1) (a) applies to any written submissions relating to the plan that were made to the approval authority before its decision.
	Exception
	(35.3) If the notice under subsection (35) is given by the Minister and he or she is also giving notice of the matter in accordance with section 36 of the Environmental Bill of Rights, 1993, the brief explanation referred to in clause

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	(35.1) (a) is not required.
Appeal to O.M.B.	Appeal to O.M.B.
(36) Any of the following may, not later than 20 days after the day that the giving of notice under subsection (35) is completed, appeal all or part of the decision of the approval authority to the Municipal Board by filing a notice of appeal with the approval authority:	(36) Any of the following may, not later than 20 days after the day that the giving of notice under subsection (35) is completed, appeal all or part of the decision of the approval authority to the Municipal Board by filing a notice of appeal with the approval authority:
1. A person or public body who, before the plan was adopted, made oral submissions at a public meeting or written submissions to the council.	1. A person or public body who, before the plan was adopted, made oral submissions at a public meeting or written submissions to the council.
2. The Minister.	2. The Minister.
3. In the case of a request to amend the plan, the person or public body that made the request.	3. In the case of a request to amend the plan, the person or public body that made the request.
No appeal re second unit policies	No appeal re second unit policies
(36.1) Despite subsection (36), there is no appeal in respect of the policies described in subsection 16 (3), including, for greater certainty, any requirements or standards that are part of such policies.	(36.1) Despite subsection (36), there is no appeal in respect of the policies described in subsection 16 (3), including, for greater certainty, any requirements or standards that are part of such policies.
Exception	Exception No global appeal
(36.2) Subsection (36.1) does not apply to an official plan or official plan amendment adopted in accordance with subsection 26 (1).	(36.2) Subsection (36.1) does not apply to an official plan or official plan amendment adopted in accordance with subsection 26 (1).
	(36.2) Despite subsection (36), in the case of a new official plan there is no appeal in respect of all of the decision of the approval authority to approve all of the plan, with or without modifications.
	Same
	(36.3) For greater certainty, subsection (36.2) does not prevent an appeal relating to a part of the decision or a part of the plan, as authorized by subsection (36).
	No appeal re certain matters
	(36.4) Despite subsection (36), there is no appeal in respect of a part of an official plan that is described in subsection (24.5).
Contents of notice	Contents of notice
(37) The notice of appeal under subsection (36) must,	(37) The notice of appeal under subsection (36) must,
(a) set out the specific part or parts of the plan to which the notice of appeal applies unless the notice applies to all of the plan;	(a) set out the specific part or parts of the plan to which the notice of appeal applies unless the notice applies to all of the plan;
(b) set out the reasons for the appeal; and	(b) set out the reasons for the appeal; and
(c) be accompanied by the fee prescribed under the <i>Ontario</i>	(c) be accompanied by the fee prescribed under the <i>Ontario</i>

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<i>Municipal Board Act.</i>	<i>Municipal Board Act.</i>
	Same
	(37.1) If the appellant intends to argue that the appealed decision is inconsistent with a policy statement issued under subsection 3 (1), fails to conform with or conflicts with a provincial plan or, in the case of the official plan of a lower-tier municipality, fails to conform with the upper-tier municipality's official plan, the notice of appeal must also explain how the decision is inconsistent with, fails to conform with or conflicts with the other document.
	Use of dispute resolution techniques
	(37.2) When a notice of appeal is filed under subsection (36), the approval authority may use mediation, conciliation or other dispute resolution techniques to attempt to resolve the dispute.
	Notice and invitation
	(37.3) If the approval authority decides to act under subsection (37.2),
	(a) it shall give a notice of its intention to use dispute resolution techniques to all the appellants;
	(b) it shall give an invitation to participate in the dispute resolution process to,
	(i) as many of the appellants as the approval authority considers appropriate,
	(ii) in the case of a request to amend the plan, the person or public body that made the request,
	(iii) the Minister,
	(iv) the municipality that adopted the plan, and
	(v) any other persons or public bodies that the approval authority considers appropriate.
	Extension of time
	(37.4) When the approval authority gives a notice under clause (37.3) (a), the 15-day period mentioned in clause (42) (b) and subsections (42.1) and (42.2) is extended to 75 days.
	Participation voluntary
	(37.5) Participation in the dispute resolution process by the persons and public bodies who receive invitations under clause (37.3) (b) is voluntary.
Decision final	Decision final
(38) If no notice of appeal is filed under subsection (36) in respect of all or part of the decision of the approval authority	(38) If no notice of appeal is filed under subsection (36) in respect of all or part of the decision of the approval authority

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and the time for filing appeals has expired,	and the time for filing appeals has expired,
(a) the decision of the approval authority or the part of the decision that is not the subject of an appeal is final; and	(a) the decision of the approval authority or the part of the decision that is not the subject of an appeal is final; and
(b) the plan or part of the plan that was approved and that is not the subject of an appeal comes into effect as an official plan or part of an official plan on the day after the last day for filing a notice of appeal.	(b) the plan or part of the plan that was approved and that is not the subject of an appeal comes into effect as an official plan or part of an official plan on the day after the last day for filing a notice of appeal.
Withdrawal of appeals	Withdrawal of appeals
(39) If all appeals made under subsection (36) in respect of all or part of the decision of the approval authority are withdrawn and if the time for filing notice of appeal has expired, the secretary of the Municipal Board shall notify the approval authority that made the decision and,	(39) If all appeals made under subsection (36) in respect of all or part of the decision of the approval authority are withdrawn and if the time for filing notice of appeal has expired, the secretary of the Municipal Board shall notify the approval authority that made the decision and,
(a) the decision or that part of the decision that was the subject of the appeal is final; and	(a) the decision or that part of the decision that was the subject of the appeal is final; and
(b) the plan or part of the plan that was approved and in respect of which all the appeals have been withdrawn comes into effect as an official plan or part of an official plan on the day the last outstanding appeal has been withdrawn.	(b) the plan or part of the plan that was approved and in respect of which all the appeals have been withdrawn comes into effect as an official plan or part of an official plan on the day the last outstanding appeal has been withdrawn.
Appeal to O.M.B.	Appeal to O.M.B.
(40) If the approval authority fails to give notice of a decision in respect of all or part of a plan within 180 days after the day the plan is received by the approval authority, any person or public body may appeal to the Municipal Board with respect to all or any part of the plan in respect of which no notice of a decision was given by filing a notice of appeal with the approval authority.	(40) If the approval authority fails to give notice of a decision in respect of all or part of a plan within 180 days after the day the plan is received by the approval authority, or within the longer period determined under subsection (40.1), any person or public body may appeal to the Municipal Board with respect to all or any part of the plan in respect of which no notice of a decision was given by filing a notice of appeal with the approval authority, subject to subsection (41.1).
	Extension of time for appeal
	(40.1) The 180-day period referred to in subsection (40) may be extended in accordance with the following rules:
	1. In the case of an amendment requested under section 22, the person or public body that made the request may extend the period for up to 90 days by written notice to the approval authority.
	2. In all other cases, the municipality may extend the period for up to 90 days by written notice to the approval authority.
	3. The approval authority may extend the period for up to 90 days by written notice to the person or public body or to the municipality, as the case may be.

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	4. The notice must be given before the expiry of the 180-day period.
	5. Only one extension is permitted. If both sides give a notice extending the period, the notice that is given first governs.
	6. The person, public body, municipality or approval authority that gave or received a notice extending the period may terminate the extension at any time by another written notice.
	7. No notice of an extension or of the termination of an extension need be given to any other person or entity.
	Exception, non-conforming lower-tier plan
	(40.2) Despite subsection (40), there is no appeal with respect to any part of the plan of a lower-tier municipality if, within 180 days after receiving the plan, the approval authority states that the plan or any part of it does not, in the approval authority's opinion, conform with,
	(a) the upper-tier municipality's official plan;
	(b) a new official plan of the upper-tier municipality that was adopted before the 180th day after the lower-tier municipality adopted its plan, but is not yet in effect; or
	(c) a revision of the upper-tier municipality's official plan that was adopted in accordance with section 26, before the 180th day after the lower-tier municipality adopted its plan, but is not yet in effect.
	No review
	(40.3) The approval authority's opinion mentioned in subsection (40.2) is not subject to review by the Municipal Board.
	Time for appeal
	(40.4) If the approval authority states an opinion as described in subsection (40.2), the 180-day period mentioned in subsection (40) does not begin to run until the approval authority confirms that the non-conformity is resolved.
Notice of appeal	Notice of appeal
(41) A notice of appeal filed under subsection (40) must,	(41) A notice of appeal filed under subsection (40) must,
(a) set out the specific part of the plan to which the appeal applies, if the notice does not apply to all of the plan; and	(a) set out the specific part of the plan to which the appeal applies, if the notice does not apply to all of the plan; and
(b) be accompanied by the fee prescribed under the <i>Ontario Municipal Board Act</i> .	(b) be accompanied by the fee prescribed under the <i>Ontario Municipal Board Act</i> .

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	Notice limiting appeal period (41.1) At any time after receiving a notice of appeal under subsection (40), an approval authority may give the persons and public bodies listed in clauses (35) (a) to (d) a written notice, relating to the relevant plan and including the prescribed information; after the day that is 20 days after the day the giving of the notice is completed, no person or public body is entitled to appeal under subsection (40) with respect to the relevant plan.
Documents to O.M.B.	Documents to O.M.B.
(42) If an approval authority receives a notice of appeal under subsection (36) or (40), it shall ensure that,	(42) If an approval authority receives a notice of appeal under subsection (36) or (40), it shall ensure that,
(a) a record is compiled which includes the prescribed information and material;	(a) a record is compiled which includes the prescribed information and material;
(b) the record, notice of appeal and the fee prescribed under the <i>Ontario Municipal Board Act</i> are forwarded to the Municipal Board within 15 days after the last day for filing a notice of appeal under subsection (36) or within 15 days after the notice of appeal under subsection (40) was filed, as the case may be; and	(b) the record, notice of appeal and the fee prescribed under the <i>Ontario Municipal Board Act</i> are forwarded to the Municipal Board within 15 days after the last day for filing a notice of appeal under subsection (36) or within 15 days after the notice of appeal under subsection (40) was filed, as the case may be; and
(c) such other information or material as the Municipal Board may require in respect of the appeal is forwarded to the Board.	(c) such other information or material as the Municipal Board may require in respect of the appeal is forwarded to the Board.
Exception	Exception
(42.1) Despite clause (42) (b), if all appeals in respect of all or part of the plan are withdrawn within 15 days after the last day for filing a notice of appeal under subsection (36) or within 15 days after the notice of appeal under subsection (40) was filed, the approval authority is not required to forward the materials described under clauses (42) (b) and (c) to the Municipal Board.	(42.1) Despite clause (42) (b), if all appeals in respect of all or part of the plan are withdrawn within 15 days after the last day for filing a notice of appeal under subsection (36) or within 15 days after the notice of appeal under subsection (40) was filed, the approval authority is not required to forward the materials described under clauses (42) (b) and (c) to the Municipal Board.
Appeals withdrawn, decision	Appeals withdrawn, decision
(42.2) If all appeals made under subsection (36) in respect of all or part of the decision of the approval authority are withdrawn within 15 days after the last day for filing a notice of appeal, clauses (39) (a) and (b) apply.	(42.2) If all appeals made under subsection (36) in respect of all or part of the decision of the approval authority are withdrawn within 15 days after the last day for filing a notice of appeal, clauses (39) (a) and (b) apply.
Appeals withdrawn, plan	Appeals withdrawn, plan
(42.3) If all appeals under subsection (40) with respect to all or part of a plan are withdrawn within 15 days after the last day for filing a notice of appeal, the approval authority may proceed to make a decision under subsection (34) in respect of all or part of the plan, as the case may be.	(42.3) If all appeals under subsection (40) with respect to all or part of a plan are withdrawn within 15 days after the last day for filing a first notice of appeal under subsection (40) was filed, the approval authority may proceed to make a decision under subsection (34) in respect of all or part of the plan, as the case may be.

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Appeals withdrawn	Appeals withdrawn
(43) If all appeals under subsection (40) with respect to all or part of a plan are withdrawn, the Municipal Board shall notify the approval authority and the approval authority may proceed to make a decision under subsection (34) in respect of all or part of the plan, as the case may be.	(43) If all appeals under subsection (40) with respect to all or part of a plan are withdrawn, the Municipal Board shall notify the approval authority and the approval authority may proceed to make a decision under subsection (34) in respect of all or part of the plan, as the case may be.
Hearing	Hearing
(44) On an appeal to the Municipal Board, the Board shall hold a hearing of which notice shall be given to such persons or such public bodies and in such manner as the Board may determine.	(44) On an appeal to the Municipal Board, the Board shall hold a hearing of which notice shall be given to such persons or such public bodies and in such manner as the Board may determine.
Restriction re adding parties	Restriction re adding parties
(44.1) Despite subsection (44), in the case of an appeal under subsection (24) or (36), only the following may be added as parties:	(44.1) Despite subsection (44), in the case of an appeal under subsection (24) or (36), only the following may be added as parties:
1. A person or public body who satisfies one of the conditions set out in subsection (44.2).	1. A person or public body who satisfies one of the conditions set out in subsection (44.2).
2. The Minister.	2. The Minister.
3. The appropriate approval authority.	3. The appropriate approval authority.
Same	Same
(44.2) The conditions mentioned in paragraph 1 of subsection (44.1) are:	(44.2) The conditions mentioned in paragraph 1 of subsection (44.1) are:
1. Before the plan was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council.	1. Before the plan was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council.
2. The Municipal Board is of the opinion that there are reasonable grounds to add the person or public body as a party.	2. The Municipal Board is of the opinion that there are reasonable grounds to add the person or public body as a party.
New evidence at hearing	New evidence at hearing
(44.3) This subsection applies if information and material that is presented at the hearing of an appeal under subsection (24) or (36) was not provided to the municipality before the council made the decision that is the subject of the appeal.	(44.3) This subsection applies if information and material that is presented at the hearing of an appeal under subsection (24) or (36) was not provided to the municipality before the council made the decision that is the subject of the appeal.
Same	Same
(44.4) When subsection (44.3) applies, the Municipal Board may, on its own initiative or on a motion by the municipality or any party, consider whether the information and material could have materially affected the council's decision and, if the Board determines that it could have done so, it shall not be admitted into evidence until subsection (44.5) has been complied with and the prescribed time period has elapsed.	(44.4) When subsection (44.3) applies, the Municipal Board may, on its own initiative or on a motion by the municipality or any party, consider whether the information and material could have materially affected the council's decision and, if the Board determines that it could have done so, it shall not be admitted into evidence until subsection (44.5) has been complied with and the prescribed time period has elapsed.

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Notice to council	Notice to council
(44.5) The Municipal Board shall notify the council that it is being given an opportunity to,	(44.5) The Municipal Board shall notify the council that it is being given an opportunity to,
(a) reconsider its decision in light of the information and material; and	(a) reconsider its decision in light of the information and material; and
(b) make a written recommendation to the Board.	(b) make a written recommendation to the Board.
Council's recommendation	Council's recommendation
(44.6) The Municipal Board shall have regard to the council's recommendation if it is received within the time period referred to in subsection (44.4), and may but is not required to do so if it is received afterwards.	(44.6) The Municipal Board shall have regard to the council's recommendation if it is received within the time period referred to in subsection (44.4), and may but is not required to do so if it is received afterwards.
Conflict with SPPA	Conflict with SPPA
(44.7) Subsections (44.1) to (44.6) apply despite the <i>Statutory Powers Procedure Act</i> .	(44.7) Subsections (44.1) to (44.6) apply despite the <i>Statutory Powers Procedure Act</i> .
Dismissal without hearing	Dismissal without hearing
(45) Despite the <i>Statutory Powers Procedure Act</i> and subsection (44), the Municipal Board may dismiss all or part of an appeal without holding a hearing on its own initiative or on the motion of any party if,	(45) Despite the <i>Statutory Powers Procedure Act</i> and subsection (44), the Municipal Board may dismiss all or part of an appeal without holding a hearing on its own initiative or on the motion of any party if,
(a) it is of the opinion that,	(a) it is of the opinion that,
(i) the reasons set out in the notice of appeal do not disclose any apparent land use planning ground upon which the plan or part of the plan that is the subject of the appeal could be approved or refused by the Board,	(i) the reasons set out in the notice of appeal do not disclose any apparent land use planning ground upon which the plan or part of the plan that is the subject of the appeal could be approved or refused by the Board,
(ii) the appeal is not made in good faith or is frivolous or vexatious,	(ii) the appeal is not made in good faith or is frivolous or vexatious,
(iii) the appeal is made only for the purpose of delay, or	(iii) the appeal is made only for the purpose of delay, or
(iv) the appellant has persistently and without reasonable grounds commenced before the Board proceedings that constitute an abuse of process;	(iv) the appellant has persistently and without reasonable grounds commenced before the Board proceedings that constitute an abuse of process;
(b) Repealed: 2006, c. 23, s. 9 (10).	(b) Repealed: 2006, c. 23, s. 9 (10).
(c) the appellant has not provided written reasons with respect to an appeal under subsection (24) or (36);	(c) the appellant has not provided written reasons with respect to an appeal under subsection (24) or (36);
	(c.1) the appellant intends to argue a matter mentioned in subsection (25.1) or (37.1) but has not provided the explanations required by that subsection;
(d) the appellant has not paid the fee prescribed under the <i>Ontario Municipal Board Act</i> ; or	(d) the appellant has not paid the fee prescribed under the <i>Ontario Municipal Board Act</i> ; or
(e) the appellant has not responded to a request by the Municipal Board for further information within the time	(e) the appellant has not responded to a request by the Municipal Board for further information within the time

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specified by the Board.	specified by the Board.
Same	Same
(45.1) Despite the <i>Statutory Powers Procedure Act</i> and subsection (44), the Municipal Board may, on its own initiative or on the motion of the municipality, the appropriate approval authority or the Minister, dismiss all or part of an appeal without holding a hearing if, in the Board's opinion, the application to which the appeal relates is substantially different from the application that was before council at the time of its decision.	(45.1) Despite the <i>Statutory Powers Procedure Act</i> and subsection (44), the Municipal Board may, on its own initiative or on the motion of the municipality, the appropriate approval authority or the Minister, dismiss all or part of an appeal without holding a hearing if, in the Board's opinion, the application to which the appeal relates is substantially different from the application that was before council at the time of its decision.
Representation	Representation
(46) Before dismissing all or part of an appeal, the Municipal Board shall notify the appellant and give the appellant the opportunity to make representation on the proposed dismissal but this subsection does not apply if the appellant has not complied with a request made under clause (45) (e).	(46) Before dismissing all or part of an appeal, the Municipal Board shall notify the appellant and give the appellant the opportunity to make representation on the proposed dismissal but this subsection does not apply if the appellant has not complied with a request made under clause (45) (e).
Dismissal	Dismissal
(46.1) Despite the <i>Statutory Powers Procedure Act</i> , the Municipal Board may dismiss all or part of an appeal after holding a hearing or without holding a hearing on the motion under subsection (45) or (45.1), as it considers appropriate.	(46.1) Despite the <i>Statutory Powers Procedure Act</i> , the Municipal Board may dismiss all or part of an appeal after holding a hearing or without holding a hearing on the motion under subsection (45) or (45.1), as it considers appropriate.
Dismissal	Dismissal
(47) If the Municipal Board dismisses all appeals made under subsection (24) or (36) in respect of all or part of a decision without holding a hearing and if the time for filing notices of appeal has expired, the secretary of the Municipal Board shall notify the clerk of the municipality or the approval authority and,	(47) If the Municipal Board dismisses all appeals made under subsection (24) or (36) in respect of all or part of a decision without holding a hearing and if the time for filing notices of appeal has expired, the secretary of the Municipal Board shall notify the clerk of the municipality or the approval authority and,
(a) the decision or that part of the decision that was the subject of the appeal is final; and	(a) the decision or that part of the decision that was the subject of the appeal is final; and
(b) any plan or part of the plan that was adopted or approved and in respect of which all the appeals have been dismissed comes into effect as an official plan or part of an official plan on the day after the day the last outstanding appeal has been dismissed.	(b) any plan or part of the plan that was adopted or approved and in respect of which all the appeals have been dismissed comes into effect as an official plan or part of an official plan on the day after the day the last outstanding appeal has been dismissed.
Same	Same
(48) If the Municipal Board dismisses an appeal under subsection (40) without holding a hearing and if there is no other appeal in respect of the same matter, the secretary of the Board shall notify the approval authority and the approval authority may then proceed to make a decision under subsection (34) in respect of all or part of the plan, as the case may be.	(48) If the Municipal Board dismisses an appeal under subsection (40) without holding a hearing and if there is no other appeal in respect of the same matter, the secretary of the Board shall notify the approval authority and the approval authority may then proceed to make a decision under subsection (34) in respect of all or part of the plan, as the case may be.

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Transfer	Transfer
(49) If a notice of appeal under subsection (24), (36) or (40) is received by the Municipal Board, the Board may require that a municipality or approval authority transfer to the Board any other part of the plan that is not in effect and to which the notice of appeal does not apply.	(49) If a notice of appeal under subsection (24), (36) or (40) is received by the Municipal Board, the Board may require that a municipality or approval authority transfer to the Board any other part of the plan that is not in effect and to which the notice of appeal does not apply.
Powers of O.M.B.	Powers of O.M.B.
(50) On an appeal or a transfer, the Municipal Board may approve all or part of the plan as all or part of an official plan, make modifications to all or part of the plan and approve all or part of the plan as modified as an official plan or refuse to approve all or part of the plan.	(50) On an appeal or a transfer, the Municipal Board may approve all or part of the plan as all or part of an official plan, make modifications to all or part of the plan and approve all or part of the plan as modified as an official plan or refuse to approve all or part of the plan.
Same	Same
(50.1) For greater certainty, subsection (50) does not give the Municipal Board power to approve or modify any part of the plan that,	(50.1) For greater certainty, subsection (50) does not give the Municipal Board power to approve or modify any part of the plan that,
(a) is in effect; and	(a) is in effect; and
(b) was not dealt with in the decision of council to which the notice of appeal relates.	(b) was not dealt with in the decision of council to which the notice of appeal relates.
Matters of provincial interest	Matters of provincial interest
(51) Where an appeal is made to the Municipal Board under this section, the Minister, if he or she is of the opinion that a matter of provincial interest is, or is likely to be, adversely affected by the plan or the parts of the plan in respect of which the appeal is made, may so advise the Board in writing not later than 30 days before the day fixed by the Board for the hearing of the appeal and the Minister shall identify,	(51) Where an appeal is made to the Municipal Board under this section, the Minister, if he or she is of the opinion that a matter of provincial interest is, or is likely to be, adversely affected by the plan or the parts of the plan in respect of which the appeal is made, may so advise the Board in writing not later than 30 days before the day fixed by the Board for the hearing of the appeal and the Minister shall identify,
(a) the provisions of the plan by which the provincial interest is, or is likely to be, adversely affected; and	(a) the provisions of the plan by which the provincial interest is, or is likely to be, adversely affected; and
(b) the general basis for the opinion that a matter of provincial interest is, or is likely to be, adversely affected.	(b) the general basis for the opinion that a matter of provincial interest is, or is likely to be, adversely affected.
No hearing or notice required	No hearing or notice required
(52) The Minister is not required to give notice or to hold a hearing before taking any action under subsection (51).	(52) The Minister is not required to give notice or to hold a hearing before taking any action under subsection (51).
Confirmation by L.G. in C.	Confirmation by L.G. in C.
(53) If the Municipal Board has received notice from the Minister under subsection (51), the decision of the Board is not final and binding in respect of the provisions identified in the notice unless the Lieutenant Governor in Council has confirmed the decision in respect of the provisions.	(53) If the Municipal Board has received notice from the Minister under subsection (51), the decision of the Board is not final and binding in respect of the provisions identified in the notice unless the Lieutenant Governor in Council has confirmed the decision in respect of the provisions.
Action of L.G. in C.	Action of L.G. in C.
(54) The Lieutenant Governor in council may confirm, vary or rescind the decision of the Municipal Board in respect of	(54) The Lieutenant Governor in council may confirm, vary or rescind the decision of the Municipal Board in respect of

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the provisions of the plan identified in the notice and in doing so may direct the Minister to modify the provisions of the plan.	the provisions of the plan identified in the notice and in doing so may direct the Minister to modify the provisions of the plan.
<i>[Section 17.1]</i>	<i>[No amendments to Section 17.1]</i>
Recommendation of plan	Recommendation of plan
18. (1) Where a plan is prepared by a planning board, the plan shall not be recommended to any council for adoption as an official plan unless it is approved by a vote of the majority of all the members of the planning board.	18. (1) Where a plan is prepared by a planning board, the plan shall not be recommended to any council for adoption as an official plan unless it is approved by a vote of the majority of all the members of the planning board.
Submission of plan to council	Submission of plan to council
(2) When the plan is approved by the planning board, the board shall submit a copy thereof, certified by the secretary-treasurer of the board to be a true copy,	(2) When the plan is approved by the planning board, the board shall submit a copy thereof, certified by the secretary-treasurer of the board to be a true copy,
(a) in the case of a plan prepared for a planning area, to the council of each municipality that is within the planning area; and	(a) in the case of a plan prepared for a planning area, to the council of each municipality that is within the planning area; and
(b) in the case of a plan prepared at the request of a single municipality, to the council of that municipality,	(b) in the case of a plan prepared at the request of a single municipality, to the council of that municipality,
together with a recommendation that it be adopted by the council.	together with a recommendation that it be adopted by the council.
Adoption of plan	Adoption of plan
(3) Each council to which the plan is submitted may, subject to subsections 17 (15) to (22), by by-law adopt the plan and the clerk of each municipality, the council of which adopted the plan, shall provide the secretary-treasurer of the planning board with a certified copy of the adopting by-law and shall comply with subsections 17 (23), (32), (33) and (34).	(3) Each council to which the plan is submitted may, subject to subsections 17 (15) to (22), by by-law adopt the plan and the clerk of each municipality, the council of which adopted the plan, shall provide the secretary-treasurer of the planning board with a certified copy of the adopting by-law and shall comply with subsections 17 (23), (32); and (33) and (34) .
Submission of plan	Submission of plan
(4) When the secretary-treasurer of the planning board has received a certified copy of an adopting by-law from a majority of the councils to which the plan was submitted, he or she shall, unless it is exempt from an approval, submit the plan for approval together with each certified copy of the adopting by-law and subsections 17 (31) to (50.1) apply with necessary modifications in respect of the plan as if the planning board were the council of a municipality and the secretary-treasurer of the planning board were the clerk of the municipality.	(4) When the secretary-treasurer of the planning board has received a certified copy of an adopting by-law from a majority of the councils to which the plan was submitted, he or she shall, unless it is exempt from an approval, submit the plan for approval together with each certified copy of the adopting by-law and subsections 17 (31) to (50.1) apply with necessary modifications in respect of the plan as if the planning board were the council of a municipality and the secretary-treasurer of the planning board were the clerk of the municipality.
Application of subss. 17 (15-50)	Application of subss. 17 (15-50)
(5) Where a planning area consists of the whole of one or more municipalities and territory without municipal organization subsections 17 (15) to (50.1) apply, with necessary modifications, in respect of the part of the planning area that consists of territory without municipal organization	(5) Where a planning area consists of the whole of one or more municipalities and territory without municipal organization subsections 17 (15) to (50.1) apply, with necessary modifications, in respect of the part of the planning area that consists of territory without municipal organization

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as though the planning board were the council of a municipality and the secretary-treasurer of the planning board were the clerk of the municipality.	as though the planning board were the council of a municipality and the secretary-treasurer of the planning board were the clerk of the municipality.
[Sections 19- 20]	[No amendments to Sections 19 - 20]
Amendment or repeal of plan	Amendment or repeal of plan
21. (1) Except as hereinafter provided, the provisions of this Act with respect to an official plan apply, with necessary modifications, to amendments thereto or the repeal thereof, and the council of a municipality that is within a planning area may initiate an amendment to or the repeal of any official plan that applies to the municipality, and section 17 applies to any such amendment or repeal.	21. (1) Except as hereinafter provided and except where the context requires otherwise , the provisions of this Act with respect to an official plan apply, with necessary modifications, to amendments thereto or the repeal thereof, and the council of a municipality that is within a planning area may initiate an amendment to or the repeal of any official plan that applies to the municipality, and section 17 applies to any such amendment or repeal.
	Exception
(2) Repealed: 1994, c. 23, s. 13.	(2) Repealed: 1994, c. 23, s. 13. Subsections 17 (34.1) and (40.2) apply to an amendment to a lower-tier municipality's official plan only if it is a revision that is adopted in accordance with section 26.
Request for amendment	Request for amendment
22. (1) If a person or public body requests a council to amend its official plan, the council shall,	22. (1) If a person or public body requests a council to amend its official plan, the council shall,
(a) forward a copy of the request and the information and material required under subsections (4) and (5), if any to the appropriate approval authority, whether or not the requested amendment is exempt from approval; and	(a) forward a copy of the request and the information and material required under subsections (4) and (5), if any to the appropriate approval authority, whether or not the requested amendment is exempt from approval; and
(b) hold a public meeting under subsection 17 (15) or comply with the alternative measures set out in the official plan.	(b) hold a public meeting under subsection 17 (15) or comply with the alternative measures set out in the official plan.
Request to planning board	Request to planning board
(2) If a person or public body requests a planning board to amend its official plan and the plan applies in whole or in part to territory without municipal organization, the planning board or council of the municipality having jurisdiction over the land to which the proposed amendment applies shall,	(2) If a person or public body requests a planning board to amend its official plan and the plan applies in whole or in part to territory without municipal organization, the planning board or council of the municipality having jurisdiction over the land to which the proposed amendment applies shall,
(a) forward a copy of the request and the information and material required under subsections (4) and (5), if any to the appropriate approval authority, whether or not the requested amendment is exempt from approval; and	(a) forward a copy of the request and the information and material required under subsections (4) and (5), if any to the appropriate approval authority, whether or not the requested amendment is exempt from approval; and
(b) hold a public meeting under subsection 17 (15) or comply with the alternative measures set out in the official plan.	(b) hold a public meeting under subsection 17 (15) or comply with the alternative measures set out in the official plan.
	Two-year period, no request for amendment
	(2.1) No person or public body shall request an amendment to a new official plan before the second anniversary of the first day any part of the plan comes into effect.

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	Exception
	(2.2) Subsection (2.1) does not apply in respect of a request if the council has declared by resolution that such a request is permitted, which resolution may be made in respect of a specific request, a class of requests or in respect of such requests generally.
No open house or public meeting	No open house or public meeting
(3) Despite subsections (1) and (2), the requirement to hold a public meeting under subsection 17 (15) does not apply if the council or the planning board refuses to adopt an amendment to its official plan requested by a person or public body.	(3) Despite subsections (1) and (2), the requirement to hold a public meeting under subsection 17 (15) does not apply if the council or the planning board refuses to adopt an amendment to its official plan requested by a person or public body.
Consultation	Consultation
(3.1) The council or planning board,	(3.1) The council or planning board,
(a) shall permit applicants to consult with the municipality or planning board, as the case may be, before submitting requests under subsection (1) or (2); and	(a) shall permit applicants to consult with the municipality or planning board, as the case may be, before submitting requests under subsection (1) or (2); and
(b) may, by by-law, require applicants to consult with the municipality or planning board as described in clause (a).	(b) may, by by-law, require applicants to consult with the municipality or planning board as described in clause (a).
Prescribed information	Prescribed information
(4) A person or public body that requests an amendment to the official plan of a municipality or planning board shall provide the prescribed information and material to the council or planning board.	(4) A person or public body that requests an amendment to the official plan of a municipality or planning board shall provide the prescribed information and material to the council or planning board.
Other information	Other information
(5) A council or a planning board may require that a person or public body that requests an amendment to its official plan provide any other information or material that the council or planning board considers it may need, but only if the official plan contains provisions relating to requirements under this subsection.	(5) A council or a planning board may require that a person or public body that requests an amendment to its official plan provide any other information or material that the council or planning board considers it may need, but only if the official plan contains provisions relating to requirements under this subsection.
Refusal and timing	Refusal and timing
(6) Until the council or planning board has received the information and material required under subsections (4) and (5), if any, and any fee under section 69,	(6) Until the council or planning board has received the information and material required under subsections (4) and (5), if any, and any fee under section 69,
(a) the council or planning board may refuse to accept or further consider the request for an amendment to its official plan; and	(a) the council or planning board may refuse to accept or further consider the request for an amendment to its official plan; and
(b) the time periods referred to in paragraphs 1 and 2 of subsection (7.0.2) do not begin.	(b) the time periods referred to in paragraphs 1 and 2 of subsection (7.0.2) do not begin.
Response re completeness of request	Response re completeness of request
(6.1) Within 30 days after the person or public body that requests the amendment pays any fee under section 69, the council or planning board shall notify the person or public	(6.1) Within 30 days after the person or public body that requests the amendment pays any fee under section 69, the council or planning board shall notify the person or public

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body that the information and material required under subsections (4) and (5), if any, have been provided, or that they have not been provided, as the case may be.	body that the information and material required under subsections (4) and (5), if any, have been provided, or that they have not been provided, as the case may be.
Motion re dispute	Motion re dispute
(6.2) Within 30 days after a negative notice is given under subsection (6.1), the person or public body or the council or planning board may make a motion for directions to have the Municipal Board determine,	(6.2) Within 30 days after a negative notice is given under subsection (6.1), the person or public body or the council or planning board may make a motion for directions to have the Municipal Board determine,
(a) whether the information and material have in fact been provided; or	(a) whether the information and material have in fact been provided; or
(b) whether a requirement made under subsection (5) is reasonable.	(b) whether a requirement made under subsection (5) is reasonable.
Same	Same
(6.3) If the council or planning board does not give any notice under subsection (6.1), the person or public body may make a motion under subsection (6.2) at any time after the 30-day period described in subsection (6.1) has elapsed.	(6.3) If the council or planning board does not give any notice under subsection (6.1), the person or public body may make a motion under subsection (6.2) at any time after the 30-day period described in subsection (6.1) has elapsed.
Notice of particulars and public access	Notice of particulars and public access
(6.4) Within 15 days after the council or planning board gives an affirmative notice under subsection (6.1), or within 15 days after the Municipal Board advises the clerk of its affirmative decision under subsection (6.2), as the case may be, the council or planning board shall,	(6.4) Within 15 days after the council or planning board gives an affirmative notice under subsection (6.1), or within 15 days after the Municipal Board advises the clerk of the municipality or the secretary-treasurer of the planning board of its affirmative decision under subsection (6.2), as the case may be, the council or planning board shall,
(a) give the prescribed persons and public bodies, in the prescribed manner, notice of the request for amendment, accompanied by the prescribed information; and	(a) give the prescribed persons and public bodies, in the prescribed manner, notice of the request for amendment, accompanied by the prescribed information; and
(b) make the information and material provided under subsections (4) and (5) available to the public.	(b) make the information and material provided under subsections (4) and (5) available to the public.
Final determination	Final determination
(6.5) The Municipal Board's determination under subsection (6.2) is not subject to appeal or review.	(6.5) The Municipal Board's determination under subsection (6.2) is not subject to appeal or review.
Notice of refusal	Notice of refusal
(6.6) A council or planning board that refuses a request to amend its official plan shall, not later than 15 days after the day of the refusal, ensure that written notice of the refusal, containing the prescribed information, is given to,	(6.6) A council or planning board that refuses a request to amend its official plan shall, not later than 15 days after the day of the refusal , ensure that written notice of the refusal, containing the prescribed information , is given to in the prescribed manner , no later than 15 days after the day of the refusal,
(a) the person or public body that made the request;	(a) to the person or public body that made the request;
(b) each person or public body that filed a written request to be notified of a refusal;	(b) to each person or public body that filed a written request to be notified of a refusal;

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(c) the appropriate approval authority; and	(c) to the appropriate approval authority; and
(d) any prescribed person or public body.	(d) to any prescribed person or public body.
	Contents
	(6.7) The notice under subsection (6.6) shall contain,
	(a) a brief explanation of the effect, if any, that the written and oral submissions mentioned in subsection (6.8) had on the decision; and
	(b) any other information that is prescribed.
	Written and oral submissions
	(6.8) Clause (6.7) (a) applies to,
	(a) any written submissions relating to the request that were made to the council or planning board before its decision; and
	(b) any oral submissions relating to the request that were made at a public meeting.
Appeal to O.M.B.	Appeal to O.M.B.
(7) When a person or public body requests an amendment to the official plan of a municipality or planning board, any of the following may appeal to the Municipal Board in respect of all or any part of the requested amendment, by filing a notice of appeal with the clerk of the municipality or the secretary-treasurer of the planning board, if one of the conditions set out in subsection (7.0.2) is met:	(7) When a person or public body requests an amendment to the official plan of a municipality or planning board, any of the following may appeal to the Municipal Board in respect of all or any part of the requested amendment, by filing a notice of appeal with the clerk of the municipality or the secretary-treasurer of the planning board, if one of the conditions set out in subsection (7.0.2) is met:
1. The person or public body that requested the amendment.	1. The person or public body that requested the amendment.
2. The Minister.	2. The Minister.
3. The appropriate approval authority.	3. The appropriate approval authority.
Consolidated Hearings Act	Consolidated Hearings Act
(7.0.1) Despite the <i>Consolidated Hearings Act</i> , the proponent of an undertaking shall not give notice to the Hearings Registrar under subsection 3 (1) of that Act in respect of an amendment requested under subsection (1) or (2) unless,	(7.0.1) Despite the <i>Consolidated Hearings Act</i> , the proponent of an undertaking shall not give notice to the Hearings Registrar under subsection 3 (1) of that Act in respect of an amendment requested under subsection (1) or (2) unless,
(a) one of the conditions set out in subsection (7.0.2) is met;	(a) one of the conditions set out in subsection (7.0.2) is met;
(b) if the plan is exempt from approval, the requested amendment has been adopted under subsection 17 (22);	(b) if the plan is exempt from approval, the requested amendment has been adopted under subsection 17 (22);
(c) the approval authority makes a decision under subsection 17 (34); or	(c) the approval authority makes a decision under subsection 17 (34); or
(d) the time period referred to in subsection 17 (40) has expired.	(d) the time period referred to in subsection 17 (40) has expired.

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Conditions	Conditions
(7.0.2) The conditions referred to in subsections (7) and (7.0.1) are:	(7.0.2) The conditions referred to in subsections (7) and (7.0.1) are:
1. The council or the planning board fails to adopt the requested amendment within 180 days after the day the request is received.	1. The council or the planning board fails to adopt the requested amendment within 180 days after the day the request is received.
2. A planning board recommends a requested amendment for adoption and the council or the majority of the councils fails to adopt the requested amendment within 180 days after the day the request is received.	2. A planning board recommends a requested amendment for adoption and the council or the majority of the councils fails to adopt the requested amendment within 180 days after the day the request is received.
3. A council, a majority of the councils or a planning board refuses to adopt the requested amendment.	3. A council, a majority of the councils or a planning board refuses to adopt the requested amendment.
4. A planning board refuses to approve a requested amendment under subsection 18 (1).	4. A planning board refuses to approve a requested amendment under subsection 18 (1).
Time for appeal	Time for appeal
(7.0.3) A notice of appeal under paragraph 3 or 4 of subsection (7.0.2) shall be filed no later than 20 days after the day that the giving of notice under subsection (6.6) is completed.	(7.0.3) A notice of appeal under paragraph 3 or 4 of subsection (7.0.2) shall be filed no later than 20 days after the day that the giving of notice under subsection (6.6) is completed.
	When giving of notice deemed completed
	(7.0.4) For the purposes of subsection (7.0.3), the giving of written notice shall be deemed to be completed,
	(a) where notice is given by e-mail, on the day that the sending by e-mail of all required notices is completed;
	(b) where notice is given by personal service, on the day that the serving of all required notices is completed;
	(c) where notice is given by mail, on the day that the mailing of all required notices is completed; and
	(d) where notice is given by telephone transmission of a facsimile of the notice, on the day that the transmission of all required notices is completed.
Appeals restricted re certain amendments	Appeals restricted re certain amendments
(7.1) Despite subsection (7) and subsections 17 (36) and (40), there is no appeal in respect of,	(7.1) Despite subsection (7) and subsections 17 (36) and (40), there is no appeal in respect of,
(a) a refusal or failure to adopt an amendment described in subsection (7.2); or	(a) a refusal or failure to adopt an amendment described in subsection (7.2); or
(b) a refusal or failure to approve an amendment described in subsection (7.2).	(b) a refusal or failure to approve an amendment described in subsection (7.2).
Application of subs. (7.1)	Application of subs. (7.1)
(7.2) Subsection (7.1) applies in respect of amendments	(7.2) Subsection (7.1) applies in respect of amendments

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requested under subsection (1) or (2) that propose to,	requested under subsection (1) or (2) that propose to,
(a) alter all or any part of the boundary of an area of settlement in a municipality;	(a) alter all or any part of the boundary of an area of settlement in a municipality;
(b) establish a new area of settlement in a municipality; or	(b) establish a new area of settlement in a municipality; or
(c) amend or revoke the policies described in subsection 16 (3), including, for greater certainty, any requirements or standards that are part of such policies.	(c) amend or revoke the policies described in subsection 16 (3), including, for greater certainty, any requirements or standards that are part of such policies.
Same	Same
(7.3) If the official plan contains policies dealing with the removal of land from areas of employment, subsection (7.1) also applies in respect of amendments requested under subsection (1) or (2) that propose to remove any land from an area of employment, even if other land is proposed to be added.	(7.3) If the official plan contains policies dealing with the removal of land from areas of employment, subsection (7.1) also applies in respect of amendments requested under subsection (1) or (2) that propose to remove any land from an area of employment, even if other land is proposed to be added.
Exception	Exception
(7.4) Despite subsection (7.1), a person or public body may appeal to the Municipal Board in respect of all or any part of a requested amendment described in clause (7.2) (a) or (b) if the requested amendment,	(7.4) Despite subsection (7.1), a person or public body may appeal to the Municipal Board in respect of all or any part of a requested amendment described in clause (7.2) (a) or (b) if the requested amendment,
(a) is in respect of the official plan of a lower-tier municipality; and	(a) is in respect of the official plan of a lower-tier municipality; and
(b) conforms with the official plan of the upper-tier municipality.	(b) conforms with the official plan of the upper-tier municipality.
Contents	Contents
(8) A notice of appeal under subsection (7) shall,	(8) A notice of appeal under subsection (7) shall,
(a) set out the specific part of the requested official plan amendment to which the appeal applies, if the notice of appeal does not apply to all of the requested amendment; and	(a) set out the specific part of the requested official plan amendment to which the appeal applies, if the notice of appeal does not apply to all of the requested amendment; and
(b) be accompanied by the fee prescribed under the <i>Ontario Municipal Board Act</i> .	(b) be accompanied by the fee prescribed under the <i>Ontario Municipal Board Act</i> .
	Use of dispute resolution techniques
	(8.1) If an appeal under subsection (7) is brought in accordance with paragraph 3 or 4 of subsection (7.0.2), the council or planning board may use mediation, conciliation or other dispute resolution techniques to attempt to resolve the dispute.
	Notice and invitation
	(8.2) If the council or planning board decides to act under subsection (8.1),
	(a) it shall give a notice of its intention to use dispute resolution techniques to all the appellants; and

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	(b) it shall give an invitation to participate in the dispute resolution process to,
	(i) as many of the appellants as the council or planning board considers appropriate,
	(ii) the person or public body that made the request to amend the plan,
	(iii) the Minister,
	(iv) the appropriate approval authority, and
	(v) any other persons or public bodies that the council or planning board considers appropriate.
	Extension of time
	(8.3) When the council or planning board gives a notice under clause (8.2) (a), the 15-day period mentioned in subclauses (9) (b) (ii) and (9) (c) (ii), in clauses (9.1) (b) and (9.1.1) (c) and in subsection (9.3) is extended to 75 days.
	Participation voluntary
	(8.4) Participation in the dispute resolution process by the persons and public bodies who receive invitations under clause (8.2) (b) is voluntary.
Record and forwarding material	Record and forwarding material
(9) The clerk of a municipality or the secretary-treasurer of a planning board who receives a notice of appeal under subsection (7) shall ensure that,	(9) The clerk of a municipality or the secretary-treasurer of a planning board who receives a notice of appeal under subsection (7) shall ensure that,
(a) a record is compiled which includes the prescribed information and material;	(a) a record is compiled which includes the prescribed information and material;
(b) the notice of appeal, the record and the fee are forwarded to the Municipal Board within 15 days after the notice is received;	(b) the notice of appeal, the record and the fee are forwarded to the Municipal Board within 15 days after the notice is received; ,
	(i) in the case of an appeal brought in accordance with paragraph 1 or 2 of subsection (7.0.2), within 15 days after the notice is filed,
	(ii) in the case of an appeal brought in accordance with paragraph 3 or 4 of subsection (7.0.2), within 15 days after the last day for filing a notice of appeal;
(c) the notice of appeal and the record are forwarded to the appropriate approval authority within 15 days after the notice is received, whether or not the plan is exempt from approval, unless the approval authority has notified the municipality or the planning board that it does not wish to receive copies of the notices of appeal and the records; and	(c) the notice of appeal and the record are forwarded to the appropriate approval authority within 15 days after the notice is received, whether or not the plan is exempt from approval, unless the approval authority has notified the municipality or the planning board that it does not wish to receive copies of the notices of appeal and the records; and

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	(i) in the case of an appeal brought in accordance with paragraph 1 or 2 of subsection (7.0.2), within 15 days after the notice is filed,
	(ii) in the case of an appeal brought in accordance with paragraph 3 or 4 of subsection (7.0.2), within 15 days after the last day for filing a notice of appeal; and
(d) such other information or material as the Municipal Board may require in respect of the appeal is forwarded to the Board.	(d) such other information or material as the Municipal Board may require in respect of the appeal is forwarded to the Board.
Exception	Exception
(9.1) Despite clause (9) (b), if all appeals under subsection (7) are withdrawn within 15 days after the notice of appeal is filed, the municipality or planning board is not required to forward the materials described under clauses (9) (b) and (d) to the Municipal Board or under clause (9) (c) to the appropriate approval authority.	(9.1) Despite clause (9) (b) and (d) do not apply, if all appeals under subsection (7) are withdrawn within 15 days after the notice of appeal is filed, the municipality or planning board is not required to forward the materials described under clauses (9) (b) and (d) to the Municipal Board or under clause (9) (c) to the appropriate approval authority.
	(a) in the case of an appeal brought in accordance with paragraph 1 or 2 of subsection (7.0.2), if the appeal is withdrawn within 15 days after the notice is filed;
	(b) in the case of an appeal brought in accordance with paragraph 3 or 4 of subsection (7.0.2), if all appeals under subsection (7) are withdrawn within 15 days after the last day for filing a notice of appeal.
	Same
	(9.1.1) Clause (9) (c) does not apply,
	(a) if the approval authority has notified the municipality or the planning board that it does not wish to receive copies of the notices of appeal and the records;
	(b) in the case of an appeal brought in accordance with paragraph 1 or 2 of subsection (7.0.2), if the appeal is withdrawn within 15 days after the notice is filed;
	(c) in the case of an appeal brought in accordance with paragraph 3 or 4 of subsection (7.0.2), if all appeals under subsection (7) are withdrawn within 15 days after the last day for filing a notice of appeal.
Appeals withdrawn, amendment	Appeals withdrawn, amendment
(9.2) If all appeals under subsection (7) brought in accordance with paragraph 1 or 2 of subsection (7.0.2) in respect of all or any part of the requested amendment are withdrawn within 15 days after the date that the most recent notice of appeal was filed, the council or planning board may, unless there are any outstanding appeals, proceed to	(9.2) If all appeals under subsection (7) brought in accordance with paragraph 1 or 2 of subsection (7.0.2) in respect of all or any part of the requested amendment are withdrawn within 15 days after the date that the most recent notice of appeal was filed, the council or planning board may, unless there are any outstanding appeals, proceed to

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give notice of the public meeting to be held under subsection 17 (15) or adopt or refuse to adopt the requested amendment, as the case may be.	give notice of the public meeting to be held under subsection 17 (15) or adopt or refuse to adopt the requested amendment, as the case may be.
Decision final	Decision final
(9.3) If all appeals under subsection (7) brought in accordance with paragraph 3 or 4 of subsection (7.0.2) in respect of all or any part of the requested amendment are withdrawn within 15 days after the last day for filing a notice of appeal, the decision of the council or planning board is final on the day that the last outstanding appeal has been withdrawn.	(9.3) If all appeals under subsection (7) brought in accordance with paragraph 3 or 4 of subsection (7.0.2) in respect of all or any part of the requested amendment are withdrawn within 15 days after the last day for filing a notice of appeal, the decision of the council or planning board is final on the day that the last outstanding appeal has been withdrawn.
Other information	Other information
(10) A person or public body that files a notice of appeal under subsection (7) shall provide to the Municipal Board the prescribed information or material and such other information as the Board may require.	(10) A person or public body that files a notice of appeal under subsection (7) shall provide to the Municipal Board the prescribed information or material and such other information as the Board may require.
Application	Application
(11) Subsections 17 (44) to (44.7), (45), (45.1), (46), (46.1), (49), (50) and (50.1) apply with necessary modifications to a requested official plan amendment under this section, except that subsections 17 (44.1) to (44.7) and (45.1) do not apply to an appeal under subsection (7) of this section, brought in accordance with paragraph 1 or 2 of subsection (7.0.2).	(11) Subsections 17 (44) to (44.7), (45), (45.1), (46), (46.1), (49), (50) and (50.1) apply with necessary modifications to a requested official plan amendment under this section, except that subsections 17 (44.1) to (44.7) and (45.1) do not apply to an appeal under subsection (7) of this section, brought in accordance with paragraph 1 or 2 of subsection (7.0.2).
Matters of provincial interest	Matters of provincial interest
(11.1) Where an appeal is made to the Municipal Board under this section, the Minister, if he or she is of the opinion that a matter of provincial interest is, or is likely to be, adversely affected by the amendment or any part of the amendment in respect of which the appeal is made, may so advise the Board in writing not later than 30 days before the day fixed by the Board for the hearing of the appeal and the Minister shall identify,	(11.1) Where an appeal is made to the Municipal Board under this section, the Minister, if he or she is of the opinion that a matter of provincial interest is, or is likely to be, adversely affected by the amendment or any part of the amendment in respect of which the appeal is made, may so advise the Board in writing not later than 30 days before the day fixed by the Board for the hearing of the appeal and the Minister shall identify,
(a) the provisions of the amendment or any part of the amendment by which the provincial interest is, or is likely to be, adversely affected; and	(a) the provisions of the amendment or any part of the amendment by which the provincial interest is, or is likely to be, adversely affected; and
(b) the general basis for the opinion that a matter of provincial interest is, or is likely to be, adversely affected.	(b) the general basis for the opinion that a matter of provincial interest is, or is likely to be, adversely affected.
No hearing or notice required	No hearing or notice required
(11.2) The Minister is not required to give notice or to hold a hearing before taking any action under subsection (11.1).	(11.2) The Minister is not required to give notice or to hold a hearing before taking any action under subsection (11.1).
Confirmation by L.G. in C.	Confirmation by L.G. in C.
(11.3) If the Municipal Board has received notice from the Minister under subsection (11.1), the decision of the Board is not final and binding in respect of the provisions of the	(11.3) If the Municipal Board has received notice from the Minister under subsection (11.1), the decision of the Board is not final and binding in respect of the provisions of the

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amendment or the provisions of any part of the amendment identified in the notice unless the Lieutenant Governor in Council has confirmed the decision in respect of those provisions.	amendment or the provisions of any part of the amendment identified in the notice unless the Lieutenant Governor in Council has confirmed the decision in respect of those provisions.
Action of L.G. in C.	Action of L.G. in C.
(11.4) The Lieutenant Governor in Council may confirm, vary or rescind the decision of the Municipal Board in respect of the provisions of the amendment or the provisions of any part of the amendment identified in the notice and in doing so may direct the Minister to modify the amendment to the plan.	(11.4) The Lieutenant Governor in Council may confirm, vary or rescind the decision of the Municipal Board in respect of the provisions of the amendment or the provisions of any part of the amendment identified in the notice and in doing so may direct the Minister to modify the amendment to the plan.
Withdrawal of appeal	Withdrawal of appeal
(12) If all appeals under subsection (7) brought in accordance with paragraph 1 or 2 of subsection (7.0.2) are dismissed by the Municipal Board without holding a hearing or are withdrawn, the secretary of the Board shall notify the council or the planning board and the council or the planning board may proceed to give notice of the public meeting or adopt or refuse to adopt the requested amendment, as the case may be.	(12) If all appeals under subsection (7) brought in accordance with paragraph 1 or 2 of subsection (7.0.2) are dismissed by the Municipal Board without holding a hearing or are withdrawn, the secretary of the Board shall notify the council or the planning board and the council or the planning board may proceed to give notice of the public meeting or adopt or refuse to adopt the requested amendment, as the case may be.
Same	Same
(13) If all appeals under subsection (7) brought in accordance with paragraph 3 or 4 of subsection (7.0.2) are dismissed by the Municipal Board without holding a hearing or are withdrawn, the secretary of the Board shall notify the council or the planning board and the decision of the council or the planning board is final on the day that the last outstanding appeal has been withdrawn or dismissed.	(13) If all appeals under subsection (7) brought in accordance with paragraph 3 or 4 of subsection (7.0.2) are dismissed by the Municipal Board without holding a hearing or are withdrawn, the secretary of the Board shall notify the council or the planning board and the decision of the council or the planning board is final on the day that the last outstanding appeal has been withdrawn or dismissed.
	Interpretation of transitional provisions 22.1 A reference, in any Act or regulation, to the day on which a request for an official plan amendment is received shall be read as a reference to the day on which the council or planning board receives the information and material required under subsections 22 (4) and (5), if any, and any fee under section 69.
Request by Minister to amend plan	Request by Minister to amend plan Matter of provincial interest affected by official plan
23. (1) Where the Minister is of the opinion that a matter of provincial interest as set out in a policy statement issued under section 3 is, or is likely to be, affected by an official plan, the Minister may request the council of a municipality to adopt such amendment as the Minister specifies to an official plan and, where the council refuses the request or fails to adopt the amendment within such time as is specified by the Minister in his or her request, the Minister may make	23. (1) Where If the Minister is of the opinion that a matter of provincial interest as set out in a policy statement issued under subsection 3 (1) is, or is likely to be, affected by an official plan, the Minister may, request the council of a municipality to adopt such amendment as the Minister specifies to an official plan and, where the council refuses the request or fails to adopt the amendment within such time as is specified by the Minister in his or her request, the

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the amendment.	Minister may make the amendment.
	(a) advise the council of the municipality that adopted the plan about the issue; and
	(b) invite the council to submit, within the time specified by the Minister, proposals for resolving the issue.
	Power to amend plan
	(1.1) If the council fails to submit proposals to resolve the issue within the specified time, or if, after consultation with the Minister on the proposals, the issue cannot be resolved and the Minister so advises the council, the Minister may by order amend the plan so that it is no longer likely to affect the matter of provincial interest.
	Effect of order
	(1.2) The Minister's order has the same effect as an amendment to the plan adopted by the council and approved by the appropriate approval authority.
Hearing by O.M.B.	Hearing by O.M.B.
(2) Where the Minister proposes to make an amendment to an official plan under subsection (1), the Minister may, and on the request of any person or municipality shall, request the Municipal Board to hold a hearing on the proposed amendment and the Board shall thereupon hold a hearing as to whether the amendment should be made.	(2) Where the Minister proposes to make an amendment to an official plan under subsection (1), the Minister may, and on the request of any person or municipality shall, request the Municipal Board to hold a hearing on the proposed amendment and the Board shall thereupon hold a hearing as to whether the amendment should be made.
Refusal to refer to O.M.B.	Refusal to refer to O.M.B.
(3) Despite subsection (2), where the Minister is of the opinion that a request of any person or municipality made under subsection (2) is not made in good faith or is frivolous or vexatious or is made only for the purpose of delay, the Minister may refuse the request.	(3) Despite subsection (2), where the Minister is of the opinion that a request of any person or municipality made under subsection (2) is not made in good faith or is frivolous or vexatious or is made only for the purpose of delay, the Minister may refuse the request.
Notice	Notice
(4) Where the Minister has requested the Municipal Board to hold a hearing as provided for in subsection (2), notice of the hearing shall be given in such manner and to such persons as the Board may direct, and the Board shall hear any submissions that any person may desire to bring to the attention of the Board.	(4) Where the Minister has requested the Municipal Board to hold a hearing as provided for in subsection (2), notice of the hearing shall be given in such manner and to such persons as the Board may direct, and the Board shall hear any submissions that any person may desire to bring to the attention of the Board.
Decision of O.M.B.	Decision of O.M.B.
(5) The Municipal Board, after the conclusion of the hearing, shall make a decision as to whether the proposed amendment, or an alternative form of amendment, should be made but the decision is not final and binding unless the Lieutenant Governor in Council has confirmed it.	(5) The Municipal Board, after the conclusion of the hearing, shall make a decision as to whether the proposed amendment, or an alternative form of amendment, should be made but the decision is not final and binding unless the Lieutenant Governor in Council has confirmed it.

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Powers of L.G. in C.	Powers of L.G. in C.
(6) The Lieutenant Governor in Council may confirm, vary or rescind the decision of the Municipal Board made under subsection (5) and in doing so may direct the Minister to amend the plan in such manner as the Lieutenant Governor in Council may determine.	(6) The Lieutenant Governor in Council may confirm, vary or rescind the decision of the Municipal Board made under subsection (5) and in doing so may direct the Minister to amend the plan in such manner as the Lieutenant Governor in Council may determine.
	Non-application of Legislation Act, 2006, Part III
	(7) The following are not regulations within the meaning of Part III (Regulations) of the Legislation Act, 2006:
	1. An order made by the Minister under subsection (1.1) or pursuant to the Lieutenant Governor in Council's direction under subsection (6).
	2. An order made by the Lieutenant Governor in Council under subsection (6).
<i>[Sections 24 - 25]</i>	<i>[No amendments to Sections 24 - 25]</i>
Updating official plan	Updating official plan
26. (1) If an official plan is in effect in a municipality, the council of the municipality that adopted the official plan shall, not less frequently than every five years after the plan comes into effect as an official plan or after that part of a plan comes into effect as a part of an official plan, if the only outstanding appeals relate to those parts of the plan that propose to specifically designate land uses,	26. (1) If an official plan is in effect in a municipality, the council of the municipality that adopted the official plan shall, not less frequently than every five years after the plan comes into effect as an official plan or after that part of a plan comes into effect as a part of an official plan, if the only outstanding appeals relate to those parts of the plan that propose to specifically designate land uses, in accordance with subsection (1.1), (a) revise the official plan as required to ensure that it,
(a) revise the official plan as required to ensure that it,	
(i) conforms with provincial plans or does not conflict with them, as the case may be,	(a) conforms with provincial plans or does not conflict with them, as the case may be,
(ii) has regard to the matters of provincial interest listed in section 2, and	(b) has regard to the matters of provincial interest listed in section 2, and
(iii) is consistent with policy statements issued under subsection 3 (1); and	(c) is consistent with policy statements issued under subsection 3 (1); and
	Same
	(1.1) The council shall revise the plan no less frequently than,
	(a) 10 years after it comes into effect as a new official plan; and
	(b) every five years thereafter, unless the plan has been replaced by another new official plan.
	Same
	(1.2) For the purposes of establishing the 10-year and five-year periods mentioned in subsection (1.1), a plan is considered to have come into effect even if there are out-

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	standing appeals relating to those parts of the plan that propose to specifically designate land uses.
(b) revise the official plan, if it contains policies dealing with areas of employment, including, without limitation, the designation of areas of employment in the official plan and policies dealing with the removal of land from areas of employment, to ensure that those policies are confirmed or amended.	(b) revise the official plan, if it contains policies dealing with areas of employment, including, without limitation, the designation of areas of employment in the official plan and policies dealing with the removal of land from areas of employment, to ensure that those policies are confirmed or amended.
Effect of provincial plan conformity exercise	Effect of provincial plan conformity exercise Municipal discretion to combine
(2) For greater certainty, the council revises the official plan under subsection (1) if it,	(2) For greater certainty, the council revises the official plan under subsection (1) if it,
(a) amends the official plan, in accordance with another Act, to conform with a provincial plan; and	(a) the council has discretion to combine a provincial plan conformity exercise with a revision under subsection (1); amends the official plan, in accordance with another Act, to conform with a provincial plan; and
(b) in the course of making amendments under clause (a), complies with clauses (1) (a) and (b) and with all the procedural requirements of this section.	(b) if the council exercises the discretion described in clause (a), it must comply in the course of making amendments under clause (a), complies with clauses (1) (a), and (b) and (c) and with all the procedural requirements of this section, in connection both with the revision and with the provincial plan conformity exercise.
	Provincial plan conformity exercise
	(2.1) For the purposes of subsection (2), a provincial plan conformity exercise is the process whereby the council amends the official plan, in accordance with another Act, to conform with a provincial plan.
Consultation and special meeting	Consultation and special meeting
(3) Before revising the official plan under subsection (1), the council shall,	(3) Before revising the official plan under subsection (1), the council shall,
(a) consult with the approval authority and with the prescribed public bodies with respect to the revisions that may be required; and	(a) consult with the approval authority and with the prescribed public bodies with respect to the revisions that may be required; and
(b) hold a special meeting of council, open to the public, to discuss the revisions that may be required.	(b) hold a special meeting of council, open to the public, to discuss the revisions that may be required.
Notice	Notice
(4) Notice of every special meeting to be held under clause (3) (b) shall be published at least once a week in each of two separate weeks, and the last publication shall take place at least 30 days before the date of the meeting.	(4) Notice of every special meeting to be held under clause (3) (b) shall be published at least once a week in each of two separate weeks, and the last publication shall take place at least 30 days before the date of the meeting.
Public participation	Public participation
(5) The council shall have regard to any written submissions about what revisions may be required and shall give any	(5) The council shall have regard to any written submissions about what revisions may be required and shall give any

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person who attends the special meeting an opportunity to be heard on that subject.	person who attends the special meeting an opportunity to be heard on that subject.
No exemption from approval	No exemption from approval
(6) An order under subsection 17 (9) does not apply to an amendment made under subsection (1).	(6) An order under subsection 17 (9) does not apply to an amendment made under subsection (1).
Declaration	Declaration
(7) Each time it revises the official plan under subsection (1), the council shall, by resolution, declare to the approval authority that the official plan meets the requirements of subclauses (1) (a) (i), (ii) and (iii).	(7) Each time it revises the official plan under subsection (1), the council shall, by resolution, declare to the approval authority that the official plan meets the requirements of subclauses (1) (a), (i), (ii) and (iii) (b) and (c).
Direction by approval authority	Direction by approval authority
(8) Despite subsection (1), the approval authority may, at any time, direct the council of a municipality to undertake a revision of all or part of any official plan in effect in the municipality and when so directed the council shall cause the revision to be undertaken without undue delay.	(8) Despite subsection (1), the approval authority may, at any time, direct the council of a municipality to undertake a revision of all or part of any official plan in effect in the municipality and when so directed the council shall cause the revision to be undertaken without undue delay.
Updating zoning by-laws	Updating zoning by-laws
(9) No later than three years after a revision under subsection (1) or (8) comes into effect, the council of the municipality shall amend all zoning by-laws that are in effect in the municipality to ensure that they conform with the official plan.	(9) No later than three years after a revision under subsection (1) or (8) comes into effect, the council of the municipality shall amend all zoning by-laws that are in effect in the municipality to ensure that they conform with the official plan.
Minister may request amendment to zoning by-law	Minister may request amendment to zoning by-law
(10) The Minister may, if he or she is of the opinion that a zoning by-law in effect in the municipality does not conform with the official plan as revised under subsection (1) or (8), request the council of the municipality to pass an amendment to the zoning by-law to achieve conformity.	(10) The Minister may, if he or she is of the opinion that a zoning by-law in effect in the municipality does not conform with the official plan as revised under subsection (1) or (8), request the council of the municipality to pass an amendment to the zoning by-law to achieve conformity.
<i>[Section 27]</i>	<i>[No amendments to Section 27]</i>
PART IV COMMUNITY IMPROVEMENT	PART IV COMMUNITY IMPROVEMENT
Community improvement project area	Community improvement project area
28. (1) In this section,	28. (1) In this section,
“community improvement” means the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or spaces therefor, as may be appropriate or necessary; (“améliorations communautaires”)	“community improvement” means the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or spaces therefor, as may be appropriate or necessary; (“améliorations communautaires”)
“community improvement plan” means a plan for the	“community improvement plan” means a plan for the

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community improvement of a community improvement project area; (“plan d’améliorations communautaires”)	community improvement of a community improvement project area; (“plan d’améliorations communautaires”)
“community improvement project area” means a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason. (“zone d’améliorations communautaires”)	“community improvement project area” means a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason. (“zone d’améliorations communautaires”)
Affordable housing	Affordable housing
(1.1) Without limiting the generality of the definition of “community improvement” in subsection (1), for greater certainty, it includes the provision of affordable housing.	(1.1) Without limiting the generality of the definition of “community improvement” in subsection (1), for greater certainty, it includes the provision of affordable housing.
Designation of community improvement project area	Designation of community improvement project area
(2) Where there is an official plan in effect in a local municipality or in a prescribed upper-tier municipality that contains provisions relating to community improvement in the municipality, the council may, by by-law, designate the whole or any part of an area covered by such an official plan as a community improvement project area.	(2) Where there is an official plan in effect in a local municipality or in a prescribed upper-tier municipality that contains provisions relating to community improvement in the municipality, the council may, by by-law, designate the whole or any part of an area covered by such an official plan as a community improvement project area.
Acquisition and clearance of land	Acquisition and clearance of land
(3) When a by-law has been passed under subsection (2), the municipality may,	(3) When a by-law has been passed under subsection (2), the municipality may,
(a) acquire land within the community improvement project area with the approval of the Minister if the land is acquired before a community improvement plan mentioned in subsection (4) comes into effect and without the approval of the Minister if the land is acquired after the community improvement plan comes into effect;	(a) acquire land within the community improvement project area with the approval of the Minister if the land is acquired before a community improvement plan mentioned in subsection (4) comes into effect and without the approval of the Minister if the land is acquired after the community improvement plan comes into effect;
(b) hold land acquired before or after the passing of the by-law within the community improvement project area; and	(b) hold land acquired before or after the passing of the by-law within the community improvement project area; and
(c) clear, grade or otherwise prepare the land for community improvement.	(c) clear, grade or otherwise prepare the land for community improvement.
Community improvement plan	Community improvement plan
(4) When a by-law has been passed under subsection (2), the council may provide for the preparation of a plan suitable for adoption as a community improvement plan for the community improvement project area and the plan may be adopted and come into effect in accordance with subsections (5) and (5.1).	(4) When a by-law has been passed under subsection (2), the council may provide for the preparation of a plan suitable for adoption as a community improvement plan for the community improvement project area and the plan may be adopted and come into effect in accordance with subsections (5) and (5.1).
Restriction re upper-tier municipality	Restriction re upper-tier municipality
(4.0.1) The community improvement plan of an upper-tier municipality may deal only with prescribed matters.	(4.0.1) The community improvement plan of an upper-tier municipality may deal only with prescribed matters.

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(4.1)-(4.4) Repealed: 2006, c. 32, Sched. C, s. 47 (1).	(4.1)-(4.4) Repealed: 2006, c. 32, Sched. C, s. 47 (1).
Same	Same
(5) Subsections 17 (15), (17), (19) to (19.3), (19.5) to (24), (25) to (30.1), (44) to (47) and (49) to (50.1) apply, with necessary modifications, in respect of a community improvement plan and any amendments to it.	(5) Subsections 17 (15), (17), (19) to (19.3), (19.5) to (24), (25) to (30.1), (44) to (47) and (49) to (50.1) apply, with necessary modifications, in respect of a community improvement plan and any amendments to it.
Same	Same
(5.1) The Minister is deemed to be the approval authority for the purpose of subsection (5).	(5.1) The Minister is deemed to be the approval authority for the purpose of subsection (5).
Same	Same
(5.2) Despite subsection (5), if an official plan contains provisions describing the alternative measures mentioned in subsection 17 (19.3), subsections 17 (15), (17) and (19) to (19.2) do not apply in respect of the community improvement plan and any amendments to it, if the measures are complied with.	(5.2) Despite subsection (5), if an official plan contains provisions describing the alternative measures mentioned in subsection 17 (19.3), subsections 17 (15), (17) and (19) to (19.2) do not apply in respect of the community improvement plan and any amendments to it, if the measures are complied with.
Powers of council re land	Powers of council re land
(6) For the purpose of carrying out a community improvement plan that has come into effect, the municipality may,	(6) For the purpose of carrying out a community improvement plan that has come into effect, the municipality may,
(a) construct, repair, rehabilitate or improve buildings on land acquired or held by it in the community improvement project area in conformity with the community improvement plan, and sell, lease or otherwise dispose of any such buildings and the land appurtenant thereto;	(a) construct, repair, rehabilitate or improve buildings on land acquired or held by it in the community improvement project area in conformity with the community improvement plan, and sell, lease or otherwise dispose of any such buildings and the land appurtenant thereto;
(b) sell, lease or otherwise dispose of any land acquired or held by it in the community improvement project area to any person or governmental authority for use in conformity with the community improvement plan.	(b) sell, lease or otherwise dispose of any land acquired or held by it in the community improvement project area to any person or governmental authority for use in conformity with the community improvement plan.
Grants or loans re eligible costs	Grants or loans re eligible costs
(7) For the purpose of carrying out a municipality's community improvement plan that has come into effect, the municipality may make grants or loans, in conformity with the community improvement plan, to registered owners, assessed owners and tenants of lands and buildings within the community improvement project area, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole or any part of the eligible costs of the community improvement plan.	(7) For the purpose of carrying out a municipality's community improvement plan that has come into effect, the municipality may make grants or loans, in conformity with the community improvement plan, to registered owners, assessed owners and tenants of lands and buildings within the community improvement project area, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole or any part of the eligible costs of the community improvement plan.
Eligible costs	Eligible costs
(7.1) For the purposes of subsection (7), the eligible costs of a community improvement plan may include costs related to environmental site assessment, environmental remediation, development, redevelopment, construction and	(7.1) For the purposes of subsection (7), the eligible costs of a community improvement plan may include costs related to environmental site assessment, environmental remediation, development, redevelopment, construction and

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reconstruction of lands and buildings for rehabilitation purposes or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities.	reconstruction of lands and buildings for rehabilitation purposes or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities.
Grants or loans between upper and lower-tier municipalities	Grants or loans between upper and lower-tier municipalities
(7.2) The council of an upper-tier municipality may make grants or loans to the council of a lower-tier municipality and the council of a lower-tier municipality may make grants or loans to the council of the upper-tier municipality, for the purpose of carrying out a community improvement plan that has come into effect, on such terms as to security and otherwise as the council considers appropriate, but only if the official plan of the municipality making the grant or loan contains provisions relating to the making of such grants or loans.	(7.2) The council of an upper-tier municipality may make grants or loans to the council of a lower-tier municipality and the council of a lower-tier municipality may make grants or loans to the council of the upper-tier municipality, for the purpose of carrying out a community improvement plan that has come into effect, on such terms as to security and otherwise as the council considers appropriate, but only if the official plan of the municipality making the grant or loan contains provisions relating to the making of such grants or loans.
Maximum amount	Maximum amount
(7.3) The total of the grants and loans made in respect of particular lands and buildings under subsections (7) and (7.2) and the tax assistance as defined in section 365.1 of the <i>Municipal Act, 2001</i> or section 333 of the <i>City of Toronto Act, 2006</i> , as the case may be, that is provided in respect of the lands and buildings shall not exceed the eligible cost of the community improvement plan with respect to those lands and buildings.	(7.3) The total of the grants and loans made in respect of particular lands and buildings under subsections (7) and (7.2) and the tax assistance as defined in section 365.1 of the <i>Municipal Act, 2001</i> or section 333 of the <i>City of Toronto Act, 2006</i> , as the case may be, that is provided in respect of the lands and buildings shall not exceed the eligible cost of the community improvement plan with respect to those lands and buildings.
(8) Repealed: 2006, c. 32, Sched. C, s. 47 (3).	(8) Repealed: 2006, c. 32, Sched. C, s. 47 (3).
Application of s. 32 (2, 3)	Application of s. 32 (2, 3)
(9) Subsections 32 (2) and (3) apply with necessary modifications to any loan made under subsection (7) of this section.	(9) Subsections 32 (2) and (3) apply with necessary modifications to any loan made under subsection (7) of this section.
Conditions of sale, etc.	Conditions of sale, etc.
(10) Until a by-law or amending by-law passed under section 34 after the adoption of the community improvement plan is in force in the community improvement project area, no land acquired, and no building constructed, by the municipality in the community improvement project area shall be sold, leased or otherwise disposed of unless the person or authority to whom it is disposed of enters into a written agreement with the municipality that the person or authority will keep and maintain the land and building and the use thereof in conformity with the community improvement plan until such a by-law or amending by-law is in force, but the municipality may, during the period of the development of the plan, lease any land or any building or part thereof in the area for any purpose, whether or not in conformity with the community improvement plan, for a	(10) Until a by-law or amending by-law passed under section 34 after the adoption of the community improvement plan is in force in the community improvement project area, no land acquired, and no building constructed, by the municipality in the community improvement project area shall be sold, leased or otherwise disposed of unless the person or authority to whom it is disposed of enters into a written agreement with the municipality that the person or authority will keep and maintain the land and building and the use thereof in conformity with the community improvement plan until such a by-law or amending by-law is in force, but the municipality may, during the period of the development of the plan, lease any land or any building or part thereof in the area for any purpose, whether or not in conformity with the community improvement plan, for a

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term of not more than three years at any one time.	term of not more than three years at any one time.
Registration of agreement	Registration of agreement
(11) An agreement concerning a grant or loan made under subsection (7) or an agreement entered into under subsection (10), may be registered against the land to which it applies and the municipality shall be entitled to enforce the provisions thereof against any party to the agreement and, subject to the provisions of the <i>Registry Act</i> and the <i>Land Titles Act</i> , against any and all subsequent owners or tenants of the land.	(11) An agreement concerning a grant or loan made under subsection (7) or an agreement entered into under subsection (10), may be registered against the land to which it applies and the municipality shall be entitled to enforce the provisions thereof against any party to the agreement and, subject to the provisions of the <i>Registry Act</i> and the <i>Land Titles Act</i> , against any and all subsequent owners or tenants of the land.
Debentures	Debentures
(12) Despite subsection 408 (3) of the <i>Municipal Act, 2001</i> or any regulation under section 256 of the <i>City of Toronto Act, 2006</i> , debentures issued by the municipality for the purpose of this section may be for such term of years as the debenture by-law, with the approval of the Municipal Board, provides.	(12) Despite subsection 408 (3) of the <i>Municipal Act, 2001</i> or any regulation under section 256 of the <i>City of Toronto Act, 2006</i> , debentures issued by the municipality for the purpose of this section may be for such term of years as the debenture by-law, with the approval of the Municipal Board, provides.
Dissolution of area	Dissolution of area
(13) When the council is satisfied that the community improvement plan has been carried out, the council may, by by-law, dissolve the community improvement project area.	(13) When the council is satisfied that the community improvement plan has been carried out, the council may, by by-law, dissolve the community improvement project area.
<i>[Sections 29 - 33]</i>	<i>[No amendments to Sections 29 - 33]</i>
PART V LAND USE CONTROLS AND RELATED ADMINISTRATION	PART V LAND USE CONTROLS AND RELATED ADMINISTRATION
Zoning by-laws	Zoning by-laws
34. (1) Zoning by-laws may be passed by the councils of local municipalities:	34. (1) Zoning by-laws may be passed by the councils of local municipalities:
Restricting use of land	Restricting use of land
1. For prohibiting the use of land, for or except for such purposes as may be set out in the by-law within the municipality or within any defined area or areas or abutting on any defined highway or part of a highway.	1. For prohibiting the use of land, for or except for such purposes as may be set out in the by-law within the municipality or within any defined area or areas or abutting on any defined highway or part of a highway.
Restricting erecting, locating or using of buildings	Restricting erecting, locating or using of buildings
2. For prohibiting the erecting, locating or using of buildings or structures for or except for such purposes as may be set out in the by-law within the municipality or within any defined area or areas or upon land abutting on any defined highway or part of a highway.	2. For prohibiting the erecting, locating or using of buildings or structures for or except for such purposes as may be set out in the by-law within the municipality or within any defined area or areas or upon land abutting on any defined highway or part of a highway.
Marshy lands, etc.	Marshy lands, etc.
3. For prohibiting the erection of any class or classes of buildings or structures on land that is subject to flooding or on land with steep slopes, or that is rocky, low-lying, marshy, unstable, hazardous, subject to erosion or to natural	3. For prohibiting the erection of any class or classes of buildings or structures on land that is subject to flooding or on land with steep slopes, or that is rocky, low-lying, marshy, unstable, hazardous, subject to erosion or to natural

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or artificial perils.	or artificial perils.
Contaminated lands; sensitive or vulnerable areas	Contaminated lands; sensitive or vulnerable areas
3.1 For prohibiting any use of land and the erecting, locating or using of any class or classes of buildings or structures on land,	3.1 For prohibiting any use of land and the erecting, locating or using of any class or classes of buildings or structures on land,
i. that is contaminated,	i. that is contaminated,
ii. that contains a sensitive groundwater feature or a sensitive surface water feature, or	ii. that contains a sensitive groundwater feature or a sensitive surface water feature, or
iii. that is within an area identified as a vulnerable area in a drinking water source protection plan that has taken effect under the <i>Clean Water Act, 2006</i> .	iii. that is within an area identified as a vulnerable area in a drinking water source protection plan that has taken effect under the <i>Clean Water Act, 2006</i> .
Natural features and areas	Natural features and areas
3.2 For prohibiting any use of land and the erecting, locating or using of any class or classes of buildings or structures within any defined area or areas,	3.2 For prohibiting any use of land and the erecting, locating or using of any class or classes of buildings or structures within any defined area or areas,
i. that is a significant wildlife habitat, wetland, woodland, ravine, valley or area of natural and scientific interest,	i. that is a significant wildlife habitat, wetland, woodland, ravine, valley or area of natural and scientific interest,
ii. that is a significant corridor or shoreline of a lake, river or stream, or	ii. that is a significant corridor or shoreline of a lake, river or stream, or
iii. that is a significant natural corridor, feature or area.	iii. that is a significant natural corridor, feature or area.
Significant archaeological resources	Significant archaeological resources
3.3 For prohibiting any use of land and the erecting, locating or using of any class or classes of buildings or structures on land that is the site of a significant archaeological resource.	3.3 For prohibiting any use of land and the erecting, locating or using of any class or classes of buildings or structures on land that is the site of a significant archaeological resource.
Construction of buildings or structures	Construction of buildings or structures
4. For regulating the type of construction and the height, bulk, location, size, floor area, spacing, character and use of buildings or structures to be erected or located within the municipality or within any defined area or areas or upon land abutting on any defined highway or part of a highway, and the minimum frontage and depth of the parcel of land and the proportion of the area thereof that any building or structure may occupy.	4. For regulating the type of construction and the height, bulk, location, size, floor area, spacing, character and use of buildings or structures to be erected or located within the municipality or within any defined area or areas or upon land abutting on any defined highway or part of a highway, and the minimum frontage and depth of the parcel of land and the proportion of the area thereof that any building or structure may occupy.
Minimum elevation of doors, etc.	Minimum elevation of doors, etc.
5. For regulating the minimum elevation of doors, windows or other openings in buildings or structures or in any class or classes of buildings or structures to be erected or located within the municipality or within any defined area or areas of the municipality.	5. For regulating the minimum elevation of doors, windows or other openings in buildings or structures or in any class or classes of buildings or structures to be erected or located within the municipality or within any defined area or areas of the municipality.
Loading or parking facilities	Loading or parking facilities
6. For requiring the owners or occupants of buildings or structures to be erected or used for a purpose named in the	6. For requiring the owners or occupants of buildings or structures to be erected or used for a purpose named in the

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by-law to provide and maintain loading or parking facilities on land that is not part of a highway.	by-law to provide and maintain loading or parking facilities on land that is not part of a highway.
Pits and quarries	Pits and quarries
(2) The making, establishment or operation of a pit or quarry shall be deemed to be a use of land for the purposes of paragraph 1 of subsection (1).	(2) The making, establishment or operation of a pit or quarry shall be deemed to be a use of land for the purposes of paragraph 1 of subsection (1).
Area, density and height	Area, density and height
(3) The authority to regulate provided in paragraph 4 of subsection (1) includes and, despite the decision of any court, shall be deemed always to have included the authority to regulate the minimum area of the parcel of land mentioned therein and to regulate the minimum and maximum density and the minimum and maximum height of development in the municipality or in the area or areas defined in the by-law.	(3) The authority to regulate provided in paragraph 4 of subsection (1) includes and, despite the decision of any court, shall be deemed always to have included the authority to regulate the minimum area of the parcel of land mentioned therein and to regulate the minimum and maximum density and the minimum and maximum height of development in the municipality or in the area or areas defined in the by-law.
City of Toronto	City of Toronto
(3.1) Subsection (3) does not apply with respect to the City of Toronto.	(3.1) Subsection (3) does not apply with respect to the City of Toronto.
Interpretation	Interpretation
(4) A trailer as defined in subsection 164 (4) of the <i>Municipal Act, 2001</i> or subsection 3 (1) of the <i>City of Toronto Act, 2006</i> , as the case may be, and a mobile home as defined in subsection 46 (1) of this Act are deemed to be buildings or structures for the purpose of this section.	(4) A trailer as defined in subsection 164 (4) of the <i>Municipal Act, 2001</i> or subsection 3 (1) of the <i>City of Toronto Act, 2006</i> , as the case may be, and a mobile home as defined in subsection 46 (1) of this Act are deemed to be buildings or structures for the purpose of this section.
Prohibition of use of land, etc., availability of municipal services	Prohibition of use of land, etc., availability of municipal services
(5) A by-law passed under paragraph 1 or 2 of subsection (1) or a predecessor of that paragraph may prohibit the use of land or the erection or use of buildings or structures unless such municipal services as may be set out in the by-law are available to service the land, buildings or structures, as the case may be.	(5) A by-law passed under paragraph 1 or 2 of subsection (1) or a predecessor of that paragraph may prohibit the use of land or the erection or use of buildings or structures unless such municipal services as may be set out in the by-law are available to service the land, buildings or structures, as the case may be.
Certificates of occupancy	Certificates of occupancy
(6) A by-law passed under this section may provide for the issue of certificates of occupancy without which no change may be made in the type of use of any land covered by the by-law or of any building or structure on any such land, but no such certificate shall be refused if the proposed use is not prohibited by the by-law.	(6) A by-law passed under this section may provide for the issue of certificates of occupancy without which no change may be made in the type of use of any land covered by the by-law or of any building or structure on any such land, but no such certificate shall be refused if the proposed use is not prohibited by the by-law.
Use of maps	Use of maps
(7) Land within any area or areas or abutting on any highway or part of a highway may be defined by the use of maps to be attached to the by-law and the information shown on such maps shall form part of the by-law to the same extent as if included therein.	(7) Land within any area or areas or abutting on any highway or part of a highway may be defined by the use of maps to be attached to the by-law and the information shown on such maps shall form part of the by-law to the same extent as if included therein.

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Acquisition and disposition of non-conforming lands	Acquisition and disposition of non-conforming lands
(8) The council may acquire any land, building or structure used or erected for a purpose that does not conform with a by-law passed under this section and any vacant land having a frontage or depth less than the minimum established for the erection of a building or structure in the defined area in which such land is situate, and the council may dispose of any of such land, building or structure or may exchange any of such land for other land within the municipality.	(8) The council may acquire any land, building or structure used or erected for a purpose that does not conform with a by-law passed under this section and any vacant land having a frontage or depth less than the minimum established for the erection of a building or structure in the defined area in which such land is situate, and the council may dispose of any of such land, building or structure or may exchange any of such land for other land within the municipality.
Excepted lands and buildings	Excepted lands and buildings
(9) No by-law passed under this section applies,	(9) No by-law passed under this section applies,
(a) to prevent the use of any land, building or structure for any purpose prohibited by the by-law if such land, building or structure was lawfully used for such purpose on the day of the passing of the by-law, so long as it continues to be used for that purpose; or	(a) to prevent the use of any land, building or structure for any purpose prohibited by the by-law if such land, building or structure was lawfully used for such purpose on the day of the passing of the by-law, so long as it continues to be used for that purpose; or
(b) to prevent the erection or use for a purpose prohibited by the by-law of any building or structure for which a permit has been issued under subsection 8 (1) of the <i>Building Code Act, 1992</i> , prior to the day of the passing of the by-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under subsection 8 (10) of that Act.	(b) to prevent the erection or use for a purpose prohibited by the by-law of any building or structure for which a permit has been issued under subsection 8 (1) of the <i>Building Code Act, 1992</i> , prior to the day of the passing of the by-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under subsection 8 (10) of that Act.
By-law may be amended	By-law may be amended
(10) Despite any other provision of this section, any by-law passed under this section or a predecessor of this section may be amended so as to permit the extension or enlargement of any land, building or structure used for any purpose prohibited by the by-law if such land, building or structure continues to be used in the same manner and for the same purpose as it was used on the day such by-law was passed.	(10) Despite any other provision of this section, any by-law passed under this section or a predecessor of this section may be amended so as to permit the extension or enlargement of any land, building or structure used for any purpose prohibited by the by-law if such land, building or structure continues to be used in the same manner and for the same purpose as it was used on the day such by-law was passed.
Consultation	Consultation
(10.0.1) The council,	(10.0.1) The council,
(a) shall permit applicants to consult with the municipality before submitting applications to amend by-laws passed under this section; and	(a) shall permit applicants to consult with the municipality before submitting applications to amend by-laws passed under this section; and
(b) may, by by-law, require applicants to consult with the municipality as described in clause (a).	(b) may, by by-law, require applicants to consult with the municipality as described in clause (a).
	Two-year period, no application for amendment
	(10.0.0.1) If the council carries out the requirements of subsection 26 (9) by simultaneously repealing and replacing all the zoning by-laws in effect in the municipality, no person or public body shall submit an application for an amendment

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	to any of the by-laws before the second anniversary of the day on which the council repeals and replaces them.
	Exception
	(10.0.0.2) Subsection (10.0.0.1) does not apply in respect of an application if the council has declared by resolution that such an application is permitted, which resolution may be made in respect of a specific application, a class of applications or in respect of such applications generally.
Prescribed information	Prescribed information
(10.1) A person or public body that applies for an amendment to a by-law passed under this section or a predecessor of this section shall provide the prescribed information and material to the council.	(10.1) A person or public body that applies for an amendment to a by-law passed under this section or a predecessor of this section shall provide the prescribed information and material to the council.
Other information	Other information
(10.2) A council may require that a person or public body that applies for an amendment to a by-law passed under this section or a predecessor of this section provide any other information or material that the council considers it may need, but only if the official plan contains provisions relating to requirements under this subsection.	(10.2) A council may require that a person or public body that applies for an amendment to a by-law passed under this section or a predecessor of this section provide any other information or material that the council considers it may need, but only if the official plan contains provisions relating to requirements under this subsection.
Refusal and timing	Refusal and timing
(10.3) Until the council has received the information and material required under subsections (10.1) and (10.2), if any, and any fee under section 69,	(10.3) Until the council has received the information and material required under subsections (10.1) and (10.2), if any, and any fee under section 69,
(a) the council may refuse to accept or further consider the application for an amendment to the by-law; and	(a) the council may refuse to accept or further consider the application for an amendment to the by-law; and
(b) the time period referred to in subsection (11) does not begin.	(b) the time period referred to in subsection (11) does not begin.
Response re completeness of application	Response re completeness of application
(10.4) Within 30 days after the person or public body that makes the application for an amendment to a by-law pays any fee under section 69, the council shall notify the person or public body that the information and material required under subsections (10.1) and (10.2), if any, have been provided, or that they have not been provided, as the case may be.	(10.4) Within 30 days after the person or public body that makes the application for an amendment to a by-law pays any fee under section 69, the council shall notify the person or public body that the information and material required under subsections (10.1) and (10.2), if any, have been provided, or that they have not been provided, as the case may be.
Motion re dispute	Motion re dispute
(10.5) Within 30 days after a negative notice is given under subsection (10.4), the person or public body or the council may make a motion for directions to have the Municipal Board determine,	(10.5) Within 30 days after a negative notice is given under subsection (10.4), the person or public body or the council may make a motion for directions to have the Municipal Board determine,
(a) whether the information and material have in fact been	(a) whether the information and material have in fact been

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provided; or	provided; or
(b) whether a requirement made under subsection (10.2) is reasonable.	(b) whether a requirement made under subsection (10.2) is reasonable.
Same	Same
(10.6) If the council does not give any notice under subsection (10.4), the person or public body may make a motion under subsection (10.5) at any time after the 30-day period described in subsection (10.4) has elapsed.	(10.6) If the council does not give any notice under subsection (10.4), the person or public body may make a motion under subsection (10.5) at any time after the 30-day period described in subsection (10.4) has elapsed.
Notice of particulars and public access	Notice of particulars and public access
(10.7) Within 15 days after the council gives an affirmative notice under subsection (10.4), or within 15 days after the Municipal Board advises the clerk of its affirmative decision under subsection (10.5), as the case may be, the council shall,	(10.7) Within 15 days after the council gives an affirmative notice under subsection (10.4), or within 15 days after the Municipal Board advises the clerk of its affirmative decision under subsection (10.5), as the case may be, the council shall,
(a) give the prescribed persons and public bodies, in the prescribed manner, notice of the application for an amendment to a by-law, accompanied by the prescribed information; and	(a) give the prescribed persons and public bodies, in the prescribed manner, notice of the application for an amendment to a by-law, accompanied by the prescribed information; and
(b) make the information and material provided under subsections (10.1) and (10.2) available to the public.	(b) make the information and material provided under subsections (10.1) and (10.2) available to the public.
Final determination	Final determination
(10.8) The Municipal Board's determination under subsection (10.5) is not subject to appeal or review.	(10.8) The Municipal Board's determination under subsection (10.5) is not subject to appeal or review.
Notice of refusal	Notice of refusal
(10.9) When a council refuses an application to amend its by-law, it shall, not later than 15 days after the day of the refusal, ensure that written notice of the refusal, containing the prescribed information, is given to,	(10.9) When a council refuses an application to amend its by-law, it shall, not later than 15 days after the day of the refusal , ensure that written notice of the refusal, containing the prescribed information , is given in the prescribed manner to , no later than 15 days after the date of the refusal ,
(a) the person or public body that made the application;	(a) to the person or public body that made the application;
(b) each person and public body that filed a written request to be notified of a refusal; and	(b) to each person and public body that filed a written request to be notified of a refusal; and
(c) any prescribed person or public body.	(c) to any prescribed person or public body.

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	(10.10) The notice under subsection (10.9) shall contain,
	(a) a brief explanation of the effect, if any, that the written and oral submissions mentioned in subsection (10.11) had on the decision; and
	(b) any other information that is prescribed.
	Written and oral submissions
	(10.11) Clause (10.10) (a) applies to,
	(a) any written submissions relating to the request that were made to the council before its decision; and
	(b) any oral submissions relating to the request that were made at a public meeting.
Appeal to O.M.B.	Appeal to O.M.B.
(11) Where an application to the council for an amendment to a by-law passed under this section or a predecessor of this section is refused or the council refuses or neglects to make a decision on it within 120 days after the receipt by the clerk of the application, any of the following may appeal to the Municipal Board by filing a notice of appeal with the clerk of the municipality:	(11) Where an application to the council for an amendment to a by-law passed under this section or a predecessor of this section is refused or the council refuses or neglects to make a decision on it within 120 days after the receipt by the clerk of the application, any of the following may appeal to the Municipal Board by filing a notice of appeal with the clerk of the municipality a notice of appeal, accompanied by the fee prescribed under the Ontario Municipal Board Act:
1. The applicant.	1. The applicant.
2. The Minister.	2. The Minister.
Consolidated Hearings Act	Consolidated Hearings Act
(11.0.1) Despite the <i>Consolidated Hearings Act</i> , the proponent of an undertaking shall not give notice to the Hearings Registrar under subsection 3 (1) of that Act in respect of an application for an amendment to a by-law unless the council has made a decision on the application or the time period referred to in subsection (11) has expired.	(11.0.1) Despite the <i>Consolidated Hearings Act</i> , the proponent of an undertaking shall not give notice to the Hearings Registrar under subsection 3 (1) of that Act in respect of an application for an amendment to a by-law unless the council has made a decision on the application or the time period referred to in subsection (11) has expired.
	Use of dispute resolution techniques
	(11.0.0.1) If an application for an amendment is refused as described in subsection (11) and a notice of appeal is filed under that subsection, the council may use mediation, conciliation or other dispute resolution techniques to attempt to resolve the dispute.
	Notice and invitation
	(11.0.0.2) If the council decides to act under subsection (11.0.0.1),
	(a) it shall give a notice of its intention to use dispute resolution techniques to all the appellants; and

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	(b) it shall give an invitation to participate in the dispute resolution process to,
	(i) as many of the appellants as the council considers appropriate,
	(ii) the applicant, if the applicant is not an appellant, and
	(iii) any other persons or public bodies that the council considers appropriate.
	Extension of time
	(11.0.0.3) When the council gives a notice under clause (11.0.0.2) (a), the 15-day period mentioned in clauses (23) (b) is extended to 75 days.
	Participation voluntary
	(11.0.0.4) Participation in the dispute resolution process by the persons and public bodies who receive invitations under clause (11.0.0.2) (b) is voluntary.
Appeal to O.M.B.	Appeal to O.M.B.
(11.0.2) The Municipal Board shall hear the appeal under subsection (11) and shall,	(11.0.2) The Municipal Board shall hear the appeal under subsection (11) and shall,
(a) dismiss it;	(a) dismiss it;
(b) amend the by-law in such manner as the Board may determine; or	(b) amend the by-law in such manner as the Board may determine; or
(c) direct that the by-law be amended in accordance with the Board's order.	(c) direct that the by-law be amended in accordance with the Board's order.
Time for filing certain appeals	Time for filing certain appeals
(11.0.3) A notice of appeal under subsection (11) with respect to the refusal of an application shall be filed no later than 20 days after the day that the giving of notice under subsection (10.9) is completed.	(11.0.3) A notice of appeal under subsection (11) with respect to the refusal of an application shall be filed no later than 20 days after the day that the giving of notice under subsection (10.9) is completed.
Appeals restricted re certain amendments	Appeals restricted re certain amendments
(11.0.4) Despite subsection (11), there is no appeal in respect of all or any part of an application for an amendment to a by-law if the amendment or part of the amendment proposes to implement,	(11.0.4) Despite subsection (11), there is no appeal in respect of all or any part of an application for an amendment to a by-law if the amendment or part of the amendment proposes to implement,
(a) an alteration to all or any part of the boundary of an area of settlement; or	(a) an alteration to all or any part of the boundary of an area of settlement; or
(b) a new area of settlement.	(b) a new area of settlement.
Same	Same
(11.0.5) Despite subsection (11), if the official plan contains policies dealing with the removal of land from areas of employment, there is no appeal in respect of all or any part of	(11.0.5) Despite subsection (11), if the official plan contains policies dealing with the removal of land from areas of employment, there is no appeal in respect of all or any part of

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an application for an amendment to a by-law if the amendment or part of the amendment proposes to remove any land from an area of employment, even if other land is proposed to be added.	an application for an amendment to a by-law if the amendment or part of the amendment proposes to remove any land from an area of employment, even if other land is proposed to be added.
Withdrawal of appeal	Withdrawal of appeal
(11.1) If all appeals under subsection (11) are withdrawn, the secretary of the Municipal Board shall notify the clerk of the municipality and the decision of the council is final and binding or the council may proceed to give notice of the public meeting or pass or refuse to pass the by-law, as the case may be.	(11.1) If all appeals under subsection (11) are withdrawn, the secretary of the Municipal Board shall notify the clerk of the municipality and the decision of the council is final and binding or the council may proceed to give notice of the public meeting or pass or refuse to pass the by-law, as the case may be.
Information and public meeting; open house in certain circumstances	Information and public meeting; open house in certain circumstances
(12) Before passing a by-law under this section, except a by-law passed pursuant to an order of the Municipal Board made under subsection (11.0.2) or (26),	(12) Before passing a by-law under this section, except a by-law passed pursuant to an order of the Municipal Board made under subsection (11.0.2) or (26),
(a) the council shall ensure that,	(a) the council shall ensure that,
(i) sufficient information and material is made available to enable the public to understand generally the zoning proposal that is being considered by the council, and	(i) sufficient information and material is made available to enable the public to understand generally the zoning proposal that is being considered by the council, and
(ii) at least one public meeting is held for the purpose of giving the public an opportunity to make representations in respect of the proposed by-law; and	(ii) at least one public meeting is held for the purpose of giving the public an opportunity to make representations in respect of the proposed by-law; and
(b) in the case of a by-law that is required by subsection 26 (9) or is related to a development permit system, the council shall ensure that at least one open house is held for the purpose of giving the public an opportunity to review and ask questions about the information and material made available under subclause (a) (i).	(b) in the case of a by-law that is required by subsection 26 (9) or is related to a development permit system, the council shall ensure that at least one open house is held for the purpose of giving the public an opportunity to review and ask questions about the information and material made available under subclause (a) (i).
Notice	Notice
(13) Notice of the public meeting required under subclause (12) (a) (ii) and of the open house, if any, required by clause (12) (b),	(13) Notice of the public meeting required under subclause (12) (a) (ii) and of the open house, if any, required by clause (12) (b),
(a) shall be given to the prescribed persons and public bodies, in the prescribed manner; and	(a) shall be given to the prescribed persons and public bodies, in the prescribed manner; and
(b) shall be accompanied by the prescribed information.	(b) shall be accompanied by the prescribed information.
Timing of open house	Timing of open house
(14) The open house required by clause (12) (b) shall be held no later than seven days before the public meeting required under subclause (12) (a) (ii) is held.	(14) The open house required by clause (12) (b) shall be held no later than seven days before the public meeting required under subclause (12) (a) (ii) is held.
Timing of public meeting	Timing of public meeting
(14.1) The public meeting required under subclause (12) (a)	(14.1) The public meeting required under subclause (12) (a)

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(ii) shall be held no earlier than 20 days after the requirements for giving notice have been complied with.	(ii) shall be held no earlier than 20 days after the requirements for giving notice have been complied with.
Participation in public meeting	Participation in public meeting
(14.2) Every person who attends a public meeting required under subclause (12) (a) (ii) shall be given an opportunity to make representations in respect of the proposed by-law.	(14.2) Every person who attends a public meeting required under subclause (12) (a) (ii) shall be given an opportunity to make representations in respect of the proposed by-law.
Alternative procedure	Alternative procedure
(14.3) If an official plan sets out alternative measures for informing and securing the views of the public in respect of proposed zoning by-laws, and if those measures are complied with, subsections (12) to (14.2) do not apply to the proposed by-laws, but subsections (14.4) and (14.6) do apply.	(14.3) If an official plan sets out alternative measures for informing and securing obtaining the views of the public in respect of proposed zoning by-laws, and if those measures are complied with, clause (10.7) (a) and subsections (12) to (14.2) do not apply to the proposed by-laws, but subsections (14.4) and (14.6) does apply.
	Same
	(14.4) In the course of preparing the official plan, before including alternative measures described in subsection (14.3), the council shall consider whether it would be desirable for the measures to allow for notice of the proposed by-laws to the prescribed persons and public bodies mentioned in clause (13) (a).
	Transition
	(14.4.1) For greater certainty, subsection (14.4) does not apply with respect to alternative measures that were included in an official plan before the day subsection 26 (6) of the Smart Growth for Our Communities Act, 2015 comes into force.
Open house	Open house
(14.4) If subsection (14.3) applies and the proposed by-law is required by subsection 26 (9) or is related to a development permit system,	(14.4) If subsection (14.3) applies and the proposed by-law is required by subsection 26 (9) or is related to a development permit system,
(a) the council shall ensure that at least one open house is held for the purpose of giving the public an opportunity to review and ask questions about the proposed by-law; and	(a) the council shall ensure that at least one open house is held for the purpose of giving the public an opportunity to review and ask questions about the proposed by-law; and
(b) if a public meeting is also held, the open house shall be held no later than seven days before the public meeting.	(b) if a public meeting is also held, the open house shall be held no later than seven days before the public meeting.
Information	Information
(14.5) At a public meeting under subclause (12) (a) (ii), the council shall ensure that information is made available to the public regarding who is entitled to appeal under subsections (11) and (19).	(14.5) At a public meeting under subclause (12) (a) (ii), the council shall ensure that information is made available to the public regarding who is entitled to appeal under subsections (11) and (19).
Where alternative procedures followed	Where alternative procedures followed
(14.6) If subsection (14.3) applies, the information required under subsection (14.5) shall be made available to the public	(14.6) If subsection (14.3) applies, the information required under subsection (14.5) shall be made available to the public

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at a public meeting or in the manner set out in the official plan for informing and securing the views of the public in respect of proposed zoning by-laws.	at a public meeting or in the manner set out in the official plan for informing and securing obtaining the views of the public in respect of proposed zoning by-laws.
Information to public bodies	Information to public bodies
(15) The council shall forward to such public bodies as the council considers may have an interest in the zoning proposal sufficient information to enable them to understand it generally and such information shall be forwarded not less than twenty days before passing a by-law implementing the proposal.	(15) The council shall forward to such public bodies as the council considers may have an interest in the zoning proposal sufficient information to enable them to understand it generally and such information shall be forwarded not less than twenty days before passing a by-law implementing the proposal.
Conditions	Conditions
(16) If the official plan in effect in a municipality contains policies relating to zoning with conditions, the council of the municipality may, in a by-law passed under this section, permit a use of land or the erection, location or use of buildings or structures and impose one or more prescribed conditions on the use, erection or location.	(16) If the official plan in effect in a municipality contains policies relating to zoning with conditions, the council of the municipality may, in a by-law passed under this section, permit a use of land or the erection, location or use of buildings or structures and impose one or more prescribed conditions on the use, erection or location.
Same	Same
(16.1) The prescribed conditions referred to in subsection (16) may be made subject to such limitations as may be prescribed.	(16.1) The prescribed conditions referred to in subsection (16) may be made subject to such limitations as may be prescribed.
Same	Same
(16.2) When a prescribed condition is imposed under subsection (16),	(16.2) When a prescribed condition is imposed under subsection (16),
(a) the municipality may require an owner of land to which the by-law applies to enter into an agreement with the municipality relating to the condition;	(a) the municipality may require an owner of land to which the by-law applies to enter into an agreement with the municipality relating to the condition;
(b) the agreement may be registered against the land to which it applies; and	(b) the agreement may be registered against the land to which it applies; and
(c) the municipality may enforce the agreement against the owner and, subject to the <i>Registry Act</i> and the <i>Land Titles Act</i> , any and all subsequent owners of the land.	(c) the municipality may enforce the agreement against the owner and, subject to the <i>Registry Act</i> and the <i>Land Titles Act</i> , any and all subsequent owners of the land.
City of Toronto	City of Toronto
(16.3) Subsections (16), (16.1) and (16.2) do not apply with respect to the City of Toronto.	(16.3) Subsections (16), (16.1) and (16.2) do not apply with respect to the City of Toronto.
Further notice	Further notice
(17) Where a change is made in a proposed by-law after the holding of the public meeting mentioned in subclause (12) (a) (ii), the council shall determine whether any further notice is to be given in respect of the proposed by-law and the determination of the council as to the giving of further notice is final and not subject to review in any court irrespective of the extent of the change made in the proposed	(17) Where a change is made in a proposed by-law after the holding of the public meeting mentioned in subclause (12) (a) (ii), the council shall determine whether any further notice is to be given in respect of the proposed by-law and the determination of the council as to the giving of further notice is final and not subject to review in any court irrespective of the extent of the change made in the proposed

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by-law.	by-law.
Notice of passing of by-law	Notice of passing of by-law
(18) If the council passes a by-law under this section, except a by-law passed pursuant to an order of the Municipal Board made under subsection (11.0.2) or (26), the clerk of the municipality shall give written notice of the passing of the by-law not later than 15 days after the day the by-law is passed in the manner and in the form and to the persons or public bodies prescribed and the notice shall contain the prescribed information.	(18) If the council passes a by-law under this section, except a by-law passed pursuant to an order of the Municipal Board made under subsection (11.0.2) or (26), the clerk of the municipality shall give council shall ensure that written notice of the passing of the by-law is given in the prescribed manner, not later than 15 days after the day the by-law is passed, in the manner and in the form and to the persons or public bodies prescribed and the notice shall contain the prescribed information.
	(a) to the person or public body that made the application, if any;
	(b) to each person and public body that filed a written request to be notified of the decision; and
	(c) to any prescribed person or public body.
	Contents
	(18.1) The notice under subsection (18) shall contain,
	(a) a brief explanation of the effect, if any, that the written and oral submissions mentioned in subsection (18.2) had on the decision; and
	(b) any other information that is prescribed.
	Written and oral submissions
	(18.2) Clause (18.1) (a) applies to,
	(a) any written submissions relating to the by-law that were made to the council before its decision; and
	(b) any oral submissions relating to the by-law that were made at a public meeting.
Appeal to O.M.B.	Appeal to O.M.B.
(19) Not later than 20 days after the day that the giving of notice as required by subsection (18) is completed, any of the following may appeal to the Municipal Board by filing with the clerk of the municipality a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, accompanied by the fee prescribed under the <i>Ontario Municipal Board Act</i> :	(19) Not later than 20 days after the day that the giving of notice as required by subsection (18) is completed, any of the following may appeal to the Municipal Board by filing with the clerk of the municipality a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, accompanied by the fee prescribed under the <i>Ontario Municipal Board Act</i> :
1. The applicant.	1. The applicant.
2. A person or public body who, before the by-law was passed, made oral submissions at a public meeting or written submissions to the council.	2. A person or public body who, before the by-law was passed, made oral submissions at a public meeting or written submissions to the council.

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3. The Minister.	3. The Minister.
	Same
	(19.0.1) If the appellant intends to argue that the by-law is inconsistent with a policy statement issued under subsection 3 (1), fails to conform with or conflicts with a provincial plan or fails to conform with an applicable official plan, the notice of appeal must also explain how the by-law is inconsistent with, fails to conform with or conflicts with the other document.
No appeal re second unit policies	No appeal re second unit policies
(19.1) Despite subsection (19), there is no appeal in respect of a by-law that gives effect to the policies described in subsection 16 (3), including, for greater certainty, no appeal in respect of any requirement or standard in such a by-law.	(19.1) Despite subsection (19), there is no appeal in respect of a by-law that gives effect to the policies described in subsection 16 (3), including, for greater certainty, no appeal in respect of any requirement or standard in such a by-law.
When giving of notice deemed completed	When giving of notice deemed completed
(20) For the purposes of subsection (19), the giving of written notice shall be deemed to be completed,	(20) For the purposes of subsections (11.0.3) and (19), the giving of written notice shall be deemed to be completed,
(a) where notice is given by publication in a newspaper, on the day that such publication occurs;	(a) where notice is given by publication in a newspaper, on the day that such publication occurs;
	(a.1) where notice is given by e-mail, on the day that the sending by e-mail of all required notices is completed;
(b) where notice is given by personal service, on the day that the serving of all required notices is completed;	(b) where notice is given by personal service, on the day that the serving of all required notices is completed;
(c) where notice is given by mail, on the day that the mailing of all required notices is completed; and	(c) where notice is given by mail, on the day that the mailing of all required notices is completed; and
(d) where notice is given by telephone transmission of a facsimile of the notice, on the day that the transmission of all required notices is completed.	(d) where notice is given by telephone transmission of a facsimile of the notice, on the day that the transmission of all required notices is completed.
	Use of dispute resolution techniques
	(20.1) When a notice of appeal is filed under subsection (19), the council may use mediation, conciliation or other dispute resolution techniques to attempt to resolve the dispute.
	Notice and invitation
	(20.2) If the council decides to act under subsection (20.1),
	(a) it shall give a notice of its intention to use dispute resolution techniques to all the appellants; and
	(b) it shall give an invitation to participate in the dispute resolution process to,
	(i) as many of the appellants as the council considers appropriate,

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	(ii) the applicant, if there is an applicant who is not an appellant, and
	(iii) any other persons or public bodies that the council considers appropriate.
	Extension of time
	(20.3) When the council gives a notice under clause (20.2) (a), the 15-day period mentioned in clauses (23) (b) and subsections (23.2) and (23.3) is extended to 75 days.
	Participation voluntary
	(20.4) Participation in the dispute resolution process by the persons and public bodies who receive invitations under clause (20.2) (b) is voluntary.
When by-law deemed to have come into force	When by-law deemed to have come into force
(21) When no notice of appeal is filed under subsection (19), the by-law shall be deemed to have come into force on the day it was passed except that where the by-law is passed under circumstances mentioned in subsection 24 (2) the by-law shall not be deemed to have come into force on the day it was passed until the amendment to the official plan comes into effect.	(21) When no notice of appeal is filed under subsection (19), the by-law shall be deemed to have come into force on the day it was passed except that where the by-law is passed under circumstances mentioned in subsection 24 (2) the by-law shall not be deemed to have come into force on the day it was passed until the amendment to the official plan comes into effect.
Affidavit re no appeal, etc.	Affidavit re no appeal, etc.
(22) An affidavit or declaration of an employee of the municipality that notice was given as required by subsection (18) or that no notice of appeal was filed under subsection (19) within the time allowed for appeal shall be conclusive evidence of the facts stated therein.	(22) An affidavit or declaration of an employee of the municipality that notice was given as required by subsection (18) or that no notice of appeal was filed under subsection (19) within the time allowed for appeal shall be conclusive evidence of the facts stated therein.
Record	Record
(23) The clerk of a municipality who receives a notice of appeal under subsection (11) or (19) shall ensure that,	(23) The clerk of a municipality who receives a notice of appeal under subsection (11) or (19) shall ensure that,
(a) a record that includes the prescribed information and material is compiled;	(a) a record that includes the prescribed information and material is compiled;
(b) the notice of appeal, record and fee are forwarded to the Municipal Board within 15 days after the last day for filing a notice of appeal under subsection (11.0.3) or (19), as the case may be; and	(b) the notice of appeal, record and fee are forwarded to the Municipal Board, (i) within 15 days after the last day for filing a notice of appeal under subsection (11.0.3) or (19), as the case may be; and (ii) within 15 days after a notice of appeal is filed under subsection (11) with respect to refusal or neglect to make a decision; and
(c) such other information or material as the Municipal Board may require in respect of the appeal is forwarded to the Board.	(c) such other information or material as the Municipal Board may require in respect of the appeal is forwarded to the Board.

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Withdrawal of appeals	Withdrawal of appeals
(23.1) If all appeals to the Municipal Board under subsection (19) are withdrawn and the time for appealing has expired, the secretary of the Board shall notify the clerk of the municipality and the decision of the council is final and binding.	(23.1) If all appeals to the Municipal Board under subsection (19) are withdrawn and the time for appealing has expired, the secretary of the Board shall notify the clerk of the municipality and the decision of the council is final and binding.
Exception	Exception
(23.2) Despite clause (23) (b), if all appeals under subsection (19) are withdrawn within 15 days after the last day for filing a notice of appeal, the municipality is not required to forward the materials described under clauses (23) (b) and (c) to the Municipal Board.	(23.2) Despite clause (23) (b), if all appeals under subsection (19) are withdrawn within 15 days after the last day for filing a notice of appeal, the municipality is not required to forward the materials described under clauses (23) (b) and (c) to the Municipal Board.
Decision final	Decision final
(23.3) If all appeals to the Municipal Board under subsection (19) are withdrawn within 15 days after the last day for filing a notice of appeal, the decision of the council is final and binding.	(23.3) If all appeals to the Municipal Board under subsection (19) are withdrawn within 15 days after the last day for filing a notice of appeal, the decision of the council is final and binding.
Hearing and notice thereof	Hearing and notice thereof
(24) On an appeal to the Municipal Board, the Board shall hold a hearing of which notice shall be given to such persons or bodies and in such manner as the Board may determine.	(24) On an appeal to the Municipal Board, the Board shall hold a hearing of which notice shall be given to such persons or bodies and in such manner as the Board may determine.
Restriction re adding parties	Restriction re adding parties
(24.1) Despite subsection (24), in the case of an appeal under subsection (11) that relates to all or part of an application for an amendment to a by-law that is refused, or in the case of an appeal under subsection (19), only the following may be added as parties:	(24.1) Despite subsection (24), in the case of an appeal under subsection (11) that relates to all or part of an application for an amendment to a by-law that is refused, or in the case of an appeal under subsection (19), only the following may be added as parties:
1. A person or public body who satisfies one of the conditions set out in subsection (24.2).	1. A person or public body who satisfies one of the conditions set out in subsection (24.2).
2. The Minister.	2. The Minister.
Same	Same
(24.2) The conditions mentioned in paragraph 1 of subsection (24.1) are:	(24.2) The conditions mentioned in paragraph 1 of subsection (24.1) are:
1. Before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council.	1. Before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council.
2. The Municipal Board is of the opinion that there are reasonable grounds to add the person or public body as a party.	2. The Municipal Board is of the opinion that there are reasonable grounds to add the person or public body as a party.
New information and material at hearing	New information and material at hearing
(24.3) This subsection applies if information and material that is presented at the hearing of an appeal described in subsection (24.1) was not provided to the municipality before	(24.3) This subsection applies if information and material that is presented at the hearing of an appeal described in subsection (24.1) was not provided to the municipality before

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the council made the decision that is the subject of the appeal.	the council made the decision that is the subject of the appeal.
Same	Same
(24.4) When subsection (24.3) applies, the Municipal Board may, on its own initiative or on a motion by the municipality or any party, consider whether the information and material could have materially affected the council's decision, and if the Board determines that it could have done so, it shall not be admitted into evidence until subsection (24.5) has been complied with and the prescribed time period has elapsed.	(24.4) When subsection (24.3) applies, the Municipal Board may, on its own initiative or on a motion by the municipality or any party, consider whether the information and material could have materially affected the council's decision, and if the Board determines that it could have done so, it shall not be admitted into evidence until subsection (24.5) has been complied with and the prescribed time period has elapsed.
Notice to council	Notice to council
(24.5) The Municipal Board shall notify the council that it is being given an opportunity to,	(24.5) The Municipal Board shall notify the council that it is being given an opportunity to,
(a) reconsider its decision in light of the information and material; and	(a) reconsider its decision in light of the information and material; and
(b) make a written recommendation to the Board.	(b) make a written recommendation to the Board.
Council's recommendation	Council's recommendation
(24.6) The Municipal Board shall have regard to the council's recommendation if it is received within the time period mentioned in subsection (24.4), and may but is not required to do so if it is received afterwards.	(24.6) The Municipal Board shall have regard to the council's recommendation if it is received within the time period mentioned in subsection (24.4), and may but is not required to do so if it is received afterwards.
Conflict with SPPA	Conflict with SPPA
(24.7) Subsections (24.1) to (24.6) apply despite the <i>Statutory Powers Procedure Act</i> .	(24.7) Subsections (24.1) to (24.6) apply despite the <i>Statutory Powers Procedure Act</i> .
Dismissal without hearing	Dismissal without hearing
(25) Despite the <i>Statutory Powers Procedure Act</i> and subsections (11.0.2) and (24), the Municipal Board may dismiss all or part of an appeal without holding a hearing, on its own initiative or on the motion of any party, if,	(25) Despite the <i>Statutory Powers Procedure Act</i> and subsections (11.0.2) and (24), the Municipal Board may dismiss all or part of an appeal without holding a hearing, on its own initiative or on the motion of any party, if,
(a) it is of the opinion that,	(a) it is of the opinion that,
(i) the reasons set out in the notice of appeal do not disclose any apparent land use planning ground upon which the Board could allow all or part of the appeal,	(i) the reasons set out in the notice of appeal do not disclose any apparent land use planning ground upon which the Board could allow all or part of the appeal,
(ii) the appeal is not made in good faith or is frivolous or vexatious,	(ii) the appeal is not made in good faith or is frivolous or vexatious,
(iii) the appeal is made only for the purpose of delay, or	(iii) the appeal is made only for the purpose of delay, or
(iv) the appellant has persistently and without reasonable grounds commenced before the Board proceedings that constitute an abuse of process;	(iv) the appellant has persistently and without reasonable grounds commenced before the Board proceedings that constitute an abuse of process;
(a.1) Repealed: 2006, c. 23, s. 15 (15).	(a.1) Repealed: 2006, c. 23, s. 15 (15).
(b) the appellant has not provided written reasons for the	(b) the appellant has not provided written reasons for the

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appeal;	appeal;
	(b.1) the appellant intends to argue a matter mentioned in subsection (19.0.1) but has not provided the explanations required by that subsection;
(c) the appellant has not paid the fee prescribed under the <i>Ontario Municipal Board Act</i> ; or	(c) the appellant has not paid the fee prescribed under the <i>Ontario Municipal Board Act</i> ; or
(d) the appellant has not responded to a request by the Municipal Board for further information within the time specified by the Board.	(d) the appellant has not responded to a request by the Municipal Board for further information within the time specified by the Board.
Representation	Representation
(25.1) Before dismissing all or part of an appeal, the Municipal Board shall notify the appellant and give the appellant the opportunity to make representation on the proposed dismissal but this subsection does not apply if the appellant has not complied with a request made under clause (25) (d).	(25.1) Before dismissing all or part of an appeal, the Municipal Board shall notify the appellant and give the appellant the opportunity to make representation on the proposed dismissal but this subsection does not apply if the appellant has not complied with a request made under clause (25) (d).
Same	Same
(25.1.1) Despite the <i>Statutory Powers Procedure Act</i> and subsections (11.0.2) and (24), the Municipal Board may, on its own initiative or on the motion of the municipality or the Minister, dismiss all or part of an appeal without holding a hearing if, in the Board's opinion, the application to which the appeal relates is substantially different from the application that was before council at the time of its decision.	(25.1.1) Despite the <i>Statutory Powers Procedure Act</i> and subsections (11.0.2) and (24), the Municipal Board may, on its own initiative or on the motion of the municipality or the Minister, dismiss all or part of an appeal without holding a hearing if, in the Board's opinion, the application to which the appeal relates is substantially different from the application that was before council at the time of its decision.
Dismissal	Dismissal
(25.2) Despite the <i>Statutory Powers Procedure Act</i> , the Municipal Board may dismiss all or part of an appeal after holding a hearing or without holding a hearing on the motion under subsection (25) or (25.1.1), as it considers appropriate.	(25.2) Despite the <i>Statutory Powers Procedure Act</i> , the Municipal Board may dismiss all or part of an appeal after holding a hearing or without holding a hearing on the motion under subsection (25) or (25.1.1), as it considers appropriate.
Powers of O.M.B.	Powers of O.M.B.
(26) The Municipal Board may,	(26) The Municipal Board may,
(a) dismiss the appeal; or	(a) dismiss the appeal; or
(b) allow the appeal in whole or in part and repeal the by-law in whole or in part or amend the by-law in such manner as the Board may determine or direct the council of the municipality to repeal the by-law in whole or in part or to amend the by-law in accordance with the Board's order.	(b) allow the appeal in whole or in part and repeal the by-law in whole or in part or amend the by-law in such manner as the Board may determine or direct the council of the municipality to repeal the by-law in whole or in part or to amend the by-law in accordance with the Board's order.
Matters of provincial interest	Matters of provincial interest
(27) Where an appeal is made to the Municipal Board under subsection (11) or (19), the Minister, if he or she is of the opinion that a matter of provincial interest is, or is likely to be, adversely affected by the by-law, may so advise the Board in writing not later than 30 days before the day fixed	(27) Where an appeal is made to the Municipal Board under subsection (11) or (19), the Minister, if he or she is of the opinion that a matter of provincial interest is, or is likely to be, adversely affected by the by-law, may so advise the Board in writing not later than 30 days before the day fixed

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by the Board for the hearing of the appeal and the Minister shall identify,	by the Board for the hearing of the appeal and the Minister shall identify,
(a) the part or parts of the by-law by which the provincial interest is, or is likely to be, adversely affected; and	(a) the part or parts of the by-law by which the provincial interest is, or is likely to be, adversely affected; and
(b) the general basis for the opinion that a matter of provincial interest is, or is likely to be, adversely affected.	(b) the general basis for the opinion that a matter of provincial interest is, or is likely to be, adversely affected.
No hearing or notice required	No hearing or notice required
(28) The Minister is not required to give notice or to hold a hearing before taking any action under subsection (27).	(28) The Minister is not required to give notice or to hold a hearing before taking any action under subsection (27).
No order to be made	No order to be made
(29) If the Municipal Board has received notice from the Minister under subsection (27) and has made a decision on the by-law, the Board shall not make an order under subsection (11.0.2) or (26) in respect of the part or parts of the by-law identified in the notice.	(29) If the Municipal Board has received notice from the Minister under subsection (27) and has made a decision on the by-law, the Board shall not make an order under subsection (11.0.2) or (26) in respect of the part or parts of the by-law identified in the notice.
Action of L.G. in C.	Action of L.G. in C.
(29.1) The Lieutenant Governor in Council may confirm, vary or rescind the decision of the Municipal Board in respect of the part or parts of the by-law identified in the notice and in doing so may repeal the by-law in whole or in part or amend the by-law in such a manner as the Lieutenant Governor in Council may determine.	(29.1) The Lieutenant Governor in Council may confirm, vary or rescind the decision of the Municipal Board in respect of the part or parts of the by-law identified in the notice and in doing so may repeal the by-law in whole or in part or amend the by-law in such a manner as the Lieutenant Governor in Council may determine.
Coming into force	Coming into force
(30) If one or more appeals have been filed under subsection (19), the by-law does not come into force until all of such appeals have been withdrawn or finally disposed of, whereupon the by-law, except for those parts of it repealed or amended under subsection (26) or as are repealed or amended by the Lieutenant Governor in Council under subsection (29.1), shall be deemed to have come into force on the day it was passed.	(30) If one or more appeals have been filed under subsection (19), the by-law does not come into force until all of such appeals have been withdrawn or finally disposed of, whereupon the by-law, except for those parts of it repealed or amended under subsection (26) or as are repealed or amended by the Lieutenant Governor in Council under subsection (29.1), shall be deemed to have come into force on the day it was passed.
Unappealed portions	Unappealed portions
(31) Despite subsection (30), before all of the appeals have been finally disposed of, the Municipal Board may make an order providing that any part of the by-law not in issue in the appeal shall be deemed to have come into force on the day the by-law was passed.	(31) Despite subsection (30), before all of the appeals have been finally disposed of, the Municipal Board may make an order providing that any part of the by-law not in issue in the appeal shall be deemed to have come into force on the day the by-law was passed.
Method	Method
(32) The Municipal Board may make an order under subsection (31) on its own initiative or on the motion of any person or public body.	(32) The Municipal Board may make an order under subsection (31) on its own initiative or on the motion of any person or public body.
Notice and hearing	Notice and hearing
(33) The Municipal Board may,	(33) The Municipal Board may,

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(a) dispense with giving notice of a motion under subsection (32) or require the giving of such notice of the motion as it considers appropriate; and	(a) dispense with giving notice of a motion under subsection (32) or require the giving of such notice of the motion as it considers appropriate; and
(b) make an order under subsection (31) after holding a hearing or without holding a hearing on the motion, as it considers appropriate.	(b) make an order under subsection (31) after holding a hearing or without holding a hearing on the motion, as it considers appropriate.
Notice	Notice
(34) Despite clause (33) (a), the Municipal Board shall give notice of a motion under subsection (32) to any person or public body who filed with the Board a written request to be notified if a motion is made.	(34) Despite clause (33) (a), the Municipal Board shall give notice of a motion under subsection (32) to any person or public body who filed with the Board a written request to be notified if a motion is made.
<i>[Sections 35 - 36]</i>	<i>[No amendments to Sections 35 - 36]</i>
Increased density, etc., provision by-law	Increased density, etc., provision by-law
37. (1) The council of a local municipality may, in a by-law passed under section 34, authorize increases in the height and density of development otherwise permitted by the by-law that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law.	37. (1) The council of a local municipality may, in a by-law passed under section 34, authorize increases in the height and density of development otherwise permitted by the by-law that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law.
Condition	Condition
(2) A by-law shall not contain the provisions mentioned in subsection (1) unless there is an official plan in effect in the local municipality that contains provisions relating to the authorization of increases in height and density of development.	(2) A by-law shall not contain the provisions mentioned in subsection (1) unless there is an official plan in effect in the local municipality that contains provisions relating to the authorization of increases in height and density of development.
Agreements	Agreements
(3) Where an owner of land elects to provide facilities, services or matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services or matters.	(3) Where an owner of land elects to provide facilities, services or matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services or matters.
Registration of agreement	Registration of agreement
(4) Any agreement entered into under subsection (3) may be registered against the land to which it applies and the municipality is entitled to enforce the provisions thereof against the owner and, subject to the provisions of the <i>Registry Act</i> and the <i>Land Titles Act</i> , any and all subsequent owners of the land.	(4) Any agreement entered into under subsection (3) may be registered against the land to which it applies and the municipality is entitled to enforce the provisions thereof against the owner and, subject to the provisions of the <i>Registry Act</i> and the <i>Land Titles Act</i> , any and all subsequent owners of the land.
	Special account
	(5) All money received by the municipality under this section shall be paid into a special account and spent only for facilities, services and other matters specified in the by-law.
	Investments
	(6) The money in the special account may be invested in

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	securities in which the municipality is permitted to invest under the Municipal Act, 2001 or the City of Toronto Act, 2006, as the case may be, and the earnings derived from the investment of the money shall be paid into the special account, and the auditor in the auditor’s annual report shall report on the activities and status of the account.
	Treasurer’s statement
	(7) The treasurer of the municipality shall each year, on or before the date specified by the council, give the council a financial statement relating to the special account.
	Requirements
	(8) The statement shall include, for the preceding year,
	(a) statements of the opening and closing balances of the special account and of the transactions relating to the account;
	(b) statements identifying,
	(i) any facilities, services or other matters specified in the by-law for which funds from the special account have been spent during the year,
	(ii) details of the amounts spent, and
	(iii) for each facility, service or other matter mentioned in subclause (i), the manner in which any capital cost not funded from the special account was or will be funded; and
	(c) any other information that is prescribed.
	Copy to Minister
	(9) The treasurer shall give a copy of the statement to the Minister on request.
	Statement available to public
	(10) The council shall ensure that the statement is made available to the public.
<i>[Sections 38 - 41]</i>	<i>[No amendments to Sections 38 - 41]</i>
	Definitions
	42. (0.1) In this section,
	“dwelling unit” means any property that is used or designed for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals; (“logement”)
	“effective date” means the day subsection 28 (1) of the Smart Growth for Our Communities Act, 2015 comes into force.

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	(“date d’effet”)
Conveyance of land for park purposes	Conveyance of land for park purposes
42. (1) As a condition of development or redevelopment of land, the council of a local municipality may, by by-law applicable to the whole municipality or to any defined area or areas thereof, require that land in an amount not exceeding, in the case of land proposed for development or redevelopment for commercial or industrial purposes, 2 per cent and in all other cases 5 per cent of the land be conveyed to the municipality for park or other public recreational purposes.	42. (1) As a condition of development or redevelopment of land, the council of a local municipality may, by by-law applicable to the whole municipality or to any defined area or areas thereof, require that land in an amount not exceeding, in the case of land proposed for development or redevelopment for commercial or industrial purposes, 2 per cent and in all other cases 5 per cent of the land be conveyed to the municipality for park or other public recreational purposes.
Definition	Definition
(2) For the purposes of subsection (3),	(2) For the purposes of subsection (3);
“dwelling unit” means any property that is used or designed for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals.	“dwelling unit” means any property that is used or designed for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals. [Note - definition moved to subsection 42(0.1)]
Alternative requirement	Alternative requirement
(3) Subject to subsection (4), as an alternative to requiring the conveyance provided for in subsection (1), in the case of land proposed for development or redevelopment for residential purposes, the by-law may require that land be conveyed to the municipality for park or other public recreational purposes at a rate of one hectare for each 300 dwelling units proposed or at such lesser rate as may be specified in the by-law.	(3) Subject to subsection (4), as an alternative to requiring the conveyance provided for in subsection (1), in the case of land proposed for development or redevelopment for residential purposes, the by-law may require that land be conveyed to the municipality for park or other public recreational purposes at a rate of one hectare for each 300 dwelling units proposed or at such lesser rate as may be specified in the by-law.
Official plan requirement	Official plan requirement
(4) The alternative requirement authorized by subsection (3) may not be provided for in a by-law passed under this section unless there is an official plan in effect in the local municipality that contains specific policies dealing with the provision of lands for park or other public recreational purposes and the use of the alternative requirement.	(4) The alternative requirement authorized by subsection (3) may not be provided for in a by-law passed under this section unless there is an official plan in effect in the local municipality that contains specific policies dealing with the provision of lands for park or other public recreational purposes and the use of the alternative requirement.
	Parks plan
	(4.1) Before adopting the official plan policies described in subsection (4), the local municipality shall prepare and make available to the public a parks plan that examines the need for parkland in the municipality.
	Same
	(4.2) In preparing the parks plan, the municipality,
	(a) shall consult with every school board that has jurisdiction in the municipality; and
	(b) may consult with any other persons or public bodies that

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	the municipality considers appropriate.
	Same
	(4.3) For greater certainty, subsection (4.1) and clause (4.2) (a) do not apply with respect to official plan policies adopted before the effective date.
Use and sale of land	Use and sale of land
(5) Land conveyed to a municipality under this section shall be used for park or other public recreational purposes, but may be sold at any time.	(5) Land conveyed to a municipality under this section shall be used for park or other public recreational purposes, but may be sold at any time.
Payment instead of conveyance	Payment instead of conveyance in lieu
(6) The council of a local municipality may require the payment of money to the value of the land otherwise required to be conveyed under this section in lieu of the conveyance.	(6) If a rate authorized by subsection (1) applies, the council of a local municipality may require the a payment of money in lieu, to the value of the land otherwise required to be conveyed under this section in lieu of the conveyance.
	Same
	(6.0.1) If a rate authorized by subsection (3) applies, the council may require a payment in lieu, calculated by using a rate of one hectare for each 500 dwelling units proposed or such lesser rate as may be specified in the by-law.
	Deemed amendment of by-law
	(6.0.2) If a by-law passed under this section requires a payment in lieu that exceeds the amount calculated under subsection (6.0.1), in circumstances where the alternative requirement set out in subsection (3) applies, the by-law is deemed to be amended to be consistent with subsection (6.0.1).
	Transition
	(6.0.3) If, on or before the effective date, in circumstances where the alternative requirement set out in subsection (3) applies, a payment in lieu has been made or arrangements for a payment in lieu that are satisfactory to the council have been made, subsections (6.0.1) and (6.0.2) do not apply.
No building without payment	No building without payment
(6.1) If a payment is required under subsection (6), no person shall construct a building on the land proposed for development or redevelopment unless the payment has been made or arrangements for the payment that are satisfactory to the council have been made.	(6.1) If a payment is required under subsection (6) or (6.0.1) , no person shall construct a building on the land proposed for development or redevelopment unless the payment has been made or arrangements for the payment that are satisfactory to the council have been made.
Redevelopment, reduction of payment	Redevelopment, reduction of payment
(6.2) If land in a local municipality is proposed for redevelopment, a part of the land meets sustainability criteria set out in the official plan and the conditions set out in subsection (6.3) are met, the council shall reduce the amount	(6.2) If land in a local municipality is proposed for redevelopment, a part of the land meets sustainability criteria set out in the official plan and the conditions set out in subsection (6.3) are met, the council shall reduce the amount

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of any payment required under subsection (6) by the value of that part.	of any payment required under subsection (6) or (6.0.1) by the value of that part.
Same	Same
(6.3) The conditions mentioned in subsection (6.2) are:	(6.3) The conditions mentioned in subsection (6.2) are:
1. The official plan contains policies relating to the reduction of payments required under subsection (6).	1. The official plan contains policies relating to the reduction of payments required under subsection (6) or (6.0.1) .
2. No land is available to be conveyed for park or other public recreational purposes under this section.	2. No land is available to be conveyed for park or other public recreational purposes under this section.
Determination of value	Determination of value
(6.4) For the purposes of subsections (6) and (6.2), the value of the land shall be determined as of the day before the day the building permit is issued in respect of the development or redevelopment or, if more than one building permit is required for the development or redevelopment, as of the day before the day the first permit is issued.	(6.4) For the purposes of subsections (6), (6.1) and (6.2), the value of the land shall be determined as of the day before the day the building permit is issued in respect of the development or redevelopment or, if more than one building permit is required for the development or redevelopment, as of the day before the day the first permit is issued.
Where land conveyed	Where land conveyed
(7) If land has been conveyed or is required to be conveyed to a municipality for park or other public purposes or a payment of money in lieu of such conveyance has been received by the municipality or is owing to it under this section or a condition imposed under section 51.1 or 53, no additional conveyance or payment in respect of the land subject to the earlier conveyance or payment may be required by a municipality in respect of subsequent development or redevelopment unless,	(7) If land has been conveyed or is required to be conveyed to a municipality for park or other public purposes or a payment of money in lieu of such conveyance has been received by the municipality or is owing to it under this section or a condition imposed under section 51.1 or 53, no additional conveyance or payment in respect of the land subject to the earlier conveyance or payment may be required by a municipality in respect of subsequent development or redevelopment unless,
(a) there is a change in the proposed development or redevelopment which would increase the density of development; or	(a) there is a change in the proposed development or redevelopment which would increase the density of development; or
(b) land originally proposed for development or redevelopment for commercial or industrial purposes is now proposed for development or redevelopment for other purposes.	(b) land originally proposed for development or redevelopment for commercial or industrial purposes is now proposed for development or redevelopment for other purposes.
Non-application	Non-application
(8) Despite clauses 74.1 (2) (h) and (i), subsection (7) does not apply to land proposed for development or redevelopment if, before this subsection comes into force, the land was subject to a condition that land be conveyed to a municipality for park or other public purposes or that a payment of money in lieu of such conveyance be made under this section or under section 51 or 53.	(8) Despite clauses 74.1 (2) (h) and (i), subsection (7) does not apply to land proposed for development or redevelopment if, before this subsection comes into force, the land was subject to a condition that land be conveyed to a municipality for park or other public purposes or that a payment of money in lieu of such conveyance be made under this section or under section 51 or 53.
Changes	Changes
(9) If there is a change under clause (7) (a) or (b), the land that has been conveyed or is required to be conveyed or the payment of money that has been received or that is owing, as	(9) If there is a change under clause (7) (a) or (b), the land that has been conveyed or is required to be conveyed or the payment of money that has been received or that is owing, as

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the case may be, shall be included in determining the amount of land or payment of money in lieu of it that may subsequently be required under this section on the development, further development or redevelopment of the lands or part of them in respect of which the original conveyance or payment was made.	the case may be, shall be included in determining the amount of land or payment of money in lieu of it that may subsequently be required under this section on the development, further development or redevelopment of the lands or part of them in respect of which the original conveyance or payment was made.
Disputes	Disputes
(10) In the event of a dispute between a municipality and an owner of land on the value of land determined under subsection (6.4), either party may apply to the Municipal Board to have the value determined and the Board shall, in accordance as nearly as may be with the <i>Expropriations Act</i> , determine the value of the land and, if a payment has been made under protest under subsection (12), the Board may order that a refund be made to the owner.	(10) In the event of a dispute between a municipality and an owner of land on the value of land determined under subsection (6.4), either party may apply to the Municipal Board to have the value determined and the Board shall, in accordance as nearly as may be with the <i>Expropriations Act</i> , determine the value of the land and, if a payment has been made under protest under subsection (12), the Board may order that a refund be made to the owner.
Same	Same
(11) In the event of a dispute between a municipality and an owner of land as to the amount of land or payment of money that may be required under subsection (9), either party may apply to the Municipal Board and the Board shall make a final determination of the matter.	(11) In the event of a dispute between a municipality and an owner of land as to the amount of land or payment of money that may be required under subsection (9), either party may apply to the Municipal Board and the Board shall make a final determination of the matter.
Payment under protest	Payment under protest
(12) If there is a dispute between a municipality and the owner of land under subsection (10), the owner may pay the amount required by the municipality under protest and shall make an application to the Municipal Board under subsection (10) within 30 days of the payment of the amount.	(12) If there is a dispute between a municipality and the owner of land under subsection (10), the owner may pay the amount required by the municipality under protest and shall make an application to the Municipal Board under subsection (10) within 30 days of the payment of the amount.
Notice	Notice
(13) If an owner of land makes a payment under protest and an application to the Municipal Board under subsection (12), the owner shall give notice of the application to the municipality within 15 days after the application is made.	(13) If an owner of land makes a payment under protest and an application to the Municipal Board under subsection (12), the owner shall give notice of the application to the municipality within 15 days after the application is made.
Park purposes	Park purposes
(14) The council of a municipality may include in its estimates an amount to be used for the acquisition of land to be used for park or other public recreational purposes and may pay into the fund provided for in subsection (15) that amount, and any person may pay any sum into the same fund.	(14) The council of a municipality may include in its estimates an amount to be used for the acquisition of land to be used for park or other public recreational purposes and may pay into the fund provided for in subsection (15) that amount, and any person may pay any sum into the same fund.
Special account	Special account
(15) All money received by the municipality under subsections (6) and (14) and all money received on the sale of land under subsection (5), less any amount spent by the municipality out of its general funds in respect of the land, shall be paid into a special account and spent only for the	(15) All money received by the municipality under subsections (6), (6.0.1) and (14) and all money received on the sale of land under subsection (5), less any amount spent by the municipality out of its general funds in respect of the land, shall be paid into a special account and spent only for the

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acquisition of land to be used for park or other public recreational purposes, including the erection, improvement or repair of buildings and the acquisition of machinery for park or other public recreational purposes.	the acquisition of land to be used for park or other public recreational purposes, including the erection, improvement or repair of buildings and the acquisition of machinery for park or other public recreational purposes.
Investments	Investments
(16) The money in the special account may be invested in securities in which the municipality is permitted to invest under the <i>Municipal Act, 2001</i> or the <i>City of Toronto Act, 2006</i> , as the case may be, and the earnings derived from the investment of the money shall be paid into the special account, and the auditor in the auditor's annual report shall report on the activities and status of the account.	(16) The money in the special account may be invested in securities in which the municipality is permitted to invest under the <i>Municipal Act, 2001</i> or the <i>City of Toronto Act, 2006</i> , as the case may be, and the earnings derived from the investment of the money shall be paid into the special account, and the auditor in the auditor's annual report shall report on the activities and status of the account.
	Treasurer's statement
	(17) The treasurer of the municipality shall each year, on or before the date specified by the council, give the council a financial statement relating to the special account.
	Requirements
	(18) The statement shall include, for the preceding year,
	(a) statements of the opening and closing balances of the special account and of the transactions relating to the account;
	(b) statements identifying,
	(i) any land or machinery acquired during the year with funds from the special account,
	(ii) any building erected, improved or repaired during the year with funds from the special account,
	(iii) details of the amounts spent, and
	(iv) for each asset mentioned in subclauses (i) and (ii), the manner in which any capital cost not funded from the special account was or will be funded; and
	(c) any other information that is prescribed.
	Copy to Minister
	(19) The treasurer shall give a copy of the statement to the Minister on request.
	Statement available to public
	(20) The council shall ensure that the statement is made available to the public.
<i>[Sections 43 - 44]</i>	<i>[No amendments to Sections 43 - 44]</i>
Powers of committee	Powers of committee
45. (1) The committee of adjustment, upon the application of the owner of any land, building or structure affected by	45. (1) The committee of adjustment, upon the application of the owner of any land, building or structure affected by

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any by-law that is passed under section 34 or 38, or a predecessor of such sections, or any person authorized in writing by the owner, may, despite any other Act, authorize such minor variance from the provisions of the by-law, in respect of the land, building or structure or the use thereof, as in its opinion is desirable for the appropriate development or use of the land, building or structure, if in the opinion of the committee the general intent and purpose of the by-law and of the official plan, if any, are maintained.	any by-law that is passed under section 34 or 38, or a predecessor of such sections, or any person authorized in writing by the owner, may, despite any other Act, authorize such minor variance from the provisions of the by-law, in respect of the land, building or structure or the use thereof, as in its opinion is desirable for the appropriate development or use of the land, building or structure, if in the opinion of the committee the general intent and purpose of the by-law and of the official plan, if any, are maintained.
	Prescribed criteria
	(1.0.1) The committee of adjustment shall authorize a minor variance under subsection (1) only if, in addition to satisfying the requirements of that subsection, the minor variance conforms with,
	(a) the prescribed criteria, if any;
	(b) the criteria established by the local municipality by by-law, if any.
	Same
	(1.0.2) For the purposes of subsection (1.0.1), criteria that were not in force on the day the owner made the application do not apply.
	Criteria by-law
	(1.0.3) The council of a local municipality may, by by-law, establish criteria for the purposes of clause (1.0.1) (b) and the following provisions apply, with necessary modifications, in respect of the by-law:
	1. Clause 34 (12) (a).
	2. Subsections 34 (13), (14.1) to (15), (17) to (19.0.1), (20) to (20.4), (22) to (25.1) and (25.2) to (26).
	Coming into force
	(1.0.4) A by-law under subsection (1.0.3) comes into force,
	(a) if no notice of appeal is filed in respect of the by-law and the time for filing appeals has expired, on the day after the last day of the time for filing appeals;
	(b) if all appeals in respect of the by-law are withdrawn and the time for filing appeals has expired, on the day after the last day on which an appeal was withdrawn;
	(c) if the Municipal Board dismisses all appeals and the time for filing appeals has expired, on the day after the last day on which an appeal was dismissed;

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	(d) if the Municipal Board allows an appeal in respect of the by-law and amends the by-law, on the day after the last day on which the Municipal Board makes a decision disposing of the appeal; or
	(e) if the Municipal Board allows an appeal in respect of the by-law and directs the municipality to amend the by-law, on the day after the day the municipality passes the amending by-law.
Restriction	Restriction
(1.1) Subsection (1) does not allow the committee to authorize a minor variance from conditions imposed under subsection 34 (16) of this Act or under subsection 113 (2) of the <i>City of Toronto Act, 2006</i> .	(1.1) Subsection (1) does not allow the committee to authorize a minor variance from conditions imposed under subsection 34 (16) of this Act or under subsection 113 (2) of the <i>City of Toronto Act, 2006</i> .
	When subs. (1.3) applies
	(1.2) Subsection (1.3) applies when a by-law is amended in response to an application by the owner of any land, building or structure affected by the by-law, or in response to an application by a person authorized in writing by the owner.
	Two-year period, no application for minor variance
	(1.3) Subject to subsection (1.4), no person shall apply for a minor variance from the provisions of the by-law in respect of the land, building or structure before the second anniversary of the day on which the by-law was amended.
	Exception
	(1.4) Subsection (1.3) does not apply in respect of an application if the council has declared by resolution that such an application is permitted, which resolution may be made in respect of a specific application, a class of applications or in respect of such applications generally.
Other powers	Other powers
(2) In addition to its powers under subsection (1), the committee, upon any such application,	(2) In addition to its powers under subsection (1), the committee, upon any such application,
(a) where any land, building or structure, on the day the by-law was passed, was lawfully used for a purpose prohibited by the by-law, may permit,	(a) where any land, building or structure, on the day the by-law was passed, was lawfully used for a purpose prohibited by the by-law, may permit,
(i) the enlargement or extension of the building or structure, if the use that was made of the building or structure on the day the by-law was passed, or a use permitted under subclause (ii) continued until the date of the application to the committee, but no permission may be given to enlarge or extend the building or structure beyond the limits of the land owned and used in connection therewith on the day the by-law was passed, or	(i) the enlargement or extension of the building or structure, if the use that was made of the building or structure on the day the by-law was passed, or a use permitted under subclause (ii) continued until the date of the application to the committee, but no permission may be given to enlarge or extend the building or structure beyond the limits of the land owned and used in connection therewith on the day the by-law was passed, or
(ii) the use of such land, building or structure for a purpose	(ii) the use of such land, building or structure for a purpose

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that, in the opinion of the committee, is similar to the purpose for which it was used on the day the by-law was passed or is more compatible with the uses permitted by the by-law than the purpose for which it was used on the day the by-law was passed, if the use for a purpose prohibited by the by-law or another use for a purpose previously permitted by the committee continued until the date of the application to the committee; or	that, in the opinion of the committee, is similar to the purpose for which it was used on the day the by-law was passed or is more compatible with the uses permitted by the by-law than the purpose for which it was used on the day the by-law was passed, if the use for a purpose prohibited by the by-law or another use for a purpose previously permitted by the committee continued until the date of the application to the committee; or
(b) where the uses of land, buildings or structures permitted in the by-law are defined in general terms, may permit the use of any land, building or structure for any purpose that, in the opinion of the committee, conforms with the uses permitted in the by-law.	(b) where the uses of land, buildings or structures permitted in the by-law are defined in general terms, may permit the use of any land, building or structure for any purpose that, in the opinion of the committee, conforms with the uses permitted in the by-law.
Power of committee to grant minor variances	Power of committee to grant minor variances
(3) A council that has constituted a committee of adjustment may by by-law empower the committee of adjustment to grant minor variances from the provisions of any by-law of the municipality that implements an official plan, or from such by-laws of the municipality as are specified and that implement an official plan, and when a committee of adjustment is so empowered subsection (1) applies with necessary modifications.	(3) A council that has constituted a committee of adjustment may by by-law empower the committee of adjustment to grant minor variances from the provisions of any by-law of the municipality that implements an official plan, or from such by-laws of the municipality as are specified and that implement an official plan, and when a committee of adjustment is so empowered subsection (1) applies with necessary modifications.
Time for hearing	Time for hearing
(4) The hearing on any application shall be held within thirty days after the application is received by the secretary-treasurer.	(4) The hearing on any application shall be held within thirty days after the application is received by the secretary-treasurer.
Notice of hearing	Notice of hearing
(5) The committee, before hearing an application, shall in the manner and to the persons and public bodies and containing the information prescribed, give notice of the application.	(5) The committee, before hearing an application, shall in the manner and to the persons and public bodies and containing the information prescribed, give notice of the application.
Hearing	Hearing
(6) The hearing of every application shall be held in public, and the committee shall hear the applicant and every other person who desires to be heard in favour of or against the application, and the committee may adjourn the hearing or reserve its decision. R.S.O. 1990, c. P.13, s. 45 (6).	(6) The hearing of every application shall be held in public, and the committee shall hear the applicant and every other person who desires to be heard in favour of or against the application, and the committee may adjourn the hearing or reserve its decision.
Oaths	Oaths
(7) The chair, or in his or her absence the acting chair, may administer oaths.	(7) The chair, or in his or her absence the acting chair, may administer oaths.
Decision	Decision
(8) No decision of the committee on an application is valid unless it is concurred in by the majority of the members of the committee that heard the application, and the decision of the committee, whether granting or refusing an application	(8) No decision of the committee on an application is valid unless it is concurred in by the majority of the members of the committee that heard the application, and t.

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	Same
	(8.1) The decision of the committee, whether granting or refusing an application, shall be in writing, and shall set out the reasons for the decision, and shall be signed by the members who concur in the decision and shall,
	(a) set out the reasons for the decision; and
	(b) contain a brief explanation of the effect, if any, that the written and oral submissions mentioned in subsection (8.2) had on the decision.
	Written and oral submissions
	(8.2) Clause (8.1) (b) applies to,
	(a) any written submissions relating to the application that were made to the committee before its decision; and
	(b) any oral submissions relating to the application that were made at a hearing.
Conditions in decision	Conditions in decision
(9) Any authority or permission granted by the committee under subsections (1), (2) and (3) may be for such time and subject to such terms and conditions as the committee considers advisable and as are set out in the decision.	(9) Any authority or permission granted by the committee under subsections (1), (2) and (3) may be for such time and subject to such terms and conditions as the committee considers advisable and as are set out in the decision.
Agreement re terms and conditions	Agreement re terms and conditions
(9.1) If the committee imposes terms and conditions under subsection (9), it may also require the owner of the land to enter into one or more agreements with the municipality dealing with some or all of the terms and conditions, and in that case the requirement shall be set out in the decision.	(9.1) If the committee imposes terms and conditions under subsection (9), it may also require the owner of the land to enter into one or more agreements with the municipality dealing with some or all of the terms and conditions, and in that case the requirement shall be set out in the decision.
Registration of agreement	Registration of agreement
(9.2) An agreement entered into under subsection (9.1) may be registered against the land to which it applies and the municipality is entitled to enforce the agreement against the owner and, subject to the <i>Registry Act</i> and the <i>Land Titles Act</i> , against any and all subsequent owners of the land.	(9.2) An agreement entered into under subsection (9.1) may be registered against the land to which it applies and the municipality is entitled to enforce the agreement against the owner and, subject to the <i>Registry Act</i> and the <i>Land Titles Act</i> , against any and all subsequent owners of the land.
Notice of decision	Notice of decision
(10) The secretary-treasurer shall not later than ten days from the making of the decision send one copy of the decision, certified by him or her,	(10) The secretary-treasurer shall not later than ten days from the making of the decision send one copy of the decision, certified by him or her,
(a) to the Minister, if the Minister has notified the committee by registered mail that he or she wishes to receive a copy of all decisions of the committee;	(a) to the Minister, if the Minister has notified the committee by registered mail that he or she wishes to receive a copy of all decisions of the committee;
(b) to the applicant; and	(b) to the applicant; and
(c) to each person who appeared in person or by counsel at the hearing and who filed with the secretary-treasurer a	(c) to each person who appeared in person or by counsel at the hearing and who filed with the secretary-treasurer a

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written request for notice of the decision,	written request for notice of the decision,
together with a notice of the last day for appealing to the Municipal Board.	together with a notice of the last day for appealing to the Municipal Board.
Additional material	Additional material
(11) Where the secretary-treasurer is required to send a copy of the decision to the Minister under subsection (10), he or she shall also send to the Minister such other information and material as may be prescribed.	(11) Where the secretary-treasurer is required to send a copy of the decision to the Minister under subsection (10), he or she shall also send to the Minister such other information and material as may be prescribed.
Appeal to O.M.B.	Appeal to O.M.B.
(12) The applicant, the Minister or any other person or public body who has an interest in the matter may within 20 days of the making of the decision appeal to the Municipal Board against the decision of the committee by filing with the secretary-treasurer of the committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the secretary-treasurer of the fee prescribed by the Municipal Board under the <i>Ontario Municipal Board Act</i> as payable on an appeal from a committee of adjustment to the Board.	(12) The applicant, the Minister or any other person or public body who has an interest in the matter may within 20 days of the making of the decision appeal to the Municipal Board against the decision of the committee by filing with the secretary-treasurer of the committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the secretary-treasurer of the fee prescribed by the Municipal Board under the <i>Ontario Municipal Board Act</i> as payable on an appeal from a committee of adjustment to the Board.
Idem	Idem Record
(13) The secretary-treasurer of a committee, upon receipt of a notice of appeal filed under subsection (12), shall forthwith forward the notice of appeal and the amount of the fee mentioned in subsection (12) to the Municipal Board by registered mail together with all papers and documents filed with the committee of adjustment relating to the matter appealed from and such other documents and papers as may be required by the Board. R.S.O. 1990, c. P.13, s. 45 (13).	(13) The secretary-treasurer of a committee, upon receipt of On receiving a notice of appeal filed under subsection (12), the secretary-treasurer of the committee shall forthwith promptly forward to the Municipal Board, by registered mail,
	(a) the notice of appeal; and
	(b) the amount of the fee mentioned in subsection (12); to the Municipal Board by registered mail together with
	(c) all papers and documents filed with the committee of adjustment relating to the matter appealed from;
	(d) and such other documents and papers as may be required by the Board; and
	(e) any other prescribed information and material.
Exception	Exception
(13.1) Despite subsection (13), if all appeals under subsection (12) are withdrawn within 15 days after the last day for filing a notice of appeal, the secretary-treasurer is not required to forward the materials described under subsection (13) to the Municipal Board.	(13.1) Despite subsection (13), if all appeals under subsection (12) are withdrawn within 15 days after the last day for filing a notice of appeal, the secretary-treasurer is not required to forward the materials described under subsection (13) to the Municipal Board.
Decision final	Decision final
(13.2) If all appeals under subsection (12) are withdrawn within 15 days after the last day for filing a notice of appeal,	(13.2) If all appeals under subsection (12) are withdrawn within 15 days after the last day for filing a notice of appeal,

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the decision of the committee is final and binding and the secretary-treasurer of the committee shall notify the applicant and file a certified copy of the decision with the clerk of the municipality.	the decision of the committee is final and binding and the secretary-treasurer of the committee shall notify the applicant and file a certified copy of the decision with the clerk of the municipality.
Where no appeal	Where no appeal
(14) If within such 20 days no notice of appeal is given, the decision of the committee is final and binding, and the secretary-treasurer shall notify the applicant and shall file a certified copy of the decision with the clerk of the municipality. R.S.O. 1990, c. P.13, s. 45 (14); 1994, c. 23, s. 26 (3).	(14) If within such 20 days no notice of appeal is given, the decision of the committee is final and binding, and the secretary-treasurer shall notify the applicant and shall file a certified copy of the decision with the clerk of the municipality. R.S.O. 1990, c. P.13, s. 45 (14); 1994, c. 23, s. 26 (3).
Where appeals withdrawn	Where appeals withdrawn
(15) Where all appeals to the Municipal Board are withdrawn, the decision of the committee is final and binding and the secretary of the Board shall notify the secretary-treasurer of the committee who in turn shall notify the applicant and file a certified copy of the decision with the clerk of the municipality.	(15) Where all appeals to the Municipal Board are withdrawn, the decision of the committee is final and binding and the secretary of the Board shall notify the secretary-treasurer of the committee who in turn shall notify the applicant and file a certified copy of the decision with the clerk of the municipality.
Hearing	Hearing
(16) On an appeal to the Municipal Board, the Board shall, except as provided in subsections (15) and (17), hold a hearing of which notice shall be given to the applicant, the appellant, the secretary-treasurer of the committee and to such other persons or public bodies and in such manner as the Board may determine.	(16) On an appeal to the Municipal Board, the Board shall, except as provided in subsections (15) and (17), hold a hearing of which notice shall be given to the applicant, the appellant, the secretary-treasurer of the committee and to such other persons or public bodies and in such manner as the Board may determine.
Dismissal without hearing	Dismissal without hearing
(17) Despite the <i>Statutory Powers Procedure Act</i> and subsection (16), the Municipal Board may dismiss all or part of an appeal without holding a hearing, on its own initiative or on the motion of any party, if,	(17) Despite the <i>Statutory Powers Procedure Act</i> and subsection (16), the Municipal Board may dismiss all or part of an appeal without holding a hearing, on its own initiative or on the motion of any party, if,
(a) it is of the opinion that,	(a) it is of the opinion that,
(i) the reasons set out in the notice of appeal do not disclose any apparent land use planning ground upon which the Board could allow all or part of the appeal,	(i) the reasons set out in the notice of appeal do not disclose any apparent land use planning ground upon which the Board could allow all or part of the appeal,
(ii) the appeal is not made in good faith or is frivolous or vexatious,	(ii) the appeal is not made in good faith or is frivolous or vexatious,
(iii) the appeal is made only for the purpose of delay, or	(iii) the appeal is made only for the purpose of delay, or
(iv) the appellant has persistently and without reasonable grounds commenced before the Board proceedings that constitute an abuse of process;	(iv) the appellant has persistently and without reasonable grounds commenced before the Board proceedings that constitute an abuse of process;
(b) the appellant has not provided written reasons for the appeal;	(b) the appellant has not provided written reasons for the appeal;

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(c) the appellant has not paid the fee prescribed under the <i>Ontario Municipal Board Act</i> ; or	(c) the appellant has not paid the fee prescribed under the <i>Ontario Municipal Board Act</i> ; or
(d) the appellant has not responded to a request by the Municipal Board for further information within the time specified by the Board.	(d) the appellant has not responded to a request by the Municipal Board for further information within the time specified by the Board.
Representation	Representation
(17.1) Before dismissing all or part of an appeal, the Municipal Board shall notify the appellant and give the appellant the opportunity to make representation on the proposed dismissal but this subsection does not apply if the appellant has not complied with a request made under clause (17) (d).	(17.1) Before dismissing all or part of an appeal, the Municipal Board shall notify the appellant and give the appellant the opportunity to make representation on the proposed dismissal but this subsection does not apply if the appellant has not complied with a request made under clause (17) (d).
Dismissal	Dismissal
(17.2) The Municipal Board may dismiss all or part of an appeal after holding a hearing or without holding a hearing on the motion under subsection (17), as it considers appropriate.	(17.2) The Municipal Board may dismiss all or part of an appeal after holding a hearing or without holding a hearing on the motion under subsection (17), as it considers appropriate.
Powers of O.M.B.	Powers of O.M.B.
(18) The Municipal Board may dismiss the appeal and may make any decision that the committee could have made on the original application.	(18) The Municipal Board may dismiss the appeal and may make any decision that the committee could have made on the original application.
Amended application	Amended application
(18.1) On an appeal, the Municipal Board may make a decision on an application which has been amended from the original application if, before issuing its order, written notice is given to the persons and public bodies who received notice of the original application under subsection (5) and to other persons and agencies prescribed under that subsection.	(18.1) On an appeal, the Municipal Board may make a decision on an application which has been amended from the original application if, before issuing its order, written notice is given to the persons and public bodies who received notice of the original application under subsection (5) and to other persons and agencies prescribed under that subsection.
Exception	Exception
(18.1.1) The Municipal Board is not required to give notice under subsection (18.1) if, in its opinion, the amendment to the original application is minor.	(18.1.1) The Municipal Board is not required to give notice under subsection (18.1) if, in its opinion, the amendment to the original application is minor.
Notice of intent	Notice of intent
(18.2) Any person or public body who receives notice under subsection (18.1) may, not later than thirty days after the day that written notice was given, notify the Board of an intention to appear at the hearing or the resumption of the hearing, as the case may be.	(18.2) Any person or public body who receives notice under subsection (18.1) may, not later than thirty days after the day that written notice was given, notify the Board of an intention to appear at the hearing or the resumption of the hearing, as the case may be.
Order	Order
(18.3) If, after the expiry of the time period in subsection (18.2), no notice of intent has been received, the Board may issue its order.	(18.3) If, after the expiry of the time period in subsection (18.2), no notice of intent has been received, the Board may issue its order..

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Hearing	Hearing
(18.4) If a notice of intent is received, the Board may hold a hearing or resume the hearing on the amended application or it may issue its order without holding a hearing or resuming the hearing.	(18.4) If a notice of intent is received, the Board may hold a hearing or resume the hearing on the amended application or it may issue its order without holding a hearing or resuming the hearing.
Notice of decision	Notice of decision
(19) When the Municipal Board makes an order on an appeal, the secretary of the Board shall send a copy thereof to the applicant, the appellant and the secretary-treasurer of the committee.	(19) When the Municipal Board makes an order on an appeal, the secretary of the Board shall send a copy thereof to the applicant, the appellant and the secretary-treasurer of the committee.
Idem	Idem
(20) The secretary-treasurer shall file a copy of the order of the Municipal Board with the clerk of the municipality.	(20) The secretary-treasurer shall file a copy of the order of the Municipal Board with the clerk of the municipality.
<i>[Sections 46 - 49.1]</i>	<i>[No amendments to Sections 46 - 49.1]</i>
PART VI SUBDIVISION OF LAND	PART VI SUBDIVISION OF LAND
Interpretation	Interpretation
50. (1) In this section and in section 53,	50. (1) In this section and in section 53,
“consent” means,	“consent” means,
(a) where land is situate in a lower-tier municipality, a consent given by the council of the upper-tier municipality,	(a) where land is situate in a lower-tier municipality, a consent given by the council of the upper-tier municipality,
(b) where land is situate in a single-tier municipality that is not in a territorial district, a consent given by the council of the single-tier municipality,	(b) where land is situate in a single-tier municipality that is not in a territorial district, a consent given by the council of the single-tier municipality,
(c) where land is situate in a prescribed single-tier municipality that is in a territorial district, a consent given by the council of the single-tier municipality, and	(c) where land is situate in a prescribed single-tier municipality that is in a territorial district, a consent given by the council of the single-tier municipality, and
(d) except as otherwise provided in clauses (a), (b) and (c), a consent given by the Minister.	(d) except as otherwise provided in clauses (a), (b) and (c), a consent given by the Minister.
References include delegates	References include delegates
(1.0.1) A reference in subsection (1) and in section 53 to the Minister includes a delegate of the Minister under sections 4 and 55 and a reference to a council includes a delegate of a council under section 54.	(1.0.1) A reference in subsection (1) and in section 53 to the Minister includes a delegate of the Minister under sections 4 and 55 and a reference to a council includes a delegate of a council under section 54.
Removal of power	Removal of power
(1.1) The Minister may by order, accompanied by a written explanation for it, remove the powers of the council of a municipality under this section and sections 53 and 57 and the order may be in respect of one or more applications for a consent, an approval under subsection (18) or for a certificate of validation specified in the order or in respect of any or all applications for consents, approvals under subsection (18) or	(1.1) The Minister may by order, accompanied by a written explanation for it, remove the powers of the council of a municipality under this section and sections 53 and 57 and the order may be in respect of one or more applications for a consent, an approval under subsection (18) or for a certificate of validation specified in the order or in respect of any or all applications for consents, approvals under subsection (18) or

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for certificates of validation made after the order is made.	for certificates of validation made after the order is made.
Minister to grant consents, etc.	Minister to grant consents, etc.
(1.2) If an order is made under subsection (1.1), the Minister has the power of the council to grant consents, to give approvals under subsection (18) or to issue a certificate of validation in respect of applications to which the order relates and the council shall forward to the Minister all papers, plans, documents and other materials that relate to any matter in respect of which the powers were removed and of which a final disposition was not made by the council before the power was removed.	(1.2) If an order is made under subsection (1.1), the Minister has the power of the council to grant consents, to give approvals under subsection (18) or to issue a certificate of validation in respect of applications to which the order relates and the council shall forward to the Minister all papers, plans, documents and other materials that relate to any matter in respect of which the powers were removed and of which a final disposition was not made by the council before the power was removed.
Effect of revocation	Effect of revocation
(1.3) If the Minister revokes the order or part of the order made under subsection (1.1), the power to grant consents, give approvals under subsection (18) or issue certificates of validation reverts back to the council in respect of all applications to which the revoked order or revoked part of the order applied.	(1.3) If the Minister revokes the order or part of the order made under subsection (1.1), the power to grant consents, give approvals under subsection (18) or issue certificates of validation reverts back to the council in respect of all applications to which the revoked order or revoked part of the order applied.
Delegation	Delegation
(1.4) If an order is made under subsection (1.1) in respect of land that is located in a municipal planning area, the Minister may by order delegate to the municipal planning authority the power which was removed from the council to grant consents, to give approvals under subsection (18) or to issue certificates of validation and the delegation may be subject to such conditions as the order provides.	(1.4) If an order is made under subsection (1.1) in respect of land that is located in a municipal planning area, the Minister may by order delegate to the municipal planning authority the power which was removed from the council to grant consents, to give approvals under subsection (18) or to issue certificates of validation and the delegation may be subject to such conditions as the order provides.
Effect of revocation	Effect of revocation
(1.5) If the Minister revokes the order or part of the order made under subsection (1.4), the power of the municipal planning authority to grant consents, to give approvals under subsection (18) or to issue certificates of validation reverts back to the Minister in respect of all applications to which the revoked order or revoked part of the order applies and the municipal planning authority shall forward to the Minister all papers, plans, documents and other materials that relate to any matter to which the revoked order or part of the order applies and of which a final disposition was not made by the municipal planning authority before the order or part of the order was revoked.	(1.5) If the Minister revokes the order or part of the order made under subsection (1.4), the power of the municipal planning authority to grant consents, to give approvals under subsection (18) or to issue certificates of validation reverts back to the Minister in respect of all applications to which the revoked order or revoked part of the order applies and the municipal planning authority shall forward to the Minister all papers, plans, documents and other materials that relate to any matter to which the revoked order or part of the order applies and of which a final disposition was not made by the municipal planning authority before the order or part of the order was revoked.
Proviso	Proviso
(2) For the purposes of this section, land shall be deemed and shall always have been deemed not to abut land that is being conveyed or otherwise dealt with if it abuts such land on a horizontal plane only.	(2) For the purposes of this section, land shall be deemed and shall always have been deemed not to abut land that is being conveyed or otherwise dealt with if it abuts such land on a horizontal plane only.

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Mining rights	Mining rights
(2.1) For the purposes of this section, land shall be deemed and shall always have been deemed to exclude mining rights in or under land but not mining rights on the land.	(2.1) For the purposes of this section, land shall be deemed and shall always have been deemed to exclude mining rights in or under land but not mining rights on the land.
Subdivision control	Subdivision control
(3) No person shall convey land by way of a deed or transfer, or grant, assign or exercise a power of appointment with respect to land, or mortgage or charge land, or enter into an agreement of sale and purchase of land or enter into any agreement that has the effect of granting the use of or right in land directly or by entitlement to renewal for a period of twenty-one years or more unless,	(3) No person shall convey land by way of a deed or transfer, or grant, assign or exercise a power of appointment with respect to land, or mortgage or charge land, or enter into an agreement of sale and purchase of land or enter into any agreement that has the effect of granting the use of or right in land directly or by entitlement to renewal for a period of twenty-one years or more unless,
(a) the land is described in accordance with and is within a registered plan of subdivision;	(a) the land is described in accordance with and is within a registered plan of subdivision;
(b) the grantor by deed or transfer, the person granting, assigning or exercising a power of appointment, the mortgagor or chargor, the vendor under an agreement of purchase and sale or the grantor of a use of or right in land, as the case may be, does not retain the fee or the equity of redemption in, or a power or right to grant, assign or exercise a power of appointment in respect of, any land abutting the land that is being conveyed or otherwise dealt with other than land that is the whole of one or more lots or blocks within one or more registered plans of subdivision;	(b) the grantor by deed or transfer, the person granting, assigning or exercising a power of appointment, the mortgagor or chargor, the vendor under an agreement of purchase and sale or the grantor of a use of or right in land, as the case may be, does not retain the fee or the equity of redemption in, or a power or right to grant, assign or exercise a power of appointment in respect of, any land abutting the land that is being conveyed or otherwise dealt with other than land that is the whole of one or more lots or blocks within one or more registered plans of subdivision;
(c) the land or any use of or right therein is being acquired or disposed of by Her Majesty in right of Canada, Her Majesty in right of Ontario or by any municipality;	(c) the land or any use of or right therein is being acquired or disposed of by Her Majesty in right of Canada, Her Majesty in right of Ontario or by any municipality;
(d) the land or any use of or right therein is being acquired for the purpose of an electricity distribution line, electricity transmission line, hydrocarbon distribution line or hydrocarbon transmission line within the meaning of Part VI of the <i>Ontario Energy Board Act, 1998</i> and in respect of which the person acquiring the land or any use of or right therein has made a declaration that it is being acquired for such purpose, which shall be conclusive evidence that it is being acquired for such purpose;	(d) the land or any use of or right therein is being acquired for the purpose of an electricity distribution line, electricity transmission line, hydrocarbon distribution line or hydrocarbon transmission line within the meaning of Part VI of the <i>Ontario Energy Board Act, 1998</i> and in respect of which the person acquiring the land or any use of or right therein has made a declaration that it is being acquired for such purpose, which shall be conclusive evidence that it is being acquired for such purpose;
(d.1) the land or any use of or right therein is being acquired, directly or by entitlement to renewal for a period of 21 or more years but not more than 50 years, for the purpose of a renewable energy generation facility or renewable energy project, and in respect of which the person acquiring the land or any use of or right therein has made a declaration that it is being acquired for such purpose, which shall be conclusive evidence that it is being acquired for such purpose;	(d.1) the land or any use of or right therein is being acquired, directly or by entitlement to renewal for a period of 21 or more years but not more than 50 years, for the purpose of a renewable energy generation facility or renewable energy project, and in respect of which the person acquiring the land or any use of or right therein has made a declaration that it is being acquired for such purpose, which shall be conclusive evidence that it is being acquired for such purpose;
(e) the land or any use of or right therein is being acquired	(e) the land or any use of or right therein is being acquired

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for the purposes of flood control, erosion control, bank stabilization, shoreline management works or the preservation of environmentally sensitive lands under a project approved by the Minister of Natural Resources under section 24 of the <i>Conservation Authorities Act</i> and in respect of which an officer of the conservation authority acquiring the land or any use of or right therein has made a declaration that it is being acquired for any of such purposes, which shall be conclusive evidence that it is being acquired for such purpose;	for the purposes of flood control, erosion control, bank stabilization, shoreline management works or the preservation of environmentally sensitive lands under a project approved by the Minister of Natural Resources under section 24 of the <i>Conservation Authorities Act</i> and in respect of which an officer of the conservation authority acquiring the land or any use of or right therein has made a declaration that it is being acquired for any of such purposes, which shall be conclusive evidence that it is being acquired for such purpose;
(f) a consent is given to convey, mortgage or charge the land, or grant, assign or exercise a power of appointment in respect of the land or enter into an agreement in respect of the land;	(f) a consent is given to convey, mortgage or charge the land, or grant, assign or exercise a power of appointment in respect of the land or enter into an agreement in respect of the land;
(g) the land or any use of or right therein was acquired for the purpose of an electricity distribution line, electricity transmission line, hydrocarbon distribution line or hydrocarbon transmission line within the meaning of Part VI of the <i>Ontario Energy Board Act, 1998</i> and is being disposed of to the person from whom it was acquired; or	(g) the land or any use of or right therein was acquired for the purpose of an electricity distribution line, electricity transmission line, hydrocarbon distribution line or hydrocarbon transmission line within the meaning of Part VI of the <i>Ontario Energy Board Act, 1998</i> and is being disposed of to the person from whom it was acquired; or
(h) the only use of or right in land that is granted is an easement or covenant under the <i>Conservation Land Act</i> .	(h) the only use of or right in land that is granted is an easement or covenant under the <i>Conservation Land Act</i> .
Designation of plans of subdivision not deemed registered	Designation of plans of subdivision not deemed registered
(4) The council of a local municipality may by by-law designate any plan of subdivision, or part thereof, that has been registered for eight years or more, which shall be deemed not to be a registered plan of subdivision for the purposes of subsection (3).	(4) The council of a local municipality may by by-law designate any plan of subdivision, or part thereof, that has been registered for eight years or more, which shall be deemed not to be a registered plan of subdivision for the purposes of subsection (3).
Part-lot control	Part-lot control
(5) Where land is within a plan of subdivision registered before or after the coming into force of this section, no person shall convey a part of any lot or block of the land by way of a deed, or transfer, or grant, assign or exercise a power of appointment in respect of a part of any lot or block of the land, or mortgage or charge a part of any lot or block of the land, or enter into an agreement of sale and purchase of a part of any lot or block of the land or enter into any agreement that has the effect of granting the use of or right in a part of any lot or block of the land directly or by entitlement to renewal for a period of twenty-one years or more unless,	(5) Where land is within a plan of subdivision registered before or after the coming into force of this section, no person shall convey a part of any lot or block of the land by way of a deed, or transfer, or grant, assign or exercise a power of appointment in respect of a part of any lot or block of the land, or mortgage or charge a part of any lot or block of the land, or enter into an agreement of sale and purchase of a part of any lot or block of the land or enter into any agreement that has the effect of granting the use of or right in a part of any lot or block of the land directly or by entitlement to renewal for a period of twenty-one years or more unless,
(a) the grantor by deed or transfer, the person granting, assigning or exercising a power of appointment, the mortgagor or chargor, the vendor under an agreement of purchase and sale or the grantor of a use of or right in land, as the case may be, does not retain the fee or the equity of	(a) the grantor by deed or transfer, the person granting, assigning or exercising a power of appointment, the mortgagor or chargor, the vendor under an agreement of purchase and sale or the grantor of a use of or right in land, as the case may be, does not retain the fee or the equity of

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redemption in, or a power or right to grant, assign or exercise a power of appointment in respect of, any land abutting the land that is being conveyed or otherwise dealt with other than land that is the whole of one or more lots or blocks within one or more registered plans of subdivision;	redemption in, or a power or right to grant, assign or exercise a power of appointment in respect of, any land abutting the land that is being conveyed or otherwise dealt with other than land that is the whole of one or more lots or blocks within one or more registered plans of subdivision;
(b) the land or any use of or right therein is being acquired or disposed of by Her Majesty in right of Canada, Her Majesty in right of Ontario or by any municipality;	(b) the land or any use of or right therein is being acquired or disposed of by Her Majesty in right of Canada, Her Majesty in right of Ontario or by any municipality;
(c) the land or any use of or right therein is being acquired for the purpose of a utility line within the meaning of the <i>Ontario Energy Board Act, 1998</i> and in respect of which the person acquiring the land or any use of or right therein has made a declaration that it is being acquired for such purpose, which shall be conclusive evidence that it is being acquired for such purpose;	(c) the land or any use of or right therein is being acquired for the purpose of a utility line within the meaning of the <i>Ontario Energy Board Act, 1998</i> and in respect of which the person acquiring the land or any use of or right therein has made a declaration that it is being acquired for such purpose, which shall be conclusive evidence that it is being acquired for such purpose;
(c.1) the land or any use of or right therein is being acquired, directly or by entitlement to renewal for a period of 21 or more years but not more than 50 years, for the purpose of a renewable energy generation facility or renewable energy project, and in respect of which the person acquiring the land or any use of or right therein has made a declaration that it is being acquired for such purpose, which shall be conclusive evidence that it is being acquired for such purpose;	(c.1) the land or any use of or right therein is being acquired, directly or by entitlement to renewal for a period of 21 or more years but not more than 50 years, for the purpose of a renewable energy generation facility or renewable energy project, and in respect of which the person acquiring the land or any use of or right therein has made a declaration that it is being acquired for such purpose, which shall be conclusive evidence that it is being acquired for such purpose;
(d) the land or any use of or right therein is being acquired for the purposes of flood control, erosion control, bank stabilization, shoreline management works or the preservation of environmentally sensitive lands under a project approved by the Minister of Natural Resources under section 24 of the <i>Conservation Authorities Act</i> and in respect of which an officer of the conservation authority acquiring the land or any use of or right therein has made a declaration that it is being acquired for any of such purposes, which shall be conclusive evidence that it is being acquired for such purpose;	(d) the land or any use of or right therein is being acquired for the purposes of flood control, erosion control, bank stabilization, shoreline management works or the preservation of environmentally sensitive lands under a project approved by the Minister of Natural Resources under section 24 of the <i>Conservation Authorities Act</i> and in respect of which an officer of the conservation authority acquiring the land or any use of or right therein has made a declaration that it is being acquired for any of such purposes, which shall be conclusive evidence that it is being acquired for such purpose;
(e) the land that is being conveyed, or otherwise dealt with is the remaining part of a lot or block, the other part of which was acquired by a body that has vested in it the right to acquire land by expropriation;	(e) the land that is being conveyed, or otherwise dealt with is the remaining part of a lot or block, the other part of which was acquired by a body that has vested in it the right to acquire land by expropriation;
(f) a consent is given to convey, mortgage or charge the land or grant, assign or exercise a power of appointment in respect of the land or enter into an agreement in respect of the land;	(f) a consent is given to convey, mortgage or charge the land or grant, assign or exercise a power of appointment in respect of the land or enter into an agreement in respect of the land;
(g) the land or any use of or right therein was acquired for the purpose of a utility line within the meaning of the <i>Ontario Energy Board Act, 1998</i> and is being disposed of to the	(g) the land or any use of or right therein was acquired for the purpose of a utility line within the meaning of the <i>Ontario Energy Board Act, 1998</i> and is being disposed of to the

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person from whom it was acquired; or	person from whom it was acquired; or
(h) the only use of or right in land that is granted is an easement or covenant under the <i>Conservation Land Act</i> .	(h) the only use of or right in land that is granted is an easement or covenant under the <i>Conservation Land Act</i> .
Conveyance of remaining part	Conveyance of remaining part
(6) Despite subsections (3) and (5), where land is the remaining part of a parcel of land, the other part or parts of which parcel have been the subject of a consent given under clause (3) (f) or (5) (f), the whole of the remaining part may be conveyed or otherwise dealt with before the other part or parts are conveyed or otherwise dealt with, provided that the remaining part is conveyed or otherwise dealt with before the consent mentioned above lapses under subsection 53 (43).	(6) Despite subsections (3) and (5), where land is the remaining part of a parcel of land, the other part or parts of which parcel have been the subject of a consent given under clause (3) (f) or (5) (f), the whole of the remaining part may be conveyed or otherwise dealt with before the other part or parts are conveyed or otherwise dealt with, provided that the remaining part is conveyed or otherwise dealt with before the consent mentioned above lapses under subsection 53 (43).
Designation of lands not subject to part-lot control	Designation of lands not subject to part-lot control
(7) Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.	(7) Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
Requirement for approval of by-law	Requirement for approval of by-law
(7.1) A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.	(7.1) A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
Exemption from approval	Exemption from approval
(7.2) An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.	(7.2) An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
Expiration of by-law	Expiration of by-law
(7.3) A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.	(7.3) A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
Extension of time period	Extension of time period
(7.4) The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.	(7.4) The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
Amendment or repeal	Amendment or repeal
(7.5) The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.	(7.5) The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

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Exception	Exception
(8) Nothing in subsections (3) and (5) prohibits, and subsections (3) and (5) shall be deemed never to have prohibited, the giving back of a mortgage or charge by a purchaser of land to the vendor of the land as part or all of the consideration for the conveyance of the land, provided that the mortgage or charge applies to all of the land described in the conveyance.	(8) Nothing in subsections (3) and (5) prohibits, and subsections (3) and (5) shall be deemed never to have prohibited, the giving back of a mortgage or charge by a purchaser of land to the vendor of the land as part or all of the consideration for the conveyance of the land, provided that the mortgage or charge applies to all of the land described in the conveyance.
Part of building or structure	Part of building or structure
(9) Nothing in subsections (3) and (5) prohibits the entering into of an agreement that has the effect of granting the use of or right in a part of a building or structure for any period of years.	(9) Nothing in subsections (3) and (5) prohibits the entering into of an agreement that has the effect of granting the use of or right in a part of a building or structure for any period of years.
Exception	Exception
(10) This section does not apply to an agreement entered into under section 2 of the <i>Drainage Act</i> .	(10) This section does not apply to an agreement entered into under section 2 of the <i>Drainage Act</i> .
Application to ARDD	Application to ARDD
(11) This section does not apply so as to prevent the Agricultural Rehabilitation and Development Directorate of Ontario from conveying or leasing land where the land that is being conveyed or leased comprises all of the land that was acquired by the Directorate under one registered deed or transfer.	(11) This section does not apply so as to prevent the Agricultural Rehabilitation and Development Directorate of Ontario from conveying or leasing land where the land that is being conveyed or leased comprises all of the land that was acquired by the Directorate under one registered deed or transfer.
Exception to application of subss. (3, 5)	Exception to application of subss. (3, 5)
(12) Where a parcel of land is conveyed by way of a deed or transfer with a consent given under section 53, subsections (3) and (5) of this section do not apply to a subsequent conveyance of, or other transaction involving, the identical parcel of land unless the council or the Minister, as the case may be, in giving the consent, stipulates either that subsection (3) or subsection (5) shall apply to any such subsequent conveyance or transaction.	(12) Where a parcel of land is conveyed by way of a deed or transfer with a consent given under section 53, subsections (3) and (5) of this section do not apply to a subsequent conveyance of, or other transaction involving, the identical parcel of land unless the council or the Minister, as the case may be, in giving the consent, stipulates either that subsection (3) or subsection (5) shall apply to any such subsequent conveyance or transaction.
Reference to stipulation	Reference to stipulation
(13) Where the council or the Minister stipulates in accordance with subsection (12), the certificate provided for under subsection 53 (42) shall contain a reference to the stipulation, and if not so contained the consent shall be conclusively deemed to have been given without the stipulation.	(13) Where the council or the Minister stipulates in accordance with subsection (12), the certificate provided for under subsection 53 (42) shall contain a reference to the stipulation, and if not so contained the consent shall be conclusively deemed to have been given without the stipulation.
Effect of contravention	Effect of contravention
(14) Where land is within a registered plan of subdivision or within a registered description under the <i>Condominium Act</i> or where land is conveyed, mortgaged or charged with a consent given under section 53 or a predecessor thereof, any contravention of this section or a predecessor thereof or of a	(14) Where land is within a registered plan of subdivision or within a registered description under the <i>Condominium Act, 1998</i> or where land is conveyed, mortgaged or charged with a consent given under section 53 or a predecessor thereof, any contravention of this section or a predecessor thereof or

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by-law passed under a predecessor of this section or of an order made under clause 27 (1) (b), as it existed on June 25, 1970, of <i>The Planning Act</i> , being chapter 296 of the Revised Statutes of Ontario, 1960, or a predecessor thereof, that occurred before the registration of the plan of subdivision or description or before the giving of a certificate under subsection 53(42) stating that a consent has been given, as the case may be, does not and shall be deemed never to have had the effect of preventing the conveyance of or creation of any interest in the land, but this subsection does not affect the rights acquired by any person from a judgment or order of any court given or made on or before December 15, 1978.	of a by-law passed under a predecessor of this section or of an order made under clause 27 (1) (b), as it existed on June 25, 1970, of <i>The Planning Act</i> , being chapter 296 of the Revised Statutes of Ontario, 1960, or a predecessor thereof, that occurred before the registration of the plan of subdivision or description or before the giving of a certificate under subsection 53(42) stating that a consent has been given, as the case may be, does not and shall be deemed never to have had the effect of preventing the conveyance of or creation of any interest in the land, but this subsection does not affect the rights acquired by any person from a judgment or order of any court given or made on or before December 15, 1978.
Simultaneous conveyances, etc., of abutting lands	Simultaneous conveyances, etc., of abutting lands
(15) Where a person conveys land or grants, assigns or exercises a power of appointment in respect of land, or mortgages or charges land, or enters into an agreement of sale and purchase of land, or enters into any agreement that has the effect of granting the use of or right in land directly or by entitlement to renewal for a period of twenty-one years or more by way of simultaneous conveyances of abutting lands or by way of other simultaneous dealings with abutting lands, the person so conveying or otherwise dealing with the lands shall be deemed for the purposes of subsections (3) and (5) to retain, as the case may be, the fee or the equity of redemption in, or the power or right to grant, assign or exercise a power of appointment in respect of, land abutting the land that is being conveyed or otherwise dealt with but this subsection does not apply to simultaneous conveyances or other simultaneous dealings involving the same parties acting in their same respective capacities.	(15) Where a person conveys land or grants, assigns or exercises a power of appointment in respect of land, or mortgages or charges land, or enters into an agreement of sale and purchase of land, or enters into any agreement that has the effect of granting the use of or right in land directly or by entitlement to renewal for a period of twenty-one years or more by way of simultaneous conveyances of abutting lands or by way of other simultaneous dealings with abutting lands, the person so conveying or otherwise dealing with the lands shall be deemed for the purposes of subsections (3) and (5) to retain, as the case may be, the fee or the equity of redemption in, or the power or right to grant, assign or exercise a power of appointment in respect of, land abutting the land that is being conveyed or otherwise dealt with but this subsection does not apply to simultaneous conveyances or other simultaneous dealings involving the same parties acting in their same respective capacities.
Partial discharges, etc., effect of	Partial discharges, etc., effect of
(16) Where a person gives a partial discharge of a mortgage on land or gives a partial cessation of a charge on land, the person giving the partial discharge or partial cessation shall be deemed to hold the fee in the lands mentioned in the mortgage or charge and to retain, after the giving of the partial discharge or partial cessation, the fee in the balance of the lands, and for the purposes of this section shall be deemed to convey by way of deed or transfer the land mentioned in the partial discharge or partial cessation.	(16) Where a person gives a partial discharge of a mortgage on land or gives a partial cessation of a charge on land, the person giving the partial discharge or partial cessation shall be deemed to hold the fee in the lands mentioned in the mortgage or charge and to retain, after the giving of the partial discharge or partial cessation, the fee in the balance of the lands, and for the purposes of this section shall be deemed to convey by way of deed or transfer the land mentioned in the partial discharge or partial cessation.
Saving	Saving
(17) Subsection (16) does not apply to a partial discharge of mortgage or partial cessation of charge where the land described in the partial discharge or partial cessation,	(17) Subsection (16) does not apply to a partial discharge of mortgage or partial cessation of charge where the land described in the partial discharge or partial cessation,
(a) is the same land in respect of which a consent to convey	(a) is the same land in respect of which a consent to convey

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has previously been given;	has previously been given;
(b) includes only the whole of one or more lots or blocks within a registered plan of subdivision, unless such plan of subdivision has been designated under subsection (4);	(b) includes only the whole of one or more lots or blocks within a registered plan of subdivision, unless such plan of subdivision has been designated under subsection (4);
(c) is owned by Her Majesty in right of Canada or Her Majesty in right of Ontario or by any municipality; or	(c) is owned by Her Majesty in right of Canada or Her Majesty in right of Ontario or by any municipality; or
(d) is land to which clause (3) (g) or (5) (g) applies.	(d) is land to which clause (3) (g) or (5) (g) applies.
Foreclosure or exercise of power of sale	Foreclosure or exercise of power of sale
(18) No foreclosure of or exercise of a power of sale in a mortgage or charge shall have any effect in law without the approval of the Minister or of the council authorized to give a consent under section 53, as the case may be, other than a council authorized to give a consent pursuant to an order under section 4, unless all of the land subject to such mortgage or charge is included in the foreclosure or exercise of the power of sale, but this subsection does not apply where the land foreclosed or in respect of where the power of sale is exercised comprises only,	(18) No foreclosure of or exercise of a power of sale in a mortgage or charge shall have any effect in law without the approval of the Minister or of the council authorized to give a consent under section 53, as the case may be, other than a council authorized to give a consent pursuant to an order under section 4, unless all of the land subject to such mortgage or charge is included in the foreclosure or exercise of the power of sale, but this subsection does not apply where the land foreclosed or in respect of where the power of sale is exercised comprises only,
(a) the whole of one or more lots or blocks within one or more registered plans of subdivision;	(a) the whole of one or more lots or blocks within one or more registered plans of subdivision;
(b) one or more parcels of land that do not abut any other parcel of land that is subject to the same mortgage or charge;	(b) one or more parcels of land that do not abut any other parcel of land that is subject to the same mortgage or charge;
(c) the identical parcel of land that has been the subject of a consent to convey given under section 53 and the consent did not stipulate that subsection (3) or (5) applies to any subsequent conveyance or transaction; or	(c) the identical parcel of land that has been the subject of a consent to convey given under section 53 and the consent did not stipulate that subsection (3) or (5) applies to any subsequent conveyance or transaction; or
(d) the whole of the remaining part of a parcel of land, the other part or parts of which parcel have been the subject of a consent to convey given under section 53 and the consent did not stipulate that subsection (3) or (5) applies to any subsequent conveyance or transaction.	(d) the whole of the remaining part of a parcel of land, the other part or parts of which parcel have been the subject of a consent to convey given under section 53 and the consent did not stipulate that subsection (3) or (5) applies to any subsequent conveyance or transaction.
Criteria	Criteria
(18.1) No approval shall be given by a council under subsection (18) unless the approval conforms with the prescribed criteria.	(18.1) No approval shall be given by a council under subsection (18) unless the approval conforms with the prescribed criteria.
Release of interest by joint tenant or tenant in common	Release of interest by joint tenant or tenant in common
(19) Where a joint tenant or tenant in common of land releases or conveys the tenant's interest in such land to one or more other joint tenants or tenants in common of the same land while holding the fee in any abutting land, either alone or together with any other person, the tenant shall be deemed, for the purposes of subsections (3) and (5), to convey such land by way of deed or transfer and to retain the fee in the	(19) Where a joint tenant or tenant in common of land releases or conveys the tenant's interest in such land to one or more other joint tenants or tenants in common of the same land while holding the fee in any abutting land, either alone or together with any other person, the tenant shall be deemed, for the purposes of subsections (3) and (5), to convey such land by way of deed or transfer and to retain the fee in the

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abutting land.	abutting land.
Partition orders	Partition orders
(20) No order made under the <i>Partition Act</i> for the partition of land shall have any effect in law unless,	(20) No order made under the <i>Partition Act</i> for the partition of land shall have any effect in law unless,
(a) irrespective of the order, each part of the land described in the order could be conveyed without contravening this section; or	(a) irrespective of the order, each part of the land described in the order could be conveyed without contravening this section; or
(b) a consent is given to the order.	(b) a consent is given to the order.
Conveyance, etc., contrary to section not to create or convey interest in land	Conveyance, etc., contrary to section not to create or convey interest in land
(21) An agreement, conveyance, mortgage or charge made, or a power of appointment granted, assigned or exercised in contravention of this section or a predecessor thereof does not create or convey any interest in land, but this section does not affect an agreement entered into subject to the express condition contained therein that such agreement is to be effective only if the provisions of this section are complied with.	(21) An agreement, conveyance, mortgage or charge made, or a power of appointment granted, assigned or exercised in contravention of this section or a predecessor thereof does not create or convey any interest in land, but this section does not affect an agreement entered into subject to the express condition contained therein that such agreement is to be effective only if the provisions of this section are complied with.
Exception re prescribed statements	Exception re prescribed statements
(22) Where a deed or transfer,	(22) Where a deed or transfer,
(a) contains a statement by the grantor, verifying that to the best of the grantor's knowledge and belief the deed or transfer does not contravene this section;	(a) contains a statement by the grantor, verifying that to the best of the grantor's knowledge and belief the deed or transfer does not contravene this section;
(b) contains a statement by the grantor's solicitor, verifying that,	(b) contains a statement by the grantor's solicitor, verifying that,
(i) he or she has explained the effect of this section to the grantor,	(i) he or she has explained the effect of this section to the grantor,
(ii) he or she has made inquiries of the grantor to determine that the deed or transfer does not contravene this section,	(ii) he or she has made inquiries of the grantor to determine that the deed or transfer does not contravene this section,
(iii) based on the information supplied by the grantor, to the best of the solicitor's knowledge and belief, the deed or transfer does not contravene this section, and	(iii) based on the information supplied by the grantor, to the best of the solicitor's knowledge and belief, the deed or transfer does not contravene this section, and
(iv) he or she is an Ontario solicitor in good standing; and	(iv) he or she is an Ontario solicitor in good standing; and
(c) contains a statement by the grantee's solicitor, verifying that,	(c) contains a statement by the grantee's solicitor, verifying that,
(i) he or she has investigated the title to the land and, where relevant, to abutting land,	(i) he or she has investigated the title to the land and, where relevant, to abutting land,
(ii) he or she is satisfied that the record of title to the land and, where relevant, to abutting land, reveals no existing contravention of this section or a predecessor thereof or of a by-law passed under a predecessor of this section or of an	(ii) he or she is satisfied that the record of title to the land and, where relevant, to abutting land, reveals no existing contravention of this section or a predecessor thereof or of a by-law passed under a predecessor of this section or of an

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order made under clause 27 (1) (b), as it existed on the 25th day of June, 1970, of <i>The Planning Act</i> , being chapter 296 of the Revised Statutes of Ontario, 1960, or a predecessor thereof, that has the effect of preventing the conveyance of any interest in the land,	order made under clause 27 (1) (b), as it existed on the 25th day of June, 1970, of <i>The Planning Act</i> , being chapter 296 of the Revised Statutes of Ontario, 1960, or a predecessor thereof, that has the effect of preventing the conveyance of any interest in the land,
(iii) to the best of his or her knowledge and belief, the deed or transfer does not contravene this section, and	(iii) to the best of his or her knowledge and belief, the deed or transfer does not contravene this section, and
(iv) he or she acts independently of the grantor's solicitor and is an Ontario solicitor in good standing; and	(iv) he or she acts independently of the grantor's solicitor and is an Ontario solicitor in good standing; and
(d) is registered under the <i>Land Titles Act</i> or the <i>Registry Act</i> ,	(d) is registered under the <i>Land Titles Act</i> or the <i>Registry Act</i> ,
any contravention of this section or a predecessor thereof or of a by-law passed under a predecessor of this section or of an order made under clause 27 (1) (b), as it existed on the 25th day of June, 1970, of <i>The Planning Act</i> , being chapter 296 of the Revised Statutes of Ontario, 1960, or a predecessor thereof, does not and shall be deemed never to have had the effect of preventing the conveyance of any interest in the land, but this subsection does not affect the rights acquired by any person from a judgment or order of any court given or made on or before the day the deed or transfer is registered.	any contravention of this section or a predecessor thereof or of a by-law passed under a predecessor of this section or of an order made under clause 27 (1) (b), as it existed on the 25th day of June, 1970, of <i>The Planning Act</i> , being chapter 296 of the Revised Statutes of Ontario, 1960, or a predecessor thereof, does not and shall be deemed never to have had the effect of preventing the conveyance of any interest in the land, but this subsection does not affect the rights acquired by any person from a judgment or order of any court given or made on or before the day the deed or transfer is registered.
Search period re <i>Planning Act</i>	Search period re <i>Planning Act</i>
(23) For the purposes of the statement referred to in subclause (22) (c) (ii), a solicitor is not required to investigate the registered title to the land except with respect to the time since the registration of the most recent deed or transfer affecting the same land and containing the statements referred to in clauses (22) (a), (b) and (c).	(23) For the purposes of the statement referred to in subclause (22) (c) (ii), a solicitor is not required to investigate the registered title to the land except with respect to the time since the registration of the most recent deed or transfer affecting the same land and containing the statements referred to in clauses (22) (a), (b) and (c).
Exempting orders	Exempting orders
(24) The Minister may by order designate any part of Ontario as land to which subsection (22) shall not apply after the day a certified copy or duplicate of the order is registered in the proper land registry office in a manner approved by the Director of Land Registration appointed under the <i>Registry Act</i> .	(24) The Minister may by order designate any part of Ontario as land to which subsection (22) shall not apply after the day a certified copy or duplicate of the order is registered in the proper land registry office in a manner approved by the Director of Land Registration appointed under the <i>Registry Act</i> .
Offence	Offence
(25) Every person who knowingly makes a false statement under subsection (22) is guilty of an offence and on conviction is liable to a fine not exceeding the aggregate of the value of,	(25) Every person who knowingly makes a false statement under subsection (22) is guilty of an offence and on conviction is liable to a fine not exceeding the aggregate of the value of,
(a) the land in respect of which the statement is made; and	(a) the land in respect of which the statement is made; and
(b) the relevant abutting land,	(b) the relevant abutting land,
determined as of the day of registration of the deed or	determined as of the day of registration of the deed or

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transfer containing the false statement.	transfer containing the false statement.
Copy of by-law to be lodged with approval authority	Copy of by-law to be lodged with approval authority
(26) A certified copy or duplicate of every by-law passed under subsection (4) shall be lodged by the clerk of the municipality in the office of the approval authority.	(26) A certified copy or duplicate of every by-law passed under subsection (4) shall be lodged by the clerk of the municipality in the office of the approval authority.
When by-law effective	When by-law effective
(27) A by-law passed under subsection (4) is not effective until the requirements of subsection (28) have been complied with.	(27) A by-law passed under subsection (4) is not effective until the requirements of subsection (28) have been complied with.
Registration of by-law	Registration of by-law
(28) A certified copy or duplicate of every by-law passed under this section shall be registered by the clerk of the municipality in the proper land registry office.	(28) A certified copy or duplicate of every by-law passed under this section shall be registered by the clerk of the municipality in the proper land registry office.
Notice	Notice
(29) No notice or hearing is required prior to the passing of a by-law under subsection (4), but the council shall give notice of the passing of any such by-law within thirty days of the passing thereof to each person appearing on the last revised assessment roll to be the owner of land to which the by-law applies, which notice shall be sent to the last known address of each such person.	(29) No notice or hearing is required prior to the passing of a by-law under subsection (4), but the council shall give notice of the passing of any such by-law within thirty days of the passing thereof to each person appearing on the last revised assessment roll to be the owner of land to which the by-law applies, which notice shall be sent to the last known address of each such person.
Hearing by council	Hearing by council
(30) The council shall hear in person or by an agent any person to whom a notice was sent under subsection (29), who within twenty days of the mailing of the notice gives notice to the clerk of the municipality that the person desires to make representations respecting the amendment or repeal of the by-law.	(30) The council shall hear in person or by an agent any person to whom a notice was sent under subsection (29), who within twenty days of the mailing of the notice gives notice to the clerk of the municipality that the person desires to make representations respecting the amendment or repeal of the by-law.
<i>[Section 50.1]</i>	<i>[No amendments to Section 50.1]</i>
Plan of subdivision approvals	Plan of subdivision approvals
51. (1), (2) Repealed: 2002, c. 17, Sched. B, s. 19 (1).	51. (1), (2) Repealed: 2002, c. 17, Sched. B, s. 19 (1).
Minister is approval authority	Minister is approval authority
(3) Except as otherwise provided in this section, the Minister is the approval authority for the purposes of this section and section 51.1.	(3) Except as otherwise provided in this section, the Minister is the approval authority for the purposes of this section and section 51.1.
Deemed approval authority	Deemed approval authority
(3.1) If the Minister has delegated any authority under this section to a council or planning board, in accordance with section 4, the council or planning board is deemed to be the approval authority in respect of the land to which the delegation applies for the purposes of this section and section 51.1.	(3.1) If the Minister has delegated any authority under this section to a council or planning board, in accordance with section 4, the council or planning board is deemed to be the approval authority in respect of the land to which the delegation applies for the purposes of this section and section 51.1.

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Single-tier municipality	Single-tier municipality
(4) If land is in a single-tier municipality that is not in a territorial district, the single-tier municipality is the approval authority for the purposes of this section and section 51.1, except as otherwise prescribed.	(4) If land is in a single-tier municipality that is not in a territorial district, the single-tier municipality is the approval authority for the purposes of this section and section 51.1, except as otherwise prescribed.
Upper-tier municipality	Upper-tier municipality
(5) Subject to subsection (6), if land is in an upper-tier municipality with an approved official plan, the upper-tier municipality is the approval authority for the purposes of this section and section 51.1.	(5) Subject to subsection (6), if land is in an upper-tier municipality with an approved official plan, the upper-tier municipality is the approval authority for the purposes of this section and section 51.1.
Timing, upper-tier as approval authority	Timing, upper-tier as approval authority
(5.1) On the day that all or part of a plan that covers all of an upper-tier municipality comes into effect as the official plan of the municipality, the upper-tier municipality is the approval authority under subsection (5).	(5.1) On the day that all or part of a plan that covers all of an upper-tier municipality comes into effect as the official plan of the municipality, the upper-tier municipality is the approval authority under subsection (5).
Prescribed lower-tier municipality	Prescribed lower-tier municipality
(6) If land is in a prescribed lower-tier municipality, the lower-tier municipality is the approval authority for the purposes of this section and section 51.1.	(6) If land is in a prescribed lower-tier municipality, the lower-tier municipality is the approval authority for the purposes of this section and section 51.1.
Prescribed single-tier municipality in a territorial district	Prescribed single-tier municipality in a territorial district
(7) If land is in a prescribed single-tier municipality that is in a territorial district, the municipality is the approval authority for the purposes of this section and section 51.1.	(7) If land is in a prescribed single-tier municipality that is in a territorial district, the municipality is the approval authority for the purposes of this section and section 51.1.
(8)-(10) Repealed: 2002, c. 17, Sched. B, s. 19 (4).	(8)-(10) Repealed: 2002, c. 17, Sched. B, s. 19 (4).
Removal of power	Removal of power
(11) The Minister may by order, accompanied by a written explanation for it, remove the power given under subsection (3.1), (4), (5), (6) or (7) and the order may be in respect of the applications specified in the order or in respect of any or all applications made after the order is made.	(11) The Minister may by order, accompanied by a written explanation for it, remove the power given under subsection (3.1), (4), (5), (6) or (7) and the order may be in respect of the applications specified in the order or in respect of any or all applications made after the order is made.
Minister to be approval authority	Minister to be approval authority
(12) If an order is made under subsection (11), the Minister becomes the approval authority in respect of the applications to which the order relates and the council of the former approval authority shall forward to the Minister all papers, plans, documents and other material that relate to any matter in respect of which the power was removed and of which a final disposition was not made by the council before the power was removed.	(12) If an order is made under subsection (11), the Minister becomes the approval authority in respect of the applications to which the order relates and the council of the former approval authority shall forward to the Minister all papers, plans, documents and other material that relate to any matter in respect of which the power was removed and of which a final disposition was not made by the council before the power was removed.
Revocation	Revocation
(13) If the Minister revokes the order or part of the order made under subsection (11), the council reverts back to being the approval authority in respect of all applications to which	(13) If the Minister revokes the order or part of the order made under subsection (11), the council reverts back to being the approval authority in respect of all applications to which

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the revoked order or revoked part of the order applies.	the revoked order or revoked part of the order applies.
Delegation	Delegation
(14) If an order is made under subsection (11) in respect of land that is located in a municipal planning area, the Minister may by order delegate to the municipal planning authority the power to approve proposed plans of subdivision which was removed from the council and the municipal planning authority becomes the approval authority in respect of the applications to which the order made under this subsection relates and the delegation may be subject to such conditions as the order provides.	(14) If an order is made under subsection (11) in respect of land that is located in a municipal planning area, the Minister may by order delegate to the municipal planning authority the power to approve proposed plans of subdivision which was removed from the council and the municipal planning authority becomes the approval authority in respect of the applications to which the order made under this subsection relates and the delegation may be subject to such conditions as the order provides.
Effect of revocation	Effect of revocation
(15) If the Minister revokes the order or part of the order made under subsection (14), the Minister reverts back to being the approval authority in respect of all applications to which the revoked order or revoked part of the order applies and the municipal planning authority shall forward to the Minister all papers, plans, documents and other material that relate to any matter to which the revoked order or part of the order applies and of which a final disposition was not made by the municipal planning authority before the order or part of the order was revoked.	(15) If the Minister revokes the order or part of the order made under subsection (14), the Minister reverts back to being the approval authority in respect of all applications to which the revoked order or revoked part of the order applies and the municipal planning authority shall forward to the Minister all papers, plans, documents and other material that relate to any matter to which the revoked order or part of the order applies and of which a final disposition was not made by the municipal planning authority before the order or part of the order was revoked.
Application	Application
(16) An owner of land or the owner's agent duly authorized in writing may apply to the approval authority for approval of a plan of subdivision of the land or part of it.	(16) An owner of land or the owner's agent duly authorized in writing may apply to the approval authority for approval of a plan of subdivision of the land or part of it.
Consultation	Consultation
(16.1) The approval authority,	(16.1) The approval authority,
(a) shall permit applicants to consult with it before submitting applications under subsection (16); and	(a) shall permit applicants to consult with it before submitting applications under subsection (16); and
(b) in the case of an approval authority that is a municipality, may, by by-law, require applicants to consult with it as described in clause (a).	(b) in the case of an approval authority that is a municipality, may, by by-law, require applicants to consult with it as described in clause (a).
Contents	Contents
(17) The applicant shall provide the approval authority with the prescribed information and material and as many copies as may be required by the approval authority of a draft plan of the proposed subdivision drawn to scale and showing,	(17) The applicant shall provide the approval authority with the prescribed information and material and as many copies as may be required by the approval authority of a draft plan of the proposed subdivision drawn to scale and showing,
(a) the boundaries of the land proposed to be subdivided, certified by an Ontario land surveyor;	(a) the boundaries of the land proposed to be subdivided, certified by an Ontario land surveyor;
(b) the locations, widths and names of the proposed highways within the proposed subdivision and of existing highways on which the proposed subdivision abuts;	(b) the locations, widths and names of the proposed highways within the proposed subdivision and of existing highways on which the proposed subdivision abuts;

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(c) on a small key plan, on a scale of not less than one centimetre to 100 metres, all of the land adjacent to the proposed subdivision that is owned by the applicant or in which the applicant has an interest, every subdivision adjacent to the proposed subdivision and the relationship of the boundaries of the land to be subdivided to the boundaries of the township lot or other original grant of which the land forms the whole or part;	(c) on a small key plan, on a scale of not less than one centimetre to 100 metres, all of the land adjacent to the proposed subdivision that is owned by the applicant or in which the applicant has an interest, every subdivision adjacent to the proposed subdivision and the relationship of the boundaries of the land to be subdivided to the boundaries of the township lot or other original grant of which the land forms the whole or part;
(d) the purpose for which the proposed lots are to be used;	(d) the purpose for which the proposed lots are to be used;
(e) the existing uses of all adjoining lands;	(e) the existing uses of all adjoining lands;
(f) the approximate dimensions and layout of the proposed lots;	(f) the approximate dimensions and layout of the proposed lots;
(g) natural and artificial features such as buildings or other structures or installations, railways, highways, watercourses, drainage ditches, wetlands and wooded areas within or adjacent to the land proposed to be subdivided;	(g) natural and artificial features such as buildings or other structures or installations, railways, highways, watercourses, drainage ditches, wetlands and wooded areas within or adjacent to the land proposed to be subdivided;
(h) the availability and nature of domestic water supplies;	(h) the availability and nature of domestic water supplies;
(i) the nature and porosity of the soil;	(i) the nature and porosity of the soil;
(j) existing contours or elevations as may be required to determine the grade of the highways and the drainage of the land proposed to be subdivided;	(j) existing contours or elevations as may be required to determine the grade of the highways and the drainage of the land proposed to be subdivided;
(k) the municipal services available or to be available to the land proposed to be subdivided; and	(k) the municipal services available or to be available to the land proposed to be subdivided; and
(l) the nature and extent of any restrictions affecting the land proposed to be subdivided, including restrictive covenants or easements.	(l) the nature and extent of any restrictions affecting the land proposed to be subdivided, including restrictive covenants or easements.
Other information	Other information
(18) An approval authority may require that an applicant provide any other information or material that the approval authority considers it may need, but only if the official plan contains provisions relating to requirements under this subsection.	(18) An approval authority may require that an applicant provide any other information or material that the approval authority considers it may need, but only if the official plan contains provisions relating to requirements under this subsection.
Refusal and timing	Refusal and timing
(19) Until the approval authority has received the information and material required under subsections (17) and (18), if any, and any fee under section 69 or 69.1,	(19) Until the approval authority has received the information and material required under subsections (17) and (18), if any, and any fee under section 69 or 69.1,
(a) the approval authority may refuse to accept or further consider the application; and	(a) the approval authority may refuse to accept or further consider the application; and
(b) the time period referred to in subsection (34) does not begin.	(b) the time period referred to in subsection (34) does not begin.

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Response re completeness of application	Response re completeness of application
(19.1) Within 30 days after the applicant pays any fee under section 69 or 69.1, the approval authority shall notify the applicant and the clerk of the municipality in which the land is located or the secretary-treasurer of the planning board in whose planning area the land is located that the information and material required under subsections (17) and (18), if any, have been provided, or that they have not been provided, as the case may be.	(19.1) Within 30 days after the applicant pays any fee under section 69 or 69.1, the approval authority shall notify the applicant and the clerk of the municipality in which the land is located or the secretary-treasurer of the planning board in whose planning area the land is located that the information and material required under subsections (17) and (18), if any, have been provided, or that they have not been provided, as the case may be.
Motion re dispute	Motion re dispute
(19.2) Within 30 days after a negative notice is given under subsection (19.1), the applicant or the approval authority may make a motion for directions to have the Municipal Board determine,	(19.2) Within 30 days after a negative notice is given under subsection (19.1), the applicant or the approval authority may make a motion for directions to have the Municipal Board determine,
(a) whether the information and material have in fact been provided; or	(a) whether the information and material have in fact been provided; or
(b) whether a requirement made under subsection (18) is reasonable.	(b) whether a requirement made under subsection (18) is reasonable.
Same	Same
(19.3) If the approval authority does not give any notice under subsection (19.1), the applicant may make a motion under subsection (19.2) at any time after the 30-day period described in subsection (19.1) has elapsed.	(19.3) If the approval authority does not give any notice under subsection (19.1), the applicant may make a motion under subsection (19.2) at any time after the 30-day period described in subsection (19.1) has elapsed.
	Alternative measures
	(19.3.1) Subject to subsection (19.3.3), if the official plan sets out alternative measures for informing and obtaining the views of the public in respect of proposed plans of subdivision and if the measures are complied with, clause (19.4) (a) and subsections (20) and (21) do not apply.
	Same
	(19.3.2) In the course of preparing the official plan, before including alternative measures described in subsection (19.3.1), the council shall consider whether it would be desirable for the measures to allow for notice of the proposed plans of subdivision to the prescribed persons and public bodies mentioned in clause (19.4) (a).
	Restriction
	(19.3.3) Subsection (19.3.1) applies only in the case of an application for approval that is made to an approval authority other than the Minister.
Notice of particulars and public access	Notice of particulars and public access
(19.4) Within 15 days after the approval authority gives an affirmative notice under subsection (19.1), or within 15 days after the Municipal Board advises the approval authority and	(19.4) Within 15 days after the approval authority gives an affirmative notice under subsection (19.1), or within 15 days after the Municipal Board advises the approval authority and

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the clerk or secretary-treasurer of its affirmative decision under subsection (19.2), as the case may be, the council or planning board shall,	the clerk or secretary-treasurer of its affirmative decision under subsection (19.2), as the case may be, the council or planning board shall,
(a) give the prescribed persons and public bodies, in the prescribed manner, notice of the application, accompanied by the prescribed information; and	(a) give the prescribed persons and public bodies, in the prescribed manner, notice of the application, accompanied by the prescribed information; and
(b) make the information and material provided under subsections (17) and (18) available to the public.	(b) make the information and material provided under subsections (17) and (18) available to the public.
Final determination	Final determination
(19.5) The Municipal Board's determination under subsection (19.2) is not subject to appeal or review.	(19.5) The Municipal Board's determination under subsection (19.2) is not subject to appeal or review.
Notice	Notice
(20) At least 14 days before a decision is made by an approval authority under subsection (31), the approval authority shall ensure that,	(20) At least 14 days before a decision is made by an approval authority under subsection (31), the approval authority shall ensure that,
(a) notice of the application is given, if required by regulation, in the manner and to the persons and public bodies and containing the information prescribed; and	(a) notice of the application is given, if required by regulation, in the manner and to the persons and public bodies and containing the information prescribed; and
(b) a public meeting is held, if required by regulation, notice of which shall be given in the manner and to the persons and public bodies and containing the information prescribed.	(b) a public meeting is held, if required by regulation, notice of which shall be given in the manner and to the persons and public bodies and containing the information prescribed.
Request	Request
(21) An approval authority may request that a local municipality or a planning board having jurisdiction over the land that is proposed to be subdivided give notice of the application or hold the public meeting referred to in subsection (20) or do both.	(21) An approval authority may request that a local municipality or a planning board having jurisdiction over the land that is proposed to be subdivided give notice of the application or hold the public meeting referred to in subsection (20) or do both.
Responsibilities	Responsibilities
(21.1) A local municipality or planning board that is requested to give the notice referred to in clause (20) (a) shall ensure that,	(21.1) A local municipality or planning board that is requested to give the notice referred to in clause (20) (a) shall ensure that,
(a) the notice is given in accordance with the regulation made under clause (20) (a); and	(a) the notice is given in accordance with the regulation made under clause (20) (a); and
(b) the prescribed information and material are submitted to the approval authority within 15 days after the notice is given.	(b) the prescribed information and material are submitted to the approval authority within 15 days after the notice is given.
Same	Same
(21.2) A local municipality or planning board that is requested to hold the public meeting referred to in clause (20) (b) shall ensure that,	(21.2) A local municipality or planning board that is requested to hold the public meeting referred to in clause (20) (b) shall ensure that,
(a) notice of the meeting is given in accordance with the	(a) notice of the meeting is given in accordance with the

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regulation made under clause (20) (b);	regulation made under clause (20) (b);
(b) the public meeting is held; and	(b) the public meeting is held; and
(c) the prescribed information and material are submitted to the approval authority within 15 days after the meeting is held.	(c) the prescribed information and material are submitted to the approval authority within 15 days after the meeting is held.
Written submissions	Written submissions
(22) Any person or public body may make written submissions to the approval authority before the approval authority makes its decision under subsection (31).	(22) Any person or public body may make written submissions to the approval authority before the approval authority makes its decision under subsection (31).
Consultation	Consultation
(23) The approval authority may confer with the persons or public bodies that the approval authority considers may have an interest in the approval of the proposed subdivision.	(23) The approval authority may confer with the persons or public bodies that the approval authority considers may have an interest in the approval of the proposed subdivision.
Criteria	Criteria
(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,	(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,
(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;	(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;
(b) whether the proposed subdivision is premature or in the public interest;	(b) whether the proposed subdivision is premature or in the public interest;
(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
(d) the suitability of the land for the purposes for which it is to be subdivided;	(d) the suitability of the land for the purposes for which it is to be subdivided;
(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;	(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;
(f) the dimensions and shapes of the proposed lots;	(f) the dimensions and shapes of the proposed lots;
(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;	(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;
(h) conservation of natural resources and flood control;	(h) conservation of natural resources and flood control;
(i) the adequacy of utilities and municipal services;	(i) the adequacy of utilities and municipal services;
(j) the adequacy of school sites;	(j) the adequacy of school sites;

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(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;	(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;
(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and	(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and
(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the <i>City of Toronto Act, 2006</i> .	(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the <i>City of Toronto Act, 2006</i> .
Conditions	Conditions
(25) The approval authority may impose such conditions to the approval of a plan of subdivision as in the opinion of the approval authority are reasonable, having regard to the nature of the development proposed for the subdivision, including a requirement,	(25) The approval authority may impose such conditions to the approval of a plan of subdivision as in the opinion of the approval authority are reasonable, having regard to the nature of the development proposed for the subdivision, including a requirement,
(a) that land be dedicated or other requirements met for park or other public recreational purposes under section 51.1;	(a) that land be dedicated or other requirements met for park or other public recreational purposes under section 51.1;
(b) that such highways, including pedestrian pathways, bicycle pathways and public transit rights of way, be dedicated as the approval authority considers necessary;	(b) that such highways, including pedestrian pathways, bicycle pathways and public transit rights of way, be dedicated as the approval authority considers necessary;
(b.1) that such land be dedicated for commuter parking lots, transit stations and related infrastructure for the use of the general public using highways, as the approval authority considers necessary;	(b.1) that such land be dedicated for commuter parking lots, transit stations and related infrastructure for the use of the general public using highways, as the approval authority considers necessary;
(c) when the proposed subdivision abuts on an existing highway, that sufficient land, other than land occupied by buildings or structures, be dedicated to provide for the widening of the highway to such width as the approval authority considers necessary; and	(c) when the proposed subdivision abuts on an existing highway, that sufficient land, other than land occupied by buildings or structures, be dedicated to provide for the widening of the highway to such width as the approval authority considers necessary; and
(d) that the owner of the land proposed to be subdivided enter into one or more agreements with a municipality, or where the land is in territory without municipal organization, with any minister of the Crown in right of Ontario or planning board dealing with such matters as the approval authority may consider necessary, including the provision of municipal or other services.	(d) that the owner of the land proposed to be subdivided enter into one or more agreements with a municipality, or where the land is in territory without municipal organization, with any minister of the Crown in right of Ontario or planning board dealing with such matters as the approval authority may consider necessary, including the provision of municipal or other services.
Agreements	Agreements
(26) A municipality or approval authority, or both, may enter into agreements imposed as a condition to the approval of a plan of subdivision and the agreements may be registered against the land to which it applies and the	(26) A municipality or approval authority, or both, may enter into agreements imposed as a condition to the approval of a plan of subdivision and the agreements may be registered against the land to which it applies and the

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municipality or the approval authority, as the case may be, is entitled to enforce the provisions of it against the owner and, subject to the <i>Registry Act</i> and the <i>Land Titles Act</i> , any and all subsequent owners of the land.	municipality or the approval authority, as the case may be, is entitled to enforce the provisions of it against the owner and, subject to the <i>Registry Act</i> and the <i>Land Titles Act</i> , any and all subsequent owners of the land.
Land outside municipalities	Land outside municipalities
(27) If the land proposed to be subdivided is located in territory without municipal organization, any minister of the Crown in right of Ontario or planning board may enter into agreements imposed as a condition to the approval of a plan of subdivision and the agreement may be registered against the land to which it applies and the minister or the planning board is entitled to enforce the provisions of it against the owner and, subject to the <i>Registry Act</i> and the <i>Land Titles Act</i> , any and all subsequent owners of land.	(27) If the land proposed to be subdivided is located in territory without municipal organization, any minister of the Crown in right of Ontario or planning board may enter into agreements imposed as a condition to the approval of a plan of subdivision and the agreement may be registered against the land to which it applies and the minister or the planning board is entitled to enforce the provisions of it against the owner and, subject to the <i>Registry Act</i> and the <i>Land Titles Act</i> , any and all subsequent owners of land.
(28)-(30) Repealed: 1996, c. 4, s. 28 (5).	(28)-(30) Repealed: 1996, c. 4, s. 28 (5).
Decision	Decision
(31) The approval authority may give or refuse to give approval to a draft plan of subdivision. 1994, c. 23, s. 30.	(31) The approval authority may give or refuse to give approval to a draft plan of subdivision. 1994, c. 23, s. 30.
Lapse of approval	Lapse of approval
(32) In giving approval to a draft plan of subdivision, the approval authority may provide that the approval lapses at the expiration of the time period specified by the approval authority, being not less than three years, and the approval shall lapse at the expiration of the time period, but if there is an appeal under subsection (39) the time period specified for the lapsing of approval does not begin until the date the Municipal Board's decision is issued in respect of the appeal or from the date of a notice issued by the Board under subsection (51).	(32) In giving approval to a draft plan of subdivision, the approval authority may provide that the approval lapses at the expiration of the time period specified by the approval authority, being not less than three years, and the approval shall lapse at the expiration of the time period, but if there is an appeal under subsection (39) the time period specified for the lapsing of approval does not begin until the date the Municipal Board's decision is issued in respect of the appeal or from the date of a notice issued by the Board under subsection (51).
Extension	Extension
(33) The approval authority may extend the approval for a time period specified by the approval authority and may further extend it but no extension is permissible if the approval lapses before the extension is given.	(33) The approval authority may extend the approval for a time period specified by the approval authority and may further extend it but no extension is permissible if the approval lapses before the extension is given.
Appeal to O.M.B.	Appeal to O.M.B.
(34) If an application is made for approval of a plan of subdivision and the approval authority fails to make a decision under subsection (31) on it within 180 days after the day the application is received by the approval authority, the applicant may appeal to the Municipal Board with respect to the proposed subdivision by filing a notice with the approval authority, accompanied by the fee prescribed under the <i>Ontario Municipal Board Act</i> .	(34) If an application is made for approval of a plan of subdivision and the approval authority fails to make a decision under subsection (31) on it within 180 days after the day the application is received by the approval authority, the applicant may appeal to the Municipal Board with respect to the proposed subdivision by filing a notice with the approval authority, accompanied by the fee prescribed under the <i>Ontario Municipal Board Act</i> .
<i>Consolidated Hearings Act</i>	<i>Consolidated Hearings Act</i>

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(34.1) Despite the <i>Consolidated Hearings Act</i> , the proponent of an undertaking shall not give notice to the Hearings Registrar under subsection 3 (1) of that Act in respect of an application for approval of a draft plan of subdivision unless the approval authority has given or refused to give approval to the draft plan of subdivision or the time period referred to in subsection (34) has expired.	(34.1) Despite the <i>Consolidated Hearings Act</i> , the proponent of an undertaking shall not give notice to the Hearings Registrar under subsection 3 (1) of that Act in respect of an application for approval of a draft plan of subdivision unless the approval authority has given or refused to give approval to the draft plan of subdivision or the time period referred to in subsection (34) has expired.
Record	Record
(35) An approval authority that receives a notice of appeal under subsection (34) shall ensure that,	(35) An approval authority that receives a notice of appeal under subsection (34) shall ensure that,
(a) a record is compiled which includes the prescribed information and material; and	(a) a record is compiled which includes the prescribed information and material; and
(b) the record, the notice of appeal and the fee are forwarded to the Municipal Board within 15 days after the notice is filed.	(b) the record, the notice of appeal and the fee are forwarded to the Municipal Board within 15 days after the notice is filed.
Exception	Exception
(35.1) Despite clause (35) (b), if all appeals under subsection (34) are withdrawn within 15 days after the last day for filing a notice of appeal, the approval authority is not required to forward the materials described under clause (35) (b) to the Municipal Board.	(35.1) Despite clause (35) (b), if all appeals under subsection (34) are withdrawn within 15 days after the last day for filing a first notice of appeal is filed , the approval authority is not required to forward the materials described under clause (35) (b) to the Municipal Board.
Where all appeals withdrawn	Where all appeals withdrawn
(35.2) If all appeals under subsection (34) are withdrawn within 15 days after the last day for filing a notice of appeal, the approval authority may proceed to make a decision under subsection (31).	(35.2) If all appeals under subsection (34) are withdrawn within 15 days after the last day for filing a first notice of appeal is filed , the approval authority may proceed to make a decision under subsection (31).
Withdrawal	Withdrawal
(36) If an appeal under subsection (34) is withdrawn, the Municipal Board shall notify the approval authority and the approval authority may proceed to make a decision under subsection (31).	(36) If an appeal under subsection (34) is withdrawn, the Municipal Board shall notify the approval authority and the approval authority may proceed to make a decision under subsection (31).
Notice	Notice
(37) If the approval authority gives or refuses to give approval to a draft plan of subdivision, the approval authority shall, within 15 days of its decision, give written notice of it, containing the prescribed information, to,	(37) If the approval authority gives or refuses to give approval to a draft plan of subdivision, the approval authority shall, within 15 days of its decision, give written notice of it, containing in the prescribed manner information to,
(a) the applicant;	(a) the applicant;
(b) each person or public body that made a written request to be notified of the decision;	(b) each person or public body that made a written request to be notified of the decision;
(c) Repealed: 1996, c. 4, s. 28 (8).	(c) Repealed: 1996, c. 4, s. 28 (8).
(d) a municipality or a planning board for a planning area in which the land to be subdivided is situate; and	(d) a municipality or a planning board for a planning area in which the land to be subdivided is situate; and

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(e) any other person or public body prescribed.	(ed) any other person or public body prescribed.
(38) Repealed: 1996, c. 4, s. 28 (9).	(38) Repealed: 1996, c. 4, s. 28 (9).
	Contents
	(38) The notice under subsection (37) shall contain,
	(a) a brief explanation of the effect, if any, that the written and oral submissions mentioned in subsection (38.1) had on the decision; and
	(b) any other information that is prescribed.
	Written and oral submissions
	(38.1) Clause (38) (a) applies to,
	(a) any written submissions relating to the draft plan of subdivision that were made to the approval authority before its decision; and
	(b) any oral submissions relating to the draft plan of subdivision that were made at a public meeting.
	Exception
	(38.2) If the notice under subsection (37) is given by the Minister and he or she is also giving notice of the matter in accordance with section 36 of the Environmental Bill of Rights, 1993, the brief explanation referred to in clause (38) (a) is not required.
	Exception
	(38.2) If the notice under subsection (37) is given by the Minister and he or she is also giving notice of the matter in accordance with section 36 of the Environmental Bill of Rights, 1993, the brief explanation referred to in clause (38) (a) is not required.
Appeal	Appeal
(39) Subject to subsection (43), not later than 20 days after the day that the giving of notice under subsection (37) is completed, any of the following may appeal the decision, the lapsing provision or any of the conditions to the Municipal Board by filing with the approval authority a notice of appeal that must set out the reasons for the appeal, accompanied by the fee prescribed under the <i>Ontario Municipal Board Act</i> :	(39) Subject to subsection (43), not later than 20 days after the day that the giving of notice under subsection (37) is completed, any of the following may appeal the decision, the lapsing provision or any of the conditions to the Municipal Board by filing with the approval authority a notice of appeal that must set out the reasons for the appeal, accompanied by the fee prescribed under the <i>Ontario Municipal Board Act</i> :
1. The applicant.	1. The applicant.
2. A person or public body who, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority.	2. A person or public body who, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority.

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3. The Minister.	3. The Minister.
4. The municipality in which the land is located or the planning board in whose planning area the land is located.	4. The municipality in which the land is located or the planning board in whose planning area the land is located.
5. If the land is not located in a municipality or in the planning area of a planning board, any person or public body.	5. If the land is not located in a municipality or in the planning area of a planning board, any person or public body.
Notice completed	Notice completed
(40) For the purpose of subsections (39) and (49), the giving of written notice shall be deemed to be completed,	(40) For the purpose of subsections (39) and (49), the giving of written notice shall be deemed to be completed,
(a) where notice is given by personal service, on the day that the serving of all required notices is completed;	(a) where notice is given by personal service, on the day that the serving of all required notices is completed;
	(a.1) where notice is given by e-mail, on the day that the sending by e-mail of all required notices is completed;
(b) where notice is given by mail, on the day that the mailing of all required notices is completed; and	(b) where notice is given by mail, on the day that the mailing of all required notices is completed; and
(c) where notice is given by telephone transmission of a facsimile of the notice, on the day that the transmission of all required notices is completed.	(c) where notice is given by telephone transmission of a facsimile of the notice, on the day that the transmission of all required notices is completed.
No appeal	No appeal
(41) If no appeal is filed under subsection (39) or (48), subject to any other right of appeal that may be exercised under this section and subject to subsection (44), the decision of the approval authority to give or to refuse to give approval to a draft plan of subdivision shall be deemed to have been made on the day after the last day for appealing the decision.	(41) If no appeal is filed under subsection (39) or (48), subject to any other right of appeal that may be exercised under this section and subject to subsection (44), the decision of the approval authority to give or to refuse to give approval to a draft plan of subdivision shall be deemed to have been made on the day after the last day for appealing the decision.
Declaration	Declaration
(42) A sworn declaration by an employee of the approval authority that notice was given as required by subsection (37) or (45) or that no notice of appeal was filed under subsection (39) or (48) within the time allowed for appeal is conclusive evidence of the facts stated in it.	(42) A sworn declaration by an employee of the approval authority that notice was given as required by subsection (37) or (45) or that no notice of appeal was filed under subsection (39) or (48) within the time allowed for appeal is conclusive evidence of the facts stated in it.
Appeal	Appeal
(43) At any time before the approval of the final plan of subdivision under subsection (58), any of the following may appeal any of the conditions to the Municipal Board by filing with the approval authority a notice of appeal that must set out the reasons for the appeal, accompanied by the fee prescribed under the <i>Ontario Municipal Board Act</i> :	(43) At any time before the approval of the final plan of subdivision under subsection (58), any of the following may appeal any of the conditions to the Municipal Board by filing with the approval authority a notice of appeal that must set out the reasons for the appeal, accompanied by the fee prescribed under the <i>Ontario Municipal Board Act</i> :
1. The applicant.	1. The applicant.
2. A public body that, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority.	2. A public body that, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority.

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3. The Minister.	3. The Minister.
4. The municipality in which the land is located or the planning board in whose planning area the land is located.	4. The municipality in which the land is located or the planning board in whose planning area the land is located.
5. If the land is not located in a municipality or in the planning area of a planning board, any public body.	5. If the land is not located in a municipality or in the planning area of a planning board, any public body.
Withdrawal of approval	Withdrawal of approval
(44) The approval authority may, in its discretion, withdraw the approval of a draft plan of subdivision or change the conditions of such approval at any time before the approval of the final plan of subdivision under subsection (58).	(44) The approval authority may, in its discretion, withdraw the approval of a draft plan of subdivision or change the conditions of such approval at any time before the approval of the final plan of subdivision under subsection (58).
Notice	Notice
(45) If the approval authority changes the conditions to the approval of a plan of subdivision under subsection (44) after notice has been given under subsection (37), the approval authority shall, within 15 days of its decision, give written notice of the changes containing the information prescribed to,	(45) If the approval authority changes the conditions to the approval of a plan of subdivision under subsection (44) after notice has been given under subsection (37), the approval authority shall, within 15 days of its decision, give written notice of the changes in the prescribed manner and containing the information prescribed to,
(a) the applicant;	(a) the applicant;
(b) Repealed: 1996, c. 4, s. 28 (11).	(b) Repealed: 1996, c. 4, s. 28 (11).
(c) each person or public body that made a written request to be notified of changes to the conditions;	(c) each person or public body that made a written request to be notified of changes to the conditions;
(d) a municipality or a planning board for a planning area in which the land to be subdivided is situate; and	(d) a municipality or a planning board for a planning area in which the land to be subdivided is situate; and
(e) any other person or public body prescribed.	(e) any other person or public body prescribed.
(46) Repealed: 1996, c. 4, s. 28 (12).	(46) Repealed: 1996, c. 4, s. 28 (12).
No notice	No notice
(47) An approval authority is not required to give written notice under subsection (45) if, in the opinion of the approval authority, the change to conditions is minor.	(47) An approval authority is not required to give written notice under subsection (45) if, in the opinion of the approval authority, the change to conditions is minor.
Appeal	Appeal
(48) Any of the following may appeal any of the changed conditions imposed by the approval authority to the Municipal Board by filing with the approval authority a notice of appeal that must set out the reasons for the appeal, accompanied by the fee prescribed under the <i>Ontario Municipal Board Act</i> :	(48) Any of the following may appeal any of the changed conditions imposed by the approval authority to the Municipal Board by filing with the approval authority a notice of appeal that must set out the reasons for the appeal, accompanied by the fee prescribed under the <i>Ontario Municipal Board Act</i> :
1. The applicant.	1. The applicant.
2. A person or public body who, before the approval authority gave approval to the draft plan of subdivision, made oral submissions at a public meeting or written submissions to the approval authority or made a written	2. A person or public body who, before the approval authority gave approval to the draft plan of subdivision, made oral submissions at a public meeting or written submissions to the approval authority or made a written

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request to be notified of changes to the conditions.	request to be notified of changes to the conditions.
3. The Minister.	3. The Minister.
4. The municipality in which the land is located or the planning board in whose planning area the land is located.	4. The municipality in which the land is located or the planning board in whose planning area the land is located.
5. If the land is not located in a municipality or in the planning area of a planning board, any person or public body.	5. If the land is not located in a municipality or in the planning area of a planning board, any person or public body.
Restriction	Restriction
(49) If the person appealing the changed conditions is other than the applicant or a public body, the appeal must be filed not later than 20 days after the day that the giving of written notice under subsection (45) is completed.	(49) If the person appealing the changed conditions is other than the applicant or a public body, the appeal must be filed not later than 20 days after the day that the giving of written notice under subsection (45) is completed.
	Use of dispute resolution techniques
	(49.1) When a notice of appeal is filed under subsection (39), (43) or (48), the approval authority may use mediation, conciliation or other dispute resolution techniques to attempt to resolve the dispute
	Notice and invitation
	(49.2) If the approval authority decides to act under subsection (49.1),
	(a) it shall give a notice of its intention to use dispute resolution techniques to all the appellants; and
	(b) it shall give an invitation to participate in the dispute resolution process to,
	(i) as many of the appellants as the approval authority considers appropriate,
	(ii) the applicant, if the applicant is not an appellant, and
	(iii) any other persons or public bodies that the approval authority considers appropriate.
	Extension of time
	(49.3) When the approval authority gives a notice under clause (49.2) (a), the 15-day period mentioned in clause (50) (b) and subsections (50.1) and (50.2) is extended to 75 days.
	Participation voluntary
	(49.4) Participation in the dispute resolution process by the persons and public bodies who receive invitations under clause (49.2) (b) is voluntary.
Record	Record
(50) An approval authority that receives a notice of appeal under subsection (39), (43) or (48) shall ensure that,	(50) An approval authority that receives a notice of appeal under subsection (39), (43) or (48) shall ensure that,

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(a) a record is compiled which includes the prescribed information and material; and	(a) a record is compiled which includes the prescribed information and material; and
(b) the record, notice of appeal and the fee are forwarded to the Municipal Board within 15 days after the last day for filing a notice of appeal under subsection (39) or (49) or within 15 days after the notice of appeal under subsection (43) or (48) was received by the approval authority.	(b) the record, notice of appeal and the fee are forwarded to the Municipal Board within 15 days after the last day for filing a notice of appeal under subsection (39) or (49) or within 15 days after the notice of appeal under subsection (43) or (48) was received by the approval authority.
Exception	Exception
(50.1) Despite clause (50) (b), if all appeals are withdrawn within 15 days after the last day for filing a notice of appeal under subsection (39) or (49) or within 15 days after the notice of appeal under subsection (43) or (48) was received by the approval authority, the approval authority is not required to forward the materials described under clause (50) (b) to the Municipal Board.	(50.1) Despite clause (50) (b), if all appeals are withdrawn within 15 days after the last day for filing a notice of appeal under subsection (39) or (49) or within 15 days after the notice of appeal under subsection (43) or (48) was received by the approval authority, the approval authority is not required to forward the materials described under clause (50) (b) to the Municipal Board.
Deemed decision	Deemed decision
(50.2) If all appeals are withdrawn within 15 days after the last day for filing a notice of appeal under subsection (39) or (49) or within 15 days after the notice of appeal under subsection (43) or (48) was received by the approval authority, the decision of the approval authority shall be deemed to have been made on the day after the day all appeals have been withdrawn, subject to any other right of appeal that may be exercised under this section and subject to subsection (44).	(50.2) If all appeals are withdrawn within 15 days after the last day for filing a notice of appeal under subsection (39) or (49) or within 15 days after the notice of appeal under subsection (43) or (48) was received by the approval authority, the decision of the approval authority shall be deemed to have been made on the day after the day all appeals have been withdrawn, subject to any other right of appeal that may be exercised under this section and subject to subsection (44).
Appeals withdrawn	Appeals withdrawn
(51) If all appeals under subsection (39) or (48) are withdrawn and the time for appealing has expired or if all appeals under subsection (43) are withdrawn, the secretary of the Municipal Board shall notify the approval authority and the decision of the approval authority shall be deemed to have been made on the day after the day all appeals have been withdrawn, subject to any other right of appeal that may be exercised under this section and subject to subsection (44).	(51) If all appeals under subsection (39) or (48) are withdrawn and the time for appealing has expired or if all appeals under subsection (43) are withdrawn, the secretary of the Municipal Board shall notify the approval authority and the decision of the approval authority shall be deemed to have been made on the day after the day all appeals have been withdrawn, subject to any other right of appeal that may be exercised under this section and subject to subsection (44).
Hearing	Hearing
(52) On an appeal, the Municipal Board shall hold a hearing, notice of which shall be given to such persons or public bodies and in such manner as the Board may determine.	(52) On an appeal, the Municipal Board shall hold a hearing, notice of which shall be given to such persons or public bodies and in such manner as the Board may determine.
Restriction re adding parties	Restriction re adding parties
(52.1) Despite subsection (52), in the case of an appeal under subsection (39), (43) or (48), only the following may be added as parties:	(52.1) Despite subsection (52), in the case of an appeal under subsection (39), (43) or (48), only the following may be added as parties:
1. A person or public body who satisfies one of the	1. A person or public body who satisfies one of the

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conditions set out in subsection (52.2).	conditions set out in subsection (52.2).
2. The Minister.	2. The Minister.
3. The appropriate approval authority.	3. The appropriate approval authority.
4. The municipality in which the land is located or the planning board in whose planning area the land is located.	4. The municipality in which the land is located or the planning board in whose planning area the land is located.
5. If the land is not located in a municipality or in the planning area of a planning board, any person or public body.	5. If the land is not located in a municipality or in the planning area of a planning board, any person or public body.
Same	Same
(52.2) The conditions mentioned in paragraph 1 of subsection (52.1) are:	(52.2) The conditions mentioned in paragraph 1 of subsection (52.1) are:
1. Before the approval authority made its decision with respect to the plan of subdivision, the person or public body made oral submissions at a public meeting or written submissions to the approval authority, or made a written request to be notified of changes to the conditions.	1. Before the approval authority made its decision with respect to the plan of subdivision, the person or public body made oral submissions at a public meeting or written submissions to the approval authority, or made a written request to be notified of changes to the conditions.
2. The Municipal Board is of the opinion that there are reasonable grounds to add the person or public body as a party.	2. The Municipal Board is of the opinion that there are reasonable grounds to add the person or public body as a party.
New evidence at hearing	New evidence at hearing
(52.3) This subsection applies if information and material that is presented at the hearing of an appeal under subsection (39), (43) or (48) was not provided to the approval authority before it made the decision that is the subject of the appeal.	(52.3) This subsection applies if information and material that is presented at the hearing of an appeal under subsection (39), (43) or (48) was not provided to the approval authority before it made the decision that is the subject of the appeal.
Same	Same
(52.4) When subsection (52.3) applies, the Municipal Board may, on its own initiative or on a motion by the approval authority or any party, consider whether the information and material could have materially affected the approval authority's decision and, if the Board determined that it could have done so, it shall not be admitted into evidence until subsection (52.5) has been complied with and the prescribed time period has elapsed.	(52.4) When subsection (52.3) applies, the Municipal Board may, on its own initiative or on a motion by the approval authority or any party, consider whether the information and material could have materially affected the approval authority's decision and, if the Board determined that it could have done so, it shall not be admitted into evidence until subsection (52.5) has been complied with and the prescribed time period has elapsed.
Notice to approval authority	Notice to approval authority
(52.5) The Municipal Board shall notify the approval authority that it is being given an opportunity to,	(52.5) The Municipal Board shall notify the approval authority that it is being given an opportunity to,
(a) reconsider its decision in light of the information and material; and	(a) reconsider its decision in light of the information and material; and
(b) make a written recommendation to the Board.	(b) make a written recommendation to the Board.
Approval authority's recommendation	Approval authority's recommendation
(52.6) The Municipal Board shall have regard to the approval authority's recommendation if it is received within	(52.6) The Municipal Board shall have regard to the approval authority's recommendation if it is received within

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the time period mentioned in subsection (52.4), and may but is not required to do so if it is received afterwards.	the time period mentioned in subsection (52.4), and may but is not required to do so if it is received afterwards.
Conflict with SPPA	Conflict with SPPA
(52.7) Subsections (52.1) to (52.6) apply despite the <i>Statutory Powers Procedure Act</i> .	(52.7) Subsections (52.1) to (52.6) apply despite the <i>Statutory Powers Procedure Act</i> .
Dismissal without hearing	Dismissal without hearing
(53) Despite the <i>Statutory Powers Procedure Act</i> and subsection (52), the Municipal Board may dismiss an appeal without holding a hearing on its own initiative or on the motion of any party, if,	(53) Despite the <i>Statutory Powers Procedure Act</i> and subsection (52), the Municipal Board may dismiss an appeal without holding a hearing on its own initiative or on the motion of any party, if,
(a) it is of the opinion that,	(a) it is of the opinion that,
(i) the reasons set out in the notice of appeal do not disclose any apparent land use planning ground upon which the Board could give or refuse to give approval to the draft plan of subdivision or determine the question as to the condition appealed to it,	(i) the reasons set out in the notice of appeal do not disclose any apparent land use planning ground upon which the Board could give or refuse to give approval to the draft plan of subdivision or determine the question as to the condition appealed to it,
(ii) the appeal is not made in good faith or is frivolous or vexatious,	(ii) the appeal is not made in good faith or is frivolous or vexatious,
(iii) the appeal is made only for the purpose of delay, or	(iii) the appeal is made only for the purpose of delay, or
(iv) the appellant has persistently and without reasonable grounds commenced before the Board proceedings that constitute an abuse of process;	(iv) the appellant has persistently and without reasonable grounds commenced before the Board proceedings that constitute an abuse of process;
(b) Repealed: 2006, c. 23, s. 22 (14).	(b) Repealed: 2006, c. 23, s. 22 (14).
(c) the appellant has not provided written reasons for the appeal;	(c) the appellant has not provided written reasons for the appeal;
(d) the appellant has not paid the fee prescribed under the <i>Ontario Municipal Board Act</i> ; or	(d) the appellant has not paid the fee prescribed under the <i>Ontario Municipal Board Act</i> ; or
(e) the appellant has not responded to a request by the Municipal Board for further information within the time specified by the Board.	(e) the appellant has not responded to a request by the Municipal Board for further information within the time specified by the Board.
Same	Same
(53.1) Despite the <i>Statutory Powers Procedure Act</i> and subsection (52), the Municipal Board may, on its own initiative or on the motion of the municipality, the appropriate approval authority or the Minister, dismiss all or part of an appeal without holding a hearing if, in the Board's opinion, the application to which the appeal relates is substantially different from the application that was before council at the time of its decision.	(53.1) Despite the <i>Statutory Powers Procedure Act</i> and subsection (52), the Municipal Board may, on its own initiative or on the motion of the municipality, the appropriate approval authority or the Minister, dismiss all or part of an appeal without holding a hearing if, in the Board's opinion, the application to which the appeal relates is substantially different from the application that was before council at the time of its decision.
Representation	Representation
(54) Before dismissing an appeal, the Municipal Board shall	(54) Before dismissing an appeal, the Municipal Board shall

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notify the appellant and give the appellant the opportunity to make representation on the proposed dismissal but this subsection does not apply if the appellant has not complied with a request made under clause (53) (e).	notify the appellant and give the appellant the opportunity to make representation on the proposed dismissal but this subsection does not apply if the appellant has not complied with a request made under clause (53) (e).
Dismissal	Dismissal
(54.1) Despite the <i>Statutory Powers Procedure Act</i> , the Municipal Board may dismiss all or part of an appeal after holding a hearing or without holding a hearing on the motion under subsection (53) or (53.1), as it considers appropriate.	(54.1) Despite the <i>Statutory Powers Procedure Act</i> , the Municipal Board may dismiss all or part of an appeal after holding a hearing or without holding a hearing on the motion under subsection (53) or (53.1), as it considers appropriate.
Decision	Decision
(55) If all appeals under subsection (39), (43) or (48) are dismissed or withdrawn, the secretary of the Municipal Board shall notify the approval authority and the decision of the approval authority shall be deemed to have been made on the day after the day the last outstanding appeal has been dismissed or withdrawn, subject to any other right of appeal that may be exercised under this section and subject to subsection (44).	(55) If all appeals under subsection (39), (43) or (48) are dismissed or withdrawn, the secretary of the Municipal Board shall notify the approval authority and the decision of the approval authority shall be deemed to have been made on the day after the day the last outstanding appeal has been dismissed or withdrawn, subject to any other right of appeal that may be exercised under this section and subject to subsection (44).
Powers	Powers
(56) On an appeal under subsection (34) or (39), the Municipal Board may make any decision that the approval authority could have made on the application and on an appeal under subsection (43) or (48) shall determine the question as to the conditions appealed to it.	(56) On an appeal under subsection (34) or (39), the Municipal Board may make any decision that the approval authority could have made on the application and on an appeal under subsection (43) or (48) shall determine the question as to the conditions appealed to it.
Final approval	Final approval
(56.1) If, on an appeal under subsection (34) or (39), the Municipal Board has given approval to a draft plan of subdivision, the Board may, by order, provide that the final approval of the plan of subdivision for the purposes of subsection (58) is to be given by the approval authority in which the land is situate.	(56.1) If, on an appeal under subsection (34) or (39), the Municipal Board has given approval to a draft plan of subdivision, the Board may, by order, provide that the final approval of the plan of subdivision for the purposes of subsection (58) is to be given by the approval authority in which the land is situate.
Change of conditions	Change of conditions
(56.2) If the final approval of a plan of subdivision is to be given under subsection (56.1), the Municipal Board may change the conditions of the approval of the draft plan of subdivision under subsection (44) at any time before the approval of the final plan of subdivision by the approval authority.	(56.2) If the final approval of a plan of subdivision is to be given under subsection (56.1), the Municipal Board may change the conditions of the approval of the draft plan of subdivision under subsection (44) at any time before the approval of the final plan of subdivision by the approval authority.
When draft plan approved	When draft plan approved
(57) When the draft plan is approved, the person seeking to subdivide may proceed to lay down the highways and lots upon the ground in accordance with the <i>Surveys Act</i> and with the <i>Registry Act</i> or the <i>Land Titles Act</i> , as the case may be, and to prepare a plan accordingly certified by an Ontario land surveyor.	(57) When the draft plan is approved, the person seeking to subdivide may proceed to lay down the highways and lots upon the ground in accordance with the <i>Surveys Act</i> and with the <i>Registry Act</i> or the <i>Land Titles Act</i> , as the case may be, and to prepare a plan accordingly certified by an Ontario land surveyor.

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Final approval of plan	Final approval of plan
(58) Upon presentation by the person seeking to subdivide, the approval authority may, if satisfied that the plan is in conformity with the approved draft plan and that the conditions of approval have been or will be fulfilled, approve the plan of subdivision and, once approved, the final plan of subdivision may be tendered for registration.	(58) Upon presentation by the person seeking to subdivide, the approval authority may, if satisfied that the plan is in conformity with the approved draft plan and that the conditions of approval have been or will be fulfilled, approve the plan of subdivision and, once approved, the final plan of subdivision may be tendered for registration.
Withdrawal of approval	Withdrawal of approval
(59) If a final plan of subdivision is approved under subsection (58), but is not registered within 30 days of the date of approval, the approval authority may withdraw its approval.	(59) If a final plan of subdivision is approved under subsection (58), but is not registered within 30 days of the date of approval, the approval authority may withdraw its approval.
Duplicates	Duplicates
(60) In addition to any requirement under the <i>Registry Act</i> or the <i>Land Titles Act</i> , the person tendering the plan of subdivision for registration shall deposit with the land registrar a duplicate, or when required by the approval authority two duplicates, of the plan of a type approved by the approval authority, and the land registrar shall endorse on it a certificate showing the number of the plan and the date when the plan was registered and shall deliver the duplicate or duplicates to the approval authority.	(60) In addition to any requirement under the <i>Registry Act</i> or the <i>Land Titles Act</i> , the person tendering the plan of subdivision for registration shall deposit with the land registrar a duplicate, or when required by the approval authority two duplicates, of the plan of a type approved by the approval authority, and the land registrar shall endorse on it a certificate showing the number of the plan and the date when the plan was registered and shall deliver the duplicate or duplicates to the approval authority.
Saving	Saving
(61) The approval of a plan of subdivision does not operate to release any person from doing anything that the person may be required to do by or under the authority of any other Act.	(61) The approval of a plan of subdivision does not operate to release any person from doing anything that the person may be required to do by or under the authority of any other Act.
	Definitions
	51.1. (0.1) In this section,
	“dwelling unit” means any property that is used or designed for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals; (“logement”)
	“effective date” means the day subsection 32 (1) of the Smart Growth for Our Communities Act, 2015 comes into force. (“date d’effet”)
Parkland	Parkland
51.1 (1) The approval authority may impose as a condition to the approval of a plan of subdivision that land in an amount not exceeding, in the case of a subdivision proposed for commercial or industrial purposes, 2 per cent and in all other cases 5 per cent of the land included in the plan shall be conveyed to the local municipality for park or other public recreational purposes or, if the land is not in a municipality, shall be dedicated for park or other public recreational	51.1 (1) The approval authority may impose as a condition to the approval of a plan of subdivision that land in an amount not exceeding, in the case of a subdivision proposed for commercial or industrial purposes, 2 per cent and in all other cases 5 per cent of the land included in the plan shall be conveyed to the local municipality for park or other public recreational purposes or, if the land is not in a municipality, shall be dedicated for park or other public recreational

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purposes.	purposes.
Other criteria	Other criteria
(2) If the approval authority has imposed a condition under subsection (1) requiring land to be conveyed to the municipality and if the municipality has an official plan that contains specific policies relating to the provision of lands for park or other public recreational purposes, the municipality, in the case of a subdivision proposed for residential purposes, may, in lieu of such conveyance, require that land included in the plan be conveyed to the municipality for park or other public recreational purposes at a rate of one hectare for each 300 dwelling units proposed or at such lesser rate as may be determined by the municipality.	(2) If the approval authority has imposed a condition under subsection (1) requiring land to be conveyed to the municipality and if the municipality has an official plan that contains specific policies relating to the provision of lands for park or other public recreational purposes, the municipality, in the case of a subdivision proposed for residential purposes, may, in lieu of such conveyance, require that land included in the plan be conveyed to the municipality for park or other public recreational purposes at a rate of one hectare for each 300 dwelling units proposed or at such lesser rate as may be determined by the municipality.
	Parks plan
	(2.1) Before adopting the official plan policies described in subsection (2), the municipality shall prepare and make available to the public a parks plan that examines the need for parkland in the municipality.
	Same
	(2.2) In preparing the parks plan, the municipality,
	(a) shall consult with every school board that has jurisdiction in the municipality; and
	(b) may consult with any other persons or public bodies that the municipality considers appropriate.
	Same
	(2.3) For greater certainty, subsection (2.1) and clause (2.2) (a) do not apply with respect to official plan policies adopted before the effective date.
Payment in lieu	Payment in lieu
(3) If the approval authority has imposed a condition under subsection (1) requiring land to be conveyed to the municipality, the municipality may, in lieu of accepting the conveyance, require the payment of money by the owner of the land,	(3) If the approval authority has imposed a condition under subsection (1) requiring land to be conveyed to the municipality and subsection (2) does not apply, the municipality may, in lieu of accepting the conveyance, require the a payment in lieu of money by the owner of the land,
(a) to the value of the land otherwise required to be conveyed; or	(a) to the value of the land otherwise required to be conveyed. or
(b) where the municipality would be entitled to require a conveyance under subsection (2), to the value of the land that would otherwise be required to be so conveyed.	(b) where the municipality would be entitled to require a conveyance under subsection (2), to the value of the land that would otherwise be required to be so conveyed.
	Same
	(3.1) If the approval authority has imposed a condition under subsection (1) requiring land to be conveyed to the

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	municipality and subsection (2) applies, the municipality may require a payment in lieu, calculated by using a rate of one hectare for each 500 dwelling units proposed or such lesser rate as may be determined by the municipality.
	Transition
	(3.2) If the draft plan of subdivision is approved on or before the effective date, the approval authority has imposed a condition under subsection (1) requiring land to be conveyed to the municipality and subsection (2) applies,
	(a) subsection (3.1) does not apply; and
	(b) subsection (3), as it reads on the day before the effective date, continues to apply.
Determination of value	Determination of value
(4) For the purpose of determining the amount of any payment required under subsection (3), the value of the land shall be determined as of the day before the day of the approval of the draft plan of subdivision.	(4) For the purpose of determining the amount of any payment required under subsection (3) or (3.1) , the value of the land shall be determined as of the day before the day of the approval of the draft plan of subdivision.
Application	Application
(5) Subsections 42 (2), (5) and (12) to (16) apply with necessary modifications to a conveyance of land or a payment of money under this section.	(5) Subsections 42 (2) , (5) and (12) to (16) 20 apply with necessary modifications to a conveyance of land or a payment of money under this section.
<i>[Sections 51.2 - 52]</i>	<i>[No amendments to Sections 51.2 - 52]</i>
Consents	Consents
53. (1) An owner of land or the owner's agent duly authorized in writing may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this section, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality.	53. (1) An owner of land or the owner's agent duly authorized in writing may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this section, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality.
Prescribed information	Prescribed information
(2) The applicant for a consent shall provide the council or the Minister with the prescribed information or material.	(2) The applicant for a consent shall provide the council or the Minister with the prescribed information or material.
Other information	Other information
(3) A council or the Minister may require that a person or public body that makes an application for a consent provide any other information or material that the council or the Minister considers it or he or she may need, but only if the official plan contains provisions relating to requirements under this subsection.	(3) A council or the Minister may require that a person or public body that makes an application for a consent provide any other information or material that the council or the Minister considers it or he or she may need, but only if the official plan contains provisions relating to requirements under this subsection.
Refusal and timing	Refusal and timing
(4) Until the council or the Minister has received the information and material required under subsections (2) and	(4) Until the council or the Minister has received the information and material required under subsections (2) and

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(3), if any, and any fee under section 69 or 69.1,	(3), if any, and any fee under section 69 or 69.1,
(a) the council or the Minister may refuse to accept or further consider the application for a consent; and	(a) the council or the Minister may refuse to accept or further consider the application for a consent; and
(b) the time period referred to in subsection (14) does not begin.	(b) the time period referred to in subsection (14) does not begin.
Motion re dispute	Motion re dispute
(4.1) The applicant, the council or the Minister may make a motion for directions to have the Municipal Board determine,	(4.1) The applicant, the council or the Minister may make a motion for directions to have the Municipal Board determine,
(a) whether the information and material required under subsections (2) and (3), if any, have in fact been provided; or	(a) whether the information and material required under subsections (2) and (3), if any, have in fact been provided; or
(b) whether a requirement made under subsection (3) is reasonable.	(b) whether a requirement made under subsection (3) is reasonable.
Final determination	Final determination
(4.2) The Municipal Board's determination under subsection (4.1) is not subject to appeal or review.	(4.2) The Municipal Board's determination under subsection (4.1) is not subject to appeal or review.
	Alternative measures
	(4.3) In the case of an application for consent that is made to a council, if the official plan sets out alternative measures for informing and obtaining the views of the public in respect of applications for consent and if the measures are complied with,
	(a) subsection (5) does not apply; and
	(b) subsections (6) and (7) do not apply with respect to notice of the application.
	Same
	(4.4) Subsection (4.3) also applies in the case of a council or planning board to which the Minister has delegated authority under section 4.
	Same
	(4.5) In the course of preparing the official plan, before including alternative measures described in subsection (4.3), the council shall consider whether it would be desirable for the measures to allow for notice of the application for consent to the prescribed persons and public bodies mentioned in clause (5) (a).
Notice	Notice
(5) At least 14 days before a decision is made by the council or the Minister, the council or the Minister shall ensure that,	(5) At least 14 days before a decision is made by the council or the Minister, the council or the Minister shall ensure that,
(a) notice of the application is given, if required by regulation, in the manner and to the persons and public bodies and containing the information prescribed; and	(a) notice of the application is given, if required by regulation, in the manner and to the persons and public bodies and containing the information prescribed; and

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(b) a public meeting is held, if required by regulation, notice of which shall be given in the manner and to the persons and public bodies and containing the information prescribed.	(b) a public meeting is held, if required by regulation, notice of which shall be given in the manner and to the persons and public bodies and containing the information prescribed.
Request by council	Request by council
(6) A council may request that a local municipality having jurisdiction over the land that is the subject of the application for consent give notice of the application or hold the public meeting referred to in subsection (5) or do both.	(6) A council may request that a local municipality having jurisdiction over the land that is the subject of the application for consent give notice of the application or hold the public meeting referred to in subsection (5) or do both.
Request by Minister	Request by Minister
(7) The Minister may request that a local municipality or planning board having jurisdiction over the land that is the subject of the application for consent give notice of the application or hold the public meeting referred to in subsection (5) or do both.	(7) The Minister may request that a local municipality or planning board having jurisdiction over the land that is the subject of the application for consent give notice of the application or hold the public meeting referred to in subsection (5) or do both.
Responsibilities	Responsibilities
(7.1) A local municipality or planning board that is requested under subsection (6) or (7) to give notice shall ensure that,	(7.1) A local municipality or planning board that is requested under subsection (6) or (7) to give notice shall ensure that,
(a) the notice is given in accordance with the regulation made under clause (5) (a); and	(a) the notice is given in accordance with the regulation made under clause (5) (a); and
(b) the prescribed information and material are submitted to the council or the Minister, as the case may be, within 15 days after the notice is given.	(b) the prescribed information and material are submitted to the council or the Minister, as the case may be, within 15 days after the notice is given.
Same	Same
(7.2) A local municipality or planning board that is requested under subsection (6) or (7) to hold a public meeting shall ensure that,	(7.2) A local municipality or planning board that is requested under subsection (6) or (7) to hold a public meeting shall ensure that,
(a) notice of the meeting is given in accordance with the regulation made under clause (5) (b);	(a) notice of the meeting is given in accordance with the regulation made under clause (5) (b);
(b) the public meeting is held; and	(b) the public meeting is held; and
(c) the prescribed information and material are submitted to the council or the Minister, as the case may be, within 15 days after the meeting is held.	(c) the prescribed information and material are submitted to the council or the Minister, as the case may be, within 15 days after the meeting is held.
Written submissions	Written submissions
(8) Any person or public body may make written submissions to the council or the Minister before the council or the Minister gives or refuses to give a provisional consent.	(8) Any person or public body may make written submissions to the council or the Minister before the council or the Minister gives or refuses to give a provisional consent.
Procedure	Procedure
(9) A council in dealing with applications for consent shall comply with such rules of procedure as are prescribed.	(9) A council in dealing with applications for consent shall comply with such rules of procedure as are prescribed.
Council to confer	Council to confer
(10) A council, in determining whether a provisional	(10) A council, in determining whether a provisional

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consent is to be given, shall confer with the persons or public bodies prescribed.	consent is to be given, shall confer with the persons or public bodies prescribed.
Minister may confer	Minister may confer
(11) The Minister in determining whether a provisional consent is to be given may confer with the persons or public bodies that the Minister considers may have an interest in the application.	(11) The Minister in determining whether a provisional consent is to be given may confer with the persons or public bodies that the Minister considers may have an interest in the application.
Powers	Powers
(12) A council or the Minister in determining whether a provisional consent is to be given shall have regard to the matters under subsection 51 (24) and has the same powers as the approval authority has under subsection 51 (25) with respect to the approval of a plan of subdivision and subsections 51 (26) and (27) and section 51.1 apply with necessary modifications to the granting of a provisional consent.	(12) A council or the Minister in determining whether a provisional consent is to be given shall have regard to the matters under subsection 51 (24) and has the same powers as the approval authority has under subsection 51 (25) with respect to the approval of a plan of subdivision and subsections 51 (26) and (27) and section 51.1 apply with necessary modifications to the granting of a provisional consent.
Parks	Parks
(13) If, on the giving of a provisional consent, land is required to be conveyed to a municipality for park or other public recreational purposes and the council of the municipality requires the payment of money to the value of the land in lieu of the conveyance, for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given.	(13) If, on the giving of a provisional consent, land is required to be conveyed to a municipality for park or other public recreational purposes and the council of the municipality requires the a payment of money to the value of the land in lieu of the conveyance , for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given.
Appeal to O.M.B.	Appeal to O.M.B.
(14) If an application is made for a consent and the council or the Minister fails to make a decision under subsection (1) on the application within 90 days after the day the application is received by the clerk of the municipality or the Minister, the applicant may appeal to the Municipal Board with respect to the consent application by filing a notice with the clerk of the municipality or the Minister, accompanied by the fee prescribed under the <i>Ontario Municipal Board Act</i> .	(14) If an application is made for a consent and the council or the Minister fails to make a decision under subsection (1) on the application within 90 days after the day the application is received by the clerk of the municipality or the Minister, the applicant may appeal to the Municipal Board with respect to the consent application by filing a notice with the clerk of the municipality or the Minister, accompanied by the fee prescribed under the <i>Ontario Municipal Board Act</i> .
Consolidated Hearings Act	Consolidated Hearings Act
(14.1) Despite the <i>Consolidated Hearings Act</i> , the proponent of an undertaking shall not give notice to the Hearings Registrar under subsection 3 (1) of that Act in respect of an application requested under subsection (1) unless the council or the Minister has given or refused to give a provisional consent or the time period referred to in subsection (14) has expired.	(14.1) Despite the <i>Consolidated Hearings Act</i> , the proponent of an undertaking shall not give notice to the Hearings Registrar under subsection 3 (1) of that Act in respect of an application requested under subsection (1) unless the council or the Minister has given or refused to give a provisional consent or the time period referred to in subsection (14) has expired.
Record	Record
(15) If the clerk of the municipality or the Minister receives a notice of appeal under subsection (14), the clerk of the	(15) If the clerk of the municipality or the Minister receives a notice of appeal under subsection (14), the clerk of the

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municipality or the Minister shall ensure that,	municipality or the Minister shall ensure that,
(a) a record is compiled which includes the prescribed information and material; and	(a) a record is compiled which includes the prescribed information and material; and
(b) the record, the notice of appeal and the fee are forwarded to the Municipal Board within 15 days after the notice is filed.	(b) the record, the notice of appeal and the fee are forwarded to the Municipal Board within 15 days after the notice is filed.
Appeal withdrawn	Appeal withdrawn
(16) If an appeal under subsection (14) is withdrawn, the Municipal Board shall notify the council or Minister and the council or the Minister may proceed to make a decision under subsection (1).	(16) If an appeal under subsection (14) is withdrawn, the Municipal Board shall notify the council or Minister and the council or the Minister may proceed to make a decision under subsection (1).
Exception	Exception
(16.1) Despite clause (15) (b), if all appeals under subsection (14) are withdrawn within 15 days after the last day for filing a notice of appeal, the clerk of the municipality or the Minister is not required to forward the materials described under clause (15) (b) to the Municipal Board.	(16.1) Despite clause (15) (b), if all appeals under subsection (14) are withdrawn within 15 days after the last day for filing a first notice of appeal is filed , the clerk of the municipality or the Minister is not required to forward the materials described under clause (15) (b) to the Municipal Board.
Where all appeals withdrawn	Where all appeals withdrawn
(16.2) If all appeals under subsection (14) are withdrawn within 15 days after the last day for filing a notice of appeal, the council or the Minister may proceed to make a decision under subsection (1).	(16.2) If all appeals under subsection (14) are withdrawn within 15 days after the last day for filing a first notice of appeal is filed , the council or the Minister may proceed to make a decision under subsection (1).
Notice of decision	Notice of decision
(17) If the council or the Minister gives or refuses to give a provisional consent, the council or the Minister shall ensure that written notice of it is given within 15 days, containing the information prescribed to,	(17) If the council or the Minister gives or refuses to give a provisional consent, the council or the Minister shall ensure that written notice of it is given in the prescribed manner within 15 days, containing the information prescribed to,
(a) the applicant;	(a) the applicant;
(b) each person or public body that made a written request to be notified of the decision or conditions;	(b) each person or public body that made a written request to be notified of the decision or conditions;
(c) Repealed: 1996, c. 4, s. 29 (4).	(c) Repealed: 1996, c. 4, s. 29 (4).
(d) the Minister, with respect to a decision by a council to give a provisional consent, if the Minister has notified the council that he or she wishes to receive a copy of all decisions made to give a provisional consent; and	(c) the Minister, with respect to a decision by a council to give a provisional consent, if the Minister has notified the council that he or she wishes to receive a copy of all decisions made to give a provisional consent; and
(e) any other person or public body prescribed.	(e d) any other person or public body that is prescribed.
	Contents
	(18) The notice under subsection (17) shall contain,
	(a) a brief explanation of the effect, if any, that the written and oral submissions mentioned in subsection (18.1) had on the decision; and

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	(b) the prescribed information.
(18) Repealed: 1996, c. 4, s. 29 (5).	(18) Repealed: 1996, c. 4, s. 29 (5).
	Written and oral submissions
	(18.1) Clause (18) (a) applies to,
	(a) any written submissions relating to the provisional consent that were made to the council before its decision; and
	(b) any oral submissions relating to the provisional consent that were made at a public meeting.
	Exception
	(18.2) If the notice under subsection (17) is given by the Minister and he or she is also giving notice of the matter in accordance with section 36 of the Environmental Bill of Rights, 1993, the brief explanation referred to in clause (18) (a) is not required.
Appeal	Appeal
(19) Any person or public body may, not later than 20 days after the giving of notice under subsection (17) is completed, appeal the decision or any condition imposed by the council or the Minister or appeal both the decision and any condition to the Municipal Board by filing with the clerk of the municipality or the Minister a notice of appeal setting out the reasons for the appeal, accompanied by the fee prescribed under the <i>Ontario Municipal Board Act</i> .	(19) Any person or public body may, not later than 20 days after the giving of notice under subsection (17) is completed, appeal the decision or any condition imposed by the council or the Minister or appeal both the decision and any condition to the Municipal Board by filing with the clerk of the municipality or the Minister a notice of appeal setting out the reasons for the appeal, accompanied by the fee prescribed under the <i>Ontario Municipal Board Act</i> .
Notice completed	Notice completed
(20) For the purpose of subsections (19) and (27), the giving of written notice shall be deemed to be completed,	(20) For the purpose of subsections (19) and (27), the giving of written notice shall be deemed to be completed,
(a) where notice is given by personal service, on the day that the serving of all required notices is completed;	(a) where notice is given by personal service, on the day that the serving of all required notices is completed;
	(a.1) where notice is given by e-mail, on the day that the sending by e-mail of all required notices is completed;
(b) where notice is given by mail, on the day that the mailing of all required notices is completed; and	(b) where notice is given by mail, on the day that the mailing of all required notices is completed; and
(c) where notice is given by telephone transmission of a facsimile of the notice, on the day that the transmission of all required notices is completed.	(c) where notice is given by telephone transmission of a facsimile of the notice, on the day that the transmission of all required notices is completed.
No appeal	No appeal
(21) If no appeal is filed under subsection (19) or (27), subject to subsection (23), the decision of the council or the Minister, as the case may be, to give or refuse to give a provisional consent is final.	(21) If no appeal is filed under subsection (19) or (27), subject to subsection (23), the decision of the council or the Minister, as the case may be, to give or refuse to give a provisional consent is final.

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Declaration	Declaration
(22) A sworn declaration by an employee of the municipality or the Ministry of Municipal Affairs and Housing that notice was given under subsection (17) or (24) or that no notice of appeal was filed under subsection (19) or (27) within the time allowed for appeal is conclusive evidence of the facts stated in it.	(22) A sworn declaration by an employee of the municipality or the Ministry of Municipal Affairs and Housing that notice was given under subsection (17) or (24) or that no notice of appeal was filed under subsection (19) or (27) within the time allowed for appeal is conclusive evidence of the facts stated in it.
Change of conditions	Change of conditions
(23) The council or the Minister, as the case may be, may change the conditions of a provisional consent at any time before a consent is given.	(23) The council or the Minister, as the case may be, may change the conditions of a provisional consent at any time before a consent is given.
Notice	Notice
(24) If the council or the Minister changes conditions of a provisional consent under subsection (23) after notice has been given under subsection (17), the council or the Minister shall ensure that written notice of the changes containing the information prescribed is given within 15 days to,	(24) If the council or the Minister changes conditions of a provisional consent under subsection (23) after notice has been given under subsection (17), the council or the Minister shall, within 15 days of the decision, give ensure that written notice of the changes in the prescribed manner and containing the information prescribed is given within 15 days to,
(a) the applicant;	(a) the applicant;
(b) each person or public body that made a written request to be notified of changes to the conditions;	(b) each person or public body that made a written request to be notified of changes to the conditions;
(c) the Minister, with respect to a change of conditions by council, if the Minister has notified the council that he or she wishes to receive a copy of the changes of conditions; and	(c) the Minister, with respect to a change of conditions by council, if the Minister has notified the council that he or she wishes to receive a copy of the changes of conditions; and
(d) any other person or public body prescribed.	(d) any other person or public body prescribed.
(25) Repealed: 1996, c. 4, s. 29 (9).	(25) Repealed: 1996, c. 4, s. 29 (9).
No notice required	No notice required
(26) The council or the Minister, as the case may be, is not required to give written notice under subsection (24) if, in the council's or the Minister's opinion, the change to conditions is minor.	(26) The council or the Minister, as the case may be, is not required to give written notice under subsection (24) if, in the council's or the Minister's opinion, the change to conditions is minor.
Appeal	Appeal
(27) Any person or public body may, not later than 20 days after the giving of notice under subsection (24) is completed, appeal any of the changed conditions imposed by the council or the Minister by filing with the clerk of the municipality or the Minister a notice of appeal setting out the reasons for the appeal, accompanied by the fee prescribed under the <i>Ontario Municipal Board Act</i> .	(27) Any person or public body may, not later than 20 days after the giving of notice under subsection (24) is completed, appeal any of the changed conditions imposed by the council or the Minister by filing with the clerk of the municipality or the Minister a notice of appeal setting out the reasons for the appeal, accompanied by the fee prescribed under the <i>Ontario Municipal Board Act</i> .
	Use of dispute resolution techniques
	(27.1) When a notice of appeal is filed under subsection (19) or (27), the council or the Minister may use mediation,

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	conciliation or other dispute resolution techniques to attempt to resolve the dispute.
	Notice and invitation
	(27.2) If the council or the Minister decides to act under subsection (27.1),
	(a) the council or Minister shall give a notice of its intention to use dispute resolution techniques to all the appellants; and
	(b) the council or Minister shall give an invitation to participate in the dispute resolution process to,
	(i) as many of the appellants as the council or Minister considers appropriate,
	(ii) the applicant, if the applicant is not an appellant, and
	(iii) any other persons or public bodies that the council or Minister considers appropriate.
	Extension of time
	(27.3) When the council or Minister gives a notice under clause (27.2) (a), the 15-day period mentioned in clause (28) (b) and in subsections (29.1) and (29.2) is extended to 75 days.
	Participation voluntary
	(27.4) Participation in the dispute resolution process by the persons and public bodies who receive invitations under clause (27.2) (b) is voluntary.
Record	Record
(28) If the clerk or the Minister, as the case may be, receives a notice of appeal under subsection (19) or (27), the clerk or the Minister shall ensure that,	(28) If the clerk or the Minister, as the case may be, receives a notice of appeal under subsection (19) or (27), the clerk or the Minister shall ensure that,
(a) a record is compiled which includes the information and material prescribed; and	(a) a record is compiled which includes the information and material prescribed; and
(b) the record, the notice of appeal and the fee are forwarded to the Municipal Board within 15 days after the last day for filing a notice of appeal under subsection (19) or (27).	(b) the record, the notice of appeal and the fee are forwarded to the Municipal Board within 15 days after the last day for filing a notice of appeal under subsection (19) or (27).
Appeals withdrawn	Appeals withdrawn
(29) If all appeals under subsection (19) or (27) are withdrawn and the time for appealing has expired, the Municipal Board shall notify the council or the Minister, as the case may be, and subject to subsection (23), the decision of the council or the Minister to give or refuse to give a provisional consent is final.	(29) If all appeals under subsection (19) or (27) are withdrawn and the time for appealing has expired, the Municipal Board shall notify the council or the Minister, as the case may be, and subject to subsection (23), the decision of the council or the Minister to give or refuse to give a provisional consent is final.

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Exception	Exception
(29.1) Despite clause (28) (b), if all appeals under subsection (19) or (27) are withdrawn within 15 days after the last day for filing a notice of appeal, the clerk of the municipality or the Minister is not required to forward the materials described under clause (28) (b) to the Municipal Board.	(29.1) Despite clause (28) (b), if all appeals under subsection (19) or (27) are withdrawn within 15 days after the last day for filing a notice of appeal, the clerk of the municipality or the Minister is not required to forward the materials described under clause (28) (b) to the Municipal Board.
Decision final	Decision final
(29.2) If all appeals under subsection (19) or (27) are withdrawn within 15 days after the last day for filing a notice of appeal, the decision of the council or the Minister, subject to subsection (23), to give or refuse to give a provisional consent is final.	(29.2) If all appeals under subsection (19) or (27) are withdrawn within 15 days after the last day for filing a notice of appeal, the decision of the council or the Minister, subject to subsection (23), to give or refuse to give a provisional consent is final.
Hearing	Hearing
(30) On an appeal, the Municipal Board shall hold a hearing, of which notice shall be given to such persons or public bodies and in such manner as the Board may determine.	(30) On an appeal, the Municipal Board shall hold a hearing, of which notice shall be given to such persons or public bodies and in such manner as the Board may determine.
Dismissal without hearing	Dismissal without hearing
(31) Despite the <i>Statutory Powers Procedure Act</i> and subsection (30), the Municipal Board may dismiss an appeal without holding a hearing, on its own initiative or on the motion of any party, if,	(31) Despite the <i>Statutory Powers Procedure Act</i> and subsection (30), the Municipal Board may dismiss an appeal without holding a hearing, on its own initiative or on the motion of any party, if,
(a) it is of the opinion that,	(a) it is of the opinion that,
(i) the reasons set out in the notice of appeal do not disclose any apparent land use planning ground upon which the Board could give or refuse to give the provisional consent or could determine the question as to the condition appealed to it,	(i) the reasons set out in the notice of appeal do not disclose any apparent land use planning ground upon which the Board could give or refuse to give the provisional consent or could determine the question as to the condition appealed to it,
(ii) the appeal is not made in good faith or is frivolous or vexatious,	(ii) the appeal is not made in good faith or is frivolous or vexatious,
(iii) the appeal is made only for the purpose of delay, or	(iii) the appeal is made only for the purpose of delay, or
(iv) the appellant has persistently and without reasonable grounds commenced before the Board proceedings that constitute an abuse of process;	(iv) the appellant has persistently and without reasonable grounds commenced before the Board proceedings that constitute an abuse of process;
(b) the appellant did not make oral submissions at a public meeting or did not make written submissions to the council or the Minister before a provisional consent was given or refused and, in the opinion of the Board, the appellant does not provide a reasonable explanation for having failed to make a submission;	(b) the appellant did not make oral submissions at a public meeting or did not make written submissions to the council or the Minister before a provisional consent was given or refused and, in the opinion of the Board, the appellant does not provide a reasonable explanation for having failed to make a submission;
(c) the appellant has not provided written reasons for the appeal;	(c) the appellant has not provided written reasons for the appeal;
(d) the appellant has not paid the fee prescribed under the <i>Ontario Municipal Board Act</i> ; or	(d) the appellant has not paid the fee prescribed under the <i>Ontario Municipal Board Act</i> ; or

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(e) the appellant has not responded to a request by the Municipal Board for further information within the time specified by the Board.	(e) the appellant has not responded to a request by the Municipal Board for further information within the time specified by the Board.
Representation	Representation
(32) Before dismissing an appeal, the Municipal Board shall notify the appellant and give the appellant the opportunity to make representation on the proposed dismissal but this subsection does not apply if the appellant has not complied with a request made under clause (31) (e).	(32) Before dismissing an appeal, the Municipal Board shall notify the appellant and give the appellant the opportunity to make representation on the proposed dismissal but this subsection does not apply if the appellant has not complied with a request made under clause (31) (e).
Dismissal	Dismissal
(32.1) The Municipal Board may dismiss an appeal after holding a hearing or without holding a hearing on the motion under subsection (31), as it considers appropriate.	(32.1) The Municipal Board may dismiss an appeal after holding a hearing or without holding a hearing on the motion under subsection (31), as it considers appropriate.
Decision final	Decision final
(33) If all appeals under subsection (19) or (27) are dismissed or withdrawn, the Municipal Board shall notify the council or the Minister and, subject to subsection (23), the decision of the council or the Minister to give or refuse to give a provisional consent is final.	(33) If all appeals under subsection (19) or (27) are dismissed or withdrawn, the Municipal Board shall notify the council or the Minister and, subject to subsection (23), the decision of the council or the Minister to give or refuse to give a provisional consent is final.
Powers	Powers
(34) On an appeal under subsection (14) or (19), the Municipal Board may make any decision that the council or the Minister, as the case may be, could have made on the original application and on an appeal of the conditions under subsection (27), the Board shall determine the question as to the condition or conditions appealed to it.	(34) On an appeal under subsection (14) or (19), the Municipal Board may make any decision that the council or the Minister, as the case may be, could have made on the original application and on an appeal of the conditions under subsection (27), the Board shall determine the question as to the condition or conditions appealed to it.
Amended application	Amended application
(35) On an appeal, the Municipal Board may make a decision on an application which has been amended from the original application if, at any time before issuing its order, written notice is given to the persons and public bodies prescribed under subsection (10) and to any person or public body conferred with under subsection (11) on the original application.	(35) On an appeal, the Municipal Board may make a decision on an application which has been amended from the original application if, at any time before issuing its order, written notice is given to the persons and public bodies prescribed under subsection (10) and to any person or public body conferred with under subsection (11) on the original application.
No written notice	No written notice
(35.1) The Municipal Board is not required to give written notice under subsection (35) if, in the opinion of the Board, the amendment to the original application is minor.	(35.1) The Municipal Board is not required to give written notice under subsection (35) if, in the opinion of the Board, the amendment to the original application is minor.
Notice	Notice
(36) Any person or public body that receives notice under subsection (35) may, not later than 30 days after the day that written notice was given, notify the Municipal Board of an intention to appear at the hearing or the resumption of the hearing, as the case may be.	(36) Any person or public body that receives notice under subsection (35) may, not later than 30 days after the day that written notice was given, notify the Municipal Board of an intention to appear at the hearing or the resumption of the hearing, as the case may be.

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Order	Order
(37) If, after the expiry of the time period in subsection (36), no notice of intent has been received, the Municipal Board may issue its order.	(37) If, after the expiry of the time period in subsection (36), no notice of intent has been received, the Municipal Board may issue its order.
Notice received	Notice received
(38) If a notice of intent under subsection (36) is received, the Municipal Board may hold a hearing or resume the hearing on the amended application or issue its order without holding a hearing or resuming the hearing.	(38) If a notice of intent under subsection (36) is received, the Municipal Board may hold a hearing or resume the hearing on the amended application or issue its order without holding a hearing or resuming the hearing.
Consent	Consent
(39) If the decision of the Municipal Board under subsection (34) is that a provisional consent be given, the council or the Minister shall give the consent, but if conditions have been imposed, the consent shall not be given until the council or the Minister is satisfied that the conditions have been fulfilled.	(39) If the decision of the Municipal Board under subsection (34) is that a provisional consent be given, the council or the Minister shall give the consent, but if conditions have been imposed, the consent shall not be given until the council or the Minister is satisfied that the conditions have been fulfilled.
Same	Same
(40) If the decision of the council or the Minister on an application is that provisional consent be given and there has been no appeal under subsection (19) or (27), subject to subsection (23), the consent shall be given, but if conditions have been imposed the consent shall not be given until the council or the Minister is satisfied that the conditions have been fulfilled.	(40) If the decision of the council or the Minister on an application is that provisional consent be given and there has been no appeal under subsection (19) or (27), subject to subsection (23), the consent shall be given, but if conditions have been imposed the consent shall not be given until the council or the Minister is satisfied that the conditions have been fulfilled.
Conditions not fulfilled	Conditions not fulfilled
(41) If conditions have been imposed and the applicant has not, within a period of one year after notice was given under subsection (17) or (24), whichever is later, fulfilled the conditions, the application for consent shall be deemed to be refused but, if there is an appeal under subsection (14), (19) or (27), the application for consent shall not be deemed to be refused for failure to fulfil the conditions until the expiry of one year from the date of the order of the Municipal Board issued in respect of the appeal or from the date of a notice issued by the Board under subsection (29) or (33).	(41) If conditions have been imposed and the applicant has not, within a period of one year after notice was given under subsection (17) or (24), whichever is later, fulfilled the conditions, the application for consent shall be deemed to be refused but, if there is an appeal under subsection (14), (19) or (27), the application for consent shall not be deemed to be refused for failure to fulfil the conditions until the expiry of one year from the date of the order of the Municipal Board issued in respect of the appeal or from the date of a notice issued by the Board under subsection (29) or (33).
Certificate	Certificate
(42) When a consent has been given under this section, the clerk of the municipality or the Minister, as the case may be, shall give a certificate to the applicant stating that the consent has been given and the certificate is conclusive evidence that the consent was given and that the provisions of this Act leading to the consent have been complied with and that, despite any other provision of this Act, the council or the Minister had jurisdiction to grant the consent and after the certificate has been given no action may be maintained to	(42) When a consent has been given under this section, the clerk of the municipality or the Minister, as the case may be, shall give a certificate to the applicant stating that the consent has been given and the certificate is conclusive evidence that the consent was given and that the provisions of this Act leading to the consent have been complied with and that, despite any other provision of this Act, the council or the Minister had jurisdiction to grant the consent and after the certificate has been given no action may be maintained to

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question the validity of the consent.	question the validity of the consent.
Lapse of consent	Lapse of consent
(43) A consent given under this section lapses at the expiration of two years from the date of the certificate given under subsection (42) if the transaction in respect of which the consent was given is not carried out within the two-year period, but the council or the Minister in giving the consent may provide for an earlier lapsing of the consent.	(43) A consent given under this section lapses at the expiration of two years from the date of the certificate given under subsection (42) if the transaction in respect of which the consent was given is not carried out within the two-year period, but the council or the Minister in giving the consent may provide for an earlier lapsing of the consent.
Where delegation	Where delegation
(44) If a land division committee or a committee of adjustment has had delegated to it the authority for the giving of consents, any reference in this section to the clerk of the municipality shall be deemed to be a reference to the secretary-treasurer of the land division committee or committee of adjustment.	(44) If a land division committee or a committee of adjustment has had delegated to it the authority for the giving of consents, any reference in this section to the clerk of the municipality shall be deemed to be a reference to the secretary-treasurer of the land division committee or committee of adjustment.
<i>[Sections 54 - 69.2]</i>	<i>[No amendments to Sections 54 - 69.2]</i>
General regulations, Lieutenant Governor in Council	General regulations, Lieutenant Governor in Council
70. The Lieutenant Governor in Council may make regulations,	70. The Lieutenant Governor in Council may make regulations,
	(a) prescribing criteria for the purposes of subsection 45 (1.0.1);
(a)-(f) Repealed: 1996, c. 4, s. 36.	(b)-(f) Repealed: 1996, c. 4, s. 36.
(g) prescribing the form of a warrant and the form in which the information on oath will be taken under section 49.1;	(g) prescribing the form of a warrant and the form in which the information on oath will be taken under section 49.1;
(h) for the purposes of section 62.0.1, prescribing an undertaking or class of undertakings that relates to energy.	(h) for the purposes of section 62.0.1, prescribing an undertaking or class of undertakings that relates to energy.
General regulations, Minister	General regulations, Minister
70.1 (1) The Minister may make regulations,	70.1 (1) The Minister may make regulations,
1. prescribing forms for the purposes of this Act and providing for their use;	1. prescribing forms for the purposes of this Act and providing for their use;
2. prescribing information and material that are to be provided under this Act and the manner in which they are to be provided;	2. prescribing information and material that are to be provided under this Act and the manner in which they are to be provided;
3. prescribing the manner in which any notice is to be given under this Act, including the persons or public bodies to whom it shall be given, the person or public bodies who shall give the notice and the contents of the notice;	3. prescribing the manner in which any notice is to be given under this Act, including the persons or public bodies to whom it shall be given, the person or public bodies who shall give the notice and the contents of the notice;
4. prescribing the timing requirements for any notice given under any provision of this Act;	4. prescribing the timing requirements for any notice given under any provision of this Act;
5. prescribing information and material that must be included in any record;	5. prescribing information and material that must be included in any record;

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6. prescribing plans or policies and provisions of those plans or policies for the purposes of clause (f) of the definition of “provincial plan” in subsection 1 (1);	6. prescribing plans or policies and provisions of those plans or policies for the purposes of clause (f) of the definition of “provincial plan” in subsection 1 (1);
7. prescribing any ministry of the Province of Ontario to be a public body under subsection 1 (3);	7. prescribing any ministry of the Province of Ontario to be a public body under subsection 1 (3);
8. excluding any board, commission, agency or official from the definition of “public body” under subsection 1 (4);	8. excluding any board, commission, agency or official from the definition of “public body” under subsection 1 (4);
9. prescribing conditions for the purpose of subsection 8.1 (1);	9. prescribing conditions for the purpose of subsection 8.1 (1);
10. prescribing a term for the purpose of clause 8.1 (3) (a) and qualifications for the purpose of clause 8.1 (3) (b);	10. prescribing a term for the purpose of clause 8.1 (3) (a) and qualifications for the purpose of clause 8.1 (3) (b);
11. prescribing eligibility criteria for the purpose of subsection 8.1 (4);	11. prescribing eligibility criteria for the purpose of subsection 8.1 (4);
12. prescribing classes for the purpose of clause 8.1 (5) (c);	12. prescribing classes for the purpose of clause 8.1 (5) (c);
13. prescribing requirements for the purpose of subsection 8.1 (8);	13. prescribing requirements for the purpose of subsection 8.1 (8);
14. prescribing the methods for determining the number of members from each municipality to be appointed to a municipal planning authority under subsection 14.1 (5);	14. prescribing the methods for determining the number of members from each municipality to be appointed to a municipal planning authority under subsection 14.1 (5);
15. prescribing matters for the purpose of clause 16 (1) (b) and for the purpose of clause 16 (2) (c);	15. prescribing matters for the purpose of clause 16 (1) (b c) and for the purpose of clause 16 (2) (c);
16. prescribing the processes to be followed and the materials to be developed under section 16.1;	16. prescribing the processes to be followed and the materials to be developed under section 16.1;
17. prescribing municipalities for the purposes of subsection 17 (13) and section 69.2;	17. prescribing municipalities for the purposes of subsection 17 (13) and section 69.2;
18. prescribing information and material for the purposes of clauses 17 (15) (a) and (b), public bodies for the purposes of clause 17 (15) (b) and the manner of making information and material available for the purposes of clause 17 (15) (c);	18. prescribing information and material for the purposes of clauses 17 (15) (a) and (b), public bodies for the purposes of clause 17 (15) (b) and the manner of making information and material available for the purposes of clause 17 (15) (c);
19. prescribing, for the purposes of clauses 17 (17) (a) and (b), clause 22 (6.4) (a), clause 34 (10.7) (a), clauses 34 (13) (a) and (b) and clause 51 (19.4) (a),	19. prescribing, for the purposes of clauses 17 (17) (a) and (b), clause 22 (6.4) (a), clause 34 (10.7) (a), clauses 34 (13) (a) and (b) and clause 51 (19.4) (a),
i. persons and public bodies,	i. persons and public bodies,
ii. the manner of giving notice, and	ii. the manner of giving notice, and
iii. information;	iii. information;
20. prescribing time periods for the purpose of subsections 17 (44.4), 34 (24.4) and 51 (52.4);	20. prescribing time periods for the purpose of subsections 17 (44.4), 34 (24.4) and 51 (52.4);
21. prescribing public bodies for the purpose of clause 26 (3)	21. prescribing public bodies for the purpose of clause 26 (3)

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(a);	(a);
22. prescribing upper-tier municipalities for the purpose of subsection 28 (2);	22. prescribing upper-tier municipalities for the purpose of subsection 28 (2);
23. prescribing matters for the purpose of subsection 28 (4.0.1);	23. prescribing matters for the purpose of subsection 28 (4.0.1);
24. prescribing conditions for the purpose of subsection 34 (16) and limitations for the purpose of subsection 34 (16.1);	24. prescribing conditions for the purpose of subsection 34 (16) and limitations for the purpose of subsection 34 (16.1);
	24.1 prescribing information for the purposes of clause 37 (8) (c);
	24.2 prescribing information for the purposes of clause 42 (18) (c);
25. prescribing rules of procedure for committees of adjustment;	25. prescribing rules of procedure for committees of adjustment;
26. prescribing criteria for the purposes of subsection 50 (18.1) and subsection 57 (6);	26. prescribing criteria for the purposes of subsection 50 (18.1) and subsection 57 (6);
27. requiring that notice be given under subsections 51 (20) and 53 (5);	27. requiring that notice be given under subsections 51 (20) and 53 (5);
28. prescribing rules of procedure under subsection 53 (9) for councils and their delegates;	28. prescribing rules of procedure under subsection 53 (9) for councils and their delegates;
29. prescribing persons or public bodies for the purposes of subsection 53 (10);	29. prescribing persons or public bodies for the purposes of subsection 53 (10);
30. prescribing rules of procedure for district land division committees constituted under section 55;	30. prescribing rules of procedure for district land division committees constituted under section 55;
31. prescribing any other matter that is referred to in this Act as prescribed, other than matters that are prescribed under sections 70, 70.2 and 70.3.	31. prescribing any other matter that is referred to in this Act as prescribed, other than matters that are prescribed under sections 70, 70.2 and 70.3.
Same	Same
(2) A regulation made under this section or section 70 may be general or particular in its application.	(2) A regulation made under this section or section 70 may be general or particular in its application.
Regulations re development permit system	Regulations re development permit system
70.2 (1) The Lieutenant Governor in Council may, by regulation,	70.2 (1) The Lieutenant Governor in Council may, by regulation,
(a) establish a development permit system that local municipalities may by by-law adopt to control land use development in the municipality; or	(a) establish a development permit system that local municipalities may by by-law adopt to control land use development in the municipality; or
(b) delegate to local municipalities the power to establish a development permit system upon such conditions as may be set out in the regulation.	(b) delegate to local municipalities the power to establish a development permit system upon such conditions as may be set out in the regulation.

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Contents	Contents
(2) A regulation under subsection (1) may,	(2) A regulation under subsection (1) may,
(a) vary, supplement or override any provision in Part V or any municipal by-law passed under Part V as necessary to establish a development permit system;	(a) vary, supplement or override any provision in Part V or any municipal by-law passed under Part V as necessary to establish a development permit system;
(b) authorize or require a local municipality to pass a by-law to vary, supplement or override a by-law passed under Part V as necessary to establish a development permit system;	(b) authorize or require a local municipality to pass a by-law to vary, supplement or override a by-law passed under Part V as necessary to establish a development permit system;
(c) exempt a municipality which has adopted or established a development permit system from any provision of Part V set out in the regulation;	(c) exempt a municipality which has adopted or established a development permit system from any provision of Part V set out in the regulation;
(d) prohibit a municipality which has adopted or established a development permit system from passing a by-law under those provisions of Part V that are specified in the regulation;	(d) prohibit a municipality which has adopted or established a development permit system from passing a by-law under those provisions of Part V that are specified in the regulation;
(e) set out procedures for appealing to the Municipal Board in respect of a development permit or a condition in a permit, including prescribing persons or public bodies that may appeal to the Board in that regard;	(e) set out procedures for appealing to the Municipal Board in respect of a development permit or a condition in a permit, including prescribing persons or public bodies that may appeal to the Board in that regard;
(f) prescribe policies that must be contained in an official plan before a development permit system may be adopted or established;	(f) prescribe policies that must be contained in an official plan before a development permit system may be adopted or established;
(g) prescribe conditions or criteria that must be met before a municipality passes a by-law adopting or establishing a development permit system;	(g) prescribe conditions or criteria that must be met before a municipality passes a by-law adopting or establishing a development permit system;
(h) prescribe conditions or criteria that must be met before a development permit may be issued or that must be included in a development permit;	(h) prescribe conditions or criteria that must be met before a development permit may be issued or that must be included in a development permit;
(i) prescribe powers that the municipality may exercise in administering a development permit system;	(i) prescribe powers that the municipality may exercise in administering a development permit system;
(j) limit or restrict the manner in which municipalities may exercise the power to issue development permits or pass by-laws adopting or establishing a development permit system;	(j) limit or restrict the manner in which municipalities may exercise the power to issue development permits or pass by-laws adopting or establishing a development permit system;
(k) establish different standards or procedures for different municipalities or classes of municipalities;	(k) establish different standards or procedures for different municipalities or classes of municipalities;
(l) authorize the municipalities to appoint employees to carry out the duties required under the development permit system and delegate to them the powers necessary to carry out these duties;	(l) authorize the municipalities to appoint employees to carry out the duties required under the development permit system and delegate to them the powers necessary to carry out these duties;
(m) require any owner of land, upon the request of the municipality, to enter into agreements with the municipality as a condition to obtaining a development permit;	(m) require any owner of land, upon the request of the municipality, to enter into agreements with the municipality as a condition to obtaining a development permit;

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(n) revoke any provision in a development permit by-law or any condition in a development permit in respect of any defined area and set out other provisions or conditions that apply in respect of that area;	(n) revoke any provision in a development permit by-law or any condition in a development permit in respect of any defined area and set out other provisions or conditions that apply in respect of that area;
(o) prescribe provisions that must be contained in a development permit system;	(o) prescribe provisions that must be contained in a development permit system;
(p) exempt any development or class of development, any municipality or class of municipality or any areas from a development permit area or a development permit by-law;	(p) exempt any development or class of development, any municipality or class of municipality or any areas from a development permit area or a development permit by-law;
(q) provide for transitional matters that may be necessary to implement a development permit system or to cease using a development permit system.	(q) provide for transitional matters that may be necessary to implement a development permit system or to cease using a development permit system.
	Same, five-year period
	(2.1) A regulation under subsection (1) may,
	(a) provide that when a by-law adopting or establishing a development permit system is passed, no person or public body shall apply to amend the relevant official plan with respect to policies prescribed under clause (2) (f) before the fifth anniversary of the day the by-law is passed;
	(b) provide that no person or public body shall apply to amend a by-law adopting or establishing a development permit system before the fifth anniversary of the day the by-law is passed;
	(c) provide that a prohibition provided under clause (a) or (b) does not apply in respect of an application if the council has declared by resolution that such an application is permitted.
Same	Same
(3) A regulation under this section may be general or particular in its application and may be restricted to those municipalities set out in the regulation.	(3) A regulation under this section may be general or particular in its application and may be restricted to those municipalities set out in the regulation.
Conflicts	Conflicts
(4) A regulation made under this section prevails over the provisions of any other Act that are specified in the regulation.	(4) A regulation made under this section prevails over the provisions of any other Act that are specified in the regulation.
Registration of agreement	Registration of agreement
(5) An agreement entered into under clause (2) (m) may be registered against the land to which it applies and the municipality may enforce its provisions against the owner and, subject to the <i>Registry Act</i> and the <i>Land Titles Act</i> , any and all subsequent owners of the land.	(5) An agreement entered into under clause (2) (m) may be registered against the land to which it applies and the municipality may enforce its provisions against the owner and, subject to the <i>Registry Act</i> and the <i>Land Titles Act</i> , any and all subsequent owners of the land.

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Deemed conformity with official plan	Deemed conformity with official plan
(6) If a development permit by-law is passed under this section by the council of a municipality in which an official plan is in effect, subsection 24 (4) applies to the by-law in the same manner as if it were a by-law passed under section 34.	(6) If a development permit by-law is passed under this section by the council of a municipality in which an official plan is in effect, subsection 24 (4) applies to the by-law in the same manner as if it were a by-law passed under section 34.
Conformity with upper tier plans	Conformity with upper tier plans
(7) If an approval authority has approved an official plan adopted by an upper-tier municipality, every development permit by-law that is then in effect in the area affected by the plan shall be amended to conform with the plan and subsections 27 (2) to (4) apply, with necessary modifications, to the amendment.	(7) If an approval authority has approved an official plan adopted by an upper-tier municipality, every development permit by-law that is then in effect in the area affected by the plan shall be amended to conform with the plan and subsections 27 (2) to (4) apply, with necessary modifications, to the amendment.
Offence	Offence
(8) Every person who contravenes a development permit by-law passed under this section or the conditions of a development permit is guilty of an offence and on conviction is liable to the fines set out in section 67 and section 67 applies to the offence.	(8) Every person who contravenes a development permit by-law passed under this section or the conditions of a development permit is guilty of an offence and on conviction is liable to the fines set out in section 67 and section 67 applies to the offence.
	Use of alternate terminology
	70.2.1 (1) A regulation made under subsection 70.2 (1), an order made under section 70.2.2 or a by-law passed under section 70.2 or 70.2.2 may refer to development permits as community planning permits.
	Same
	(2) When a regulation, order or by-law refers to development permits as community planning permits, as described in subsection (1),
	(a) the effect of the regulation, order or by-law is the same for all purposes as if the expression “development permit” were used; and
	(b) a permit that is referred to as a community planning permit is a development permit for all purposes.
	Same
	(3) Subsections (1) and (2) also apply with respect to combined expressions such as “development permit system” and “development permit by-law”.
	Orders and by-laws re development permit system
	Orders
	70.2.2 (1) The Minister may, by order,
	(a) require a local municipality to adopt or establish a development permit system for one or more purposes specified under subsection (5); or

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	(b) require an upper-tier municipality to act under subsection (3).
	Non-application of Legislation Act, 2006, Part III
	(2) Part III (Regulations) of the Legislation Act, 2006 does not apply to an order made under subsection (1).
	By-laws
	(3) An upper-tier municipality may, by by-law, require a local municipality that is its lower-tier municipality to adopt or establish a development permit system for one or more purposes specified under subsection (5).
	Effect of order or by-law
	(4) When an order made under subsection (1) or a by-law passed under subsection (3) is in effect, the local municipality,
	(a) shall adopt or establish a development permit system; and
	(b) has discretion to determine what parts of its geographic area are to be governed by the development permit system.
	Regulations
	(5) The Lieutenant Governor in Council may, by regulation, specify purposes in respect of which orders and by-laws requiring the adoption or establishment of development permit systems may be made under subsections (1) and (3).
<i>[Sections 70.3 - 70.5]</i>	<i>[No amendments to Sections 70.3 - 70.5]</i>
	Regulations re transitional matters, 2015 amendments
	70.6 (1) The Minister may make regulations providing for transitional matters respecting matters and proceedings that were commenced before or after the effective date.
	Same
	(2) A regulation under subsection (1) may, without limitation,
	(a) determine which matters and proceedings may be continued and disposed of under this Act, as it read on the day before the effective date, and which matters and proceedings must be continued and disposed of under this Act, as it read on the effective date;
	(b) for the purpose of that subsection, deem a matter or proceeding to have been commenced on the date or in the circumstances prescribed in the regulation.
	Conflict
	(3) A regulation under subsection (1) prevails over any provision of this Act specifically mentioned in the regulation.

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	Definition
	(4) In this section, “effective date” means the date on which section 38 of the Smart Growth for Our Communities Act, 2015 comes into force.
<i>[Sections 71 - 77]</i>	<i>[No amendments to Sections 71 - 77]</i>