

Table 2 - Application of periods of time during COVID-19 emergency - subsections referred to in ss. 5(2)2 of O.Reg. 149/20

Note: Underlining identifies the type of appeal deemed not to have been filed (i.e. appeal from a failure/neglect to make a decision).

Section	Section Number	Policy
Official Plan Amendments	s. 17(40)	<p>Appeal to L.P.A.T.</p> <p>(40) If the approval authority <u>fails to give notice</u> of a decision in respect of all or part of a plan within 120 days after the day the plan is received by the approval authority, any of the following may appeal to the Tribunal 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:</p> <ol style="list-style-type: none"> 1. The municipality that adopted the plan. 2. The Minister, if the Minister is not the approval authority. 3. In the case of a plan amendment adopted in response to a request under section 22, the person or public body that requested the amendment. 2019, c. 9, Sched. 12, s. 3 (11).
Official Plan Amendments	s. 22(7)	<p>Appeal to L.P.A.T.</p> <p>(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 Tribunal 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:</p> <ol style="list-style-type: none"> 1. The person or public body that requested the amendment. 2. The Minister. 3. The appropriate approval authority. 2006, c. 23, s. 11 (5); 2017, c. 23, Sched. 5, s. 80.
Official Plan Amendments	s. 22(7.0.2)	<p>Conditions</p> <p>(7.0.2) The conditions referred to in subsections (7) and (7.0.1) are:</p>

		<ol style="list-style-type: none"> 1. The council or the planning board <u>fails to adopt</u> the requested amendment within 120 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 <u>fails to adopt</u> the requested amendment within 120 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. 4. A planning board refuses to approve a requested amendment under subsection 18 (1). 2006, c. 23, s. 11 (5); 2017, c. 23, Sched. 3, s. 8 (4); 2019, c. 9, Sched. 12, s. 4 (2).
Demolition Control Area	s. 33(4)	<p>Appeal to L.P.A.T.</p> <p>(4) Where the council refuses to issue the permit or <u>neglects to make a decision</u> thereon within thirty days after the receipt by the clerk of the municipality of the application, the applicant may appeal to the Tribunal and the Tribunal shall hear the appeal and either dismiss the same or direct that the demolition permit be issued, and the decision of the Tribunal shall be final. 2017, c. 23, Sched. 5, s. 92.</p>
Demolition Control Area	s. 33(15)	<p>Appeal to L.P.A.T.</p> <p>(15) Any person who has made application to the council under subsection (11) may appeal from the decision of the council to the Tribunal within twenty days of the mailing of the notice of the decision, or where the council refuses or <u>neglects to make a decision</u> thereon within thirty days after the receipt by the clerk of the application, the applicant may appeal to the Tribunal and the Tribunal shall hear the appeal and the Tribunal on the appeal has the same powers as the council has under subsection (14) and the decision of the Tribunal shall be final. 2017, c. 23, Sched. 5, s. 92.</p>
Zoning By-law Amendments	s. 34(11)	<p>Appeal to L.P.A.T.</p> <p>(11) Subject to subsection (11.0.0.0.1), 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 <u>fails to make a</u></p>

		<p><u>decision</u> on it within 90 days after the receipt by the clerk of the application, any of the following may appeal to the Tribunal by filing with the clerk of the municipality a notice of appeal, accompanied by the fee charged under the <i>Local Planning Appeal Tribunal Act, 2017</i>:</p> <ol style="list-style-type: none"> 1. The applicant. 2. The Minister. 2017, c. 23, Sched. 3, s. 10 (1); 2019, c. 9, Sched. 12, s. 6 (1).
Holding Provision By-laws	s. 36(3)	<p>Appeal to L.P.A.T.</p> <p>(3) Where an application to the council for an amendment to the by-law to remove the holding symbol is refused or the council <u>fails to make a decision</u> thereon within 90 days after receipt by the clerk of the application, the applicant may appeal to the Tribunal and the Tribunal shall hear the appeal and dismiss the same or amend the by-law to remove the holding symbol or direct that the by-law be amended in accordance with its order. 2017, c. 23, Sched. 3, s. 11 (1); 2019, c. 9, Sched. 12, s. 8 (1).</p>
Site Plan Control Area	s. 41(12)	<p>Appeal to L.P.A.T. re approval of plans or drawings</p> <p>(12) If the municipality <u>fails to approve</u> the plans or drawings referred to in subsection (4) within 30 days after they are submitted to the municipality, the owner may appeal the failure to approve the plans or drawings to the Tribunal by filing with the clerk of the local municipality a notice of appeal accompanied by the fee charged under the <i>Local Planning Appeal Tribunal Act, 2017</i>. 2017, c. 23, Sched. 3, s. 13 (1).</p>
Draft Plan of Subdivision	s. 51(34)	<p>Appeal to L.P.A.T.</p> <p>(34) If an application is made for approval of a plan of subdivision and the approval authority <u>fails to make a decision</u> under subsection (31) on it within 120 days after the day the application is received by the approval authority, the applicant may appeal to the Tribunal with respect to the proposed subdivision by filing a notice with the approval authority, accompanied by the fee charged under the <i>Local Planning Appeal Tribunal Act, 2017</i>. 1994, c. 23, s. 30; 1996, c. 4, s. 28 (6); 2004, c. 18, s. 8; 2017, c. 23, Sched. 5, ss. 80, 81; 2019, c. 9, Sched. 12, s. 14 (2).</p>

Consents	s. 53(14)	<p>Appeal to L.P.A.T.</p> <p>(14) If an application is made for a consent and the council or the Minister <u>fails to make a decision</u> 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 Tribunal with respect to the consent application by filing a notice with the clerk of the municipality or the Minister, accompanied by the fee charged under the <i>Local Planning Appeal Tribunal Act, 2017</i>. 1994, c. 23, s. 32; 1996, c. 4, s. 29 (2); 2004, c. 18, s. 9; 2017, c. 23, Sched. 5, ss. 80, 81.</p>
O. Reg 173/16 - Community Planning Permits	s. 12(1)	<p>Appeal to L.P.A.T.</p> <p>12. (1) If the council <u>fails to make a decision</u> under subsection 10 (9) within 45 days after the date on which the information, material and fee are received as described in subsection 10 (5) or (8), the applicant may appeal to the Tribunal against the failure to make a decision. O. Reg. 173/16, s. 12 (1); O. Reg. 75/18, s. 5 (1).</p>
<i>City of Toronto Act, 2006</i>	s. 114(15)	<p>Appeal to L.P.A.T. re approval of plans or drawings</p> <p>(15) If the City <u>fails to approve</u> the plans or drawings referred to in subsection (5) within 30 days after they are submitted to the City, the owner may appeal the failure to approve the plans or drawings to the Local Planning Appeal Tribunal by filing with the city clerk a notice of appeal accompanied by the fee charged under the <i>Local Planning Appeal Tribunal Act, 2017</i>. 2017, c. 23, Sched. 3, s. 18 (5).</p>