

Citizens' Guide 9



The Plan Review and Approval Process

May 2018

Introduction

Land use planning affects almost every aspect of life in Ontario. It helps to shape our communities and decide things such as where homes and factories should be built, where parks and schools should be located and where roads, sewers and other essential services should be provided.

Land use planning means managing our land and resources. It helps each community to set goals about how it will develop and change and to work out ways of reaching those goals while keeping important social, economic and environmental concerns in mind. It balances the interests of individual property owners with the wider interests and objectives of the whole community.

Good planning leads to orderly change and the efficient provision of services. It touches all of us and helps us to have the kind of community we want.

A series of Citizens' Guides has been prepared to help you understand how the land use planning process works in Ontario. They are intended to give general information only and are not an interpretation of the Planning Act or any other act. You should refer to the legislation for specific requirements and procedures. The following guides are available:

1. [The Planning Act](#)
2. [Official Plans](#)
3. [Zoning Bylaws](#)
4. [Subdivisions](#)
5. [Land Severances](#)
6. [Local Planning Appeal Tribunal](#)
7. [Northern Ontario](#)
8. [Building Permits](#)
9. [The Plan Review and Approval Process](#)

Disclaimer

These guides have been prepared as a resource to help citizens understand how the land use planning system works in Ontario. They summarize complex matters and reflect legislation, policies and practices that are subject to change. The Citizens' Guides should not be relied upon as a substitute for specialized legal or professional advice in connection with activities and decisions pertaining to land use planning. The Citizens' Guides were last updated May, 2018.



Who approves land use planning matters?

Traditionally, most land use planning decisions have been made by the Minister of Municipal Affairs and, in some cases, a municipality. To support local decision making in land use planning, the province has transferred far more approval authority to municipal councils and planning boards.

The Ministry of Municipal Affairs has prepared a table that summarizes where planning authority resides in Ontario. For a copy of the table, you can go to the [Ministry's website](#).

The province retains a significant role in land use planning policy development, advocacy and oversight when provincial interests are at plan.

Where the province continues to make planning decisions, a one window planning service for provincial input, review, approval and appeal of planning applications is in place.

The provincial One Window Planning Service is the process whereby the Ministry of Municipal Affairs provides municipalities, planning boards, developers and the public with one-stop access for provincial planning services.

This one window approach provides a single provincial process which integrates the perspective of several ministries: Municipal Affairs; Housing; Environment and Climate Change; Natural Resources and Forestry; Transportation; Tourism, Culture and Sport; Agriculture, Food and Rural Affairs; Northern Development and Mines; Energy; Infrastructure, Economic Development and Growth/Research, Innovation and Science; and Health and Long-Term Care.

What is municipal plan review?

Municipal plan review is the process of making decisions on planning applications where the municipality or planning board is responsible for making land use planning decisions. The province does not generally review and comment on planning applications under municipal plan review unless requested to do so.

Many municipalities and planning boards have the responsibility for making decisions on planning applications. In some instances, municipal council may delegate its authority to a committee of council or senior staff.

When a municipality or planning board makes these decisions, it must ensure that provincial interests are integrated in its consideration of local planning interests.

How are provincial interests protected?

The Provincial Policy Statement (PPS) which came into effect April 30, 2014, contains policy directions on matters of provincial interest related to land use planning and development. When decision-makers exercise any authority that affects a planning matter, the Planning Act requires that they "shall be consistent with" the PPS. This means that a decision-maker must



ensure that the policies in the PPS are applied as an essential part of the land use planning decision-making process. Refer to [Guide No. 1](#), The Planning Act, for an explanation of the PPS and Section 2 of The Planning Act for a list of provincial interests.

The province shares land use data and technical information with the municipalities and planning boards. This information sharing and related training is an ongoing process that assists approval authorities in fulfilling their role under municipal plan review, including protecting provincial interests.

Appeals to the Local Planning Appeal Tribunal

Decisions on a planning application can generally be appealed to the [Local Planning Appeal Tribunal](#) (LPAT) by any person or public body that has made an oral submission at the public meeting or made a written submission to the planning authority before it makes a decision. If they have not made submissions, then they cannot appeal in most cases. In the case of appeals, the planning authority must then forward information related to the application to the LPAT which will hold a hearing. Specific information regarding the appeal process is provided in [Guide No. 6](#), Local Planning Appeal Tribunal.

The Ministry of Municipal Affairs is the only provincial ministry that can file appeals to the LPAT.

When the Ministry of Municipal Affairs launches an appeal of a municipal decision, the process is coordinated between other ministries with interests in land use planning to ensure that provincial policy positions are integrated to allow for a strong, coordinated case before the LPAT.

For certain matters proceeding to the LPAT, the Minister of Municipal Affairs may declare that an official plan, official plan amendment, zoning bylaw or holding provision bylaw before the LPAT may adversely affect a provincial interest. In such cases, after a hearing is held and the LPAT renders a decision, the Lieutenant Governor in Council (the Cabinet) may confirm, vary or rescind the LPAT's decision on the matter.

How do I get my application approved?

The review and approval process for changes to land use is generally the same for all types of planning applications.

Your first step should be to talk to local municipal staff. They can let you know if the change is possible, what issues you might encounter and how you should apply. They can also tell you who the approval authority is for your particular application.

Next, you should consult with the decision-making authority to discuss your application and to determine what information is required for a complete application. In cases where that authority is the local municipality, the first two steps may be carried out at the same time.



Your application for changes to land use should be submitted to the decision-making authority (which may be the local municipality). The decision-making authority will make the decision to approve or refuse your application and inform you of that decision.

The time it takes to process an application varies. Your municipality or planning board can provide you with an estimate of the time it may take for a decision to be made.

Refer to the companion Citizens' Guides for slight variations to the process. For example, Citizens' Guides [No. 2](#), [No. 3](#), [No. 4](#) and [No. 5](#) describe the various land use planning applications.

How important is early consultation?

It is very important to consult with the decision-making authority at the beginning of the planning process, before submitting a planning application. This will ensure a timely consideration of the application.

During the early consultation, you should meet with the authority to discuss your application and to clarify what information is required for a complete application. This will ensure that the authority has all the information required to make an appropriate decision without incurring unnecessary delays.

What type of information is required?

A typical application form identifies the information that is required by the decision-making authority in order to consider the proposed change in land use. All required information must be included with the completed application form.

You should be aware that if you do not provide all the required information and fee, the decision-making authority may refuse to accept or to consider your application. The legislated time frame for making a decision does not begin until all the required information and fee are received.

A decision-making authority may refuse to accept an application that it deems to be incomplete because it fails to provide the information and material identified by Minister's regulation and other information required by the municipality. If an authority confirms that an application is incomplete, and you, the applicant, disagree with the decision, the applicant has 30 days to make a motion to the LPAT for determination on the matter. The LPAT's decision is final.

Is there a different decision-making authority for different planning applications?

Yes, the decision-making authority may vary depending on the municipality and the type of planning application. Contact your municipality to determine who approves your particular planning application.



Who approves official plan amendments and how?

The approval authority for official plans and plan amendments is either the upper-tier municipality for lower-tier municipalities or the Ministry of Municipal Affairs for upper-tier and single-tier municipalities. They approve official plans and plan amendments, unless the plan or plan amendment is exempted from approval.

The local municipality reviews and considers official plan amendment applications. It will consult with the approval authority as part of this process. If the Ministry of Municipal Affairs is the approval authority, it will provide a One Window input and review service. If the upper-tier municipality is the approval authority, it will conduct a municipal plan review. The upper-tier may ask for provincial input regarding provincial interests in proposed new local official plans and major policy amendments, using the provincial One Window Planning Service.

In some cases, the amendment may be exempt from formal approval by the approval authority. In such cases, the municipality simply gives notice of its decision, there is a 20-day appeal period and, in the event of an appeal, the LPAT would consider the matter and make a decision.

For more information about your rights to appeal, see [Guide No. 6](#), the Local Planning Appeal Tribunal.

Summary of the Plan Review Process for Official Plans Flowchart

The following flowchart illustrates the process for a privately-initiated official plan amendment in the following steps:

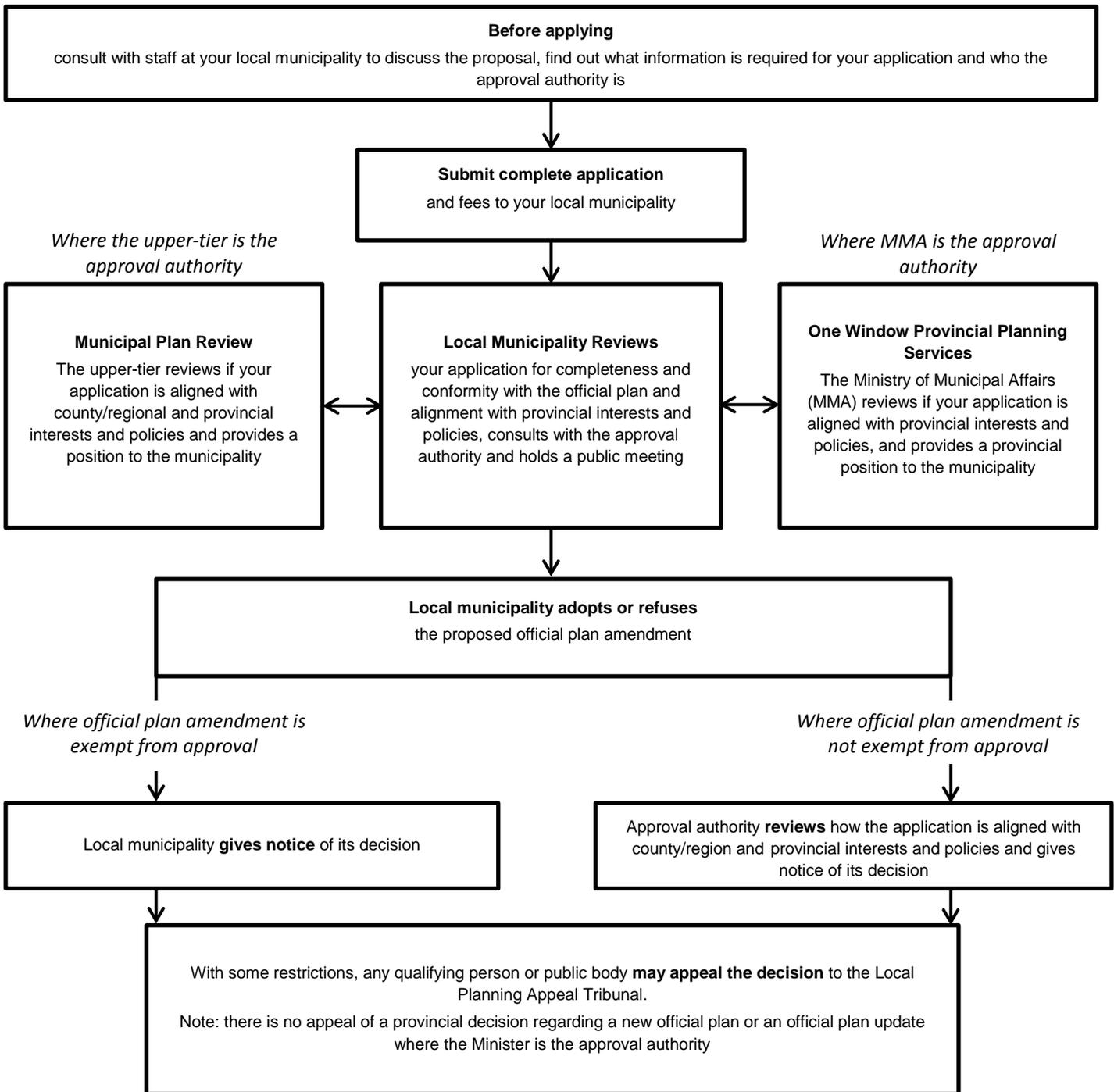
1. Before an application is submitted, the applicant should consult with municipal staff and, as appropriate, the approval authority.
2. Following pre-consultation, a complete application is submitted to the local municipality.
3. Local Municipality Review: In all cases, the local municipality will review the application for completeness and conformity with the official plan and alignment with provincial interests and policies, consult with the approval authority and hold a public meeting. The local municipality will then adopt or refuse the proposed official plan amendment.
Municipal Plan Review: If the upper-tier municipality is the approval authority, the upper-tier will review if the application is aligned with county/regional and provincial interests and policies and provide a position to the local municipality.
One Window Plan Review: If the Ministry of Ministry Affairs is the approval authority, the Ministry will review whether the application is aligned with provincial policies and plans provides a provincial position to the municipality.
4. The local municipality will give notice of their decision.



5. If the official plan amendment is not exempt from approval, the approval authority will review if the adopted official plan amendment aligns with provincial and, if applicable, upper-tier interests and policies and give notice of their decision.
6. With some restrictions, any qualifying person or public body may appeal to the Local Planning Appeal Tribunal.



Flowchart: Plan Review Process for Official Plan Amendments



Refer to [Guide No. 2](#), Official Plans for more information on official plans and amendments and the corresponding appeal process.



Who approves plans of subdivisions and how?

Over time, more municipalities and planning boards have become the approval authorities for plans of subdivision. Through municipal plan review, they identify and protect provincial interests during their review and decisions on plans of subdivision. Provincial ministries may provide technical input where needed.

When the Ministry of Municipal Affairs is still the approval authority, it will provide a One Window input, review and approval service.

Refer to [Guide No. 4](#) for more information on subdivisions.

Who approves applications for consent/severance and how?

All authorities that are responsible for granting consents to sever land (i.e. municipal council or its delegate, or planning board) provide municipal plan review services for consents. Provincial ministries do not perform site-specific reviews; however, they may still provide technical information where needed.

There is an exception in some parts of Northern Ontario where the Ministry of Municipal Affairs is still the authority responsible for granting consents. In such cases, it provides a One Window input, review and approval service.

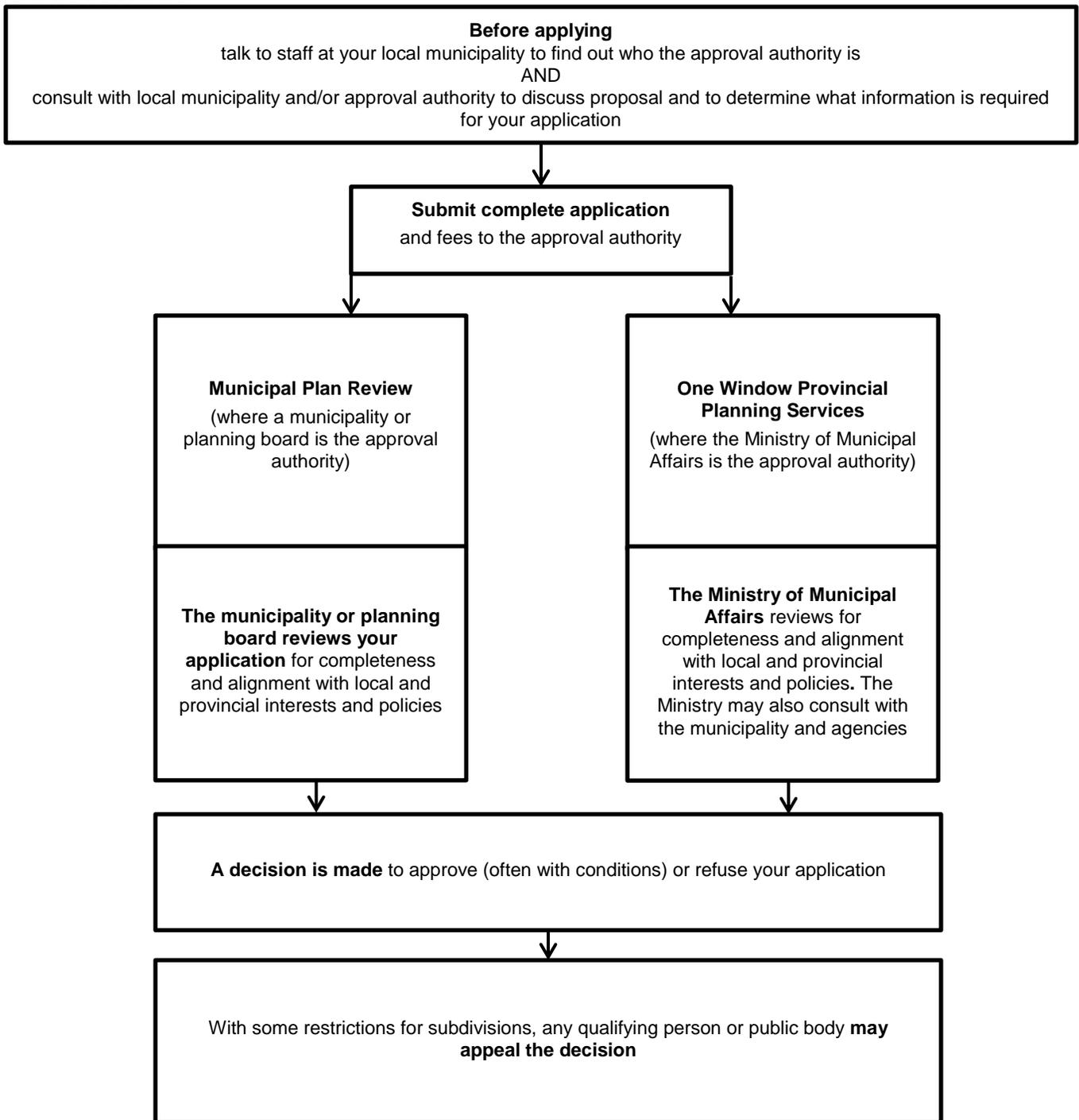
Summary of the Plan Review Process for Subdivisions and Land Severances Flowchart

The following flowchart shows the plan review process for subdivisions and land severances:

1. Before an application is submitted, the applicant should consult with the decision-making authority.
2. Following pre-consultation, a complete application is submitted to the decision-making authority.
3. The decision-making authority ensures notices of the application are given and, if applicable, public meeting is held.
4. The approval authority will make its decision to approve the matter with conditions or refuse.
5. Notice of decision is sent to the applicant and those requesting notification.
6. With some restrictions, any qualifying person or public body may appeal to the Local Planning Appeal Tribunal.



Flowchart: Plan Review Process for Subdivision and Land Severances



Refer to [Guide No. 4](#) and [Guide No. 5](#) for more information on subdivisions, land severances and the corresponding appeal process.



Who approves zoning bylaws and how?

The municipal council decides whether to pass or refuse an amendment to its zoning bylaw. When a municipality undertakes site-specific rezoning, it will identify and protect provincial interests in its review and decision. There is no requirement for review by provincial ministries, allowing for greater local autonomy in zoning review and approval.

However, when a municipality undertakes a comprehensive zoning review (e.g. zoning bylaw that covers everything within its jurisdiction), the Ministry of Municipal Affairs will act as the one window input and review body regarding provincial interests. Refer to [Guide No. 3](#) for more information on zoning bylaws.

How does this plan review process benefit you?

The plan review process, which involves either municipal plan review or the provincial One Window Planning Service, benefits individuals involved in land use planning. It:

- **saves time** by reducing duplication between government agencies or ministries
- **streamlines the process** by having clearly defined roles and lines of communication
- **allows for local decision making** as an increasing number of municipalities or planning boards take on the responsibility for making decisions on planning applications
- **provides clarity through** a co-ordinated provincial position on planning applications.

How can you find out more?

For more information about land use planning in your community, contact your [municipality](#).

For more information about land use planning in Ontario, contact your nearest [Municipal Services Office](#).

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