

**Subject: Bill 185 Implementation with respect to Development Review, and Bill  
109 Monitoring Report**

**File Number: ACS2024-PDB-PS-0067**

**Report to Planning and Housing Committee on 11 September 2024**

**Report to Agriculture and Rural Affairs Committee on 5 September 2024**

**and Council 18 September 2024**

**Submitted on August 26, 2024 by Derrick Moodie, Director, Planning Services,  
Planning, Development and Building Services**

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**Ward: City Wide**

**Objet : Mise en œuvre du projet de loi 185 en ce qui concerne l'examen du  
développement et rapport de suivi du projet de loi 109**

**Dossier : ACS2024-PDB-PS-0067**

**Rapport au Comité de la planification et du logement**

**le 11 septembre 2024**

**Rapport au Comité de l'agriculture et des affaires rurales**

**le 5 septembre 2024**

**et au Conseil le 18 septembre 2024**

**Soumis le 31 mai 2024 par Derrick Moodie, Directeur, Services de la planification,  
Direction générale des services de la planification, de l'aménagement et du  
bâtiment**

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**Quartier : À l'échelle de la ville**

## REPORT RECOMMENDATIONS

That Planning and Housing Committee and Agriculture and Rural Affairs Committee recommend Council:

1. Receive for information the update on the internal process changes undertaken since July 1, 2023 as part of Bill 109 Implementation Monitoring;
2. Approve the amendments to the Pre-Consultation By-law 2023-296, as per Document 1 attached to this report, to make the pre-consultation process non-mandatory as per Bill 185;
3. Approve the amendments to the Public Notification and Consultation Policy, attached as Document 2 to this report;
4. Approve the amendments to the Planning Fees By-law 2024-33, attached as Document 3 to this report; and
5. Approve the conversion to permanent of 33 full-time equivalent (FTE) positions approved in Report ACS2023-PRE-GEN-0005 to continue to meet the provincial timelines for development applications.

## RECOMMANDATIONS DU RAPPORT

Que le Comité de la planification et du logement et le Comité de l'agriculture et des affaires rurales recommandent au Conseil municipal :

1. de prendre connaissance, pour information, du compte rendu sur les changements apportés au processus interne depuis le 1<sup>er</sup> juillet 2023 dans le cadre de la surveillance de la mise en œuvre du projet de loi 109;
2. d'approuver les modifications à apporter au *Règlement sur la consultation préalable* (n° 2023-296), conformément à la pièce 1 jointe à ce rapport, pour rendre non obligatoire, conformément au projet de loi 185, le processus de consultation préalable;
3. d'approuver les modifications à apporter à la Politique d'avis et de consultation publique, reproduite dans la pièce 2 de ce rapport;
4. d'approuver les modifications à apporter au *Règlement sur les droits d'aménagement* (n° 2024-33), reproduit dans la pièce 3 de ce rapport;

5. **d'approuver la permanentisation de 33 postes équivalents temps plein (ETP) approuvés dans le rapport ACS2023-PRE-GEN-0005 afin de continuer de respecter les délais fixés par le gouvernement provincial pour le dépôt des demandes d'aménagement.**

## **EXECUTIVE SUMMARY**

The purpose of this report is to seek Council approval of five recommendations to implement Bill 185.

Since 2023, staff have recommended and Council has approved significant changes to processes, which have allowed the municipality to comply with provincial legislation and regulatory changes while also facilitating a highly responsive service. The changes that are now being proposed as a result of Bill 185 will allow for continued compliance and the same level of intensity of service.

The proposed changes are administrative, align with Council's previous decisions and will achieve compliance with Bill 185.

In the context of development review, Bill 185 had the following impacts:

- Pre-consultation with the City before submitting a development application can no longer be mandatory;
- Refunding of fees for development application with missed decisions within provincial timelines are removed; and
- The provincial timelines have not changed.

The City objective proposed in this report is to adapt to Bill 185 by continuing with the same level of intensity of service that we delivered under Bill 109 while:

- Ensuring Council approved policies, guidelines and master plans are reflected in quality applications; and
- Providing applicants the flexibility to iterate on their proposal if they so choose.

To implement Bill 185, the by-laws and policy amendments recommended in the report will enable the following:

- Pre-consultation, while not mandatory, would continue to be recommended. Applicants are recommended to pre-consult with the City to obtain the list of information and materials required for their development project. The same 21-calendar-day target as Bill 109's phased pre-consultation would apply.

- Applicants would be able to submit concurrent Zoning By-law Amendment and Site Plan Control applications. The longer timeline would be used as the staff target for level of service.
- Staff would use the first 30 days from application submission (when payment and documents are received) to undertake a review of the materials and information provided to ensure that Council approved Policy, Guidelines and Master plans are reflected. Staff would inform the applicant whether their information and materials are complete within the first 30 days. The current level of service for Bill 109's Phase 3 of pre-consultation provided a response on completeness within 30 days. Due to Bill 185, the City can no longer utilize mandatory pre-consultation to establish completeness, which is why it is proposed to utilize the first 30 days of an application to do so.
- Applicants would be given an opportunity to re-submit materials, putting the application "on pause" while they work on updating their documentation. After circulation to technical agencies and the public, staff would provide applicants the opportunity to review the recommendation or conditions for their development proposal. Applicants would have a week to indicate to staff whether they would like to proceed to the staff decision, or if they would like the application to be put on pause so they can revise and resubmit their documentation.
- The City would measure its performance based only on the segments of time when staff are in control of the development application, as opposed to measuring the total amount of time from submission to decision. Permitting applicants to resubmit means that they agree to work on their proposal and extend the approval timeline.

To achieve this continued intensity of level of service, it is therefore recommended that the temporary positions approved in the Provincial Legislation Resource Impact Report be made permanent. Making these positions permanent will assist the City with succession planning, preparing for housing market recovery, staff retention and knowledge transfer. The positions are fully funded, and with the additional implications of Bill 185 and continuation of Bill 23 the permanent FTEs are required to carry out the actions of the report. This report will not have any budgetary impact as the costs and associated revenue increases have already been incorporated in the existing budget.

## **RÉSUMÉ**

L'objectif de ce rapport consiste à demander au Conseil municipal d'approuver cinq recommandations pour mettre en œuvre le projet de loi 185.

Depuis 2023, le personnel de la Ville a recommandé et le Conseil municipal a approuvé d'importants changements à apporter aux processus, ce qui a permis à la municipalité de respecter les modifications apportées aux lois et aux règlements provinciaux tout en permettant d'assurer un service très réactif. Les changements proposés aujourd'hui dans la foulée du projet de loi 185 permettront de continuer de respecter la loi et d'assurer le même degré d'activité dans le service.

Les changements proposés ont un caractère administratif, cadrent avec les décisions précédentes du Conseil municipal et permettront de respecter le projet de loi 185.

Dans le contexte de l'examen des demandes d'aménagement, le projet de loi 185 a produit les incidences suivantes :

- Il n'est plus obligatoire de tenir auprès de la Ville une consultation préalable avant de soumettre une demande d'aménagement.
- La Ville n'a plus à rembourser les droits des demandes d'aménagement dans les cas où elle n'a pas rendu ses décisions en respectant les délais fixés par le gouvernement provincial.
- Les délais fixés par le gouvernement provincial n'ont pas changé.

L'objectif que la Ville propose dans ce rapport consiste à s'adapter au projet de loi 185 en continuant d'assurer dans le service le même degré d'activité que celui que nous avons atteint en vertu du projet de loi 109 tout en :

- veillant à ce que les politiques, les lignes de conduite et les plans directeurs approuvés par le Conseil municipal se transposent dans la qualité des demandes;
- offrant aux requérants la possibilité de remanier leur proposition s'ils décident de le faire.

Pour mettre en œuvre le projet de loi 185, on recommande, dans ce rapport, d'apporter des modifications aux règlements municipaux et aux politiques, ce qui permettra d'appliquer les mesures suivantes :

- On continuerait de recommander de tenir la consultation préalable, même si elle n'est pas obligatoire. On recommande aux requérants de commencer par consulter la Ville afin d'obtenir la liste des renseignements et des documents à déposer pour leur projet d'aménagement. On appliquerait le même délai cible de

21 jours civils que celui de la consultation préalable par phases du projet de loi 109.

- Les requérants devraient soumettre des demandes concomitantes de modification du Règlement de zonage et de réglementation du plan d'implantation. Le personnel retiendrait le délai le plus long comme objectif pour le niveau de service à offrir.
- Le personnel de la Ville se servirait des 30 premiers jours comptés à partir de la date du dépôt de la demande (soit la date à laquelle les droits sont acquittés et les documents sont déposés) pour mener l'examen des documents et des renseignements fournis afin de s'assurer de tenir compte de la politique, des lignes de conduite et des plans directeurs approuvés par le Conseil municipal. Le personnel ferait savoir au requérant, dans les 30 premiers jours, si les renseignements et les documents déposés sont complets. Selon le niveau actuel de service pour la phase 3 de la consultation préalable prévue dans le projet de loi 109, il faut confirmer dans les 30 jours que les renseignements et les documents sont complets. À cause du projet de loi 185, la Ville ne peut plus se prévaloir de la consultation préalable obligatoire pour confirmer que les renseignements et les documents sont complets; c'est la raison pour laquelle on propose, pour ce faire, de se servir des 30 premiers jours écoulés depuis le dépôt de la demande.
- Les requérants auraient l'occasion de resoumettre des documents, en mettant « en pause » leur demande pendant qu'ils se consacrent à la mise à jour de leur documentation. Après diffusion des documents à l'intention des organismes techniques et du public, le personnel donnerait aux requérants l'occasion de revoir la recommandation ou les conditions de leur proposition d'aménagement. Les requérants auraient une semaine pour indiquer au personnel de la Ville s'ils souhaitent se conformer à la décision du personnel ou s'ils veulent mettre en pause leur demande pour pouvoir la réviser et resoumettre leur documentation.
- La Ville mesurerait son rendement uniquement d'après les périodes dans lesquelles le personnel est effectivement chargé de la demande d'aménagement, au lieu de mesurer la durée totale écoulée entre le dépôt de la demande et la décision rendue. En autorisant les requérants à resoumettre leurs documents, on suppose qu'ils seraient d'accord pour rectifier leur proposition et pour proroger le délai d'approbation.

Pour assurer continuellement le service à ce niveau d'intensité, il est donc recommandé d'approuver la permanentisation des postes temporaires dans le Rapport sur les

répercussions de la législation provinciale sur les ressources. La permanentisation de ces 29 postes aidera la Ville à planifier la relève, à se préparer en prévision du redressement du marché du logement, à fidéliser le personnel et à transférer les connaissances. Ces postes sont entièrement financés, et en raison des incidences supplémentaires du projet de loi 185 et de la continuité du projet de loi 23, ces ETP permanents sont nécessaires pour appliquer les mesures prévues dans ce rapport, qui n'aura pas d'incidence budgétaire, puisque les coûts et les hausses de recettes correspondantes sont déjà comptabilisés dans le budget existant.

## **BACKGROUND**

The provincial government has enacted a number of legislative changes that have impacted previous Council decisions with respect to development review.

Housing supply is a provincial priority. The Province of Ontario has set a target of building 1.5 million new homes by 2031, of which 151,000 would be in Ottawa. Continuous improvement are required to ensure that we meet the provincial and municipal housing supply objectives.

Housing Supply is also a federal priority. The Federal Government announced the Housing Accelerator Fund in April 2022 as part of the Federal Budget, their objective being to create more supply of housing at an accelerated pace and enhance certainty in the approvals and building process. On July 12, 2023, Council approved the City's action plan ([ACS2023-PRE-GEN-0007](#)) for its application to the Housing Accelerator Fund (HAF) program. The City entered into a contribution agreement with CMHC on December 21, 2023, outlining the terms and conditions, action plan, and growth targets for the City's eligibility to access up to \$176.3 million through their HAF program. The recommendation of this report further streamlines the development approval process, which contributes towards the City's Housing Accelerator Fund growth target.

### **Legislative Context**

[Bill 109, More Homes for Everyone Act, 2022](#) received Royal Assent on April 14<sup>th</sup>, 2022. The Bill made changes to the *Planning Act* and other statutes to implement some of the 55 recommendations in the Task Force Report. Impacts on the City included a mandatory appointment of staff to approve Site Plans, mandatory refunds where decisions on Site Plan Control (SPC) and Zoning By-law Amendment applications were not rendered within the statutory processing timelines (90 days for Zoning By-law Amendments and 60-days for Site Plan Control), and removal of Councillor concurrence on Site Plan Control applications.

On July 6, 2022, City Council approved the Bill 109 Implementation – Phase 1 ([ACS2022-PIE-GEN-0011](#)) recommendations which were intended to implement required changes mandated by the provinces' Bill 109.

The Resources for Development Applications Review and Approval report approved by Council on July 6, 2022 ([ACS2022-PIE-GEN-0010](#)) recommended additional resources for the review and approval of development applications affecting staffing in several Service Areas across the organization including Building Code Services, Planning Services, Business and Technical Support Services, Legal Services and Finance Services.

The Bill 109 Implementation Phase 2 report ([ACS2023-PRE-GEN-0004](#)) obtained Council approval on June 14, 2023 for further policy and by-law changes, that represented the best path forward to meet the tight provincial timelines to process development applications while preventing the potential refund of fees. Two main features enabled the City to meet the provincial timelines for Bill 109 applications, 100 per cent of the time:

1. The mandatory phased pre-consultation process, and its tight timeline, was the principal implementing measure of Bill 109, where Phases 1 and 2 provided applicants the list of required materials for an application and high-level feedback on their concept, while Phase 3 provided staff an opportunity to review the documentation to ensure they were complete, consistent with one another and our terms of reference, and addressed concerns raised.
2. Flexibility for applicants to iterate and resubmit was removed from official review, ensuring that staff were fully in control of the application during the prescribed timelines.

Also implemented with the Phase two report:

- ✓ Planning Services Team Approach
- ✓ Terms of References for each item on the Development Application Study Policy By-law
- ✓ Updated 'Development Applications Information and Materials' webpage
- ✓ Communication and training for staff and industry

Also approved by Council on June 14, 2023, the Provincial Legislation Resource Impact Report ([ACS2023-PRE-GEN-0005](#)) highlighted the key workload impacts of the provincial Bills on City business, and asked Council for the corresponding staffing resources that, in staff's estimate, would set up the City to adapt to the changes.



On June 6, 2024, Bill 185 [Cutting Red Tape to Build More Homes Act, 2024](#) received royal assent and became law. Affected legislation includes the *Municipal Act*, *Development Charges Act*, *Planning Act* and various other *Acts*. The Bill provides no transition time to municipalities to update their development review process to match its new legislation. Municipalities are no longer permitted to have a mandatory pre-consultation and refunds are no longer required for missed provincial timelines.

### **Summary Bill 185 Impacts on Development Review**

- Pre-consultations
  - Mandatory pre-consultation is no longer permitted.
- Development Applications
  - Official Plan Amendment (OPA), Zoning By-law Amendment (ZBLA), SPC, and Plan of Subdivision applicants can make a motion for the Ontario Land Tribunal (OLT) to determine whether the required information and material have in fact been provided or are reasonable at any time (whereas it was previously limited to after 30 days after requirements were given) after beginning pre-consultation or after paying the application fee.
  - Refunding of fees for development application with missed decisions within provincial timelines are removed.
  - Applicants can continue to appeal for non-decision directly after the provincial timelines are exceeded.
- No More Third-Party Appeals
  - Residents will no longer be able to appeal to OLT, unless they own land directly affected by a planning application and have made a delegation at Committee.
- Site Plan Approval Valid for Three-years
  - Approvals granted by the municipality for a Site Plan Control application are valid as long as the applicant obtains a building permit within three years of their approval (date of issuance of the Delegated Authority Report).
  - If site plan approvals lapse, servicing capacity may be reallocated.
- Universities and Colleges

- While Universities and Colleges are no longer are regulated by the *Planning Act*, road cut permits, heritage permits and other City processes that are not regulated by the *Planning Act* will still occur.

## **DISCUSSION**

This report provides some analysis of Bill 185, details the Bill 109 monitoring work undertaken since July 1, 2023, and then speaks to the five recommendations of the report.

### **Analysis of Bill 185 on Development Review, in the context of Bill 109 implementation**

What do the provincial timelines mean under each Bill?

- Bill 109: timelines were meant as a deadline for municipalities to meet, at risk of financial penalty. The goal was to render a decision and meet timelines at all costs, as opposed to working with applicants to “get to yes”.
- Bill 185: timelines are meant to serve as marking the ability for applicants to appeal for non-decision. Municipalities have the ability to go over this timeline to work with applicants to “get to yes”.

While the refunding of application fees for decisions rendered beyond the provincial timelines is removed by Bill 185, the 90-calendar-days to render a decision on a Zoning By-law Amendment and the 60-calendar-days to render an approval of a Site Plan Control application remains. To adapt to Bill 185, it is proposed to continue with the same level of intensity of service that PDBS staff delivered under Bill 109 while:

- Ensuring that Council-approved policies, guidelines and master plans are reflected through quality development applications;
- Enabling staff reviewing development proposals to work through deficiencies in meeting Council-approved policies, guidelines and master plans to get to yes; and
- Providing applicants the flexibility to iterate on their proposal if they so choose.

Bill 185 also enables OPA, ZBLA, SPC, and Plan of Subdivision applicants to make a motion, earlier than before, to the OLT to determine whether the required materials have in fact been provided or are reasonable at any time after beginning pre-consultations or after paying the application fee. This means that applicants, post Bill 185, could:

- Make a motion for directions to OLT upon pre-consultation or upon submission of an application to remove required materials from the list;
- Make a motion for directions to OLT should staff deem the application incomplete if the provided information and materials are deficient;
- appeal to OLT should the City not provide a decision within the prescribed timelines (existing pre-Bill 185 right); and
- appeal to OLT should applicants disagree with the City's decision (existing pre-Bill 185 right).

To that effect, the recommendations of this report speak to the necessary changes to City policy and by-laws to implement Bill 185, as it relates to development review. In addition, staff will have to modify their internal processes in the following ways:

- Pre-consultation, while not mandatory, would continue to be recommended. Applicants are recommended to pre-consult with the City to obtain the list of information and materials required for their development project. The same 21-calendar-day target as Bill 109's phased pre-consultation would apply.
- Applicants would be able to submit concurrent Zoning By-law Amendments and Site Plan Control applications. The longer timeline would be used as the staff target for level of service.
- Staff would use the first 30 days from application submission (when payment and documents are received) to undertake a review of the materials and information provided to ensure that Council approved Policy, Guidelines and Master plans are reflected. Staff would inform the applicant whether their information and materials are complete within the first 30 days. The current level of service for Bill 109's Phase 3 of pre-consultation provided a response on completeness within 30 days. Due to Bill 185, the City can no longer utilize mandatory pre-consultation to establish completeness, which is why it is proposed to utilize the first 30 days of an application to do so.
- Applicants would be given an opportunity to re-submit materials, putting the application "on pause" while they work on updating their documentation. After circulation to technical agencies and the public, staff would provide applicants the opportunity to review the recommendation or conditions for their development proposal. Applicants would have a week to indicate to staff whether they would like to proceed to decision, or if they would like to application to be put on pause so they may update their documentation.

- The City would measure its performance based only on the segments of time when staff are in control of the development application, as opposed to measuring the total amount of time from submission to decision. Permitting applicants to resubmit means that they agree to work on their proposal and extend the timeline.

Additional information on the detailed Bill 185 process are included in Document 5.

### **Reporting on the proposed Bill 185 adaptations**

While staff acknowledge that the proposed timeline exceed the provincial prescribed timelines, the proposed 120 days for a Zoning By-law Amendment is not unreasonable: it is currently the target for a joint OPA/ZBL in the *Planning Act*.

What staff propose with the above breakdown is to measure the time when the City has to move a file forward. Each step in the process is measured from when an applicant gives documents to the City, to when the City provides a response back to the applicant. A similar process is used in measuring timelines for building permits within Building Code Services.

The benefit of this approach are to standardize our service, measure what we have control over and work with applicants to “get to yes” if they want to.

Staff would report on how well we are meeting our targets as part of the annual report.

Staff will note that such level of detail was not available pre-Bill 109 and during Bill 109, and that comparisons will take a few years to build up. Staff will monitor the effectiveness and proposed amendment as part of the annual report for the year 2025.

### **Recommendations**

The below section speaks to the recommendations that implement the above.

#### **1. Receive for information the update on the internal process changes undertaken since July 1, 2023 as part of Bill 109 Implementation Monitoring;**

##### Timelines

In 2023, all provincially mandated timelines were met, and no refunds have been issued (more data can be consulted in the 2023 Delegated Authority Report ([ACS2024-PRE-GEN-0003](#))). Municipal pre-consultation timeline targets (not provincially regulated) are below:

Pre-consultations	On or before 21- calendar-day target	under 30-calendar- days	Total Processed
Phase 1	28%	90%	109
Phase 2	30%	83%	24
Phase 3	36%	88%	33

Site Plan Control	On or before 60 -calendar- day target	Total Processed
Complex	100%	5
Revision Rural	100%	1
Revision Standard	100%	1
Standard	100%	3
Zoning By-law Amendment	On or before 90 -calendar- day target	Total Processed
Farm Sever	100%	7
Major	100%	3
Minor	100%	8

From July 1, 2023, to June 24, 2024 (when Bill 109 was in effect), the following applications were submitted, and a decision was rendered:

Application type	Number approved
Phase 1	238
Phase 2	54
Phase 3	101

Site Plan Control - Complex	5
Site Plan Control - Revision Rural	1
Site Plan Control - Revision Standard	1
Site Plan Control - Standard	3
Zoning By-law Amendment - Farm Sever	7
Zoning By-law Amendment - Major	3
Zoning By-law Amendment - Minor	8

Since July 1, 2023, the following measures were implemented:

- ✓ Hiring of subject matter experts (SMEs), Engineers, Planners and support staff approved in report ACS2023-PRE-GEN-0005
- ✓ Establishment of the Development Review All Wards team
- ✓ Dedicated training folder in SharePoint for contributors to the pre-consultation and development review process
- ✓ Launch of the external SharePoint site for technical agency circulation
- ✓ Publication of a [pre-consultation factsheet](#)
- ✓ Launch of the escalation process
- ✓ Mechanism for internal and external feedback on process

#### Hiring of SMEs, Engineers, Planners and support staff

- The Council approved positions in the report are in place to support the Bill 109 process ACS2023-PRE-GEN-0005, which supported the meeting of all provincially mandated timelines.

#### Establishment of the DRAW team

- The introduction of the sixth development review team is setting Planning Services up for the expected growth in development applications to meet the City's [Housing Accelerator Fund](#) and [Housing Pledge](#) targets.

- The new team structure with the addition of the new DRAW team (which stands for Development Review – All Wards) looks to balance workload and reporting structure throughout Planning Services.
- The new Development Review team structure is designed specifically to align with the ‘team approach’ to have the right mix of resources for each of the roles.
- An additional objective is to better align with the corporate standard for span of control for Managers.
- The DRAW team focuses on three priorities:
  - Affordable Housing and School Boards
  - Committee of Adjustment
  - ‘Overflow’ capacity to support other development review areas (DR Managers will coordinate)

#### SharePoint Training for contributors to the pre-consultation and development review process

- As Planning Services moved to a team approach, staff had to change the way they worked from email to SharePoint. Each Planning Services staff member and all the subject matter experts had an opportunity to join SharePoint training.

#### Launch of the External SharePoint Site for technical agency circulation

- External technical agencies also shared their comments by email to centralize responses on development applications following technical circulation. Publication of the [Pre-consultation Factsheet](#).
- Staff and industry asked for more details and direction on each of the pre-consultation phases. Staff undertook to create an easy-to-use factsheet with input from internal staff and industry.
- Consulted with industry on two occasions over two months for its development, it is published on our website and on our internal SharePoint for all to consult.
- The benefits of clarifying when Phase 2 should apply have been recognized by industry and internal staff.

#### Launch of the Escalation Process

- The escalation procedure applies to instances where there is a disagreement between staff and the Applicant about the adequacy or completeness of the pre-consultation application or their submission materials.
- Industry was consulted on three occasions for the development of the Escalation Process.
- Staff committed to clear timeline targets, which were reduced as a result of industry input. Staff have also confirmed with the integrity commissioner that participants in this escalation process will not need to register on the lobbyist registry, given this is the regular escalation process.
- Applicants encountering issues with the pre-consultation process can undertake the following steps:
  1. The Applicant is to email the issue to the lead staff member for the specific issue: Senior Planner on file for planning matters, and Senior Engineer on file and Senior Engineer, Planning Operations if engineering.
    - Staff will commit to a response within two business days.
  2. Should the issue not be resolved, the Applicant is to forward the correspondence with the unresolved issue to the Development Review Area Manager for planning matters, stating the issue, the desired outcome and the barriers. If the issue is engineering, forward the correspondence to the Development Review Area Manager and the Manager, Planning Operations and Continuous Improvement.
    - Staff will commit to a response within two business days.
  3. Should the issue not be resolved, the Applicant is to forward the correspondence with the unresolved issue to the Director, Planning Services, stating the issue, the desired outcome and the barriers.
    - Staff will commit to a response within four business days.
  4. Should the issue not be resolved, the Applicant is to forward the correspondence with the unresolved issue to the General Manager, PDBS, or their designate, stating the issue, the desired outcome and the barriers.
    - Staff will commit to a response within five business days.



5. Should the issue not be resolved, the Applicant can appeal to the Ontario Land Tribunal for direction.

#### Mechanism for internal and external feedback on process

Regular meetings with industry to discuss implementation, and specific meetings on the escalation process, the phased pre-consultation process and pre-consultation factsheet. Notably for pre-consultation, the following were raised:

- There was a lack of direction and clarity on the objective and scope of the individual phases of pre-consultation, raising questions such as: when can a development be exempted from Phase 2, or what is the appropriate level of documentation review during a Phase 3.
  - The [pre-consultation factsheet](#) was developed to clarify this challenge.
- During Phase 1 and 2 of pre-consultation, booking the meeting was a challenge, especially where both staff and applicants were on vacations (notably during the December and January holidays, and March break), accommodating in person meetings and delay in communication that a pre-consultation payment had been made to book the meeting.
  - Booking a pre-consultation meeting is an outstanding challenge.
  - Adding a “holding” function to the MAP was considered so that we could better measure the instances where the applicant agreed to delay the meeting date so that data was reflective of when staff were not the cause of the delay. As MAP is being phased out to be replaced by LMS in the next few years, it was decided that this would not fall within the best use of resources to undertake.
  - Regarding monitoring payments and communicating that payments have been made, payments reports are now produced three times a week to ensure there is no longer a delay in communication.
- During Phase 3, the delays and challenges were focused on awaiting stamped plans or studies, servicing reports, finalization of engineering feedback, major issues with the proposal and complexity of individual sites.
  - Note that the escalation procedure has not reached Director level escalation, so this proved to be a meeting timelines issue, but not significant enough to lead to higher level of issue resolution due to timing.

- There were multiple instances where applicants tried to submit applications at Client Service Centres, without having completed their pre-consultation. While the source of this action was that applicants wanted to proceed to have their application reviewed and timed by the province, staff hold the position that the Phase 3 completeness review is valuable to ensure that the documents submitted are of sufficient quality. Low quality applications take significant time and effort to provide feedback to, taking away from processing higher quality applications. This issue is unfortunately no longer regulated through mandatory pre-consultation and will persist as pre-consultation is at the applicant's discretion.

**2. Approve the amendments to the Pre-Consultation By-law 2023-296, as per Document 1 attached to this report, to make the pre-consultation process non-mandatory as per Bill 185;**

Bill 185 removed the ability for municipalities to require mandatory pre-consultation for development applications. The amendments to the Pre-Consultation By-law, detailed in Document 1, reflect this provincial direction. These modifications open the door for applicants who still want to undertake pre-consultation, including submission of draft documentation, with the City to do so.

In addition, the timelines in the by-law have been removed, they will be replaced with internal procedural targets.

The department's name is also updated to Planning, Development and Building Services.

Staff continue to see the benefit of pre-consultations with applicants in the following ways:

- Phases 1 and 2 provide applicants the list of required information and materials for an application and high-level feedback on their concept.
- Phase 3 provides staff an opportunity to review the documentation to assist the applicant, ensuring their submission documents are complete, consistent with one another, address concerns raised and consistent with our terms of references.

The removal of the City's ability to require mandatory pre-consultation, introduces or enhances the following risks:

- Submissions may not include all of the materials the City requires, especially in cases where applicants choose not to pre-consult with the City.

- Less than optimal submissions are likely to add significant pressure on staff as they review development applications that have not been vetted as to whether they are complete, consistent with one another, address concerns raised and consistent with our terms of references. More time and effort is required to provide meaningful comments on poor quality applications, which detracts from processing other applications.
- Applicants have the opportunity, if they so choose, to prepare the list of materials and information for their application solely from the list on the application form. This means that Staff do not have the chance to vet the list and offer guidance on the documentation applicants will prepare. To prevent any delay from incomplete applications, staff will continue to encourage applicant to undergo at minimum a Phase 1 of pre-consultation.

### **3. Approve the amendments to the Public Notification and Consultation Policy, attached as Document 2 to this report;**

The public notification policy was amended to reflect:

- the new department's name Planning, Development and Building Services;
- removal of the requirement of pre-consultation;
- clarifications to language;
- alignment of the posting of the on-site sign to be after an application has been deemed complete, as opposed to upon submission; and
- format the policy for ease of reference.

### **4. Approve the amendments to the Planning Fees By-law 2024-33, attached as Document 3 to this report.**

As part of Bill 109 monitoring, the issues have been observed and the following provides recommended mitigation:

- Signs are a fixed capital cost: once ordered and installed, there is no ability to obtain money back. It is therefore proposed to remove development signs from being eligible for refunds.
- Pre-Bill 109 applications still need re-circulation fees, a tool that was inadvertently removed during the Bill 109 implementation. Post-Bill 109 files do not permit re-circulations. It is therefore proposed to include re-circulation for files that were submitted on or prior to June 30, 2023. Staff are also proposing to

require a re-circulation fee (Section 20) if documents are submitted more than one year after the previous submission was received. This ensures that the current applicable policy is applied to the review and provides renewed notice to stakeholders.

- Refunds for missed provincial timelines have been removed.
- Removing the 10 per cent reduction for concurrent applications. We have observed that for some applications being submitted concurrently, one is complete and the other incomplete. Staff then require significant investment of time and effort to work on an incomplete application that, leave for the 10 per cent discount, would likely not have been submitted. Staff recommend the City discontinue this practice to enable staff to focus on applications that are moving forward.
- Clarification that the resubmission fee (Section 8) captured through the “engineering design and inspection fee” will be applied to the third and subsequent submissions, instead of after the fourth and subsequent. This change is to capture the value of staff effort with repeated document updates and ensures cost-recovery.
- Removal of the re-application fee introduced in Bill 109. By permitting re-submissions there is no longer a need for this fee.

**Recommendation 5 to approve the conversion to permanent of 33 full-time equivalent (FTE) positions approved in Report ACS2023-PRE-GEN-0005.**

In June 2023, Council approved report (ACS2023-PRE-GEN-0005) that identified the estimated staff resources, and their funding source, to enable the City to take on new and changing functions as a result of provincial legislation. Through a phased fee increase in the 2023 staff report, and the balance of the increase taking place in the 2024 budget, those temporary positions currently have a permanent funding source.

Bill 109 imposed refunds on missed prescribed timelines for the City to review and render a decision on Site Plan Control and Zoning By-law Amendment applications. The Bill provided a new tool for municipalities to achieve this: the ability to enact a by-law to require mandatory pre-consultation. Bill 185 removes the mandatory pre-consultation tool but retains the provincial timelines. The province has been clear that building housing faster is a priority, and the expectation remains for municipalities to meet the provincial timelines.

[Bill 23, More Homes Built Faster Act, 2022](#), received Royal Assent on November 28th, 2022 and proposed extensive changes to a number of Acts and regulations including

the *Development Charges Act*, *Planning Act*, *Municipal Act*, *Ontario Heritage Act* and others.

The principal Bill 23 heritage implications with staffing impacts are the following:

- Requires that a non-designated property listed on the Heritage Register be removed after two years if Council has not initiated the designation process. The City of Ottawa has approximately 4600 listed properties to review.
- Introduces a limitation where a property that has been removed from the Register cannot be re-listed for five years.
- Limits Council's ability to designate a property that is subject to certain *Planning Act* applications if that property is not already listed on the Heritage Register

The principal Bill 23 sustainability implications with staffing impacts are the following:

- Changes to Conservation Authorities to amend levels of responsibility and oversight, limiting their input to natural hazards and removing their ability to complete technical reviews (i.e.; stormwater, geotechnical, hydrogeological, environmental assessments, etc.)
- Changes to the Ontario Wetland Evaluation System, transferring the responsibility to evaluate wetlands and to review private evaluations to municipalities, and increasing the importance of overall municipal natural heritage system implementation for effective wetland conservation.

#### FTES Supporting Bill 185

The following FTEs, totaling 29 in this category, were hired:

- a. Seven Engineers (Planning Services (4), Transportation Planning (1), and Infrastructure and Water Services (2))
- b. 15 Planners (PDBS)
- c. Seven Subject Matter Experts (finance, zoning, forester, legislative, by-law writing, stakeholder support, and operational support)

With this staff complement, paired with the multi-tiered pre-consultation process, all provincially mandated timelines were met and no refunds were issued since July 1, 2023.

Staff needed to change the way they work to meet Bill 109's refunds for missed timelines to process Site Plan Control (SPC) and ZBLA applications. Measuring City performance on meeting provincial timelines, the City was successful with its Bill 109 implementation of the multi-tiered pre-consultation process to solve issues early in the process.

With Bill 185, the development application review that could be done during pre-consultation now needs to be completed all at once during the official review while meeting the prescribed timelines (which the City was not meeting before Bill 109).

To enable this, it is important to ensure that the Subject Matter Experts in Service Areas that review development applications continue to have the appropriate capacity to meet the provincial timelines of 60-calendar-days for Site Plan Control and 90-calendar-days for Zoning By-law Amendment. For the City to meet provincial timelines, SMEs need to continue to have the capacity to provide timely comments on complex applications during the prescribed timelines.

This recommendation looks to confirm the staff that have been onboarded to solve for the shorter timelines.

### FTES Supporting Bill 23

Positions relating to Bill 23 support with the Heritage Register (three positions), and wetland evaluation (one position), the legislation continues to apply and staff are continuing their operational work. The Natural Systems Planner position addresses the additional workload created by the download to the City of responsibility for implementation of Provincial policies for the evaluation and conservation of wetlands.

In 2022, Bill 23, *More Homes Built Faster Act* amended the *Ontario Heritage Act* to provide for the removal of properties in a municipality's heritage register on January 1, 2025, if those properties had not been designated under Part IV of the *Act*. Bill 200 received Royal Assent on June 6, 2024 and extended the deadline to designate properties to January 1, 2027. While staff have been making good progress in evaluating and recommending properties for designation, this extension will give staff additional time to review the approximately 700 individual properties identified as possible candidates for designation along with the several hundred properties included in areas being considered for Heritage Conservation Districts.

The three positions in the Heritage Planning Branch provide the branch with in-house historical research expertise and heritage planning expertise to support the renewed heritage designation program in the absence of listing as a tool to monitor historic buildings City-wide. With this extension, the Branch will continue to prioritize Part IV

designations as well as the new comprehensive Heritage Conservation District workplan directed by Council because of Bill 23.

## **RURAL IMPLICATIONS**

The Bill 185 adaptations proposed in this report apply Citywide, including the rural area.

## **LEGAL IMPLICATIONS**

As stated in this report, Bill 185 has repealed mandatory pre-consultation and as a result, it is appropriate to update By-law 2023-296. There are no legal impediments to the adoption of this report.

## **RISK MANAGEMENT IMPLICATIONS**

There are risk implications being mitigated by the recommendations of this report, as the report proposes recommendations to position the City to deliver a process in line with Bill 185. These risks have been identified and explained in the report and are being managed by the appropriate staff.

## **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications associated with this report.

## **FINANCIAL IMPLICATIONS**

**Recommendation 1 to 3:** There are no direct financial implications.

**Recommendation 4:** Financial implications relating to the amendments to the Planning Fees By-law include remove development signs from being eligible for refunds, removal of refunds for missed provincial timelines (no refunds were issued), removal of the 10% reduction for concurrent applications, and removal of the re-application fee. Planning Fees are reviewed and adjusted annually to ensure cost recovery based on the five-year rolling average of applications and revenues. The annual review will capture any changes in application volumes and associated changes in revenue.

**Recommendation 5:** The 33 temporary positions were funded fully funded through the Provincial Legislation Resource Impact Report (ACS2023-PRE-GEN-0005) and the 2024 Budget. There are no financial implications from converting the temporary positions to permanent.

## **ACCESSIBILITY IMPACTS**

There are no accessibility impacts.

## **ENVIRONMENTAL IMPLICATIONS**

Bill 185 has impacts on infrastructure servicing

### **DELEGATION OF AUTHORITY IMPLICATIONS**

No new delegation of authority has been requested in this report.

### **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- A city that has affordable housing and is more liveable for all.

### **SUPPORTING DOCUMENTATION**

Document 1 Revised Pre-Consultation By-law - 2023-296

Document 2 Revised Public Notification and Consultation Policy

Document 3 Revised Fee By-law

Document 4 Closing the loop on some additional matters from Bill 109

Document 5 Detailed Bill 185 Process

### **DISPOSITION**

Legal Services will finalize the implementing By-laws, listed as documents 1, 2 and 3 of this report.

Office of the City Clerks will list the final by-laws on a future Council agenda.

Planning Services will implement and monitor the balance of the report.

Finance Services will undertake the appropriate actions to convert the temporary positions to permanent, as per recommendations 5.



**Document 1****BY-LAW NO. 2024 - XXX**

A by-law of the City of Ottawa regarding pre-consultation on development applications and to repeal By-law 2023-296.

The Council of the City of Ottawa enacts as follows:

**DEFINITIONS**

1. In this by-law,

"applicant" means, but not limited to,

- (a) a person or public body requesting Council to amend the Official Plan of the City of Ottawa under section 22 of the Planning Act;
- (b) a person or public body applying to Council to amend Zoning By-law pursuant to section 34 of the Planning Act;
- (c) a person applying for site plan approval pursuant to section 41 of the Planning Act;
- (d) the owner of land applying for approval of a plan of subdivision pursuant to section 51 of the Planning Act; or <sup>(e)</sup>a person owning the freehold or leasehold interest in the described land applying for approval of a condominium under Section 9 of the Condominium Act.

"Condominium Act" means the Condominium Act, 1998, S.O. 1998, c. 19, as amended;

"Council" means the Council of the City of Ottawa;

"Deemed Complete" also means deemed adequate for the purposes of City By-laws and references the submission of a development application to which has satisfied the requirements of the Planning Act.

"General Manager" means the General Manager of Planning, Development and Building Services;

"Official Review" means the time period after which a Planning Act application has been deemed complete through and until a decision has been rendered on such application.

"Planning Act" means the Planning Act, R.S.O. 1990, c. P. 13, as amended.

**PRE-CONSULTATION**

2. An applicant may and is recommended to consult with the General Manager or designate prior to submitting:

- (a) a request to amend the Official Plan pursuant to section 22 of the Planning Act;
- (b) an application to amend the Zoning By-law pursuant to section 34 of the Planning Act;
- (c) an application for site plan approval pursuant to section 41 of the Planning Act;

- (d) an application for approval of a plan of subdivision pursuant to section 51 of the Planning Act; and
  - (e) an application for approval of a condominium pursuant to section 9 of the Condominium Act.
- (2) Applicants can consult with the General Manager or designate prior to submitting any development application.
  - (3) Multiple *Planning Act* applications for the same address may undergo a pre-consultation process concurrently.

#### Preliminary Application Proposal

3. Prior to application submission for applications which come within 2.1 (a)-(e) above, the applicant may and is recommended to submit a pre-consultation form to the General Manager or designate, with applicable fee, and should include,

- (a) information on the site and its surroundings;
- (b) current and proposed land use designations;
- (c) current and proposed zoning;
- (d) environmental considerations; and
- (e) availability of services such as transit, water, wastewater, sewer and stormwater; and
- (f) Any correspondence obtained from a previous Phase 1 pre-consultation detailed in Section 5, as applicable, and a detailed explanation of how the proposal has addressed the comments provided by the City.

#### Pre-consultation Meeting

4. Once a pre-consultation form has been completed by the applicant and submitted to the City with associated required fee, the General Manager or designate may hold a pre-consultation meeting with the applicant.

5. The applicant will provide a presentation at the meeting covering the information provided as part of Section 3 above and any other information deemed appropriate.

6. The meeting will be coordinated by Planning Services, with representatives from across the City, as deemed necessary, in order to provide expertise and feedback. The meeting may be held virtually or in person.

#### Pre-consultation Outcome Form

7. The General Manager or designate shall prepare a pre-consultation outcome form and provide a copy to the applicant.

8. The pre-consultation outcome form referred to in Section 7 shall contain the following information:

- (a) a preliminary list of the information and materials that will be required at the time of application;

- (b) information on the study requirements, available through the City's Guide to Preparing Studies and Plans;
- (c) a preliminary opinion on the conformity of the application to the City's policy framework and zoning; and
- (d) any known issues associated with the proposed development for the applicant to consider.

#### Pre-consultation Document Review

9. Prior to application submission the applicant may request a document review (formerly known as a pre-consultation Phase 3) by submitting the below documentation to the General Manager, with applicable fee, and should include:
- a. The pre-consultation outcome form; and
  - b. A package of the information and materials the applicant would like reviewed.
10. Upon receipt of the pre-consultation documentation in clause 9, with associated required fee, the General Manager or designate shall:
- a. undertake an internal review of the documentation with the goal of reviewing information and material to ensure they are complete, consistent with one another, consistent with the Terms of Reference of the item listed on the Development Application Study Policy By-law, and have enough information to allow a proper application processing, during the official review period; and
  - b. provide a response to the applicant regarding the internal review.

#### MISCELLANEOUS PROVISIONS

##### Format for Forms

11. The General Manager or designate shall determine the format for the pre-consultation form and the pre-consultation outcome form.

##### Short Title

12. This by-law may be referred to as the "Pre-Consultation By-law".
13. By-law 2023-296 is hereby repealed.
14. This by-law shall be deemed to come into force upon Council approval.  
ENACTED AND PASSED this XXX day of XXX 2024.

DEPUTY CITY CLERKMAYOR

BY-LAW NO. 2024 - ###

-0-0-0-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o

A by-law of the City of Ottawa regarding pre-consultation on development applications and to repeal By-law 2023-296. -0-0-0-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o

Enacted by City Council at its meeting of XXXXX , 2024.

-0-0-0-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o

LEGAL SERVICES TCM

COUNCIL AUTHORITY:

City Council XXX Item XXX

PHC Report X, Item X

ARAC Report X, Item X

Document 2



## City of Ottawa

### Planning, Development and Building Services Department

Approved by City of Ottawa Council July 11, 2001, as amended by Bill 51, the Planning and Conservation Land Statute Law Amendment Act, 2006, which amended the *Planning Act*, and as amended by City of Ottawa Council June 25, 2014, April 11, 2018, February 27, 2019, July 6, 2022, June 14, 2023 and September XX, 2024.



## **Public Notification and Consultation Policy for Development Applications**

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### **Policy Statement**

1. The Planning, Development and Building Services Department will actively seek opinions, attitudes and advice of individuals, community and special interest groups, advisory committees, and public bodies; regarding development applications and ensure that there are adequate reporting mechanisms in place, which will provide all stakeholders with the complete and unbiased results of this consultation.

### **Objectives of the policy**

2. Objectives of the policy are to:
  - a. Encourage pre consultation by the proponent with the potentially affected public in order to consider public input prior to finalization of the proposal.
  - b. Provide bilingual notification of development applications as early as possible to the public throughout the City.
  - c. Provide opportunities for the public to contribute input for the use of staff in the development of recommendations, or elected representatives in decision-making.
  - d. Provide the potentially affected public with additional opportunities to understand complex and controversial developments and to promote the resolution of issues prior to decision-making.
  - e. Account for the feedback received from the public and to continue to inform those individuals who respond throughout the process.

- f. Implement the process in a cost-efficient and effective manner and one which takes advantage of technology.

### **Notification of the Ward Councillor**

3. Proponents will be encouraged to contact the Ward Councillor prior to application submission.
4. The Ward Councillor will be contacted by the assigned File Lead at the same time as Community Organizations followed by the internal circulation and circulation to public bodies and other external agencies.
5. The Ward Councillor will be notified of all development applications located within the Ward.
6. If the lands included in an application straddles two or more wards, or directly abuts two or more wards, all affected Ward Councillors will be notified.
7. If delegated authority is to be withdrawn by the Ward Councillor, a written advisement is to be sent to the General Manager of Planning, Development and Building Services Department by the end of the comment period.
8. The Ward Councillor will be sent the conditions of approval for Plan of Subdivision and Plan of Condominium applications under the delegated authority of the General Manager of Planning, Development and Building Services Department prior to their approval and is requested to respond within seven working days.
  - a. If no response is received:
    - i. the File Lead will contact the Ward Councillor to confirm concurrence.
  - b. If the Councillor advises they do not concur and subsequent discussions do not resolve any of the issues, the application will proceed to the appropriate standing committee, for a decision.
9. The Ward Councillor will receive a copy of all staff delegated decisions or decisions made with respect to site plan applications.
10. The Ward Councillor will be sent a notice of the Committee meeting and a copy of the Committee report for applications which are not staff delegated, at least 6 days before the Committee meeting for Zoning By-law Amendment applications.

**Applications subject to the public notification and consultation policy**

11. The following applications are subject to the public notification and consultation policy:

- a. All Official Plan Amendments;
- b. All Zoning By-law Amendments, including Lifting of Interim Control and Temporary Zoning By-law Amendments.
- c. Site Plan Control applications for the construction of or the making of an addition resulting in:
  - i. Residential buildings containing fourteen or more units, five or more storeys or with a gross floor area of 1,200 square metres or more;
  - ii. Planned unit developments;
  - iii. Mixed-use buildings containing fourteen or more units, five or more storeys or with a gross floor area of 1,400 square metres or more;
  - iv. Non-residential development of five or more storeys or with a gross floor area of 1,860 square metres or more;
  - v. Drive-through facilities in the Site Plan Control Inner Area, as shown on Schedule C of the Site Plan Control By-law;
  - vi. Drive-through facilities abutting residential zones; and
  - vii. A revision, that would not otherwise trigger public consultation, to a previously approved site plan control application for which the previously agreed upon conditions state the need to go through the public consultation process for such revisions.
- d. Draft Plan of Subdivision Approval;
- e. Plan of Condominium – Vacant Land Descriptions only;
- f. Demolition Control; and
- g. Road Closure as per By-law 2002-522, as amended.



## **Method and timing of notification and consultation**

12. The method of notification and consultation for most application types will follow a standard procedure, as illustrated in Table 1: Requirements for Pre-Consultation and Public Notification and Consultation.

### **Pre-consultation**

13. Pre-consultation by the proponent with City Staff is recommended, but non-mandatory for all development applications.
14. Pre-consultation by the proponent with registered community groups who represent the area of potential impact of the proposed development (only groups who have requested to participate in pre-consultation) is discretionary, but is strongly encouraged, particularly if it involves the types of application listed below:
  - a. Official Plan Amendments;
  - b. Major and Minor Zoning By-law Amendments;
  - c. Site Plan Control;
  - d. Plans of Subdivision; and
  - e. Plans of Condominium (Vacant Land only).
15. Proponents are encouraged to contact the Ward Councillor prior to the submission.

### **Community heads up**

16. File Lead provides community heads up by e-mail to those community groups if no pre-consultation is undertaken, immediately after application deemed complete or reviewed for adequacy (only for groups who have requested pre-consultation).
17. As a result of the community heads up, and except for Site Plan Control applications, a meeting with the proponent and staff can be requested by community groups within three working days, the meeting must be held within one week of community heads up and application circulation will not be delayed pending the meeting.

**Notice to Property Owners**

18. Despite the Alternative Measures of the Official Plan for the following applications, a notice will be sent to abutting property owners to provide information and solicit comments in accordance with the requirements and regulations of the Planning Act:

- a. Site specific Official Plan amendments;
- b. Site specific Zoning By-law amendments;
- c. Plan of Subdivision;
- d. Vacant Land Condominium; and
- e. Removal of Holding Symbol.

**Posting of on-site signs**

19. On-site sign posting and written notice to all community organizations registered with the Department is given usually within 2.5 weeks of an application being deemed complete. Deadline for comments is 28 calendar days for planning applications, except Site Plan Control applications which is 14 calendar days.

**Enhanced notification**

20. In any case not noted in Notice to Property Owners above, an enhanced notification can also be given in addition to the on-site sign posting and notice to community groups in the form of a notice sent to abutting property owners in the following situations:

- a. the site is located in an undeveloped area or abutting large parcels of land where property owners would not likely to be able to see the sign; and
- b. there are no registered community groups in the area.

**Road Closure**

21. In the case of road closure applications, notice shall be given in accordance with the Notice By-law, By-law 2002-522, as amended.

**Community information and comment session**

22. A virtual community information and comment session may be organized for those development applications that are considered controversial. Site Plan

Control applications, due to their legislated approval timeline, are not subject to this section.

### **Notification to public of decisions under delegated authority**

23. Respondents will be advised of decisions made on applications where approval authority is with staff. This notice will include the staff report providing an explanation of the decision, which considers comments received from the public.

### **Notification of the Standing Committee meeting**

24. If staff do not have the authority to approve an application or delegated authority is removed by the Ward Councillor, the matter proceeds to the appropriate Standing Committee
- a. Notice of the meeting is given to respondents of the public notification and sent at least 10 days prior to the Committee meeting. The meeting notice can also form part of the circulation notification.
  - b. An advertisement is placed in one English and one French newspaper the week before the Committee meeting (by the City Clerk's office). The meeting agenda and related documents are posted to Ottawa.ca at least one week before the meeting.
  - c. An additional advertisement listing the application type, the address, a contact phone number and e-mail is placed in the daily English and French newspapers at least 10 days before the meeting.

### **City or Area Wide Amendments or Technical Modifications**

25. For Official Plan or Zoning By-law amendments that are city or area-wide or are technical modifications only, the standard procedure described above would not apply.
- a. Staff will determine on a case-by-case basis the most appropriate method of notification and consultation with the public.
  - b. As for technical modifications, and for the Lifting of Holding Zones, notification will be limited to the statutory requirements.

### **Registration of community organizations in the development review process**

26. The intent of the registration process is to provide an automatic notification to those community organizations who wish to participate in the process.

### **Criteria for registration**

27. Notification will be given to those organizations who register with the Department and who meet the following criteria:

- a. The Community Organization must hold an annual general meeting (AGM) where representatives, directors, or officers are elected in a democratic fashion by the organization's membership, and where minutes of the AGM were recorded.

28. The following types of Community Organizations are eligible to receive notification of development applications, upon registration with the Department:

- a. Residents', ratepayers', homeowners', property owners' and tenants associations which have membership boundaries that are neighbourhood or ward-specific;
- b. Business improvement areas, merchants' associations and business groups which have boundaries that are neighbourhood or site specific;
- c. Condominium boards of directors and church groups; and
- d. Community-based recreation associations, such as snowmobile clubs.

29. Additionally, neighbourhood-based community newspapers can register to receive notification of development applications only.

### **Procedures for registration of community organizations**

30. Community organizations will either be contacted or an advertisement will be placed in the English and French daily newspapers on an annual basis to confirm their status for continuing notification of development applications or to be added or deleted from the list.

- a. Community organizations will receive notification of applications that are within their requested boundaries.
- b. Community organizations have the option of requesting to participate in pre-consultation or the community heads up.
- c. It is the community organization's responsibility to contact the Department to update contact information.
- d. Information is available on the City's website.

	City Policy Requirements											
	P0	P1	P2	P3	P4	P5	P6	S1	S2	S3	S4	S5
Application types	Pre-consultation meeting by applicant with staff	Pre-consultation meeting with community groups and Ward Councillor	Community heads-up email; and meeting if requested	Notice of application: on-site signs; notice to community organizations	Notice of application to property owners and community groups, or newspaper	Posting application supporting documents on-line	Community information and comment session	Notice of committee meeting: in newspaper; and notice to those requested	Notice of decision: to those requested	Notice of intent to pass a by-law: notice in newspaper; to property owners	Notice of passing a by-law: notice in newspaper; to those requested	Notice of passing a by-law: notice to property owners and to those requested
Official Plan Amendment - City wide					+			●			●	
Official Plan Amendment - Site specific	+	+	●	●	●	●	+	●			●	
Official Plan Amendment - Technical amendment								●			●	
Zoning By-law Amendment - City or area-wide					+			●			●	
Zoning By-law Amendment - Site specific	+	+	●	●	●	●	+	●			●	
Zoning By-law Amendment - Technical Amendment				+	+	+		●			●*	●*
Zoning By-law Amendment - Lifting of holding	+								●	●		
Site Plan Control - Complex	+	+	●	●		●			●			
Site Plan Control - Standard	+					●			+			
Site Plan Control - All other types	+					+			+			
Plan of Subdivision	+	+	●	●	●	●	+	● <sup>1</sup>	●			
Plan of Condominium - Vacant Lands	+	+	●	●	●	●	+	● <sup>1</sup>	●			

	City Policy Requirements											
	P0	P1	P2	P3	P4	P5	P6	S1	S2	S3	S4	S5
Application types	Pre-consultation meeting by applicant with staff	Pre-consultation meeting with community groups and Ward Councillor	Community heads-up email; and meeting if requested	Notice of application: on-site signs; notice to community organizations	Notice of application to property owners and community groups, or newspaper	Posting application supporting documents on-line	Community information and comment session	Notice of committee meeting: in newspaper; and notice to those requested	Notice of decision: to those requested	Notice of intent to pass a by-law: notice in newspaper; to property owners	Notice of passing a by-law: notice in newspaper; to those requested	Notice of passing a by-law: notice to property owners and to those requested
Road closing	+	+	●	+	●		+			+		+
Demolition control	+			●	●		+		●			

\*can choose most appropriate of the two, <sup>1</sup> only if delegated authority is withdrawn

**Document 3**

**BY-LAW NO. 2024 - ###**

A by-law of the City of Ottawa to impose fees for planning applications and to repeal By-law No. 2024-33.

The Council of the City of Ottawa enacts as follows:

**DEFINITIONS**

1. In this by-law,

"City" means the City of Ottawa;

"Confederation Line" means the Confederation Line system as described in the 2013 Confederation Line Proximity Study Guidelines, or subsequent Rail Proximity Study Terms of Reference;

"Development Zone of Influence" means the area identified in Annex 2 of the Official Plan for the City of Ottawa;

"Do it Yourself Agreement" means an agreement where the applicant will be doing work within a highway under the jurisdiction of the City;

"General Manager" means the General Manager of the Planning, Development, and Building Services Department;

"minor zoning by-law amendment application" means an application for a zoning by-law amendment that seeks only one or more of the following:

- (i) modifications to performance regulations only,
- (ii) the extension of a zoning boundary to reflect the addition of lands to existing property,
- (iii) the establishment of an accessory apartment or a special needs/group home,
- (iv) the lifting of interim control for one use only,
- (v) temporary amendment,
- (vi) any zoning changes required as a condition of severance,
- (vii) A change in use that is wholly contained within an existing buildings envelope, where no building permit has been issued within the previous two years to increase the size of the building and which is not located within a residential zone, as defined by Zoning By-law 2008-250, to introduce one new non-residential use. No additional amendments to performance standards may be sought and the change in use cannot result in the establishment of any of the following uses:
  - a. Amusement centre or Amusement park;
  - b. Automobile body shop;
  - c. Automobile dealership;
  - d. Automobile rental establishment;
  - e. Automobile service station;
  - f. Heavy equipment and vehicle sales, rental and servicing;
  - g. Drive-through facility;
  - h. Bar;
  - i. Kennel;
  - j. Nightclub;
  - k. Payday loan establishment;

"on-site sign" means the information sign that is required to be posted on the property that is the subject of the planning application and "on-site signs" has a similar meaning;

"rural area" means in respect to land inside the area of Schedule B9 of the Official Plan for the City of Ottawa;

"staff" means the file lead in the Planning, Development, and Building Services Department to whom the planning application has been assigned;



"undertaking" means an undertaking to pay the legal costs in respect of preparation for an attendance at an Ontario Land Tribunal hearing, including disbursements of the City where,

- (i) the application is site specific,
- (ii) there are no city-wide policy implications, and
- (iii) the City and the applicant substantially agree on the proposed amendment.

## **OFFICIAL PLAN AMENDMENTS**

2. The fee for an application to amend the Official Plan of the City of Ottawa shall be in accordance with Schedule "A".

## **ZONING BY-LAW AMENDMENTS**

3. The fees for an application to amend the Zoning By-law of the City of Ottawa shall be in accordance with Schedule "B".

## **APPROVAL OF A PLAN OF SUBDIVISION**

4. The fees for an application for approval of a plan of subdivision shall be in accordance with Schedule "C".

## **SITE PLAN APPROVAL**

5. The fees for an application for site plan approval shall be in accordance with Schedules "D" or "E", as applicable.

## **APPROVAL OF A PLAN OF CONDOMINIUM**

6. The fees for an application for approval of a plan of condominium shall be in accordance with Schedule "F".

## **PART LOT CONTROL EXEMPTIONS**

7. The fees for an application for an exemption from part lot control shall be in accordance with Schedule "G".

## **DEDICATION/RECONVEYANCE OF 30 CENTIMETRE RESERVE**

8. The fees for an application for the dedication or re-conveyance of a 30 cm reserve shall be in accordance with Schedule "G".

## **DEMOLITION CONTROL**

9. The fees for an application in respect of demolition control shall be in accordance with Schedule "G".

## **COMMITTEE OF ADJUSTMENT**

10. The planning review fees relating to matters that arise before the Committee of Adjustment shall be in accordance with Schedule "G".

## **LEGAL NON-CONFORMING RIGHTS**

10.1 The fee associated with an application to establish legal non-conforming or legal non-complying rights shall be in accordance with Schedule "G".

## **DEVELOPMENT APPLICATION GATEWAY FEATURE**

10.2 The fees associated with an application for a gateway feature shall be in accordance with Schedule "G".

## **HISTORIC LAND USE INVENTORY**

10.3 The fee associated with a request for a historical land use inventory shall be in accordance with Schedule "G".

#### **FRONT ENDING AGREEMENT**

10.4 The fees for an application for the initiation of a front ending agreement shall be in accordance with Schedule "G".

#### **PRE-CONSULTATION**

10.5 The fee for an application for pre-consultation shall be in accordance with Schedule "G".

#### **APPLICATION REVISIONS REQUIRING CIRCULATION FEE**

10.6 The fee for the revision circulation of an application, other than an application under Schedule "C", shall be in accordance with Schedule "G".

#### **ROAD MODIFICATION DETAILED DESIGN REVIEW FEE**

10.7 The fee for review of road modification detailed designs shall be in accordance with Schedule "G".

#### **PROXIMITY STUDY FEE**

10.8 The fees to be submitted with studies for development in proximity to the Confederation Line as part of an application for plan of subdivision approval or site plan approval shall be in accordance with Schedule "G".

#### **RURAL PARK DEVELOPMENT FEE**

10.9 The fee for rural park development shall be in accordance with Schedule "G".

## **RETAIL BUSINESS HOLIDAYS ACT EXEMPTION APPLICATION**

10.10 The fee for an application requesting an exemption by-law associated with the *Retail Business Holidays Act* shall be in accordance with Schedule "G".

## **SITE REVIEW - HERITAGE PROPERTY**

11. The fees for a review of the site elements in an application to alter a property designated pursuant to the provisions of the *Ontario Heritage Act* shall be in accordance with Schedule "H".

## **HERITAGE CONFIRMATION**

11.1 The fee for a heritage status letter shall be in accordance with Schedule "H".

## **STREET/LANE OPENING/CLOSURE**

12. The fees for an application for a street opening, not including the dedication of a 0.3 metre reserve, or for an application for a road closing shall be in accordance with Schedule "I".

## **ON-SITE SIGNS**

13. The fees for on-site signs shall be in accordance with Schedule "K".

## **REVIEW OF ANTENNA SYSTEMS**

14. The fees for an application associated with a municipal review of antenna systems shall be in accordance with Schedule "L".

## **MAPPING AND GRAPHICS FEES**

15. The mapping and graphics fees in respect of miscellaneous planning applications shall be in accordance with Schedule "M".

## **REQUEST FOR MAILING LISTS**

16. In addition to the fees imposed by Sections 2 to 13 of this By-law, where any person is directed by the Ontario Land Tribunal to circulate notices of a prehearing or hearing and is required to obtain a circulation mailing list from the City of Ottawa, such person shall pay to the City a fee of \$1.00 per address label provided by the City.

## **MISCELLANEOUS LEGAL FEES**

17. In addition to the fees imposed by Sections 2 to 13 of this By-law, where any of the items set forth in Column "A" of Schedule "J" are required, a fee in the amount set forth in Column "B" of Schedule "J" shall be paid to the City prior to the earliest of the execution of the document by the City or the registration of the document.

## **UNDERTAKING**

18. (1) Where an undertaking to pay the City's costs of a hearing is required pursuant to Schedules "A" or "B", or the participation of the City is requested by the applicant for a plan of subdivision and an undertaking is required, the maximum payable pursuant to such an undertaking shall be \$3,000.00 for a minor zoning by-law amendment application and \$10,000.00 for official plan amendments, plans of subdivision and all other zoning by-law amendment applications.

(2) The hourly rate to be paid pursuant to the undertaking shall be \$160.00 in the instance of a solicitor who is an employee of the City and, in the instance of a solicitor who is not an employee of the City, the actual rate invoiced by such solicitor to the City.

## **REFUND POLICY**

19. (1) Where an application is made subject to the fees in Schedules "A" to "H", 75% of the planning component of the application fee and 100% of the legal component of the application fee, if applicable, will be refunded where the application is withdrawn and a request for a refund is received by the Planning, Development, and Building Services Department prior to the preparation of the technical circulation and public notification.
- (2) Where an application is made subject to the fees in Schedules "A" to "H", 33.3% of the planning component of the application fee and 100% of the legal component of the application fee, if applicable, will be refunded where the application is withdrawn and a request for a refund is received by the Planning, Development, and Building Services Department prior to the preparation of the memorandum, in the instance of an approval delegated to staff, or the report to the Planning and Housing or Agriculture and Rural Affairs Committee where the approval is with the Standing Committee or City Council.
- (3) Where the entering into of an agreement is not a condition of the approval for plan of subdivision revisions, a plan of condominium, site plan control approval, or a permit for demolition control, the legal component of the application fee will be refunded at the request of the applicant.
- (4) Planning component, as referenced within this Section of the By-law, includes the planning and initial design review and inspection fees.

## **HARMONIZED SALES TAX**

20. All legal and engineering fees to be collected pursuant to this By-law will be subject to Harmonized Sales Tax (H.S.T.) or any successor sales tax program thereto, where applicable.

## **REPEAL**

21. By-law No. 2024-33 entitled "A by-law of the City of Ottawa to impose fees for planning applications and to repeal By-law No. 2024-33" is repealed.

**SHORT TITLE**

22. This by-law may be cited as the Planning Fees By-law.

**EFFECTIVE DATE**

23. This by-law shall be deemed to have come into force and take effect on XXX, 2025.

ENACTED AND PASSED this XXX day of XXX 2024.

**DEPUTY CITY CLERK**

**MAYOR**

**SCHEDULE "A"**

## Official Plan Amendment

**TABLE 1**

Column "A" - Application	Column "B" - Fee
Official Plan Amendment	\$34,960.00

1. The fee in respect of an application to amend the Official Plan for the City of Ottawa as outlined in Table 1, shall be paid at the time of the submission of the application.
2. At the time of the submission of the application, the applicant shall be required to sign an undertaking.



**SCHEDULE "B"**

## Zoning By-law Amendment

**TABLE 2**

Column "A" - Application	Column "B" - Fee
Zoning By-law Amendment - Major	\$29,823.00
Zoning By-law Amendment - Minor	\$15,321.00
Lifting Holding By-law	\$10,558.00
Zoning By-law Amendment - Severance of Surplus Farm Dwelling	\$6,312.00

1. The fees in respect of an application for a zoning by-law amendment, as outlined in Table 2, must be paid at the time of submission of the application,.
2. At the time of the submission of the application for a zoning by-law amendment, the applicant shall be required to sign an undertaking.

**SCHEDULE "C"**

## Plan of Subdivision

1. Subject to the other provisions of this Schedule, the fees due for draft and final approval of a plan of subdivision are that set forth in Table 3 of this Schedule.

**TABLE 3**

Type of Development	Application for Draft Approval	Final Planning Fee, payable at the registration of each phase	Legal Fee, payable at the registration of each phase
1 to 40 dwelling units	\$61,638.00	\$13,508.00	\$11,118.00
41 to 250 dwelling units	\$110,182.00	\$15,936.00	\$17,093.00
More than 250 dwelling units	\$134,124.00	\$19,774.00	\$23,487.00
Non-residential uses	\$51,354.00	\$6,693.00	\$4,295.00
Residential and non-residential uses	the fee applicable to the number of dwelling units plus \$13,508.00	n/a	n/a
Revisions requiring circulation	\$6,693.00	n/a	\$2,560.00
Extension of Draft Plan Approval	\$6,186.00	n/a	n/a

2. Subject to Sections 7 and 8 of this Schedule, the Draft Approval fee set forth in Table 3, is payable upon the submission of the application, and the Final Planning fee and Legal fee are to be paid prior to the registration of each phase of the plan of

subdivision.

3. Fees for the final review, approval, inspection and release of security equal to 5% + HST of all hard servicing works (e.g. roads, sewers, watermains, sidewalks, curbs, stormwater, etc.) being installed in each phase of a plan of subdivision and 2.5% + HST of all soft servicing works (e.g. lot grading, sodding, driveway treatment, etc.) being installed in each phase of a plan of subdivision are payable prior to the final approval of the plan of subdivision.

4. Where the entire works being installed for each phase of a plan of subdivision have a construction value of less than or equal to \$300,000.00, an initial fee for review, approval, inspection and release of security of \$5,000.00 is payable at the time of application.

5. Where the entire works being installed for each phase of a subdivision have a construction value of more than \$300,000.00, an initial fee for review, approval, inspection and release of security of \$10,000.00 is payable at the time of application.

6. In all cases, the amount collected at the application stage pursuant to Section 4 or 5 of this Schedule shall be credited against the ultimate fees to be collected under Section 3 herein.

7. Where a revision involving a recirculation is required for a plan of subdivision, the fee is payable prior to the recirculation or revision as set out in Table 3 of this Schedule.

8. The fee for the extension for Draft Plan Approval is payable at the time of an application for the extension of draft plan approval.

9. Where an application under this Schedule includes the development of a park, a fee for the final review and inspection of the park equal to 4% + HST of the estimated value of the park works is payable prior to the final approval of the plan of subdivision.

**SCHEDULE "D"**

## Site Plan Control Approval

1. Subject to the other provisions of this Schedule, the fees due for site plan control approval are those set forth in Table 4 of this Schedule and such fees are payable at the time of submission of the application.

**TABLE 4**

Type of Site Plan Application	Planning Fee	Legal Fee
Complex	\$63,193.00	\$6,888.00
Standard, non-rural area	\$22,302.00	\$6,888.00
Standard, rural area	\$18,682.00	\$6,888.00
Street townhouse, not previously approved through the subdivision process	\$9,948.00	n/a
Rural Small, rural area	\$1,207.00	n/a
Revision - Complex	\$43,495.00	\$3,458.00
Revision - Standard, non-rural area	\$9,948.00	\$3,458.00
Revision - Standard, rural area	\$1,207.00	n/a
Extension - non-rural area	\$5,582.00	n/a
Extension - rural area	\$1,207.00	n/a

2. Fees for the final review, approval, inspection and release of security equal to 5% + HST of all hard servicing works (e.g. roads, sewers, watermains, sidewalks, curbs, stormwater, etc.) being installed within the lands subject to the application for site plan approval and 2.5% + HST of all soft servicing works (e.g. lot grading, sodding, driveway treatment, etc.) being installed within the lands subject to the application for site plan approval are payable at the time of site plan control approval.
  
3. Where the entire works being installed have a construction value of less than or equal to \$50,000.00, an initial fee for review, approval, inspection and release of security of \$1,000.00 is payable at the time of application.
  
4. Where the entire works being installed have a construction value of more than \$50,000.00 but less than or equal to \$300,000.00, an initial fee for review, approval, inspection and release of security of \$5,000.00 is payable at the time of application.
  
5. Where the entire works being installed have a construction value of more than \$300,000.00, an initial fee for review, approval, inspection and release of security of \$10,000.00 is payable at the time of application.
  
6. In all cases, the amount collected at the application stage pursuant to Section 3, 4 or 5 of this Schedule shall be credited against the ultimate fees to be collected under Section 2 herein.

**SCHEDULE "E"****Master Site Plan Control Approval**

1. Subject to the other provisions of this Schedule, the fees due for master site plan control approval shall be that set forth in Table 5 of this Schedule. Such fees are payable at the time of submission of the application, or in the case of the Final Approval and Legal Fee, at the time of registration.

**TABLE 5**

Type of Application	Planning Fee for Draft Approval	Planning Fee for Final Approval	Legal Fee
Master	\$48,571.00	\$3,010.00	\$6,888.00

2. Fees for the final review, approval, inspection and release of security equal to 5% + HST of all hard servicing works (e.g. roads, sewers, watermains, sidewalks, curbs, stormwater, etc.) being installed within the lands subject to the application for site plan approval and 2.5% + HST of all soft servicing works (e.g. lot grading, sodding, driveway treatment, etc.) being installed within the lands subject to the application for site plan approval are payable at the time of site plan control approval.

3. Where the entire works being installed have a construction value of less than or equal to \$50,000.00, an initial fee for review, approval, inspection and release of security of \$1,000.00 is payable at the time of application.

4. Where the entire works being installed have a construction value of more than \$50,000.00 but less than or equal to \$300,000.00, an initial fee for review, approval, inspection and release of security of \$5,000.00 is payable at the time of application.

5. Where the entire works being installed have a construction value of more than \$300,000.00, an initial fee for review, approval, inspection and release of security of \$10,000.00 is payable at the time of application.

6. In all cases, the amount collected at the application stage pursuant to Section 3, 4 or 5 of this Schedule shall be credited against the ultimate fees to be collected under Section 2 herein.

**SCHEDULE "F"**

## Plan of Condominium

1. Subject to the other provisions of this Schedule, the fees due for a Plan of Condominium shall be that set forth in Table 6 of this Schedule, and such fees shall be payable at the time of the application.

**TABLE 6**

Type of Application	Application Fee	Legal Fee
New Standard, Common Elements, Phased or Leasehold Condominium	\$22,100.00	\$5,975.00
New Vacant Land Condominium	\$54,416.00	\$5,975.00
Condominium - Revision or Extension	\$4,030.00	\$2,560.00

2. Despite Table 6, where the application for approval of a vacant land condominium is submitted concurrently with an application for site plan approval, the fee for the application for approval of a vacant land condominium is \$22,100.00 plus a legal fee of \$5,975.00, and such fee is payable at the time of application.

3. Where the entire works being installed for the vacant land condominium have a construction value of less than or equal to \$300,000.00, an initial fee for review, approval, inspection and release of security of \$5,000.00 is payable at the time of application.

4. Where the entire works being installed for the vacant land condominium have a construction value of more than \$300,000.00, an initial fee for review, approval, inspection and release of security of \$10,000.00 is payable at the time of application.

5. Sections 3 and 4 of this Schedule do not apply to an application for approval of a vacant land condominium submitted concurrently with an application for site plan



approval.

6. In all cases, the amount collected at the application stage pursuant to Section 3 or 4 shall be credited against the ultimate fees to be collected under Section 7 herein.

### All Condominium Applications

7. Fees for the final review, approval, inspection and release of security equal to 5% + HST of all hard servicing works (e.g. roads, sewers, watermains, sidewalks, curbs, stormwater, etc.) being installed in each phase of a plan of condominium and 2.5% + HST of all soft servicing works (e.g. lot grading, sodding, driveway treatment, etc.) being installed in each phase of a plan of condominium are payable prior to the final approval of the plan of condominium.

**SCHEDULE "G"**

## Miscellaneous Planning Applications and Review Fees

Part Lot Control

1. A fee of \$9,811.00, plus a legal fee of \$1,718.00 in respect of the first part lot control exemption by-law for a plan of subdivision, is payable at the time of the application for exemption from part lot control where draft approval of the plan of subdivision was given by The Regional Municipality of Ottawa-Carleton or its successor municipality and the application for draft approval of the plan of subdivision was made on or after May 22, 1996.
2. A fee of \$1,254.00, plus a legal fee of \$1,269.00 is payable at the time of the application for an extension of the time limit for a part lot control exemption.
3. A legal fee of \$1,269.00 is payable at the time of the application for the second or subsequent part lot control exemption by-law in respect of a plan of subdivision.

Lifting 30 Centimetre Reserve

4. A fee of \$2,019.00, plus a legal fee of \$937.00, is payable upon the submission of an application for the dedication or re-conveyance of a 30 cm reserve.
5. A fee of \$1,011.00, plus a legal fee of \$937.00, is payable upon the submission of an application for the dedication or re-conveyance of a 30 cm reserve where such reserve is in place in the rural area, on a per lot basis, to ensure compliance with findings of a previously approved hydrogeological study.

Demolition Control

6. The fees payable at the time of an application in respect of demolition control are as follows:

- (1) for an application under Part IV of the Demolition Control By-law, being By-law 2012-377, as amended, the fee shall be the same as the fee for a permit to demolish under the Building By-law, being By-law No. 2014-220, as amended;
- (2) for an application under Part V of the Demolition Control By-law the fee shall be \$3,154.00, plus a legal fee of \$1,028.00.

6.1 The penalty payable for a failure to complete a new building in the time specified in a demolition permit for a residential property as per subsection 33 (7) of the *Planning Act* is \$8,667.00 for each dwelling unit contained in the residential property.  
Engineering Design and Review Fees

7. Fees for the final review, approval, inspection and release of security equal to 5% + HST of all hard servicing works (e.g. roads, sewers, watermains, sidewalks, curbs, stormwater, etc.) being installed as a result of applications pursuant to Sections 1, 2, 3, 4, and 5 inclusive of this Schedule and 2.5% + HST of all soft servicing works (e.g. lot grading, sodding, driveway treatment, etc.) being installed as a result of applications pursuant to Sections 1, 2, 4, and 5 inclusive of this Schedule are payable prior to the final approval of the application.

8. A fee of \$4,333.00 is payable for the review of the third submission and each subsequent submission in respect of a planning application as part of the engineering fees to be paid at the time of registration of the plan or agreement, or such fee is payable upon invoice by the City.

9. A fee of \$240.00 is payable in respect of an application for a sewer permit.

#### Committee of Adjustment

10. A fee of \$659.00 for the planning review of minor variance applications is payable at the time of an application for a minor variance to the Committee of Adjustment.

11. A fee of \$1,102.00 for the planning review of severance/consent applications is payable at the time of an application for a severance/consent to the Committee of Adjustment.

12. A fee of \$1,271.00 for the planning review of a combined severance/consent

and minor variance application is payable at the time of a combined application to the Committee of Adjustment.

### Legal Non-Conforming Rights

13. A fee of \$710.00 for review of an application to determine legal non-conforming or legal non-complying rights associated with a property. Such fee is payable upon the application for such a determination.

### Development Application Gateway Feature

14. The fees payable for a gateway feature are:

- (1) A fee of \$48,081.00 per gateway feature is payable prior to the registration of a plan of subdivision.
- (2) Where the cost of construction of a gateway feature exceeds \$100,000.00, in addition to the fee payable under subsection (1), an amount equal to 15% of the value of the feature above \$100,000.00 is payable at the same time as the fee set out in subsection (1).

### Historic Land Use Inventory

15. A fee of \$181.00 is payable for each property with respect to which a list of the historical land uses is requested. Such fee is payable upon request for such review.

### Front Ending Application

16. An application fee of \$14,768.00 and a legal fee of \$17,648.00 are payable upon application to initiate a Front Ending Agreement.

17. Fees for the final review, approval, and inspection equal to 5% + HST of the value of construction costs for the Front Ending Agreement application are payable prior to the execution of the agreement by the City and commence work issuance to proceed

with the works that are the subject of the Front Ending Agreement, and in accordance with the following:

- (1) Where the entire works being installed have a construction value of less than or equal to \$50,000.00, an initial fee for review, approval, inspection and release of security of \$1,000.00 is payable at the time of application.
- (2) Where the entire works being installed have a construction value of more than \$50,000.00 but less than or equal to \$300,000.00, an initial fee for review, approval, inspection and release of security of \$5,000.00 is payable at the time of application.
- (3) Where the entire works being installed have a construction value of more than \$300,000.00, an initial fee for review, approval, inspection and release of security of \$10,000.00 is payable at the time of application.
- (4) In all cases, the amount collected at the application stage pursuant to subsection 17 (1), (2) or (3) of this Schedule shall be credited against the ultimate fees to be collected under Section 17 herein.

### Pre-Consultation

18. A fee of \$906.00 is payable at the time of submission of an application for each pre-consultation with respect to an application for:

- (1) official plan amendment;
- (2) zoning by-law amendment described in Rows 1 and 2 of Table 2 in Schedule "B";
- (3) site plan control;
- (4) draft approval of a plan of subdivision;
- (5) draft approval of a vacant land condominium;

- (6) municipal review of an antenna system.

19. The fee(s) payable under Section 18 of this Schedule are non-refundable after the pre-consultation meeting has occurred or document review by staff has begun, and is only valid for 12 months following the date of the pre-consultation meeting.

Application Revisions Requiring Circulation Fee

20. A fee of \$5,779.00 is payable prior to the re-circulation of any of the following applications:

- (1) official plan amendment;
- (2) zoning by-law amendment;
- (3) site plan control;
- (4) demolition control;
- (5) draft approval of a vacant land condominium.

20.1 Re-circulation referenced in section 20 applies to:

- (1) where documentation is re-submitted to the City, with significant changes to required information and materials or where a new use is introduced;
- (2) any *Planning Act* application where documentation is re-submitted to the City, beyond one year since the application submission was last circulated.

Road Modification Detailed Design Review Fee

21. A separate process fee of \$2,940.00 for the review of road modification detailed designs is payable at the time of site plan control approval where proposed road modification works have not been accepted by the City at the time of approval.

Proximity Studies Fee

22. Where a study identified in Table 7 is required to be submitted as part of an application for plan of subdivision approval or site plan approval, the fee due for such study shall be, subject to Section 23, that set forth in column II, III, or IV of Table 7 of this Schedule and is payable at the same time as, and in addition to any fee payable under Schedules "C", "D", or "E" of this by-law.

23. The application fee under Table 7 is determined in accordance with the following:

- (1) The level 1 fee in column II is payable when the application is to permit development within the Development Zone of Influence and staff conclude there to be minimal anticipated impact on Confederation Line structures;
- (2) The level 2 fee in column III is payable when the application is to permit development within the Development Zone of Influence and staff conclude there to be substantial anticipated impact on Confederation Line structures anticipated;
- (3) The level 3 fee in column IV is payable when the application is to permit development on top of, or within 1 metre of a Confederation Line structure.

**TABLE 7**

<b>Column I Technical Study/Report/Plan</b>	<b>Column II Level 1 Fee</b>	<b>Column III Level 2 Fee</b>	<b>Column IV Level 3 Fee</b>
Shoring - Design & Monitoring Plan	\$598	\$2,389	\$4,779

Excavation Support System	n/a	\$598	\$1,792
Geotechnical Hydrogeological Analysis	n/a	\$1,194	\$1,194
Groundwater Control Plan	\$598	\$2,389	\$2,389
Waterproofing System	n/a	\$598	\$1,194
Structural Analysis - Loading	n/a	\$2,389	\$2,389
Fire Ventilation	n/a	\$598	\$1,194
Station Ventilation	n/a	\$598	\$1,194
Access Requirements (including AODA)	\$598	\$598	\$896
Noise and Vibration Study	\$598	\$1,194	\$2,389
EMI/Stray Current	n/a	\$598	\$598
Construction Coordination Protocols	\$598	\$1,792	\$3,584
Pre-Post Construction Surveys	\$598	\$598	\$1,792
Set-Back Requirements from Structures in the Zone of Influence	\$598	\$1,194	\$1,792
Fire/Smoke Dispersion Analysis	n/a	\$1,792	\$2,389
Crane Swing and Lifting Loads	\$598	\$1,194	\$1,792
Insurance Requirements	n/a	\$598	\$598
Property - M&L Requirements	n/a	\$598	\$1,194
Utility relocations and Installations	\$598	\$1,194	\$1,792
Entrance Connection Agreement	n/a	\$4,779	\$5,973
Security Plan	n/a	\$1,792	\$1,792
Construction As-Built Drawings	n/a	\$598	\$1,792

### Rural Park Development Fee

24. A fee of \$3,303.00 per lot is payable where an agreement as part of a plan of subdivision approval provides for the payment of a rural park development contribution.



25. The fee set out in Section 25 of this Schedule shall be payable upon the initial conveyance of each lot.

Retail Business Holidays Act Exemption Application

26. A fee of \$2,790.00 is payable for an application requesting an exemption by-law associated with the *Retail Business Holidays Act*. The fee is payable at the time of the application.

**SCHEDULE "H"**

## Heritage Applications

1. The following fees are payable for delegated heritage permits and major heritage applications:

- (1) Delegated Authority Permits - Alterations: \$286.00;
- (2) Delegated Authority Permits - Additions: \$858.00;
- (3) Minor Alterations (that require Built Heritage Committee/Council approval): \$2,399.00;
- (4) Major Alterations (that require Built Heritage Committee/Council approval): \$9,153.00;
- (5) Demolition - Part IV/Grade 1/Contributing: \$14,303.00;
- (6) Demolition - Grade 2/Non-Contributing: \$2,861.00;
- (7) New Construction on Designated Property - Small Scale: \$3,433.00;
- (8) New Construction on Designated Property - Medium Scale: \$5,721.00;
- (9) New Construction on Designated Property - Large Scale: \$9,153.00.

2. A fee of \$228.00 is payable at the time of an application for a heritage status letter.

**SCHEDULE "I"**

## Street/Lane Opening and Closure

1. A fee of \$22,100.00, plus a legal fee of \$4,030.00, is payable at the time of an application for a street or lane opening.
2. If a "Do it Yourself Agreement" is not required by the City, \$500 of the legal fee payable under Section 1 of this Schedule will be refunded.
3. The fees payable for a street or lane closure are as follows:
  - (1) A fee of \$16,276.00, plus a legal fee of \$669.00, payable at the time of the application, for the closing of a travelled or untravelled arterial, major collector and collector road.
  - (2) A fee of \$7,445.00, plus a legal fee of \$669.00, payable at the time of application, for the closing of any other travelled or untravelled road or lane.
4. Fees for the final review, approval, inspection and release of security equal to 5% + HST of all hard servicing works (e.g. roads, sewers, watermains, sidewalks, curbs, stormwater, etc.) being installed as a result of an application for street opening or road closing and 2.5% + HST of all soft servicing works (e.g. lot grading, sodding, driveway treatment, etc.) being installed as a result of an application for street opening or road closing are payable prior to the final approval of the application.

**SCHEDULE "J"**

## Miscellaneous Legal Fees

**TABLE 8**

Column "A" - Application/Agreement	Column "B" - Fee Payable
Easement	\$1,611.00
Encroachment	\$1,611.00
Encroachment, simple and/or assignment	\$657.00
Conveyance as a condition of development approval	\$657.00
Postponement Agreement	\$657.00
Partial Discharge of Mortgage	\$657.00
Maintenance and Liability Agreement	\$1,393.00
Amending Maintenance and Liability Agreement	\$657.00
Do it Yourself Construction Agreements	\$3,215.00
Watermain Agreements	\$657.00
Inhibiting Orders - Routine	\$657.00

Inhibiting Orders - Complex	\$1,993.00
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Release of Inhibiting Order - Routine	\$445.00
Release of Inhibiting Order - Complex	\$1,993.00
Early Servicing Agreement - Subdivision	\$12,954.00
Release of Deferral Agreement	\$657.00
Communal Water and Wastewater Agreements	\$12,954.00
Private Roadway Agreement	\$1,611.00
Release of Easement	\$1,083.00
Release of Site Plan Agreement	\$1,083.00
Pre-Servicing Agreement - Site Plan	\$1,678.00
Agreements arising from Consent Application	\$4,106.00
Agreements arising from Minor Variance	\$1,611.00
Well Agreement	\$655.00
Other Agreements arising from Committee of Adjustment Applications	\$1,083.00
Amending Site Plan Agreement Not Covered by Development Application Fee	\$3,040.00
Amending Subdivision Agreement Not Covered by Development Application Fee	One-half of Primary Agreement Legal Fee

Miscellaneous Agreement Arising from Development Applications	\$1,766.00
Release of Miscellaneous Agreements Arising from Development Applications	\$657.00
Traffic Signal Agreement	\$657.00
Municipal Covenant Agreement	\$657.00
Consolidation Agreement	\$657.00
Community Improvement Plan (Development Assistance) Grant Agreement	\$657.00
Road Modification Agreement	\$1,766.00
Other Agreements - Complex	\$1,993.00
Other Agreements - Simple	\$657.00
Limiting Distance Agreement	\$829.00
Section 37 Bonusing Agreement	\$657.00
Brownfield Agreement	\$657.00
Municipal Responsibility Agreement	\$3,955.00
Cost Sharing Agreement	\$3,955.00

1. In this Schedule,

"routine inhibiting order" means where conditions contained in the inhibiting order can be fulfilled at the time of registration of the plan of subdivision; and

"complex inhibiting order" means an inhibiting order where conditions contained in the inhibiting order will not be fulfilled until after the plan of subdivision is registered.

2. Fees for the final review, approval, inspection and release of security equal to 5% + HST of all hard servicing works (e.g. roads, sewers, watermains, sidewalks, curbs, stormwater, etc.) being installed as a result of a Do It Yourself Construction Agreement for roads, sewers and traffic signals and 2.5% + HST of all soft servicing works (e.g. lot grading, sodding, driveway treatment, etc.) being installed as a result of a Do it Yourself Construction Agreement for roads, sewers and traffic signals are payable prior to the execution of the agreement by the City.



**SCHEDULE "K"****On-Site Sign Fees**

1. A fee of \$906.00, plus HST is payable at the time of an application for an official plan amendment, a zoning by-law amendment, draft approval of a plan of subdivision, a site plan control complex, revision complex and master application, draft approval of a vacant land condominium, a demolition control application, or an application for a road closure, for a travelled road or lane, for two on-site signs on the property subject to the application.
  
2. Despite Section 1 of this Schedule, the fee payable at the time of application for a zoning by-law amendment related to the severance of a surplus farm dwelling shall be \$452.00, plus HST for one on-site sign on the property subject to the application.
  
3. Should the General Manager determine that more than two (2) on-site signs are required for the applications set out in Section 1 of this Schedule, or that more than one (1) on-site sign is required for the application set out in Section 2 of this Schedule, the applicant shall be invoiced in the amount of \$452.00, plus HST for each additional on-site sign.
  
4. No planning application described in this Schedule will be processed by the approval authority unless and until the applicable fees described herein are paid in full.

**SCHEDULE "L"****Municipal Review of Antenna Systems**

1. A fee of \$5,244.00 is payable at the time of an application for Municipal Review of an Antenna System, where such application is required pursuant to the Council-approved Municipal Concurrence and Public Consultation Process for Antenna Systems for an antenna system as defined under that process.
  
2. A fee of \$586.00 is payable at the time of an application for Municipal Review of an Antenna system, where such application is required pursuant to the Council-approved Municipal Concurrence and Public Consultation Process for Antenna Systems for a residential use antenna system as defined under that process.
  
3. No application described in Sections 1 or 2 of this Schedule will be processed by the City unless and until the fee described in Sections 1 or 2 is paid in full.

**SCHEDULE "M"**

## Miscellaneous Fees Related to Planning Applications

1. The fees to be collected pursuant to Table 9 are subject to Harmonized Sales Tax (H.S.T.) or any successor sales tax program thereto, where applicable.

**TABLE 9**

Column "A"	Column "B"
Fence Viewer Fee	\$430.00
<b>Administration / Research Fee (per street segment)</b>	\$91.00
<b>Customization Fees/Electronic File Translation</b>	
Production of Customized Map, Data or Engineering Plan (hourly rate)	\$127.00
<b>Aerial photography, base mapping, and LiDAR</b>	
Aerial Base Vector Mapping	\$159.00
Aerial Ortho-Imagery	\$159.00
Aerial LIDAR	\$159.00
3D Building (Production of customized fee might apply)	\$159.00
<b>Engineering, UCC Central Registry Plans, Thematic and Cartographic Maps</b>	
Engineering plans - pdf	\$16.50

Engineering plans CAD or GIS file	\$49.00
Central Registry Plans - CAD	\$156.00
Central Registry Plans - pdf	\$49.00
General land use maps and online store maps - print copy	\$16.50
General land use maps - pdf	\$127.00
<b>Water / Wastewater Distribution / Collection Plans</b>	
1:2500 scale - .pdf	\$49.00
Water/Wastewater - CAD/GIS files 1:2000	\$156.00
<b>Engineering / Geotechnical Reports/Studies:</b>	
Cost per digital report	\$37.00

**BY-LAW NO. 2024 - ###**

-0

A by-law of the City of Ottawa to impose fees for planning applications and to repeal By-law No. 2024-33.

-0

Enacted by City Council at its meeting of **January 24<sup>th</sup>**, 2024.

-0

LEGAL SERVICES

**TCM**

COUNCIL AUTHORITY:

City Council – December 6, 2023

**Document 4** - Closing the loop on some additional matters from Bill 109

The below closes the loop on some Bill 109 motions and directions.

**1. Motion No. PHC-ARAC 2023-01-02 (Moved by L. Dudas)**

THEREFORE BE IT RESOLVED THAT staff be directed to assess the feasibility of Councillor participation in Pre-Consultation for Zoning By-law Amendment applications and report back to Council in Q4 2023 with their findings.

Staff have assessed the feasibility of Councillor participation in Pre-Consultation for Zoning By-law Amendment applications and have determined that while it is not advisable to have Councillors participate in the pre-consultation process, it is feasible for staff to continue strongly encouraging applicants to have separate and parallel conversations with Councillors.

For this assessment, staff considered participation of Councillors and members of their office.

Confidentiality of the pre-consultation process with applicants

It has been the practice at the City of Ottawa to treat the pre-consultation process with applicants as confidential. That being said, the applicant can share any information about their project with stakeholders, Councillors and the public.

The *Planning Act* Section 34 provides that a municipality shall permit applicants to consult the municipality before submitting a development application. The City of Ottawa Pre-Consultation By-law accordingly permits an applicant to submit a pre-consultation form to initiate the pre-consultation process prior to submitting a request to amend the Official Plan, Zoning By-law Amendment, Site Plan Approval, application for approval of a plan of subdivision, and/or an application for approval of a condominium.

The pre-consultation process is considered confidential due to the municipality not having received a development application and the tentative and sometimes commercially sensitive nature of the information being shared. Examples of the applicant's rationale for keeping a project confidential at pre-consult include, but are not limited to:

- the property in question has not yet been bought or the sale has not closed;

- the project has a sensitive use (such as a shelter);
- the project is considered commercially sensitive.

The only exceptions to the attendees of a confidential pre-consultation meeting (which takes place between city staff and applicant representatives) are:

- Conservation Authorities, in instances where there are Natural Hazards on site given that they are the provincial approval authority on these matters; and
- Designated members of participating community association that are members of the pilot program. The community attendees are present to provide a community perspective and have signed Non-Disclosure Agreements (NDAs) that prevent disclosure of confidential matters. The confidentiality requirements of the non-disclosure agreement only cease to apply when the City receives a corresponding development application or if the applicant consents to the disclosure of information.

Applicants retain the right to share any information about their development with whom they wish, and are encouraged to engage with the Community, Councillors, technical agencies (like utilities and telecoms) before a formal application submission.

## **2. Direction to Staff (Councillor A. Troster)**

That city staff will report back at both Planning and Housing Committee and the Agriculture and Rural Affairs Committee on what additional staff resources would be needed to ensure that a staff member could be present at community consultations, when requested by the ward Councillor. The staff member(s) attending these meetings could be a city planner, but may not need to be.

While staff expect Councillors to continue hosting some public meetings for ZBLA going forward, it is also expected that there would be less SPC meetings. Given this analysis, staff propose to initially monitor the increase, if any, in BTSS staff participation over 2024-2025 and report back as required.

## **Document 5 – Bill 185 detailed process**

### Pre-consultation

While no longer mandatory, staff would continue to recommend applicants pre-consult with the City on their development concepts. An early engagement with the City provides valuable input from subject matter experts that will inform a complete submission, and assist the applicant to craft an application with a higher likelihood of supportability.

Proposed to continue is applying a fee of \$906.00 is payable at the time of submission of an application for each phase of a recommended pre-consultation with respect to an application for:

1. official plan amendment;
2. zoning by-law amendment described in Rows 1 and 2 of Table 2 in Schedule "B"; [FYI rows 1 and 2 describe minor and major rezonings]
3. site plan control;
4. draft approval of a plan of subdivision;
5. draft approval of a vacant land condominium;
6. municipal review of an antenna system.

### List of Materials and information

Typically provided by staff at the pre-consultation, staff continue to recommend that applicants engage with the City early in their process to ensure that the list of materials and information they prepare is complete.

Applicants can alternatively consult the list of potential materials and information indicated on the application form for the development they intend to submit. Applicants will be responsible to check the Terms of Reference for these materials to ensure they submit a complete application.

### Completeness check

The *Planning Act* enables a municipality to require information and materials to be submitted to the City to be deemed a complete application, if the list of information and material is listed in the Official Plan. Ottawa's Official Plan uses the [Development Application Study Policy by-law](#) (DASP) to list the information and materials that could be required for a development application. To implement Bill 109, the City published Terms of References for each item listed on the DASP to assist applicants with



providing the City with the information it needs to render a rapid decision within the prescribed timelines. Phase 3 of pre-consultation served to verify that the information provided was complete, and consistent with each other, and with the terms of reference.

The *Planning Act* requires the municipality to, within 30 days, notify an applicant whether the information and material required have been provided, or that they have not been provided. This was done very quickly during official review because materials were already reviewed during pre-consultation Phase 3.

With Bill 185 removing mandatory pre-consultation, the “completeness check” where staff verify that documentation is complete, consistent with one another, addressed items raised during pre-consultation if it occurred, and consistent with our terms of references, will now occur during the official review. Staff propose to use the first 30 days from the day documents and payments are submitted to advise applicants of the completeness of their submission.

The applicant is expected to fulfill the requirement of the Terms of References for the items on the DASP required for their application. It is of note that certain Terms of Reference require engagement with the City, to obtain accurate information or refine the scope of the study, before an application is deemed complete. For example, applicants must connect with the City to understand whether there is capacity for their proposed development in order to generate their servicing study. This requirement continues to exist. Another example is that an Urban Design Review Panel (UDRP) Report is a requirement for a complete submission if the project meets the thresholds for review outlined in the UDRP Terms of Reference. Applicants are encouraged to pre-consult with Staff to obtain a customized Urban Design Brief Terms of Reference to use as their presentation to the UDRP.

#### Timelines, concurrent submissions, and resubmission

Upon receipt of a complete submission with complete materials, the approval target timelines of 90-calendar-days for Zoning By-law Amendment, or the 60-calendar-days for Site Plan Control, would continue to apply.

The province has not amended the timelines or the requirement of cities to meet them.

That being said, staff understand a primary concern of the development industry with the implementation of Bill 109 has been that SPC and ZBL applications were no longer permitted to be submitted concurrently. There is benefit to applicants and staff to re-instate concurrent submissions so that the information and materials can be reviewed at the same time. Staff therefore propose to permit joint applications, if applicants

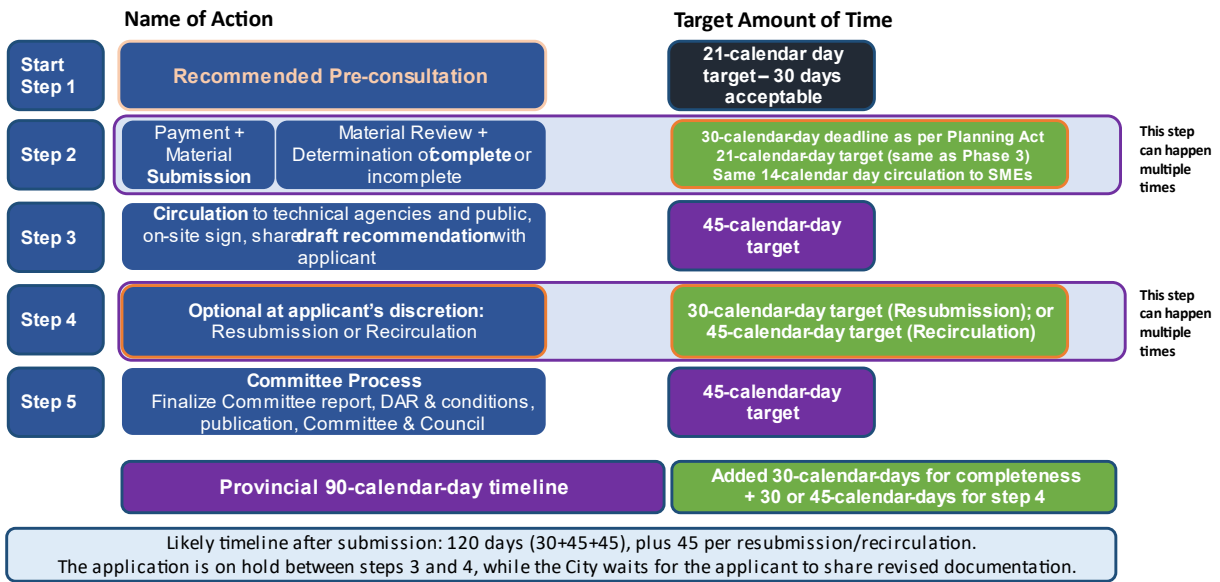
understand that the timelines will be paused until they have resubmitted their documentation to the City.

Where the applicants' amendments to their documentation warrants a full re-circulation to technical agencies, the target for staff to review would be the same as a new submission (see visual below).

**Visual representation of the proposed adaptations**

The below provides a visual representation of the Zoning By-law Amendment, and joint Zoning and Site Plan Control, applications, with the likely timeline after submission being a 120-calendar-day target (30+45+45), plus 45 days per resubmission. The application would be on hold while we wait for re-submission (between steps 3 and 4).

**Bill 185 – Zoning – concurrent ZBL and SPC**



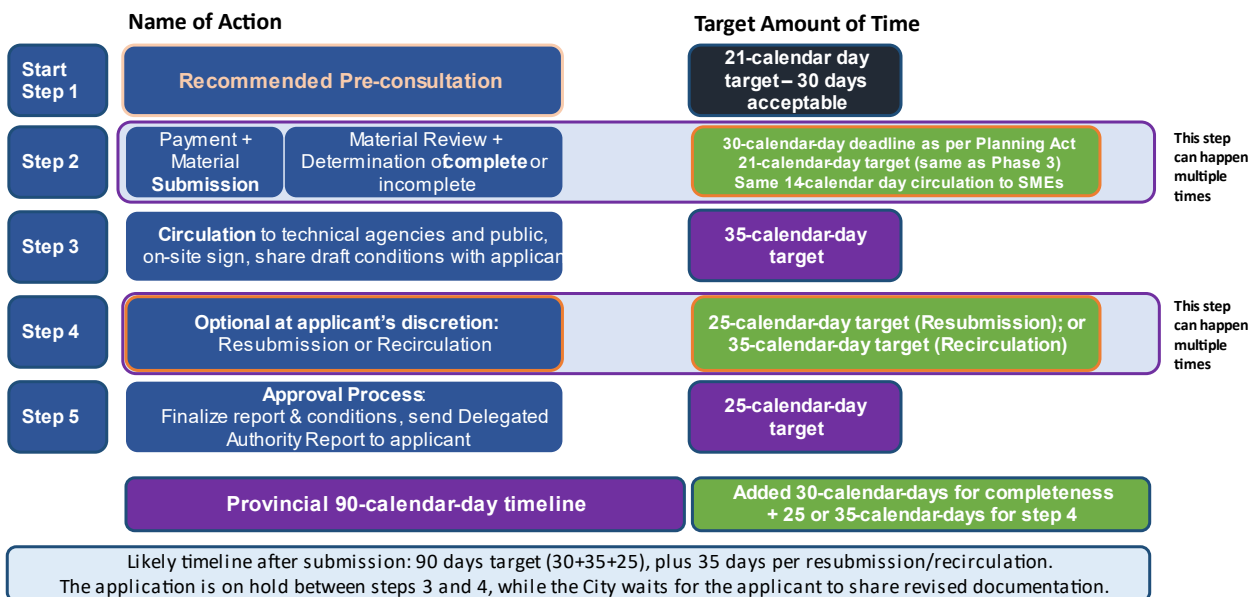
**Proposed** adaptations while delivering at the same intensity of service as Bill 109:

1. Recommended pre-consultation:
  - Same **21-calendar-day target** as Bill 109's phased pre-consultation
2. Deem application complete (check that information is complete, consistent with one another and consistent with ToFR):

- Same **21-calendar-day target** as Bill 109’s Phase 3 of pre-consultation (with a maximum of 30 days in the *Planning Act*)
3. Circulate internally and externally, and provide draft recommendations to applicants:
    - Same **45-calendar-day target** as Bill 109 during official review
  4. \*New\*: Introduce the choice for applicants to resubmit documentation, after which the City commits to reviewing, recirculating and providing revised recommendations within a **45-calander-day target**
    - Flexibility introduced to applicants, with the same target Bill 109.
    - Applicants can resubmit multiple times.
  5. Finalize staff report, publish report, decision rendered by Committee and Council
    - Same **45-calendar-day target** as Bill 109 during official review

The below provides a visual representation of a Site Plan Control application, with the likely timeline after submission being a 90-calendar-day target (30+35+25), plus 35 days per resubmission. The application would be on hold while we wait for re-submission (between steps 3 and 4).

### Bill 185 – Site Plan Control Only



**Proposed** adaptations while delivering at the same intensity as Bill 109:

1. Recommended pre-consultation
  - Same **21-calendar-day target** as Bill 109's phased pre-consultation
2. Deem application complete (check that information is complete, consistent with one another and consistent with ToFR).
  - Same **21-calendar-day target** as Bill 109's Phase 3 of pre-consultation (30 days in *Planning Act*)
  - Same **14-calendar day circulation to SMEs** (included in the 21-calendar-day target)
3. Circulate internally and externally, and provide draft recommendations to applicants
  - Same **35-calendar-day target** as Bill 109 during official review
4. \*New\*: Introduce the choice for applicants to resubmit documentation, after which we commit to reviewing, recirculating and providing revised recommendations within a **35-calendar-day target**
  - Flexibility introduced to applicants, with the same timelines Bill 109.
  - Applicants can resubmit multiple times.
5. Finalize staff report, publish report, decision rendered by Director of Planning Services
  - Same **25-calendar-day target** as Bill 109 during official review