

On April 14, 2020, Bill 189, the *Coronavirus (COVID-19) Support and Protection Act, 2020* was passed. Shortly after the passage of Bill 189, O. Reg 149/20 was issued. This guide is meant to be a quick reference to members to recall the new and suspended timelines within the *Planning Act & Development Charges (DC) By-Law*.

Emergency Declared

MARCH 17

Planning decision notices completed between Feb 26 and April 15, and the appeal period began, will need to be reissued.

DC By-Laws that expired are deemed to not have expired.

Decisions made where a notice WAS NOT issued or not completed (the appeal period had not begun) after March 2 and before April 15 need to be reissued with a new date and appeal period restarts.



O. Reg 149/20 Issued

APRIL 15

Many *Planning Act* timelines associated with notices of decisions are suspended. Please refer to O. Reg 149.20, Section 5(1) for a complete list. Municipalities have full discretion as to whether or not to make planning decisions during the emergency on NONE, SOME or ALL applications.

Some *Planning Act* timelines associated with the decision-making process are also suspended (for determining completeness of an application, for giving notice of a complete application and for sending any appeal records to the LPAT).

Decisions made AFTER April 15 are required to follow the regular timelines of the *Planning Act*.

Once the Emergency Order is Lifted

DAYS

+10

Notice of Decision deadline for minor variances decisions made between Feb 26 and April 15.



DAYS

+15

Notice of Decision deadline for all other notices included in O. Reg 149/20.

Please reference O. Reg 149/20, Section 4(3) for a list of applicable notices of decision.

Development Charge By-Law

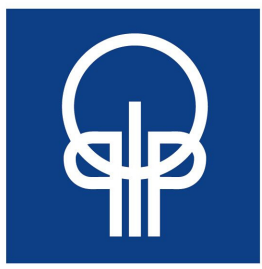
MONTHS

+6

A New Development Charge By-Law MUST be passed for those that have expired in order for a municipality to continue to collect DCs.



Members can visit OPPI's website (<https://ontarioplanners.ca/covid-19-information-for-members>) for updates and resources. Thank you to MMAH for their assistance with the development of this resource. This is not meant to represent a legal interpretation.



On April 14, 2020, Bill 189, the Coronavirus (COVID-19) Support and Protection Act, 2020 was passed. Shortly after the passage of Bill 189, O. Reg 149/20 was issued.

This guide is meant to be a quick reference to members to recall the new and suspended timelines within the *Planning Act & Development Charges (DC) By-Law*.

The Regulation:

- Is permissible legislation allowing Councils and Committees to control the decision-making and appeals processed under the *Planning Act* to render a decision if they choose to do so or where unable to, a decision is not required until after the state of emergency and there is no ability to appeal the failure to make a decision on an application if the relevant timeline would have expired during the emergency.



Regulations Suspended - Processing & Administrative Timelines in the Planning Act

DAYS
30

- Site Plan (including under the City of Toronto Act, 2006)
- Demolition Permits

DAYS
45

- Community Planning Permit

DAYS
90

- ZBLA
- Holding By-Law
- Consent

DAYS
120

- OPA
- Combined OPA & ZBLA
- Plan of Subdivision



Additional Administrative Timelines

DAYS
15

- A municipality to send a record to the Local Planning Appeal Tribunal (15 days from the end of the appeal period)
- A municipality to send an adopted official plan / amendment to the approval authority (15 days from adoption)
- The related public notice of the receipt of the complete application (15 days from confirmation that it is complete)
- Notify the municipality of the protest appeal (15 days after application to Tribunal)

DAYS
30

- A committee of adjustment to hold a hearing on a minor variance (30 days from receipt of application)
- A municipality to advise applicant whether application (certain types only) is complete (30 days from payment of fee)
- An applicant's ability to challenge municipal determination of completeness (30 days from municipal confirmation that it is incomplete)
- Parkland cash-in-lieu payments (30 days from payment)
- An applicant to register a plan of subdivision (30 days from final approval)

YEAR

+1

- Interim control by-law (but only in relation to those in effect when the emergency began and was not repealed by April 15):
 - to be in effect for a limit of 1 year
 - extensions cannot exceed a total of 2 years from the date it came into effect
- An applicant to satisfy the conditions for a provisional consent (1 year from the date of notice of the consent)
- An applicant complete the transaction for a consent (2 years from consent certificate being given)



Members can visit OPPI's website (<https://ontarioplanners.ca/covid-19-information-for-members>) for updates and resources. Thank you to MMAH for their assistance with the development of this resource. This is not meant to represent a legal interpretation.