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RE: EBR Registry No. 012-0241 Land Use Planning and Appeals System Consultation

The Federation of Northern Ontario Municipalities (FONOM) wishes to address specific aspects of the system that are in need of attention. This would include implementing a mandatory mediation process to be applied to minor variances that would be appealed to the Ontario Municipal Board (OMB), particular appeals should not be subject to the appeal process, the provision of end dates to subdivision appeals should be established, and conditional zoning should be permitted rather than the current development permit system.

The utilization of lands in northern Ontario is central to our livelihood and ensuring that these lands are being developed efficiently is of great concern to our municipalities. Therefore, it is important that the Land Use Planning and Appeals System is responsive to the needs of the region. The following highlights the areas that FONOM believes reforms could benefit municipalities in the north.

- Implementing a mandatory mediation process that would be applied to minor variances from local by-laws would attempt to find a solution prior to going through the appeal process and therefore limit the potential burden of municipalities incurring costs.
- A number of issues should not be subject to appeal such as those which have already been designated as approved by the Province and appeals to entire Official Plans should not be allowed.
- The provision of end dates to subdivision appeals should be established. As communities in Northern Ontario grow and develop, specifically the economic centres, it is important to have measures in place that will not hinder the planning process through appeals. As communities engage in long term planning, it is vital that this be established.
- Permission to utilize conditional zoning rather than the current development permit system would minimize the number of appeals and allow municipalities to have greater authority in the planning process.

Implementing reforms that would assist in limiting the appeal process for particular appeals would benefit municipalities in northern Ontario. The costs associated with entering an appeal process with the OMB is significant and would put municipalities at a disadvantage, focusing limited funds on appeal processes rather than projects that would generate positive returns such as economic development.

FONOM asks that the Ministry consider these potential reforms when consulting on the Land Use Planning and Appeals System.

Sincerely,

Alan Spacek,
President