

How to participate in land use planning

What is land use planning?

Land use planning is the process of deciding how land should be used to meet the community's goals. There are often competing priorities and opinions about the type of development that should be allowed on a parcel of land or an area of the community. The land use planning process helps the community determine what is and isn't acceptable in a neighbourhood, district, city, region or the province as a whole.

The best plans are always achieved through a collaborative process that includes:

- Members of the public,
- Business owners,
- Community groups,
- The development industry, and
- The municipality.

Public participation in local decision making is fundamental to democracy. Participation builds a sense of community and a sense of pride in what has been built together.

Resources

The Planning and Application Resource Centre (<http://www.mah.gov.on.ca/Page186.aspx>) on the website of the Ministry of Municipal Affairs and Housing.

Get involved early

If you've received a notice in the mail, or read about a public meeting about a planning application, you might be wondering how you can participate. You can be involved in many stages of the approvals process. There is always a public meeting, and the planning documents are available to be reviewed. Often there are additional informational meetings, public information sessions, working groups, and other public engagement events. You can contact your local planning department or visit your municipal websites for details.

By getting involved early and sharing your views about a forthcoming planning application or land use plan, you help to:

- Create the best communities

- Resolve competing interests before a decision is made
- Avoid the time and cost of appeals

Once a decision has been made by the municipality or approval authority, you may have an opportunity to appeal the decision.

We can help

The Local Planning Appeal Support Centre (LPASC) provides the public with support on how to engage in the planning approvals process and navigate the appeals process under the Planning Act. We can help you:

- Understand the land use planning and appeals process in Ontario
- Participate in early engagement and resolution
- Express your concerns in land use planning terms
- Prepare to present at a public meeting, mediation or hearing
- Complete appeal forms and other documentation required by the Local Planning Appeal Tribunal (LPAT)

To ask for our help, complete the inquiry form (<https://www.lpasc.ca/contact-us-en/>) on our website or call 1-800-993-8410. We will respond within two business days. We also have other guides like this one posted on our website.

Determining the type of planning initiative

The formal land use planning process starts when:

- A municipality introduces a land use planning initiative (such as a new official plan, a community plan or a zoning by-law), sometimes referred to as long-range planning, or
- An individual or corporation submits a land use planning application asking for approval of a request (such as a particular use of a parcel of land, or to build on land already zoned for a use), sometimes referred to as current planning or development planning.

There are slight differences in the process that is followed and how you can be involved, depending on who has proposed the initiative.

Getting involved in an initiative led by a municipality

How the process works

1. As communities evolve or new legislation or policies are introduced, municipalities may need to update their official plans or zoning by-laws to meet changing requirements.
2. The municipality is required to consult with the community on the plan or by-laws. This can happen before the plan or by-laws are drafted or once the drafts have been prepared. Municipalities use many ways to engage the public, including meetings, social media, and websites.

3. The municipality hosts a statutory public meeting to present the proposed official plan, official plan amendment, zoning by-law or zoning by-law amendment to the community. The statutory public meeting is a formal step in the planning process. It is often scheduled as part of a planning committee or city council meeting.
4. As a component, or after the statutory public meeting, the municipal council will vote to do any one of the following to the official plan, official plan amendment, zoning by-law or zoning by-law amendment:
 - Approve,
 - Refuse
 - Modify and approve
 - Defer
5. Once adopted by council, the planning application may need further approval by another level of government. For example, official plans adopted by a lower-tier municipality require approval from the upper-tier municipality. The Ministry of Municipal Affairs and Housing has a complete list of the approval authorities for different types of land use plans or planning applications on their website here (<http://www.mah.gov.on.ca/Page15335.aspx>).
6. When the approval authority makes a final decision on the application, they are required to issue a "Notice of Decision". This notice is sent out to all who requested receiving it. It is important to ask to receive notice if you are engaged in the process.

What you can do

As a member of the public, you can participate at several stages.

Consultations / open houses

If the municipality holds consultations with the community and you decide to attend, you can:

- Ask the municipal staff or their consultants questions
- Discuss your issues
- Propose alternative courses of action
- Review details of the proposals
- Ask the organizers to include you on a distribution list to receive a notice about the decision on the application

Plans often evolve through the early consultation stage. If you're not able to attend the consultation or want to do more, you can:

- Contact your municipal councillor to express your opinion on the initiative
- Review materials about the proposals on the municipality's website
- Write to the municipality and ask to receive a notice about the decision made on the application if you're not already on the list
- Provide written comments to council.

Statutory public meetings

You can make your views known by:

- Speaking at the public meeting; or
- Sending written comments to council before the meeting.

If you want to be able to appeal a decision that might arise, you need to make your views known at the statutory public meeting, or in written comment sent to council or committee. Participating in the early consultations prior to the statutory public meeting does not put you on the public record and establish your right to appeal later (unless you put your comments in writing to council).

In the event that a plan must go to another level of government for final approval, you have an opportunity to submit comments to the upper-level government (i.e. the upper-tier municipality or the Ministry of Municipal Affairs and Housing) before they release a final decision.

After the decision

You may be able to appeal the decision (<https://www.lpsc.ca/resources/how-to-appeal-a-land-use-planning-decision/>) if you believe part of the new official plan or zoning by-law is:

- Inconsistent with the Provincial Policy Statement, or
- Fails to conform with a provincial plan, regional official plan or applicable official plan.

If you decide to appeal, you are considered an appellant (<https://www.lpsc.ca/resources/glossary/>).

If you do not appeal the decision, but someone else does, you may be able to request non-appellant party (<https://www.lpsc.ca/resources/glossary/>) status or participant status (<https://www.lpsc.ca/resources/glossary/>).

Getting involved in an initiative led by an individual or corporation

How the process works

1. The applicant decides they would like to build something, subdivide or change the land use on a parcel of land. At this pre-application stage, the applicant may be required to meet with municipal planning staff to discuss their proposal. At this meeting, the applicant learns:
 - What may or may not be allowed; and
 - The types of studies and reports they will need to submit to receive approval for their plan.
2. If the applicant's proposal can't be built as of right [[link to glossary](#)], and it requires a change to the zoning or the official plan designation, the applicant must submit one or more of the following to the municipality or approval authority:
 - Official plan amendment application
 - Zoning by-law amendment application
 - Minor variance application
3. If the applicant's proposal involves the division of land, the applicant must submit one of the following to the municipality or approval authority:
 - Plan of subdivision application
 - Plan of condominium application
 - Consent to sever land application
4. As part of their application, the applicant must submit all of the studies and reports asked for during the pre-application stage. The submission of all required documents and reports is called "a complete application". Information on complete applications can be found here on the website of the Ministry of Municipal Affairs and Housing.

5. Municipal staff review the application to ensure it's complete. If it is, a Notice of Complete Application is sent to the applicant. The applicant is then required to post notice of the application by doing one or more of the following:
 - Post information about the application on the property.
 - Post information about the application in the newspaper.
 - Deliver information about the application to the owners of adjacent properties. Applicants are generally encouraged to engage the local community as a component of their application, and many municipalities require the applicant to hold community information sessions.
6. For most types of applications, an informational public meeting is held. At the meeting, municipal staff provide a summary of the application and the applicant describes their proposal. Members of the public can ask questions or make comments.
7. As a component of the approvals process, the municipality is required to give notice of the statutory public meeting.
8. Municipal staff present their report and recommend a decision to council or the planning committee of the municipality. This is another opportunity for council or committee members to ask questions and consider the application. Council may decide to:
 - Approve the application;
 - Refuse the application;
 - Approve the application with changes or conditions; or
 - Defer decision
9. After the decision has been made, staff will issue a Notice of Decision to everyone who requested that they be notified.
10. For most applications, the municipality has a specific number of days to make a decision about whether to approve the planning proposal. If they don't make a decision within the time frame, the applicant can appeal and ask the Local Planning Appeal Tribunal (LPAT) to make a decision instead.

The following table lists the time allowed for each type of application.

Type of Application	Time allowed for decision
Official plan amendments applications	210 days
Zoning by-law amendment (https://www.lpasc.ca/resources/glossary/) and holding by-law (https://www.lpasc.ca/resources/glossary/) applications	150 days
Consent to sever land applications	90 days
Official plan amendment and zoning by-law amendment applications related to the same development proposal	210 days
Minor variance applications	No time limit

What you can do

As a member of the public, you can participate at several stages.

After Notice of Complete Application is issued

You can:

- Ask to see the application and supporting studies
- Provide comments to municipal staff, council or committee any time after the application has been submitted, and whenever it is revised or updated
- Ask to receive a Notice of Decision once the final decision on the application is made

At the information and statutory public meetings

You can make your views known by speaking at the information public meetings, at the statutory public meeting, or by sending written comments to council. If you want to be able to appeal later, you need to make your views known at this stage.

After the decision

If you haven't already, you can ask to receive the Notice of Decision.

You may be able to appeal the decision (<https://www.lpasc.ca/resources/how-to-appeal-a-land-use-planning-decision/>).

This guide offers general information on issues of legal and planning matters and is not to be relied upon as a substitute for professional legal or planning advice. This guide, last updated August 2018, reflects legislation, policies and practices that are subject to change. Readers should seek professional legal and/or professional planning advice for their specific appeal and the particular issues that concern them. If you have any questions or concerns regarding this guide or how it may apply to your circumstance, please contact LPASC directly.