

# Citizens' Guide 1



## The Planning Act

May 2018

# Introduction

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

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

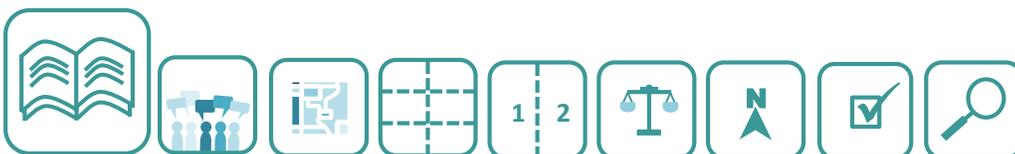
Good planning leads to orderly change and the efficient provision of services. It touches all of us and helps us to have the kind of community we want.

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

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

## Disclaimer

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



# What is the Planning Act?

The [Planning Act](#) (the Act) is provincial legislation that sets out the ground rules for land use planning in Ontario. It describes how land uses may be controlled, and who may control them.

The purpose of the Act is to:

- promote sustainable economic development in a healthy natural environment within a provincial policy framework
- provide for a land use planning system led by provincial policy
- integrate matters of provincial interest into provincial and municipal planning decisions by requiring that all decisions be consistent with the Provincial Policy Statement and conform/not conflict with provincial plans
- provide for planning processes that are fair by making them open, accessible, timely and efficient
- encourage co-operation and coordination among various interests
- recognize the decision-making authority and accountability of municipal councils in planning.

The Act provides the basis for:

- considering provincial interests, such as protecting and managing our natural resources
- preparing official plans and planning policies that will guide future development
- a variety of tools that municipalities can use to facilitate planning for the future
- establishing a streamlined planning process which emphasizes local autonomy in decision-making
- exempting official plans and official plan amendments from provincial or upper-tier approval (See [Guide No. 2](#), Official Plans)
- regulating and controlling land uses through zoning bylaws and minor variances (See [Guide No. 3](#), Zoning Bylaws)
- dividing land into separate lots for sale or development through a plan of subdivision or a land severance (See [Guide No. 4](#), Subdivisions and [Guide No. 5](#), Land Severances)
- ensuring the rights of local citizens to be notified about planning proposals, to give their views to their municipal council and, where permitted, to appeal decisions to the [Local Planning Appeal Tribunal](#) (LPAT) or in some cases, a municipal Local Appeal Body (LAB) where a LAB has been established by a municipality. The LPAT and LAB are independent administrative tribunals responsible for hearing appeals and deciding on a variety of contentious municipal matters (See [Guide No. 6](#), Local Planning Appeal Tribunal)
- establishing local planning administration, including planning boards in Northern Ontario (See [Guide No.7](#), Northern Ontario)



- allowing that provincial appeals can only be made through the Ministry of Municipal Affairs (See [Guide No. 9](#), The Plan Review and Approval Process).

## What is the province's role?

The province:

- issues provincial policy statements under the Planning Act
- promotes provincial interests, such as protecting farmland, natural resources and the environment, and promotes development that is designed to be sustainable, supportive of public transit and oriented to pedestrians
- prepares provincial plans e.g. Greenbelt Plan and Growth Plan for the Greater Golden Horseshoe
- provides one-window planning service to municipalities through the Ministry of Municipal Affairs, the primary provincial contact for advice and information on land use planning issues
- gives advice to municipalities and the public on land use planning issues
- administers local planning controls and gives approval where required.

## What is the role of municipalities?

The municipality:

- makes local planning decisions that will determine the future of communities
- prepares planning documents, such as:
  - an official plan, which sets out the municipality's general planning goals and policies that will guide future land use
  - zoning bylaws, which set the rules and regulations that control development as it occurs.
- ensures planning decisions and planning documents are consistent with the Provincial Policy Statement and conform or do not conflict with provincial plans.

The Planning Act also gives planning boards in Northern Ontario the power to adopt official plans and pass zoning bylaws for unorganized territory within their planning areas.

Upper-tier municipalities (i.e. counties and regional/district municipalities) as well as planning boards deal with broad land use planning issues that concern more than one local municipality. All upper-tier municipalities have their own official plans and have the power to approve local official plans, in place of the Minister of Municipal Affairs.

Some of these upper-tier municipalities are also the approval authority for plans of subdivision.

Contact your [municipality](#) to determine the approval authority for official plans and plans of subdivision in your area.



# What is the Provincial Policy Statement?

Under the Planning Act, the Minister of Municipal Affairs may issue provincial statements on matters related to land use planning that are of provincial interest.

The [Provincial Policy Statement, 2014](#) (PPS) applies provincewide and contains overall policy directions on matters of provincial interest related to land use planning and development. The PPS is available from your [municipality](#), your local [Municipal Services Office](#) or by visiting the Ministry website at: [ontario.ca/pps](http://ontario.ca/pps).

The PPS promotes a policy-led planning system that recognizes there are complex inter-relationships among and between environmental, economic and social factors in land use planning. Below is a description of three major PPS policy sections:

## Building Strong Healthy Communities

The PPS provides policy direction that will help build strong healthy communities in Ontario. For example, to help achieve strong communities where people want to live, work and play, the PPS, provides policies for:

- the efficient use of land and infrastructure
- the provision of an appropriate range and mix of housing types, including affordable housing, and densities to meet the needs of current and future residents
- the protection of employment areas to promote economic development and competitiveness
- the promotion of healthy, integrated and viable rural areas.

## Wise Management of Resources

The PPS includes strong policy direction to protect the province's natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources. Protecting these important resources will help ensure Ontario's long-term prosperity, environmental health and social well-being.

## Protecting Public Health and Safety

The PPS protects Ontario communities through policies directing development away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety, or property damage. It also provides for the consideration of the potential impacts of climate change (e.g. flooding due to severe weather) that may increase the risk associated with natural hazards.



## Applying the PPS

When decision-makers exercise any authority that affects planning matters, the Planning Act requires that they “shall be consistent with” the PPS. This means that a decision-maker must ensure that the policies in the PPS are applied as an essential part of the land use planning decision-making process. Decision makers implement the PPS in the context of other planning objectives and local circumstances.

## How does the Planning Act work?

Municipal councils, landowners, developers, planners and the public play an important role in shaping a community. Community planning is aimed at identifying common community goals and balancing competing interests.

The central activity in planning a community is making an official plan, a document which guides future development of an area in the best interest of the community as a whole.

Your municipal council must give you as much information as possible when preparing its official plan and, in some cases, must hold a public open house to let the public review, ask questions and provide suggestions or comments about the plan. Before it adopts the plan, council must hold at least one public meeting where you can formally give your opinion. It is up to council to decide the best way to let people know about the meeting, but notice must be given at least 20 days ahead of time, either through local newspapers or by mail and posted notice.

The Act encourages early upfront involvement and the use of mediation techniques to resolve conflict. Make sure you make your views known early in the planning process. If you don't, you are not eligible to appeal certain types of planning decisions and you may not be eligible to be a party to appeals of certain types of planning decisions.

The Planning Act contains similar procedures for changes to the official plan, for zoning bylaw amendments and approval of plans of subdivision.

## How can you get involved?

You can be an important part of the land use planning process by keeping informed about what's going on in your community and by participating in public meetings.

Your input will help the municipal council make better decisions that affect your future. If you are concerned about all or any part of a planning proposal or policy change, you should:

- find out as much as you can about the proposal
- think about how it will affect you
- talk to your neighbours
- go to public meetings, open houses and information sessions and let council know what you think



- write to your council member or the municipal officials about your views
- work with council and municipal staff to resolve your concerns.

Finally, if you are not happy with council's decisions on planning issues, in some instances you may appeal to the Local Planning Appeal Tribunal for a public hearing. To ensure that your appeal rights are protected, it is important that you make your views known during the municipal decision-making process.

For more information about your rights to appeal, see [Guide No. 6](#), the Local Planning Appeal Tribunal, and the guides that deal with specific types of planning documents.

## How can you find out more?

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

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

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